First Wednesday Planning Committee

Members of the First Wednesday Planning Committee:

Conservatives Liberal Democrats
Mr W Kemp Mrs V Bell
(Chairman) Dr M Gray
Mr D Blake
(Vice-Chairman)
Mr L Dale
Mr L Hornby
Dr C Kemp
Dr N Legg
Mrs L Neal
Mr B Spratt
Mrs J Wilby

Group Meetings
Conservatives: Blomefield Room 12.45 pm to 1.30 pm

Date
Wednesday 4 January 2012

Time
1.30 pm

Place
Council Chamber
South Norfolk House
Swan Lane
Long Stratton Norwich
NR15 2XE

Contact
Caroline Heasley tel (01508) 533685
South Norfolk District Council
Swan Lane
Long Stratton Norwich
NR15 2XE

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

Note: information that is publicly available may be shared at Group Meetings, but the outcome of applications or the ways in which Members may vote should not be discussed.

Please note that the order of the agenda may change at the discretion of the Chairman, so it is advisable to arrive at the commencement of the meeting if you are intending to speak.

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

29/12/2011
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 6)

4. Minutes of the Special Meeting of the First Wednesday Planning Committee held on 2 December 2011 and the First Wednesday Planning Committee held on Wednesday 7 December 2011;
   (attached – page 9)

5. Planning Applications and Other Development Control Matters;
   To consider the applications as listed below: (report attached – page 33)

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Planning Ref No.</th>
<th>Parish</th>
<th>Site Address</th>
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<td>DISS</td>
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<td>2</td>
<td>2011/1544/F</td>
<td>DICKLEBURGH AND RUSHALL</td>
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<td>Land at junction of Frenze Brooke and River Waveney, Victoria Road</td>
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<td>5</td>
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<td>GREAT MOULTON</td>
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<td>2011/1904/F</td>
<td>WYMONDHAM</td>
<td>Unit 4, Morley Hall Farm Barns London Road</td>
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</table>
7. **Sites Sub-Committee;**

Please note that the Sub-Committee will only meet if a site visit is agreed by the Committee. If required, the site visit will take place on **Wednesday 25 January 2012** with membership to be confirmed.

8. **Planning Appeals (for information)** (attached – page 97)

9. **Exclusion of the Public and Press;**

To exclude the public and the press from the meeting under Section 100A of the Local Government Act 1972 for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 6 of Part 1 of Schedule 12A to the Act (as amended)

10. **Variation of S106 Agreement – Property in Poringland** (attached – page 98)
### Details of Planning Accreditation

<table>
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<th>Conservative Councillor</th>
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<th>Liberal Democrat Councillor</th>
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<tr>
<td>K Weeks</td>
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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**;
- Member consideration/decision.

**GUIDELINES FOR DETERMINING THE NEED TO VISIT AN APPLICATION SITE**

The following suggested guidelines are put forward to assist Members in providing a context in which 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/relationships between site boundaries/existing buildings are difficult to envisage other than by site assessment;

(ii) The impacts of new proposals on neighbour amenity eg shadowing, loss of light, physical impact of structure etc, 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, eg 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.
AGENDA ITEM 3

DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether the interest is a personal one only or one which is also prejudicial. The declaration should indicate the nature of the interest and the agenda item to which it relates. In the case of a personal interest, the member may speak and vote. If it is a prejudicial interest, a member has the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. A member can participate fully where the interest is shared with the majority of residents in that particular ward. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

| Is (or should) the Interest be registered in the Register of Members' Interests? |
|--------------------------|-----------------------------|
| If not, whose well being or financial position is affected to a greater extent than the majority of other people in the ward? |
| Your own | A family member | A close associate |
| Any person or body who has employed or appointed your family member/close associate |
| Any firm in which your family member/close associate is a partner or company of which they are directors |
| Any company in which your family member/close associate has shares with a face value more than £25,000 |
| Any of the following in which you hold a position of general control or management: outside organisations, other public authorities, charities, pressure groups, political parties or trade unions |

Does the interest:

- (a) affect your financial position or the financial position of a person or body described above? **(If Yes the interest may be prejudicial)**
- (b) relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described above? **(If Yes the interest may be prejudicial)**
- (c) relate to scrutiny by the Overview and Scrutiny committee of a decision you were party to? **(If Yes the interest is prejudicial)**
- (d) relate to the functions of the council in respect of housing (except your tenancy), statutory sick pay, an allowance, payment or indemnity given to members, any ceremonial honour given to members, or setting the council tax or a precept under the Local Government Finance Act 1992. **(If Yes the interest is NOT PREJUDICIAL)**

PREJUDICIAL INTEREST

If you answered Yes to (a) or (b) is the interest one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that that it is likely to prejudice your judgement of the public interest? **If Yes the interest is PREJUDICIAL**

If you answered Yes to (c) the interest is PREJUDICIAL

If prejudicial do you intend to attend the meeting to make representations, answer questions or give evidence?

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF
DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

What matters are being discussed at the meeting?

Do any relate to my interests?

A Does it affect my entries in the Register of Interests?

OR

B Does it affect the well being or financial position of me, my family or close associates; or my family’s or close associates’
- employment, employers or businesses;
- companies in which they are a director or where they have a shareholding of more than £25,000 face value;
- business partnerships; or

C Does it affect the well being or financial position of the following organisations in which I hold a position of general control or management:
- other bodies to which I have been appointed or nominated by the council;
- other public authorities;
- charitable bodies;
- bodies whose main purpose is to influence public opinion or policy

More than the majority of other people in the ward?

D Is Overview and Scrutiny considering a decision I made? If so you have a prejudicial interest.

Disclose the existence & nature of your interest

Is the interest financial or relating to a regulatory issue e.g. planning permission?

YES

The interest is not prejudicial you can participate in the meeting and vote

NO

You have a personal interest in the matter

You may have a prejudicial interest

This matter relates to
- housing (except your tenancy)
- statutory sick pay from the council
- an allowance, payment or indemnity given to members
- any ceremonial honour given to members
- setting the council tax or a precept

The interest is prejudicial withdraw from the meeting by leaving the room (after making representations, answering questions or giving evidence). Do not try to improperly influence the decision

Would a member of the public – if he or she knew all the facts – reasonably think that personal interest was so significant that my decision on the matter would be affected by it?

YES

NO
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Development and Environment

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

A  Advert  G  Proposal by Government Department
AD Certificate of Alternative Development  HZ Hazardous Substance
CA Conservation Area  LB Listed Building
CU Change of Use  LE Certificate of Lawful Existing development
D Reserved Matters  LP Certificate of Lawful Proposed
detail following outline consent) development
F Full (details included)  O Outline (details reserved for later)
H Householder – Full application relating to  SU Proposal by Statutory Undertaker
residential property
C Application to be determined by County Council

Key to abbreviations used in Recommendations

S.P. Structure Plan
S.N.L.P South Norfolk Local Plan
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).
First Wednesday Planning Committee
4 January 2012

Major applications or applications raising issues of significant precedent

1. **Appl. No**: 2011/1492/O  
Parish: DISS

Applicants Name: Lexham Property Management  
Site Address: Former CartcoTransport Depot, Victoria Road, Diss, IP22 4HZ  
Proposal: Residential development

Recommendation: Approve with conditions

1. Outline permission time limit  
2. All matters reserved  
3. Detailed plans of roads and footways to be submitted prior to commencement of development  
4. Roads, footways and cycle ways to binder course before any dwelling is occupied  
5. Off-site highway works  
6. Landscaping  
7. Development to be carried out in accordance with the approved Flood Risk Assessment  
8. No built development to be located within flood zones 2 & 3  
9. Contaminated land – assessment to be undertaken  
10. Details of foul and surface water drainage to be submitted and agreed  
11. Masterplan / Design Code to be submitted and agreed prior to approval of any reserved matters. Development shall be within the range of 30 – 45 dph.

Subject to a S106 Legal Agreement requiring contributions towards the provision of off-site older children’s open space, improved education and library facilities, and the provision of a minimum of 33% affordable housing in perpetuity.

1. **Planning Policies**

1.1 Joint Core Strategy  
Policy 2 – Promoting good design  
Policy 13 – Main towns

1.2 South Norfolk Local Plan  
ENV 3: River valleys  
ENV 8: Development in the open countryside  
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity

2. **Planning History**

2.1 2009/2005/O Residential development (outline) Approved

2.2 2009/0949/O Residential development (outline) Refused

2.3 2005/0992 Change of use of part of the site from vehicle hire and sales to B1 office use Approved

2.4 2002/0117 Change of use from HGV parking to overflow parking for staff and fleet hire Approved
2.5 1985/1729  Extension to lorry park (subject to S106 legal agreement)  Approved

2.6 1982/2490  Change of use to lorry park  Approved

3. Consultations

3.1 Town Council  :  Refuse
  • lack of open space
  • insufficient parking
  • concern about proposed access
  • concerns about potential flooding
  • the site is still in use contrary to the assertion in the Design & Access statement

3.2 District Member
  Mr K Kiddie  :  To be determined by planning committee.

3.3 NCC Highways  :  No objection
  • Subject to suitable conditions, including requiring off-site highway works to provide a right hand turn lane.

3.4 Environment Agency  :  No objection, subject to
  • the mitigation measures outlined in the FRA being carried out
  • a buffer zone to the watercourse should be submitted and agreed
  • a scheme of pollution control to be agreed
  • contaminated land assessment undertaken

3.5 Mid Suffolk District Council  :  No objection

3.6 NCC: Planning Obligations Co-Ordinator  :  Financial obligations towards improved education facilities and libraries will be required via a S106 legal agreement. A table and formula will be used to calculate the amount of monies required, based on the number and type of dwellings put forward under a reserved matters submission.

3.7 Environmental Services (Protection)  :  No objection

3.8 Landscape Officer  :  None received.

3.9 SNC: Economic Development  :  No objection to the site being used for housing. There is a sufficient supply of employment land in Diss without this site.

3.10 Local Residents  :  1 letter of objection received:
  • potential flooding issues
  • town is already overrun with rented properties
  • traffic pollution will impact on local residents
  • loss of privacy
4. Assessment

4.1 This 0.8-hectare site straddles the development boundary at the eastern entrance to the town. The current commercial use of the site, and its previous use as a lorry park, has resulted in the majority of the site being hard surfaced. The existing buildings are contained in part of the site within the development boundary and comprise a commercial shed and a two-storey office block (currently used by an insurance company). The majority of the site was last used as a transport depot in the late 1990’s, although since this time it appears to have been in use in connection with the overnight parking of vehicles and storage. In 2010, the applicant’s obligation to use part of the site as a lorry park was discharged.

4.2 The predominant surrounding land use on entering the town is that of commercial, although the character soon changes to a more mixed use with residential dwellings fronting onto both Victoria Road and Stuston Road. The southern boundary of the site is largely defined by the River Waveney, which also forms the district boundary with Mid-Suffolk.

4.3 A large portion of the application site inside the development boundary lies within a Flood Zone 2 (medium risk) area. The site is also adjacent Flood Zone 3 (high risk). This application now proposes development within these flood zones, however the Flood Risk Assessment submitted with the application includes mitigation measures involving remodelling of the land, effectively re-aligning the limits of the flood zones. Taking this into account, all development is still proposed outside of Flood Zones 2 & 3 (as amended).

4.4 In March 2010 outline permission was granted for residential development on the vast majority of the site subject to this application. Effectively, this application seeks consent for an enlarged residential development area that includes the two properties, nos. 41 and 43 Victoria Road. The application is in outline only, with all detail matters except access reserved. Indicative plans have been submitted with the application that show a two / three-storey development outside the re-aligned flood zone, and partially outside the development boundary. (Approx. 1/5th of the development is shown beyond the existing development boundary.)

4.5 As the application is in outline only, the main issues for consideration are:

- The principle of residential development on this enlarged site, and;
- Access and highway impact.

**Principle of development**

4.6 South Norfolk Local Plan Policy ENV8 restricts development (including housing) to within defined limits of towns and villages, and in this case, residential development should only be considered for the 60% approx. of the site within the development boundary. However, the applicants have suggested that some development could be accommodated outside the development boundary, on an area of land already laid to hard-standing, in connection with the commercial operation of the site. Although this application does not seek to agree siting or design, I feel that a small amount of development of the hardstanding area outside the development boundary could be acceptable, subject to later consideration of design, scale and siting.

4.7 This application also includes a proposal to re-align the flood zones adjoining the river Waveney through the re-modelling of the land, and this scheme has been agreed with the Environment Agency who raise no objection to the application. Suitable conditions can be placed on any approval that will ensure that the scheme is carried out in accordance with the agreed mitigation measures outlined within the applicant’s Flood Risk Assessment. The proposal will therefore comply with the requirements of Policy 1 of the Joint Core Strategy in this regard.
Indicative design & layout

4.8 Although only indicative and not for determination at this stage, the applicants have submitted a basic Masterplan and a design and access statement that assess the scheme against the 20 criteria of the Building for Life checklist (as required by JCS Policy 2). The Design Officer is satisfied that the submitted information and draft Masterplan demonstrates a commitment to achieving the required Building for Life score when a submission of reserved matters is made.

4.9 Taking into account the developable area outside the flood zone (approx. 0.6 hectares), a development of 30 dwellings equates to a density of 50 dwellings per hectare. I consider this to be inappropriate for this site, and I would recommend that a condition be attached to any approval restricting the density of the site to between 30 and 40 dwellings per hectare. Given the prominence of this site, I feel it appropriate that should this outline application be approved, a Masterplan / Design Framework be submitted and agreed before the submission of any detailed reserved matters. This can be required by condition.

Access & highway impact

4.10 Although access matters are reserved, the applicant has indicated that access would be via the existing access point, but with the addition of a dedicated right hand turn lane, and a 3-metre wide cycleway/footway between the site and Rose Lane. These off-site highway works can be required by condition, and on this basis, NCC: Highways raise no objection to the scheme.

4.11 I note the comments of the Town Council, however I can see no material reasons of such weight as to disagree with the view of NCC; Highways, and, subject to the provision of the off-site highway works outlined above, I consider the proposal to accord with local plan policy IMP8 (Safe & Free Flow of Traffic).

5. Reasons for Approval

5.1 The residential development of the site within the development boundary, and, outside of Flood Zones 2 & 3 (as amended), is acceptable in principle and accords with policy HOU4 of the South Norfolk Local Plan, and Policy 13 of the Joint Core Strategy, and national Planning Policy Statement PPS25 (Development & Flooding).

5.2 The proposed development of the hard-surfaced area outside the development boundary would not cause any additional harm to the character and appearance of this river valley area, and in my view would not be contrary to local plan policy ENV3. This element of the proposal can therefore be allowed as a slight departure from normal planning policy.

Contact Officer, Telephone Number and E-mail: Gary Hancox, 01508 533841, ghancox@s-norfolk.gov.uk
## Other applications

### 2. **Appl. No**: 2011/1544/F  
**Parish**: DICKLEBURGH AND RUSHALL

- **Applicants Name**: Mr Martin Wilby  
- **Site Address**: Land east of New Lodge Farm, Common Road, Dickleburgh IP21 4PN  
- **Proposal**: Managers Residence with Study/Office  
- **Recommendation**: Refuse

1. Contrary to national policy PPS7, Annex 7 and SNLP policy HOU9, premature for a permanent dwelling as business not been in operation for 3 years

### Planning Policies

1. **National Policy**
   - Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas, Annex A, copy attached as Appendix 2

2. **Joint Core Strategy**
   - Policy 2: Promoting good design

3. **South Norfolk Local Plan**
   - ENV8: Development in the open countryside
   - IMP8: Safe and free flow of traffic
   - HOU9: Dwellings for other rural enterprises

### Planning History

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<th>Description</th>
<th>Decision</th>
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<tr>
<td>2010/0784</td>
<td>Erection of mobile home for use as fishery managers temporary dwelling and erection of a toilet block (amended proposal)</td>
<td>Temporary Approval – 3 years</td>
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<td>1974/1332</td>
<td>Living accommodation for agricultural employee</td>
<td>Approved</td>
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### Consultations

- **Parish Council**: Approve  
  - residence key to the success of this prestigious local business and fully support
3.2 District Member : The applicant

3.3 NCC Highways : Conditional support
   • access as per approved plan
   • access gates
   • visibility 2m x 43 m
   • parking/turning

3.4 Environmental Services : No objection, suggest following conditions:
   • reporting of unexpected contamination
   • foul drainage to private treatment plant

3.5 Landscape Officer : Support conditionally
   • hedge planting
   • retention of trees and hedges

3.6 Richard Bacon, MP : Support
   • new business has been trading well above expectations and attracts visitors from many parts of the UK, bringing trade and employment to other local businesses in South Norfolk
   • ask to take in consideration that the degree-qualified fishing manager, Richard Wilby, has sold his house in Huntington and wishes to move his wife and young family to the area
   • the mobile home currently used by Mr Richard Wilby is unsuitable accommodation for a young family
   • Mr Wilby is required to be on site both night and day for fishing and for security, a suitable residence at the fish farm is a necessity

3.7 Local Residents : 1 letter of objection expressing the following concerns:
   • hardly worth objecting after how last meeting was conducted
   • there is no functional need for a second house on the site
   • there is virtually no agricultural activity – no livestock or deadstock, ‘the farm’ seems to be two fields
   • the fishing site is remarkable for its lack of activity
   • the caravan is unoccupied

   2 letters of support
   • nearest neighbour, Richard Wilby created a National standard fishery, which has become haven for wildlife
   • business running for sometime and I know it is successful with anglers, never had problem with noise from fisherman or vehicles
   • understand need for Richard and family to be on site 24 hours a day in regard to welfare of fish and for security of property
   • create new jobs, benefit the local economy with Anglers using village, shop, pub etc.
   • design and size of house in keeping with surrounding properties
   • look forward to seeing new house, it will be much nicer than the mobile caravan which is currently being used as a home
   • no problems with vehicles/visiting fisherman – negligible impact
4. **Assessment**

4.1 The application site relates to New Lodge Farm on Common Road in Dickleburgh. The site is predominantly free from trees and vegetation and is slightly raised above Common Road. To the north of the site is the national competition standard fishing lake. To the west of the site is the existing farm dwelling (known as New Lodge Farm) with a group of outbuildings to the north-west of the site. There are open fields to the south with a small cluster of buildings/dwellings further east of the site. These buildings in the immediate area are characterised by a mixture of traditional and modern single and two-storey farm buildings and storage sheds, generally grouped together on small to medium sized plots.

4.2 This application is for the erection of a two storey Managers residence with study/office. Access to the site is proposed from an existing means of access to a field which is currently a grassed entrance only. The application has been submitted with a Design and Access Statement, Planning Report by Acorus Rural Property Services, including Five Year Financial Projection and functional need justification. This information has been supplemented with further operating accounts for the first 26 weeks of the new business and forecasts for future financial years and a further statement from the Manager, Richard Wilby with respect to the occupation of the dwelling and the success and background of the business.

4.3 This application follows a planning application (2010/0784/F) approved by Members in September 2010, for the ‘Erection of mobile home for use as fishery managers temporary dwelling and erection of a toilet block’. A copy of this report is attached as Appendix 3 together with a copy of the final decision notice. Notwithstanding Officer’s concerns, Members considered there was a functional need for an additional dwelling, as required by policy HOU9 of the South Norfolk Local Plan and the guidance within Annex A of Planning Policy Statement 7 (PPS7). As this functional need for a dwelling related to a new business venture, consent was given for a temporary three year period, to establish the viability of the new business and this time scale is common for all similar types of applications.

4.4 The new lakes and business were opened for public use on the 19 March 2011 and has been successfully trading as ‘Airfield Lakes’ since the grand opening. There are two lakes known as Spitfire and Mustang Lakes. At the time of submitting the application, the lakes had only been trading for 6 months (now nearly 9 months).

4.5 In re-assessing this new application, Annex A off PPS7 (attached as Appendix 2) makes it clear at paragraph 13, as does policy HOU9 of the SNLP, that ‘if permission for temporary accommodation is granted, permission for a permanent dwelling should not subsequently be given unless the criteria in paragraph 3 are met’. Paragraph 3 relates to permanent dwellings and states at bullet point (iii) the following:

\[(iii)\] the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so

4.6 Members previously established that there was a functional need for an additional dwelling and were satisfied this need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation. As such consent was given for a mobile home to meet this need and in accordance with paragraph 3 (iii), three years was given to establish the business.
4.7 Clearly in the last 9 months the new business has been doing extremely well and is forecast to do so in the next financial years. As detailed in the submitted documentation, the Manager of Airfield Lakes, Richard Wilby, has been operating from the residential caravan. However, this has been disputed by a nearby resident who not only questions whether there is a functional need but has also stated the caravan had been unoccupied. As such further clarification was sought by the applicant, as Members still need to be in position to agree that there is a continued functional need for a full time worker to live on the site. If for example the caravan had not been occupied, then it would be extremely difficult to justify this need and yet now give permanent consent for an additional dwelling on the site, especially in view of the fact that New Lodge Farm dwelling itself is restricted with an agricultural occupancy condition, and without such a need/justification, consent for a further dwelling would not be given in this location.

4.8 A further statement has been submitted by the fishery Manager, Richard Wilby, who has confirmed he moved into the caravan as his home and business address, since the caravan moved onto the site in September 2010, and after consent was given. His wife and family have not yet moved into the caravan. A copy of this further supporting documentation is attached as Appendix 4. I have no reason to doubt this statement and although a question mark over the occupation of the dwelling has been raised by a nearby neighbour, another neighbour has referred to the caravan being used as such.

4.9 The application has come forward early for consideration and as stated above the guidance and policy refers to the business needing to be financially sound for 3 years and with one year being profitable. It is clear from the financial information submitted that the business in its first year will make a substantial profit and this is to be commended. It would also appear that these forecasts will continue to see the business grow in a profitable way. The use is bringing tourism to the area and is being nationally recognised with bookings for next year at a high level, including Sky sports national singles competition in July 2012 and Sky pairs National Pairs competition in May. Furthermore it is clear from Richard Wilby’s statement that the business has been planned and implemented over a number of years.

4.10 I am not aware this Council has granted consent for a permanent dwelling based on such a short period of time and I am concerned that to do so will set an unacceptable precedent, although equally I acknowledge each case needs to be considered on its own merits. The information and justification put forward can amount to material considerations, but in this instance it does not lead me to recommend permanent consent after such a short period of time. However, I do feel there may be a case to consider this application ahead of the three years given the predicted financial forecasts. I would suggest after 2 years.

4.11 With respect to other planning considerations; I consider the design, scale and siting of the proposed dwelling is acceptable and with appropriate conditions will not be out of keeping or character in this rural area. County Highways have not raised any objections to the proposed access arrangements and I am therefore satisfied the proposed dwelling will not be detrimental to highway safety; nor will it cause any harm to any nearby residential properties. The curtilage of the property is shown to be the large field it is proposed to be located within and this would need to be readjusted if consent was granted. Subject to this clarification, I am satisfied the proposed dwelling meets the requirements of policy 2 of the Joint Core Strategy and the following South Norfolk Local Plan polices – IMP8 and IMP9.

5. Reasons for Refusal

5.1 The proposal for a permanent dwelling comes forward 9 months after the granting of temporary consent for a mobile home to allow the new business to establish for three years and is contrary to national policy PPS7, annex A, paragraph 3 and SNLP policy HOU9 which states the business activity concerned should be established for at least three years and profitable for at least one of them. In all the circumstances material considerations supporting exceptionally the grant of planning permission so early in the assessment period are insufficient to outweigh the national and local policies.

Contact Officer, Telephone Number Helen Mellors 01508 533789
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AGRICULTURAL, FORESTRY AND OTHER OCCUPATIONAL DWELLINGS

1. Paragraph 10 of PPS7 makes clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work. It will often be as convenient and more sustainable for such workers to live in nearby towns or villages, or suitable existing dwellings, so avoiding new and potentially intrusive development in the countryside. However, there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

2. It is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly with the aim of detecting attempts to abuse (e.g. through speculative proposals) the concession that the planning system makes for such dwellings. In particular, it will be important to establish whether the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time. It will also be important to establish that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.

Permanently Agricultural Dwellings

3. New permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:

(i) there is a clearly established existing functional need (see paragraph 4 below);

(ii) the need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;

(iii) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so (see paragraph 8 below);

(iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and

(v) other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.
4. A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

(i) in case animals or agricultural processes require essential care at short notice;

(ii) to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

5. In cases where the local planning authority is particularly concerned about possible abuse, it should investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example, any dwellings, or buildings suitable for conversion to dwellings, have recently been sold separately from the farmland concerned. Such a sale could constitute evidence of lack of agricultural need.

6. The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one. Requirements arising from food processing, as opposed to agriculture, cannot be used to justify an agricultural dwelling. Nor can agricultural needs justify the provision of isolated new dwellings as retirement homes for farmers.

7. If a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.

8. New permanent accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable. A financial test is necessary for this purpose, and to provide evidence of the size of dwelling which the unit can sustain. In applying this test (see paragraph 3(iii) above), authorities should take a realistic approach to the level of profitability, taking account of the nature of the enterprise concerned. Some enterprises which aim to operate broadly on a subsistence basis, but which nonetheless provide wider benefits (e.g. in managing attractive landscapes or wildlife habitats), can be sustained on relatively low financial returns.

9. Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding.
10. Local planning authorities may wish to consider making planning permissions subject to conditions removing some of the permitted development rights under part 1 of the Town and Country Planning (General Permitted Development) Order 1995 for development within the curtilage of a dwelling house. For example, proposed extensions could result in a dwelling whose size exceeded what could be justified by the functional requirement, and affect the continued viability of maintaining the property for its intended use, given the income that the agricultural unit can sustain. However, it will always be preferable for such conditions to restrict the use of specific permitted development rights rather than to be drafted in terms which withdraw all those in a Class (see paragraphs 86-90 of the Annex to DOE Circular 11/95).

11. Agricultural dwellings should be sited so as to meet the identified functional need and to be well-related to existing farm buildings, or other dwellings.

Temporary agricultural dwellings

12. If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria:

(i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);

(ii) functional need (see paragraph 4 of this Annex);

(iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;

(iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and

(v) other normal planning requirements, e.g. on siting and access, are satisfied.

13. If permission for temporary accommodation is granted, permission for a permanent dwelling should not subsequently be given unless the criteria in paragraph 3 above are met. The planning authority should make clear the period for which the temporary permission is granted, the fact that the temporary dwelling will have to be removed, and the requirements that will have to be met if a permanent permission is to be granted. Authorities should not normally grant successive extensions to a temporary permission over a period of more than three years, nor should they normally give temporary permissions in locations where they would not permit a permanent dwelling.
Forestry dwellings

14. Local planning authorities should apply the same criteria to applications for forestry dwellings as to those for agricultural dwellings. The other principles in the advice on agricultural dwellings are equally relevant to forestry dwellings. Under conventional methods of forestry management, which can involve the use of a peripatetic workforce, new forestry dwellings may not always be justified, except perhaps to service intensive nursery production of trees.

Other occupational dwellings

15. There may also be instances where special justification exists for new isolated dwellings associated with other rural-based enterprises. In these cases, the enterprise itself, including any development necessary for the operation of the enterprise, must be acceptable in planning terms and permitted in that rural location, regardless of the consideration of any proposed associated dwelling. Local planning authorities should apply the same stringent levels of assessment to applications for such new occupational dwellings as they apply to applications for agricultural and forestry workers’ dwellings. They should therefore apply the same criteria and principles in paragraphs 3-13 of this Annex, in a manner and to the extent that they are relevant to the nature of the enterprise concerned.

Occupancy conditions

16. Where the need to provide accommodation to enable farm, forestry or other workers to live at or near their place of work has been accepted as providing the special justification required for new, isolated residential development in the countryside, it will be necessary to ensure that the dwellings are kept available for meeting this need for as long as it exists. For this purpose planning permission should be made subject to appropriate occupancy conditions. DOE Circular 11/95 gives further advice and provides model occupancy conditions for agricultural dwellings and for other staff accommodation.

17. Changes in the scale and character of farming and forestry may affect the longer-term requirement for dwellings for which permission has been granted subject to an agricultural or forestry occupancy condition. Such dwellings, and others in the countryside with an occupancy condition attached, should not be kept vacant, nor should their present occupants be unnecessarily obliged to remain in occupation simply by virtue of planning conditions restricting occupancy which have outlived their usefulness. Local planning authorities should set out in LDDs their policy approach to the retention or removal of agricultural and, where relevant, forestry and other forms of
occupancy conditions. These policies should be based on an up to date assessment of the demand for farm (or other occupational) dwellings in the area, bearing in mind that it is the need for a dwelling for someone solely, mainly or last working in agriculture or forestry in an area as a whole, and not just on the particular holding, that is relevant in the case of farm or forestry workers' dwellings.

**Information and appraisals**

18. Planning authorities should be able to determine most applications for occupational dwellings in the countryside, including cases involving the imposition or removal of occupancy conditions, on the basis of their experience and the information provided by the applicant and any other interested parties. If this is not the case, agricultural or other consultants may be able to give a technical appraisal. This should be confined to a factual statement of the agricultural, or other business considerations involved and an evaluation of the specific points on which advice is sought; no recommendation for or against the application should be made.
Application by a member of the Council

1. **Appl. No**: 2010/0784/F
   **Parish**: DICKLEBURGH and RUSHALL
   **Applicants Name**: Mr Martin Wilby
   **Site Address**: New Lodge Farm, Common Road, Dickleburgh
   **Proposal**: Erection of mobile home for use as fishery managers temporary dwelling and erection of a toilet block (amended proposal)

   **Recommendation**: Refuse

   1. Not a functional need for an additional dwelling
   2. Contrary to policy HOU9 and PPS7, Annex A

2. **Planning Policies**
   1.1 **ENV 8**: Development in the open countryside
   1.2 **IMP 8**: Safe and free flow of traffic
   1.3 **HOU 9**: Dwellings for other rural enterprises
   **Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas**, Annex A, copy attached as Appendix 1

3. **Planning History**
   2.1 **2009/0276**: Erection of a two storey dwelling/office
   **Refused**
   2.2 **2007/2715**: Proposed fishing lake, stock pond and associated works
   **Approved**
   2.3 **2004/0190**: Double garage and conservatory
   **Approved**
   2.4 **2003/1873**: Proposed enlargement of existing pond for commercial use
   **Approved**
   2.5 **1993/0109**: Erection of agricultural building
   **Approved**
   2.6 **1974/1332**: Living accommodation for agricultural employee
   **Approved**

4. **Consultations**
   3.1 **Parish Council**: Approve
   3.2 **District Member**: Is the applicant, therefore not applicable
   3.3 **NCC Highways**: No objections
   3.4 **Environmental Services (Protection)**: Conditional support
   - Contaminated land during construction
   - Drainage to private treatment plant only
   3.5 **Landscape Officer**: No objections
   3.6 **Local Residents**: 2 letters of support
   - Pity original refused
   - Take a delight to look out on
1 letter of objection
-noting refusal of previous scheme on PPS7 grounds – not a functional need for additional dwelling as activity not been established commercially for at least 3 years and appropriate financial tests not been demonstrated
-consider again, functional need not demonstrated nor financial tests demonstrated, predicted figures may be irrelevant – lake not commercially launched until March, likely to support 1FTE and not 11/2 as in report
-not demonstrated there is no suitable accommodation to purchase or rent in 5-10 mins, question whether existing dwelling could be used for person running fishing lakes
-temporary accommodation can be allowed Annex A (iv) if functional need could not be fulfilled by another existing dwelling – is one available?
-existing farm, small by today’s standards – no live stock, as family related business, full time presence on site and appropriate welfare, security, monitoring and people supervision is able to be in place
-24 hour rod tickets – result in creating additional noise, selling of bait/breakfast – no reference in report how to be staffed, are further shop/café facilities to be made?
-question viability of a 10 peg fishing lake and its ability to support such additional facilities
-previous appeals referred to – Carleton Rode, have little bearing as existing business – 1960s and no dwellings associated with it, larger scale and proven financial case
-PPS7 – clearly presumes against further development meaning that approving must be at last resort, PPS7 specifically states "it will often be as convenient and more sustainable for such workers to live in nearby towns or villages or suitable existing dwellings so avoiding new and potentially intrusive development in the countryside". There are plenty of properties for both sale and rent and the local shop, pub and church are all within approximately 1 mile of the application site
-Annex A further states re functional need ‘the needs of the enterprise concerned and not on personal preferences or circumstances of any individuals involved’. It is submitted that the applicant’s personal decision to ask a relative to discharge some of the functions that he could not discharge himself is a personal choice and not a requirement of the business, which, as stated, has yet to commence

4. Assessment

4.1 The application relates to New Lodge Farm on Common Road in Dickleburgh. It is proposed to erect a mobile home for use as fishery managers temporary
dwellings and erection of toilet block. This application has been submitted following the refusal of scheme, at Planning Committee on the 19 August 2009, for the ‘Erection of a two storey dwelling/office’. This application was refused for the following reasons:

1. The proposal is in conflict with national policy PPS7 and South Norfolk Local Plan policy HOU9 as it is considered that there is not a functional need for an additional dwelling for the enterprise as a whole. Furthermore the new enterprise has not been up and running for at least 3 years and as such the financial test has not been demonstrated nor has it been demonstrated that the size of the dwelling is commensurate with an established functional requirement.

2. The design, scale, massing and layout of the proposed dwelling would be out of keeping with the predominant rural character of the area. In particular the scheme does not demonstrate how it sensitively integrates into its rural surroundings in terms of its scale, form and design and relationship to the open countryside. The building also appears isolated from the cluster of barns and fishing lake for which the dwelling/office is proposed. The proposal is therefore considered to be contrary to Policies IMP1 and HOU9 of the South Norfolk Local Plan 2009.

A copy of the previous committee report, minus appendices, is attached as Appendix 2.

4.2 This current application has been submitted with a revised report and supplementary statement and these are attached as Appendix 3. The latter included a formal amendment to the application to include a separate toilet block to be erected and to be used by anglers and staff using the fishing facilities. As a result of this amendment the application was re-consulted on. The mobile home is to be sited adjacent to the existing agricultural building, well set back form the road and towards the rear garden of the existing dwelling known as New Lodge Farm. The new toilet block is proposed to be located to adjacent to the mobile home and parking area.

4.3 Members may recall that in considering the previous application, policy consideration not only has to be given to Policy HOU9 – Dwellings for other rural enterprise but also Planning Policy Statement 7 (PPS7) – Sustainable Development in Rural Areas and in particular Annex A, which sets out functional and financial tests which need to be satisfied. A copy of Annex A of PPS7 is attached as Appendix 1.

4.4 Both national and local plan policies seek to restrict new dwellings in the countryside to those that are essential to the operation of an appropriate rural enterprise. As background New Lodge Farm itself was granted consent in 1974 and is already restricted with an agricultural occupancy restriction. At the time of granting this consent the farm had a beef rearing enterprise as well as arable operations. The applicant has confirmed the beef enterprise wound up in late 2003 and when considering the application last year had not ruled out re-establishing the beef enterprise. As part of this current application Mr M Wilby has stated that since November 2005 the livestock buildings have been housing 20 cattle – a mixture of in-calf suckler cows and store animals for fishing. However this in itself would not justify a functional need.

4.5 In 2003 (2003/1873) and 2007 (2007/2715) planning permission was granted for the enterprise to diversify with the creation of personal and commercial lakes. The latter application and new lake being to national competition standard and restricted to 10 fishing pegs.
Planning Committee 15 September 2010

4.6 The previous application was clearly contrary to local and national policies, not only was it considered that there was not a functional need for an additional dwelling, a permanent dwelling could not be permitted if the new business was not up and running, as a financial test is also necessary. Key to this consideration, as Members may recall, was the fact that the new competition lake would not be completed and ready for use until Spring 2011, and this is still the case.

4.7 In all cases, Annex A, of PPS7, makes it clear that to consider whether a dwelling is needed, even a temporary dwelling, it needs to demonstrated that this is a functional need. As stated above, the applicant needs to establish that there is a functional need for 2 dwellings on the site. Paragraph 12, of Annex A, specifically refers to temporary dwellings, and states that if a new dwelling is essential to support a new farming activity (or other rural activity, paragraph 15), whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It should satisfy the following criteria, which I will quote and then assess in turn:

i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);

4.8 Clearly the applicant, Mr Wilby has invested on the site with the implementation of two commercial fishing lakes. The first lake has been managed by him on site, since it was first dug and landscaped in early 2005.

ii) functional need (see para 4 of Annex A);

4.9 Although I note the applicant has put a case forward for an additional functional worker to live on site, Annex A clearly points out, at paragraph 1 "there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any individuals involved."

4.10 Based on the information submitted I consider there is a functional need for one person to live on the site, to meet the functional needs of the enterprise. Clearly when the new competition lake is up and running there will be a need for additional employees to be on the site and I have no reason to doubt this will be 1½ full time equivalents (FTE).

The applicant clearly states that an additional dwelling will ensure:

- Essential 24 hour supervision and management
- Fish welfare and husbandry requirements are met;
- Site security is enhanced to protect the viability of the business;
- Enhanced supervision to reduce risk to customer

4.11 However, it is evident that the smaller lake, set up in 2005 (granted consent under 2003/1873) has been managed by Mr M Wilby and has been used to breed and grow some of the fish to be transferred to the competition lake. The functional need of this lake has therefore already been established with the current occupier of New Lodge Farm. There again I do not doubt that when this lake is open to the public, additional expertise may be needed on site, as documented. I am still of the opinion that this additional activity in itself does
not justify an additional dwelling on the site and therefore consider the functional need could be met by one dwelling on the enterprise, as a whole.

iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;

4.12 It has been demonstrated that the existing business is financially sound. I have no reason to doubt the projections/business plan put forward by the applicant for the fishing lakes. However, this side of the business is still not up and running and thus, if all the other points could be satisfied, the financial viability case would need to be established via the granting of temporary consent.

iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable for occupation by the workers concerned;

4.13 Notwithstanding my assessment above with respect to my view that the functional need for only one dwelling exists for the enterprise, as a whole, I have asked the applicant to further demonstrate why the existing dwelling does not meet this need. I have also requested that it is demonstrated whether there is any other accommodation available in the locality. I believe, for example, there are barn conversions to rent in the vicinity. Additional information has been sent in (7 September 2010) by the applicant with respect to alternative accommodation and they consider this cannot be met by any other dwellings, although this search does not appear to be exhaustive.

v) other normal planning requirements, eg. on siting and access are satisfied.

4.14 Given the proposal is for a standard caravan, I have no objection to its siting, including the detached toilet block which is to have stained timber cladding and metal roof, in keeping with the surrounding farm buildings. County Highways have not raised any objections to the proposed access arrangements and in visual terms the proposal will not be out of keeping or detrimental to the character of the area.

4.15 The applicant has put forward other cases, which have been given consent for a fishery dwelling, but these appear to be dwellings given consent where is no other dwelling available. Notwithstanding this it must be borne in mind, as always, that each case needs to be considered on its merits.

4.16 The views of the local resident have been taken into account when evaluating this proposal and assessed as per Annex A of PPS7. Although the competition lake is not yet up and running, there clearly is evidence on site and the intention to open this lake up to the public next Spring. I would therefore not recommend refusal of temporary planning permission for a caravan on prematurity grounds, although this was a reason for refusal for the application considered last year. This is based on the fact that a temporary 3 year consent would give the opportunity to establish the financial viability of the enterprise. However, there is no evidence that the enterprise as a whole demands a functional need for two dwellings and although this may be the preference for the site operator, I consider the needs could be met with only one dwelling on the site.

5.0 Reason for refusal

5.1 The proposal is in conflict with national policy PPS7 and SNLP policy HOU9 as
it is considered that there is not a functional need for an additional dwelling for
the enterprise as a whole.

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DX 130080 Long Stratton 2 Website www.south-norfolk.gov.uk

FULL PLANNING PERMISSION

Ref: 2010/0784/F

Agent
Keith Day Architects
Street Farm
Rectory Road
Shelfanger
Diss
Norfolk IP22 2DQ

Applicant
Mr Martin Wilby
New Lodge Farm
Common Road
Diss
Norfolk IP21 4PN

Location:
New Lodge Farm, Common Road, Dickleburgh

Proposal:
Erection of mobile home for use as fishery managers temporary dwelling and erection of a toilet block (amended proposal)

Particulars of decision: The District Council hereby give notice in pursuance of the Town and Country Planning Act 1990 that full permission has been granted for the carrying out of development referred to above in accordance with the application form and plans submitted subject to compliance with the following conditions:

1. The development hereby permitted must be begun before the expiration of THREE YEARS from the date of this permission.

Reason for condition
As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The mobile home hereby permitted shall be removed from the site and the land restored to its former condition on or before 10 October 2013 in accordance with a scheme of work which shall be submitted to and approved in writing by the local planning authority prior to the restoration of the site, unless an application for the extension of the period of permission is approved prior to the above date.

Reason for the condition
To enable the local planning authority to retain control over and review the need for the standing of the mobile home which has been permitted to meet a specific need in a location where permanent consent would not normally be granted, as detailed in policies ENV8 and HOUS of the South Norfolk Local Plan 2003 and within national policy PPS7 Sustainable Development in Rural Areas.

3. The development hereby permitted shall be carried out in accordance with the application form, plans and drawings and other documents and details submitted or provided by the applicant as amended by letter/drawing ref: 289-01 A and 289-02 A submitted on 24 June 2010.

Reason for condition
For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans, as required by SP1 of the South Norfolk Local Plan 2003.

4. The occupation of the mobile home hereby approved shall be limited to a person solely of mainly employed or last employed in the recreational fishery business occupying the site, as shown on the approved site plan and known as New Lodge Farm, Dickleburgh, or a widow or widower of such person, or any resident dependants.

Reason for the condition
The site of the development is outside an area where the local planning authority normally permits residential development and temporary permission has been granted in this instance having regard to the recreational fishery/agricultural need for an additional dwelling on the site in accordance with policies ENV8 and HOUS of the South Norfolk Local Plan 2003 and national policy PPS7 Sustainable Development in Rural Areas.
5 No development shall take place until a scheme to deal with contamination of the site has been submitted to and approved in writing by the local planning authority. This scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public/environment when the site is developed. No development shall take place on the site until the measures in the scheme as approved have been implemented and completed.

Reason for the condition
To safeguard the amenity of the locality in accordance with policy UTL15 of the South Norfolk Local Plan 2003.

6 No means of foul water disposal shall be used other than the sealed system or private treatment plant indicated on the application details, unless otherwise agreed in writing by the Council as Local Planning Authority.

Reason for the condition
To prevent pollution of the water environment in accordance with policy SP4 and IMP7 of the South Norfolk Local Plan 2003.

Reasons for Approval

The development is considered to accord with the following South Norfolk Local Plan 2003 policies
ENV8: Development in the open countryside; IMP8: Safe and free flow of traffic; HOW9: Dwellings for other rural enterprises and national policy PPS7: Sustainable Development in Rural Areas, Annex A.

Members of the Council considered that the development was in accordance with the above mentioned policies as the fishery enterprise cumulatively with the livestock enterprise demonstrated a functional need for 2 dwellings. Temporary consent has been given to demonstrate and establish the financial viability of the enterprise. Members also considered the siting of the mobile home and detached toilet block, would be keeping with the surrounding farm buildings and the proposed access arrangements satisfied the requirements of County Highways.

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

Where development involves the demolition or part demolition of a listed building, no works can be undertaken (despite the terms of any consent granted by the Council) until notice of the proposal has been given to English Heritage, 62/74 Burleigh Street, Cambridge, CB1 1DZ and they have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form is enclosed if appropriate.

[Signature]

Date of Application: 10/05/2010
Date of Decision: 12/10/2010

on behalf of the Council
South Norfolk Council

Dear SNC

Re Planning Application No. 2011/1544

I am sending a letter in support of the above planning application for a house to be built adjacent to the fishery and adjacent to my parents' house at New Lodge Farm. The new house is intended for occupation by me and my family.

I would like to comment on two matters in particular, the development history of the fishery and the need for me as fishery manager and owner to be resident on site rather than elsewhere.

Development history of the Airfield Lakes fishery

Whilst I was at Sparsholt College in Winchester (2002-2004), obtaining a qualification in fishery management, the concept of creating a modern carp fishery on my fathers' farm was discussed. This was not only as a consequence of my passion for carp fishing but also in the attempt to achieve better financial returns on farming land. As a first step we enlarged a small existing pond and stocked it with fish which have been reared to reach huge sizes. Even if a further expansion came to nothing we would have our own 1.5 acre lake to fish with friends. This lake is now known as Spitfire pool and contains one of the biggest common carp in the UK which attracts anglers from all over the country.

On leaving Sparsholt (and being awarded student of the year) I was invited to join the editorial team of Angling Times where I worked from 2004 to 2009. As a carp technical specialist and major feature writer I became very well known in angling circles and instantly recognisable by carp anglers.

I knew that with my reputation in carp fishing the launch of a new day ticket fishing venue would probably result in a very successful venture. This lead to us making a planning application (application No. 2007/2715) through which we were granted consent to excavate the 5 acre Mustang Lake, erect a secure fence around both lakes and to landscape the site appropriately.
In September 2008 excavation of the lake and other ground-works was begun by a local contractor at a contract price of £92,000. This was the point in time that the business of Airfield Lakes began. No right minded person would commit such a huge sum of family money to any venture, and in the knowledge that a further £58,000 would be needed for landscaping, fencing, toilets and stocking with quality carp, without having the expectation of earning an adequate financial return on the investment. Just as the Channel Tunnel was an active business once the first construction contract was signed, with the prospect of no revenue whatsoever until the first ticket was sold some five years later, so was the situation at Airfield Lakes. It is my view the business has been active since that point, now more than three years passed.

The initial excavation and land shaping contract was completed in July 2009: thereafter the lake began to fill with water and mature organically as a habitat for fish with took about 15 months. At that point the nature of activity significantly changed in that the fencing was contracted and the waterside landscaping put in place by me at weekends and holiday time. With no income from the lake in this period I was compelled to continue working at Angling Times in Peterborough and lived at my home near Huntingdon. But to allow me more flexibility in my personal time management I left Angling Times in September 2009 and took an appointment with Nash Tackle, the leading carp fishing tackle manufacturer in the UK based in Essex, working mainly from home producing, directing, filming and editing media material and representing the company at public events. This move had the advantage of allowing me to spend more time developing the Lakes prior to the official opening yet kept my face in the carp fishing press and media, essential if I wanted to get the Lakes launched successfully. I also needed to maintain an income to support my family.

In September 2010 we submitted a planning application (No. 2010/0784) to install a toilet block, a container to secure equipment and to put a caravan on the site as temporary accommodation for myself.

In January 2011 I resigned from Nash to concentrate of the final preparations before opening the lake to the public.

On 19th March 2011, Airfield Lakes were officially opened and the first day tickets sold. In the 28 weeks to 2nd October revenues net of expenses from Airfield Lakes amounted to £34,000, better than I had originally expected. I am forecasting £43,000 for the first whole year of operations, which would represent a return of over 25% on my investment of £150,000. Most businessmen would find this rate of return highly acceptable.

The need for me to be resident on site and planning for the long term future of the Business and my Family

The operation of a fishery such as Airfield Lakes requires the availability on site of a warden at all times. The carp themselves are very valuable and as they grow in size they become priceless and irreplaceable. It is the fish that generate the revenues, not the lakes. They are surprisingly delicate beasts, and susceptible to diseases imported by anglers and other carriers. They can be seriously damaged by incompetent, reckless or malicious anglers and are at risk of theft by intruders and thoughtless fisherman. Consequently both lakes are operated under a strict regime of rules and good practice. Similarly, intrusion of otters, mink or other predators can decimate a fishery overnight. Good discipline of closing gates and fence patrols are essential. Add to this the collection
of day ticket fees, the need to feed carp in the stock pond three to four times per day, monitoring water quality and the irregular arrival times and stay duration of visiting anglers, there is a clear need to be regularly patrolling the lakes four or five times a day, seven days per week, every day of the year.

It is a long day: with 90% of anglers staying overnight, the motor vehicle access gates are closed at 9pm in the summer months and reopened at 7am in the morning. This regime is appreciated by the anglers as it affords them a sense of security during the night and is essential for the good running of the lakes from my point of view. The serious angler is allowed in, the undesirable kept out.

The success of the Lakes is down to the high level of personal service. I offer 24 hour support with my mobile phone at all times so that I can instantly deal with any problems and assistance. I have dealt with many night calls for help in un-snagging fish with the rowing boat and unlocking gates for family emergencies calling visitors home.

There is one other good reason that I need to be available on site at all times: many anglers visit the lake as they are my lakes and they would want to see me, consult with me, get my professional advice and generally talk with me. This ‘full service’ is incredibly time consuming and the hours spent at the lakes are huge but very important if I wish to make this my main family income and potentially my pension. I should like to increase the level of service I offer which I can only offer from a family house on site such as catering, corporate days and other profitable activities, these have always been in my business plan.

I am blessed by my father being on site when I have to be away and available for the chores of fee collection, gate closing and dealing with misbehaviour. But he is not and has no desire to be qualified as a manager of a successful modern fishery nor has he time with the running of his farm and his Council obligations.

I have been available at the lakes typically, six or seven days and nights per week since January through to November and have taken only one week of holiday. At no time was the lake left totally unattended by either me or my father. But the pressure is very great and can only be resolved by my being resident with my family on site.

I applied for a house in 2009 so that my wife and my family would be able to live on site ready to manage the fishery business on opening. This was refused and we were told to apply for a temporary accommodation for us to live in. This we did and got permission in September 2010, moving a caravan onto site that month (paying Council Tax from then). I moved into the caravan as my home and business address and it has been my main residence since, but my wife stayed at Brampton, Cambs with our baby son and they have joined me most weekends at Airfield Lakes. During the severe wintry weather last winter starting November 2010 I was on site 24 hrs a day keeping electric and diesel pumps going to keep flowing water in all 3 areas of water to prevent freezing over. This was achieved with NO fish lost to the weather. As all fisheries were frozen over I could not visit any on behalf of Nash, my employers at the time, so this enabled me to stay at Airfield Lakes.
I am pleased to report that my new business has had no impact on our immediate neighbours and the three nearest have commented on the many benefits such as enjoying the views and the abundance of wildlife and support the application.

Next year is set to be an even better than the first year. The venue has quickly become established as a leading fishery in East Anglia, has been selected for the two biggest national carp competitions next May and June and Spitfire Pool is already fully booked for next year. All is looking very good and as successful as I could have wished, but this will only continue if my accommodation issues can be resolved by living with my family on site. We have already lived apart for much of the last year as the needs for the business demanded it. I was on site 24/7 a lot of the time. Given that realistically it will take a minimum of 9 months to build a house even being granted permission in January would mean that my family would not be living together until winter 2012 at the earliest.

Although my wife and child visit the caravan regularly and on occasion they stay overnight with a baby due January this will be harder to achieve comfortably. Therefore to enable me to effectively manage the business and family life the granting of this permission is essential. In this I hope that the Council will show understanding.

Please visit my website www.airfieldlakes.com for details of the lakes and their operation.

Yours

Richard Wilby
3. **Appl. No** : 2011/1574/F  
**Parish** : DISS  

Applicants Name : Michaels Mowers  
Site Address : Land at junction of Frenze Brooke and River Waveney, Victoria Road, Diss  
Proposal : Proposed repairs and retail warehouse  
Recommendation : Refuse  

1. **Planning Policies**  

1.1 National Planning Policy  
PPS4 – Planning for Sustainable Economic Growth  
PPS25 – Development and Flood Risk  

1.2 Joint Core Strategy  
Policy 2 – Promoting good design  
Policy 5 – The economy  

1.3 South Norfolk Local Plan  
IMP 2: Landscaping  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity  
IMP10: Noise  
ENV 3: River valleys  
ENV 8: Development in the open countryside  
EMP 4: Employment development outside the Development Limits and Village Boundaries of identified towns and villages  

2. **Planning History**  

2.1 None.  

3. **Consultations**  

3.1 Diss Town Council : Refuse  
- Flood risk  
- Traffic impact on Victoria Road  

3.2 District Members  
Mr G H Walden : No objection, subject to the necessary considerations being taken into account with regard to turning off the highway.  
Mr Keith Kiddie : Can be a delegated decision. Is this area of land subject to possible flooding from the River Waveney.  

3.3 NCC Highways : No objection to amended plans, subject to suitable conditions relating to off-site highway works.
3.4 Environment Agency: No objection to amended plans, however have noted that the building is sited within Flood Zone 2 (medium probability), and that this should be considered as part of a sequential test in accordance with PPS25. (It is the responsibility of the Local Planning Authority to undertake a sequential test.)

3.5 Mid Suffolk District Council: No objections, but draw attention to the fact that the description of development seems to suggest a wide range of potential retail uses, not specific to agricultural/horticultural repairs. PPS4 should be referred to.

3.6 Environmental Services (Protection): No specific objections, although draw attention to the fact the site is located within Flood Zones 2 & 3.

3.7 Landscape Officer: None received.

3.8 SNC Economic Development: No objection.

3.9 Planning Policy: Along with general policy advice, raise the following:
   - The development is a mixed retail and industrial use, and can not be described as B2 (General Industrial).
   - Individual available premises in Diss could accommodate the industrial element, but not the individual retail and storage elements of the proposal. Can the proposals be adapted to fit existing premises?
   - The proposal is outside the defined development limit and the principle of the need to protect and enhance the defined river valley remains.

3.10 Local Residents: None received.

4. Assessment

4.1 The site is located at the eastern extremity of the town, adjacent the junction of River Waveney and Frenze Brooke. Located outside the defined development limits, the site is bounded by the River Waveney to the south (with Stuston Common Golf Course beyond that) and Frenze Brooke to the east. The site is bounded to the west by a bunded parking/storage area serving the operations at the former Cartco site. This area of land has the benefit of outline planning permission for residential development granted in 2010.

4.2 The site is located within Flood Zones 2 (medium probability) and 3 (high probability), and is within the river valley policy area where inappropriate development will not be permitted.

4.3 The application proposes a large two-storey building for the retail, repair and storage of mowers and agricultural equipment, along with associated parking and turning areas. The breakdown of uses is as follows:

   Retail – 341 sq metres
   General Industrial – 171 sq metres
   Storage & distribution – 343 sq metres

4.4 The overall internal ground floor area of the building is 897 sq metres, with an additional 628 sq metres of loft space. (Total floor space being 1525 sq metres.) The plans show the building having a ridge height of 7.6 metres and an eaves height of 4.4 metres. Proposed materials would be box profile sheeting for the roof, and a mixture of Kingspan Sheet Cladding and brickwork to the elevations. Fifteen parking spaces and a turning area are proposed to the west and south of the building. The proposal would provide for 2 additional workers on top of the 3 full-time and 2 part-time workers currently employed. A site layout plan is attached as appendix 2.
As this is a full application, the main issues for consideration are:

- The principle of development outside the defined development limits of Diss.
- Design & Layout
- Highway impact
- Flood Risk
- Impact on residential amenity

**Principle of Development Outside the Development Boundary**

4.6 Local Plan policy ENV8 restricts development in the open countryside to that required for agriculture or forestry; justified to sustain an economic and social activity and demanding of a rural location, or; involving the adaptation of an existing building. Although the proposed use of the building for the repair of mowers and agricultural equipment, I do not consider this activity to be requisite for agriculture in this location, as the repair of agricultural equipment often takes place within existing farm buildings or in the field. The building does not, in my opinion demand a rural location, and does not involve the re-use of an existing building.

4.7 Although it has to be acknowledged that the site is not in a remote rural location, it is clearly outside the defined limit of a town, and within the sensitive river valley area. I do not feel that this type of development should be encouraged in this location and have concluded that the proposal does not accord with local plan policies ENV8 and ENV3.

4.8 Local Plan policy EMP4 allows for employment generating development outside development limits where it can be demonstrated that there are no alternative suitable and available sites or premises within the identified boundaries, and that the proposed site is adjacent to existing boundaries. The applicants have submitted a basic sequential test (initially only dealing with retail, but amended to include industrial locations) showing that although there are some available premises, none were suitable in terms of size. It was further argued that the proposed uses could not be split up to suit the available premises, and that the type of use involved noisy activities, not really suited to existing employment locations.

4.9 Whilst it is accepted that the desire for such a large building would preclude the available existing premises, there is still allocated employment land undeveloped to the east and west of Sandy Lane, adjacent Allied Grain. Exceptionally, policy EMP4 allows for un-neighbourly uses not suited to a built-up area, to be located outside development boundaries. However, in this case there is undeveloped employment land outside the built up area, and, the proposed site is located adjacent to land recently granted permission for residential development, an incompatible use. Although I am aware of the desire to promote employment and business opportunities in the district, in accordance with the thrust of JCS Policy 5, I am not convinced that this consideration is of sufficient weight to override the requirements of local plan policy EMP4.

**Design & Layout**

4.10 The applicants have provided little information in respect of the design and layout of the building, which appears to be mainly based on the requirements for access to the site and internal space. This is disappointing given the prominence of the site at the entrance to the town, although perhaps understandable given its proposed use. However, JCS Policy 2 requires all development to be of a high quality design and provide a positive contribution to its setting. This being even more important given the buildings’ entrance location within the river valley setting.

4.11 I appreciate the fact that the applicants have attempted to improve the overall appearance of the building through the use of part brick elevations, and the use of profile sheet roofing to reduce the overall height of the building, and in isolation and in the right location, may not be objectionable. However, in this entrance location I feel that both local plan and JCS policy requires a higher quality building than that proposed. The proposal therefore fails to accord with JCS Policy 2.
Highway Impact

4.12 Whilst acknowledging the concerns of the Town Council in respect of the potential adverse impact on Victoria Road, the siting of the building more centrally within the site allows for an access onto Victoria Road that achieves the required visibility splays, and further amended plans and the submission of a safety audit has overcome the initial concerns of NCC: Highways, who now raise no objection to the proposal. On this basis the application is considered to accord with local plan policy IMP8.

Flood Risk

4.13 Although the site itself is within Flood Zone 3 (High Probability), the proposed building is located within Flood Zone 2 (Medium Probability). PPS25 requires all development to be guided to areas of low probability of flooding, this being Flood Zone 1 (i.e. all areas outside Zones 2 & 3), unless it can be demonstrated that no other more suitable and available sites exist. The Council is therefore required to undertake a sequential test to establish if other sites at less risk from flooding are available.

4.14 Allocated employment land (policy EMP1) exists to the east of Sawmills Road and Sandy Lane. There is also small area of EMP1 allocated land adjacent to White Gables, Sandy Lane – both within the development boundary and outside flood zones 2 & 3. There are also smaller vacant business units within an established industrial estate (Units 1 & 2-6 Courts Industrial Estate) – again these sites are within the Development boundary and outside flood zones 2 & 3.

4.15 As there are alternative locations, that appear to be reasonably available, the size, arrangement and location of the proposed building use within flood zones 2 and 3, fails the sequential test in my opinion. The proposal is therefore contrary to the requirements of PPS25.

Impact on Residential Amenity

4.16 In considering this proposal I have to also take into account the neighboring site to the west that has outline planning permission for residential development. Whilst no layout details for the development have been determined, the potential noise impact of the proposed retail/industrial use has to be taken into account. The applicant has indicated that the testing of the mowers can be a noisy operation, not suited to a residential or light industrial area. The level of impact is difficult to assess at this stage, but would certainly require a level of acoustic mitigation to minimize the potential for impact on residential amenity in my opinion. Given the indication from the applicant that the proposed use is not considered appropriate within an industrial estate, I am concerned that it may not be an appropriate use close to dwellings, which are an even more sensitive noise receptor.

4.17 Given the potential for noise disturbance on any residential use of the adjoining site, I feel that the application does not accord with local plan policy IMP10.

5. Reasons for refusal

5.1 Principle of development - Although the proposed use of the building for the repair of mowers and agricultural equipment, I do not consider this activity to be requisite for agriculture, as the repair of agricultural equipment often takes place within existing farm buildings or in the field. The building does not, in my opinion demand a rural location, and does not involve there-use of an existing building. Although it has to be acknowledged that the site is not in a remote rural location, it is clearly outside the defined limit of a town, and within the sensitive river valley area. I do not feel that this type of development should be encouraged in this location and have concluded that the proposal does not accord with local plan policies ENV8 and ENV3.
5.2 Exceptionally, policy EMP4 allows for un-neighbourly uses not suited to a built-up area, to be located outside development boundaries. However, in this case there is undeveloped employment land outside the built up area, and, the proposed site is located adjacent to land recently granted permission for residential development. Although I am aware of the desire to promote employment and business opportunities in the district, in accordance with the thrust of JCS Policy 5, I am not convinced that this consideration is of sufficient weight to override the requirements of local plan policy EMP4.

5.3 Flood Risk – The proposal is contrary to PPS25, as there are alternative locations that appear to be reasonably available within Flood Zone 1. The size, arrangement and location of the proposed building use within flood zones 2 and 3, fails the sequential test.

5.4 Design & Layout – Given the prominent location of the building at the entrance to the town, its overall design quality is not of a sufficient standard to positively contribute towards its setting, contrary to Policy 2 of the Joint Core Strategy.

5.5 Residential Amenity - The proposed use of the building is not considered to be an appropriate use close to dwellings, which are an even more sensitive receptor. Given the potential for noise disturbance on any residential use of the adjoining site, I feel that the application does not accord with local plan policy IMP10.

Contact Officer, Telephone Number    Gary Hancox, 01508 533841,
and E-mail:                         ghancox@s-norfolk.gov.uk
4. **Appl. No**: 2011/1629/H  
**Parish**: EASTON  
Applicants Name: Mr J Large  
Site Address: 16 Woodview Road, Easton, Norfolk, NR9 5EU  
Proposal: Retrospective application for erection of fencing with reduced height end fence panel and reduced height concrete post. Proposed erection of corner summer house.  
Recommendation: Approve with conditions  
1. **Background Information**  
1.1 Members will recall that this application was considered at the First Wednesday Planning Committee on 7th December 2011 (see appendix 2), where it was resolved to refuse planning permission and authorise enforcement action to secure the reduction in height of the end fence panel and concrete post.  
1.2 However, prior to the formal decision being issued, further discussions took place with the applicant who agreed to amend the development to reduce the fence panel adjacent to the neighbours drive as required by the authorised enforcement. The applicant has confirmed that the works will be undertaken over the Christmas period and has amended the application to reflect the revised proposal.  
1.3 The application is therefore presented to this Committee for reconsideration with a recommendation for approval subject to a condition relating to the reduction in the panel adjacent to the highway. The consideration of the design of the fence, its impact on the streetscene and effect on the amenity of neighbours is set out in the appended report together with a summary of representations received.  
2. **Planning Policies**  
2.1 Joint Core Strategy  
Policy 2: Promoting good design  
Policy 6: Access and transportation  
2.2 South Norfolk Local Plan  
IMP8: Safe and free flow of traffic  
IMP9: Residential amenity  
3. **Assessment**  
3.1 This assessment relates to the amended proposal. The applicant has confirmed that the end fence panel and concrete post along the eastern boundary of the application site will be reduced in height to match the height of the front fence. The reduced fence panel and post would therefore measure approximately 1.2 metres in height.  
3.2 The Highway Officer’s original assessment of the scheme concluded that the restricted views from the driveway of the neighbouring property would be detrimental to the safety of highway users and pedestrians. The amendments to the proposed scheme would accord with the earlier advice received and as a result overcomes the highways objection. I therefore consider that the revised scheme accords with the policies set out above.
3.3 The applicant has advised that the alterations to the height of the fence panel and concrete post will be undertaken during the Christmas period. As these alterations have not taken place at the time of preparing this report, I consider it appropriate to include a condition that requires the reduction in height / replacement of the fence panel and concrete post within 56 days of any planning permission being granted to ensure that this takes place. The enforcement action authorised by the First Wednesday Planning Committee on 7th December 2011 could be used if the panel is not amended.

4. Reasons for approval

4.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Polic2 and Policy 6 of the Joint Core Strategy and Policies IMP8 and IMP9 of the South Norfolk Local Plan.

4.2 The amended scheme proposes the reduction in height of the end fence panel and concrete post to overcome earlier highway concerns. The resultant development would not have an adverse impact on the safe movement of pedestrians and vehicles and would not have an unacceptable impact on the amenities of the neighbouring occupiers.

Contact Officer, Telephone Number          Kate Fisher, 01508 533985,
and E-mail:                                kfisher@s-norfolk.gov.uk
12. Appl. No.: 2011/1629/H  
Parish: EASTON  
Applicants Name: Mr J Large  
Site Address: 16 Woodview Road, Easton, NR5 9EH  
Proposal: Retrospective application for erection of fencing. Proposed erection of corner summer house.  

Recommendation: Refuse  
1. Development has a detrimental impact on highway safety  
2. Contrary to Policies 2 and 6 of the Joint Core Strategy and Policies IMP8 and IMP9 of the South Norfolk Local Plan  

(Authorise enforcement action to secure replacement or reduction of fence panels adjacent to the highway to the same height as the frontage fence)

1. Planning Policies

1.1 Joint Core Strategy  
Policy 2: Promoting good design  
Policy 6: Access and transportation

1.2 South Norfolk Local Plan  
IMP8: Safe and free flow of traffic  
IMP9: Residential amenity

2. Planning History

2.1 2009/0089 Single storey extension for additional bedroom and dining room  
     Approved

2.2 2007/1524 Proposed side porch  
     Approved

3. Consultations

3.1 Parish Council: Recommend approval  
   - Application considered in discussion with the applicants  
   - Occupiers of No. 14 Woodview Road could reverse into driveway and pull forward carefully and the height of the fence should not therefore be a problem

3.2 District Member: To be reported if appropriate

3.3 NCC Highways:  
   - The final section of 2m high fencing adjacent to the highway on the east side should be altered;  
   - General practice to taper last fence panel down to match the lower height of the front fence;  
   - Current arrangements restrict visibility of vehicles and pedestrians using the footway;  
   - Particular concern for children and wheelchair users not being visible when a vehicle is exiting the drive of no. 14;  
   - Recommend that at least the first half metre should be lowered to the height of the front fence;  
   - Property is located on entrance road to a residential estate resulting in greater vehicle and pedestrian movements than in other locations (e.g. end of cul-de-sac).
First Wednesday Planning Committee 4 January 2012

3.4 Local Residents

- 1 letter of support:
  - Applicant has improved the property since moving in;
  - Fencing and summerhouse will make the corner plot outstanding.

- 1 letter of objection:
  - Concern for own safety and that of members of the public;
  - View from driveway blocked by the fencing;
  - Concern that members of the public on the pavement will not see vehicles exiting the driveway, especially children on the way to the school at the top of the street;
  - Front fence panels measure 1.2 metres in height
  - No objections to the summerhouse

4. Assessment

4.1 The application site is a detached single storey dwelling set on a corner plot in a residential area. The site falls within the Development Limits for Easton. The principle elevation of the dwelling faces Kennedy Close and the property is set back within the plot.

4.2 The applicant has erected a timber panel fence in the south east corner of the garden in order to create an enclosed and private area of amenity space to the side and rear of the dwelling. The section of fencing to the east of the site runs along the boundary of the site, adjacent and parallel to the driveway of the neighbouring property, number 14 Woodview Road, Easton.

4.3 The side panel fences comprise solid timber panels measuring 1.8 metres in height from base level with concrete posts between each panel. In addition, the fence panels have been set on a concrete base that measures 15cm from ground level, resulting in an overall height of 1.9 metres. The timber fence along the front boundary measures 1.2 metres and is also set on a concrete base measuring approximately 15cm in height.

4.4 As a result of the height of the side panels, concerns have been raised relating to highway safety matters. In particular, the occupiers of the neighbouring property have expressed a concern about their own safety when exiting their driveway, as well as that of members of the public who may not be visible to them due to their obstructed views of the footway.

4.5 The Highways Officer has assessed the proposal and has recommended that the section of 2 metre fencing adjacent to the highway on the east side of the application site should be altered in order to avoid the current restriction of visibility. Particular concern has been expressed for children and wheelchair users who would not be readily visible to vehicles exiting the driveway of number 14 Woodview Road. I consider the height of the side fence panel in closest proximity to the footway to be detrimental to highway safety and inappropriate in its current position, particularly due to the levels of pedestrian and vehicle movement at the entrance to the road.

4.6 At the time of construction the applicant was advised that the fence panels adjacent to the footway should not exceed 1 metre in height from ground level. This height restriction includes any structure on which the fence is sited. The front boundary fence that has been erected exceeds this height limit and is therefore included in the planning application however the Highways Officer has commented that he does not foresee any particular problems with the section of the fencing and I do not consider that this to have a particular negative impact on visibility.

- TCO -
4.7 During the course of the planning application the applicant has submitted additional correspondence advising of his reasons for erecting the fences at their current heights. In particular, the applicant has expressed a concern for the safety of his dog should the height of the fence panels be lower as well as a wish to increase the privacy of the garden space to the side of the dwelling, especially in the summer months. I have also noted the applicant’s comments that prior to the erection of the current fence, the boundary treatment comprised a fence measuring approximately 1 metre in height and vegetation measuring approximately 1.8 metres in height but I do not consider that this affects the consideration of the current planning application.

4.8 In terms of the design of the fencing, I am aware of the comments received supporting the application and the overall improvement of the property by the applicant. I have noted that solid timber fencing is not a particularly common boundary treatment within the immediate streetscape and that most properties appear to have hedgerows and/or low level brick wall boundary treatments. Although the fencing appears dominant at present I feel that once this has weathered and the recent planting has had an opportunity to grow the impact of the fencing within the streetscape will be softened and the visual impact of the timber fencing will be reduced.

4.9 Finally, the applicant has also applied for the erection of a summerhouse as part of the current planning application. The summerhouse would be of timber construction and would be sited to the east of the newly enclosed section of garden. The applicant has confirmed that the summerhouse would measure 2.5 metres in height from ground level. From discussions with the applicant I understand that although the summerhouse would rest on a concrete base, this base would be dug into the ground and the overall height of the structure would therefore not exceed 2.5 metres from ground level. As such the erection of the summerhouse could be undertaken as permitted development and does not form part of the reason for refusal.

5. Reasons for Refusal

5.1 The development is detrimental to highway safety and results in inadequate visibility for the occupiers of the neighbouring property as well as pedestrians, cyclists and wheelchair users using the adjacent pavement and highway. The development is contrary to Policies 2 and 6 of the adopted Joint Core Strategy and saved Policies IMP8 and IMP9 of the South Norfolk Local Plan 2003.

Contact Officer, Telephone Number: Kate Fisher, 01508 533985, kfisher@s-norfolk.gov.uk and E-mail: kfisher@s-norfolk.gov.uk
5. **Appl. No**: 2011/1651/F  
**Parish**: GREAT MOULTON  
Applicants Name: Mr Stefan Kent-Webb  
Site Address: Sub-division of garden at 1 High Green, Great Moulton  
Proposal: Proposed Detached Dwelling to the side of no. 1 High Green, Gt. Moulton.

Recommendation: Approve with conditions

1. Planning Permission Time Limit  
2. In accordance with amended drawings  
3. No PD for Classes ABCDE & G  
4. External materials to be agreed  
5. Foul drainage to main sewer  
6. New Access - Construction over verge  
7. Access Gates  
8. Provision of Visibility Splays  
9. Provision of parking area

1. Planning Policies

1.1 Joint Core Strategy  
Policy 2: Promoting good design  
Policy 15: Service Villages

1.2 South Norfolk Local Plan  
HOU 7: Development within defined boundaries of small villages  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity

2. Planning History

2.1 2004/0809 Proposed erection of 2no semi-detached dwellings with garage to rear  
Refused

3. Consultations

3.1 Parish Council: Refuse  
- The proposal represents an over intensification of use for the site  
- There will be considerable visual impact on the village scene and will ruin the balance of the traditional 1920’s art and crafts development  
- Access onto the road is already poor and further dwellings on the site would constitute a significant hazard

3.2 District Member: Delegate

3.3 NCC Highways: Conditional support

3.4 Environmental Services (Protection): Conditional support  
- If CNC Building Control are satisfied that the proposed soakaway is sufficient, we have no objection
3.5 Local Residents: 1 letter of objection

- We have been granted the right to cross the land of 1 High Green for maintenance of our sewer. The proposed subdivision of the property will cut off our access to our sewer.
- The immediate surrounding properties on Hallowing Lane and Heather Way are all bungalows, a two storey house in this position will be out of keeping with the surrounding vicinity; further, the layout proposed site makes the area look overcrowded in comparison with surrounding properties.
- The first floor rear window would result in a loss of our privacy by overlooking our rear and front gardens.
- The relative proximity of the proposed two storey dwelling to our bungalow (which lies due north of the proposed house) would result in our rear garden (and front garden) suffering from being shaded from the sun in Winter months.
- With Hallowing Lane being heavily used by pedestrians we are very concerned about the safety of the proposed position of the new driveway for 1 High Green which will exit onto Hallowing Lane very close to the junction with High Green.

4. Assessment

4.1 The application is for the development on land to the side of No1 High Green to form one new dwelling which it is proposed to be of a style in keeping with the design of the original dwelling. The site falls within the development boundaries for Great Moulton and therefore the principle of development is acceptable under Policy 15 of the Joint Core Strategy, subject to considerations such as the design and the impact on neighbouring properties.

4.2 Concern has been raised by the Parish Council that the development constitutes overdevelopment of site and that it would harm the setting of the original dwellings. Whilst it is acknowledged that the existing pattern of development does give the impression that the plot is restricted, it in fact measures 12 metres in width at the narrowest point where the dwelling is proposed. There are numerous examples in the surrounding area of similar or narrower plot widths and therefore a plot width of this size is not considered out of character for the area. However, given the nature of the plot and in particular the restricted rear garden area, it is recommended that permitted development rights should be removed. The visualisations provided by the applicant also demonstrate that the proposed dwelling integrates well into the streetscene and complement rather than harm the setting of the original dwellings. It is considered that on balance the plot can accommodate a new dwelling and that the proposed design is the most appropriate design solution.

4.3 Concerns have also been raised about the impact on the neighbouring bungalow to the rear. The concerns relate to overlooking and overshadowing. In terms of overshadowing, the distance to the boundary and orientation of the properties is such that the majority of any additional overshadowing would be on the garage block. There would be negligible difference to any windows for habitable windows. In regard to overlooking, it is accepted that the first floor rear window would overlook part of the rear garden of the neighbour, however it is considered that its impact will be considerably less than that of the first floor window of the existing dwelling which directly overlooks the rear garden of this property. Concern was also raised about access for maintenance of the sewer. The applicant has responded to note that the proposed dwelling will not adversely affect this right of access, which in any case is not a planning issue as such.
4.4 The development has been designed so that the existing access and parking provision will be for the new dwelling, with a new access and parking to the front of the dwellings provided for the existing dwelling. Some concerns have been raised about the highway safety implications of the new access which is close to the junction of High Green and Hallowing Lane. However, Norfolk County Council as the highway authority raise no objections to the proposed access and parking layout and therefore it is not considered that a refusal of planning permission could be sustained on highway safety grounds.

4.5 Drainage is recognised as particular issue of concern in Great Moulton and therefore the applicant was required to submit drainage information as part of the application. Environmental Services have no objection to the information submitted provided CNC Building Control also being satisfied that the proposed soakaway is sufficient. Confirmation from CNC Building Control is being sought on this issue.

4.6 The originally submitted drawings contained some anomalies on the elevation drawings. Amended plans are to be submitted correcting these. However, overall it is considered that in terms of its design and impact on neighbouring properties, the proposed development is acceptable and is recommended for approval.

5. Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 15 (Service Villages) of the Joint Core Strategy and Policy HOU7 (Development within defined boundaries of small villages) of the South Norfolk Local Plan as the proposed development would be in keeping with the form and character of the village and its settings.

Contact Officer, Telephone Number
Tim Barker, 01508 533801,
and E-mail: tbarker@s-norfolk.gov.uk
6. **Appl. No**: 2011/1739/F  
**Parish**: HETHERSETT

Applicants Name: Mr Richard Powell  
Site Address: Sub-division of garden at, Cedar Lodge Cedar Road, Hethersett  
Proposal: Proposed 3 bedroom bungalow  

Recommendation: Approve with conditions

1. **Planning Policies**  
1.1 Joint Core Strategy  
Policy 2: Promoting Good Design  
Policy 3: Energy and Water  
1.2 South Norfolk Local Plan  
ENV 19: Tree Preservation Orders  
HOU 4: Residential development within the defined Development Limits  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity  
IMP 10: Noise

2. **Planning History**  
2.1 1983/0619 Extension To Existing Dwelling. Approved  
2.2 FH\5572\ Erection of Bungalow and Garage. Approved  
   (Cedar Lodge)

3. **Consultations**  
3.1 Parish Council: Refuse  
   - Additional traffic on Cedar Road  
   - Views of tree officer should be sought  
   - Method statement for works near trees should be enforced  
   - Construction traffic should park on site to reduce congestion.  
3.2 District Member: To be reported if appropriate  
3.3 NCC Highways: No objection subject to amended plan showing 2 parking spaces  
3.4 Environmental Services: No objection subject to conditions  
3.4 Historic Environment Services: No objection subject to condition for survey of site  
3.5 Landscape Officer: To be reported
3.6 Local Residents

3 letters raising comments:
- no further trees should be removed
- any damage to drive during construction should be repaired
- obstruction of access during construction
- design of bungalow is pleasing but concerned regarding light to living room – could result in pressure to remove trees

1 letter of objection
- lack of access for emergency vehicles
- increase in traffic
- lack of street lighting and pavements

4. Assessment

4.1 The proposal is for a three bedroom bungalow within the curtilage of Cedar Lodge.

4.2 The property is within the Development Limit for Hethersett and as such the principle of a dwelling on the site is acceptable. The property is bordered by residential properties which vary in form and scale, but will predominantly be seen in the context of Cedar Lodge. The property has been designed to reflect the form and materials of Cedar Lodge and has been positioned on the site to minimise the impact on the outlook or amenity area of the existing dwelling. I consider that the design of the dwelling is acceptable in this location.

4.3 Properties to the north and north east will look onto the proposal, but due to the orientation of those properties, the existing boundary treatments and distance to the proposed dwelling, I consider that it will not dominate their outlook or result in a significant loss of amenity.

4.4 Land to the north and west are included within a Tree Preservation Order and the application has been accompanied by an Arboricultural assessment indicating how the layout of the site has taken account of these trees.

4.5 Concern has been raised regarding the internal layout of the property and in particular the living room which it is considered will be dark, and consequently could result in pressure to remove further vegetation. While I note these comments, the living room is north facing and as such any overshadowing from the trees on the site is likely to be limited.

4.5 The access to the site will be from a private drive off Lynch Green. The scheme has been amended following comments from the Highway Authority regarding the provision of two off street parking spaces. While I note the concerns of neighbours and Parish Council regarding construction traffic, any disturbance will be for a limited period and damage to the private drive is a civil matter between the parties involved.

5. Reasons for approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 2 and 3 of the Joint Core Strategy and Policies HOU4, IMP8, IMP9 and ENV19 of the South Norfolk Local Plan as the proposal has been designed to take account of the character of the site while safeguarding existing trees, the amenities of neighbours and highway safety.

Contact Officer, Telephone Number and E-mail: Stuart Pontin, 01508 533796, spontin@s-norfolk.gov.uk
7. **Appl. No**: 2011/1834/LB  
**Parish**: LODDON  

Applicants Name : Dr Jane Mawer  
Site Address : Lynton House, 5 Church Plain, Loddon NR14 6LX  
Proposal : Installation of solar panels on rear roof elevation  

Recommendation : Refuse  

1. Unacceptable harm to the character and appearance of the listed building, contrary to policy IMP13

1. **Planning Policies**

1.1 **Joint Core Strategy**  
Policy 2

1.2 **South Norfolk Local Plan**  
IMP 13: Alteration of Listed Buildings  
UTL 13: Renewable energy

2. **Planning History**

2.1 2011/0825 Creation of opening in rear wall of existing outbuilding/garage with double doors  
Approve

2.2 2010/0770 Replacement of conservatory and side extension with single storey extensions and rain cover  
Approve

2.3 2007/2567 Alterations to existing dwellings  
Approve

3. **Consultations**

3.1 **Parish Council** : Approve  
The Council fully supports renewable energy & sees no issue with panels being installed on the rear of the property.

3.2 **District Member** : Can be delegated

3.3 **Conservation Officer** : Refuse contrary to policy IMP 13  
The panels would cover a significant area of the principle roof and as such would affect the character and appearance of the house.

3.4 **Local Residents** : No comments received

4. **Assessment**

4.1 This application seeks Listed Building consent for the installation of solar panels on the rear roof elevation of a domestic dwelling. The dwelling is a grade 2 listed building.

4.2 The dwelling is part of a group of historic buildings that form the west side of Church Plain and Conservation Area. The rear roof has been altered in the past to extend over the rear part of the house. The views of the rear of these houses are limited and therefore the impact on the Conservation Area is not harmful.
4.3 In terms of the listed building the panels would cover a significant area of the principle roof slope and as such would affect the character and appearance of the dwelling and would not preserve the architectural or historic interest of the dwelling. This is clearly contrary to policy IMP 13.

4.4 Policy UTL 13 supports renewable energy on the basis that the benefits are not outweighed by demonstrable harm to the locality. In this case while the Conservation area is not adversely affected the impact on the Listed Building is unacceptable, in this instance.

4.5 Comments have been received from the local Parish Council who fully support renewable energy and see no issue with panels being installed on the rear of the property. However, the Conservation officer has raised an objection in relation to this application as the panels would cover a significant area of the principle roof slope resulting in harm to the character and appearance of the house, which in this instance would not preserve the architectural interest of this listed building.

4.6 It should also be noted a similar proposal in this locality (ref 2011/1622) was also refused due to the unacceptable impact on a listed building.

5. Reasons for refusal

5.1 The proposal is contrary to the provisions of the adopted South Norfolk Local Plan including policy IMP 13 and UTL 13 due to the unacceptable impact on the character and appearance of the Listed Building.

Contact Officer, Telephone Number Chrissy Briggs, 01508 533832, and E-mail: cbriggs@s-norfolk.gov.uk
8. **Appl. No** : 2011/1851/H  
**Parish** : PULHAM ST MARY  
Applicants Name : Mr A Tomson  
Site Address : Oakleigh Grange Farm, North Green, Pulham St Mary, IP21 4XY  
Proposal : Part first floor and new one and half storey extension to dwelling.  
Recommendation : Refuse  
1. Inappropriate design of extension  
2. Contrary to Joint Core Strategy Policy 2 and SNLP Policy HOU14

**Parish** : PULHAM ST MARY  
Applicants Name : Mr A Tomson  
Site Address : Oakleigh Grange Farm, North Green, Pulham St Mary, IP21 4XY  
Proposal : Part first floor and new one and half storey extension to dwelling.  
Recommendation : Refuse  
1. Inappropriate design of extension  
2. Contrary to Joint Core Strategy Policy 1 and SNLP Policy IMP13

1. **Planning Policies**

1.1 Joint Core Strategy  
Policy 1: Addressing Climate Change and Protecting Environmental Assets  
Policy 2: Promoting Good Design  

1.2 South Norfolk Local Plan  
HOU 14: Extensions to dwellings in the open countryside  
IMP 13: Alteration of Listed Buildings

2. **Planning History**

2.1 2010/0293/H & 2010/0294/LB Proposed single storey extension to rear of property, with pitched & lead flat roofs, over glazed walls set on brickwork plinth Approved

2.2 1981/1256 Extensions to dwelling. Approved

3. **Consultations**

3.1 Parish Council : Approve  
- Extension is not visible from the road  
- In keeping in style with existing building  

3.2 District Member : To be reported if necessary

3.3 Conservation Officer : Refuse as submitted

3.4 Local Residents : To be reported if necessary
4. **Assessment**

4.1 The property is a grade II listed, rendered and pantiled farmhouse, set well back from the road and forming part of a larger working farm complex. The site is outside any of the surrounding development limits.

4.2 The house has been altered and extended historically, with the original building being developed into an "L" shape. A single storey extension was added in the 20th century and the most recent addition is a large, single storey extension at the rear of the original house (2010/0293 and 0294).

4.3 The proposal is to add onto the 20th century extension and build above it with the roof set down just below the present gable, incorporating an open section on the ground floor to provide a boot room.

4.4 The Conservation Officer and myself consider that the scale of the extension creates a disjointed composition on the east elevation, its design presents a significant contrast to the appearance of the existing house, with the use of mathematical tiles for the walls being uncharacteristic.

4.5 I therefore consider the proposal forms an inappropriate development, at odds with the character and appearance of the house, resulting in a detrimental impact on the form and significance of the listed building.

5. **Reasons for Refusal 2011/1851**

5.1 The proposal involves an extension which, due to its design, scale and external appearance results in a development which is detrimental to the character and appearance of the existing dwelling, and which would not ensure that its special architectural or historic interest would be preserved.

5.2 The proposal is contrary to the provisions of the South Norfolk Local Plan 2003 and the Joint Core Strategy 2011, including, in particular, policies HOU14(Extensions to dwellings in the open countryside) and Policy 2(Promoting good design).

6. **Reasons for Refusal 2011/1852**

6.1 The proposal involves an extension which, by virtue of its scale and design, would result in a development which would not ensure that the special architectural or historic interest of the listed building would be preserved.

6.2 The proposal is contrary to the provisions of the South Norfolk Local Plan 2003 and the Joint Core Strategy 2011, including, in particular, policies IMP13(Alteration of listed buildings) and Policy 1(Addressing climate change and protecting environmental assets)

Contact Officer, Telephone Number and E-mail: Rachel Flaxman, 01508 533550, rflaxman@s-norfolk.gov.uk
10. **Appl. No**: 2011/1869/F  
**Parish**: COSTESSEY

Applicants Name: Mr J Atashkadeh  
Site Address: Land & outbuilding at 56 Grove Avenue, Costessey, NR5 0HW  
Proposal: Change of use of annexe into 4 bedroom bungalow

Recommendation: Approve with conditions

1. Planning Permission Time Limit  
2. In accordance with submitted drawings  
3. No additional windows at first floor level  
4. Contaminated land - scheme to be submitted  
5. Provision of Parking and Servicing Areas - Where shown on plan

1. **Planning Policies**

1.1 South Norfolk Local Plan  
HOU 4: Residential development within the defined Development Limits  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity

2. **Planning History**

2.1 2008/0348/F Redevelopment of existing site to change former office/store into 1 single dwelling  
Approved

2.2 1992/1152 Conversion of workshop into 2 dwellings  
Approved

2.3 1986/3038 Renewal of permission for upholstery business  
Approved

2.4 1983/2513 Change of use to upholstery business  
Approved

2.5 1982/0791 Renewal of permission for light industrial  
Approved

3. **Consultations**

3.1 Parish Council: Refuse on grounds that it is overdevelopment of the site. Consider description is incorrect – It is not an annexe as not attached to main dwelling.

3.2 District Member: To be reported if appropriate

3.3 NCC Highways: Approve subject to parking and turning being laid out before occupation

3.4 Local Residents: 1 letter of objection  
- Any future dormer windows or velux will overlook their garden
4. **Assessment**

4.1 This application is a renewal of a permission allowed in 2008 and of which the time limit has now expired. The proposal is for the conversion of an existing single storey building with a lawful use as upholsterers, into a single storey dwelling. The proposal will incorporate a change in roof height but does not include rooms above ground floor. The building is in the curtilage of a detached property set behind other properties and is in the development boundary for Costessey. The new dwelling will share a driveway with the existing dwelling.

4.2 The building is situated within a corner of the plot situated approximately 2 metres away from both the rear and side boundaries. The front of the building faces onto the applicants garden which will become the garden for the proposed dwelling and has mature planting. All three of these boundaries border onto the rear gardens of the neighbouring properties with a 1.8 metre boarded fence marking the boundaries. The west of the proposed dwelling will be open driveway and fencing splitting the existing curtilage.

4.3 Although the roof height of the existing building is to be raised by 2.3 metres, this is to remove the asbestos roof and also accommodate a pitch capable of taking roof tiles. There are no details of any living accommodation proposed in the roof area. Due to the location of the property and the neighbouring properties I recommend the removal of permitted development rights for any openings above ground floor level to protect the privacy and residential amenity of adjoining residents.

4.4 Although the existing building is within the development boundary for Costessey it is in a situation where a new dwelling would not normally be looked on favourably due to its backland characteristics. However it was considered at the time of the previous applications for the conversion of the building to two dwellings and the more recent application to change to a single dwelling that its use as dwellings was more favourable within a residential area than a business use and this is still considered to be an appropriate view.

4.5 The access to the proposed dwelling will be along the existing driveway to the applicants dwelling, which is a wide drive with gates adjacent to the road with enough room for a vehicle to pull off the highway. I consider that any increase in traffic to the new dwelling will not adversely affect highway safety. The Highway Authority has raised no objection to the proposal.

4.6 The Parish Council consider that the proposed change of use should be refused on grounds of overdevelopment of the site. I consider that in the context of the planning history of the site, that the building is already on the site and the applicant has demonstrated how the site can be sub divided to accommodate adequate amenity space for each dwelling, I do not consider that refusal for this reason could be sustained.

5. **Reasons for approval**

5.1 In the opinion of the local planning authority the proposal is acceptable in respect of the aims of the South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policies HOU4 – Residential development within the defined development limits, IMP8 – Safe and free flow of traffic, IMP9 – Residential amenity of the South Norfolk Local Plan as the building is within the development boundary for Costessey and has been designed to ensure that the existing residential amenity of the neighbouring residents are not adversely affected by overlooking, overshadowing or the setting of the scheme.

5.2 Displacement of the authorised commercial use of the single dwelling is considered to represent an improvement and be more compatible with the residential character of the area.

5.3 The development is considered to accord with Policy IMP8 as there will be no adverse impact on highway safety and it will not prejudice the free flow of traffic on the highway network.

Contact Officer, Telephone Number: Lynn Armes, 01508 533821, and E-mail: larmes@s-norfolk.gov.uk
11. **Appl. No**: 2011/1895/O  
   **Parish**: CRINGLEFORD  
   **Applicants Name**: Mr & Mrs N Attwood  
   **Site Address**: Sub-division of garden of, 5 Colney Drive, Cringleford, NR4 7RH  
   **Proposal**: Proposed single dwelling including garage, drive and parking on western side of existing gardens  
   **Recommendation**: Approve with Conditions

1. **Planning Policies**
   1.1 **Joint Core Strategy**  
      Policy 2: Promoting Good Design  
      Policy 3: Energy and water  
   1.2 **South Norfolk Local Plan**  
      HOU 4: Residential development within the defined Development Limits  
      IMP 8: Safe and free flow of traffic  
      IMP 9: Residential amenity

2. **Planning History**
   2.1 **2001/0878**  
      Conversion and extension of garage into dependant relatives accommodation  
      Approved

3. **Consultations**
   3.1 **Parish Council**: No comments  
   3.2 **District Member**: To be reported if appropriate  
   3.3 **Environmental Services Protection**: No objections subject to conditions  
   3.4 **NCC Highways**: Comment regarding the maintenance of Colney Drive. No objections subject to condition relating to access and parking area.  
   3.5 **Landscape Officer**: To be reported
3.6 Local Residents: 2 letters of objection

- The property will be “squeezed” into the site and detract from the character of the area
- Garage will be to the rear of the existing annexe
- Concerns regarding potential to accommodate boundary treatment
- Would not wish to see hedge retained
- No of properties served off a private drive. Currently 13 dwellings served off Colney Drive.
- The top end of Colney Drive was not upgraded with the recent development of Hill House Gardens
- The turn into Colney Drive from Colney Lane is hazardous
- Possible further development to the rear of No 5

4. Assessment

4.1 The application is submitted in outline with all matters reserved for future approval. The Design and Access Statement provides indicative details of the proposed dwelling, which is stated to be 8m by 14m with an eaves height of 5.5m and a ridge height of 7.5m. A garage to the frontage of the property would be 6m by 7m.

4.2 The site is within the Development Limit for Cringleford and as such the principle of development is acceptable. Policies seek to ensure that the proposal is in keeping with the character of the area, does not have significant affect on the amenity of neighbouring properties and has a suitable access to the highway network.

4.3 The site is located off Colney Lane and is bordered to the south by the A11, with properties to the east, west and north. The front boundary is currently formed by a hedge beyond which is Colney Drive and recently constructed dwellings on Hill House Gardens. The western boundary is predominantly open in character with sporadic tree planting along the boundary.

4.4 The properties at the western end of Colney Drive are located around a turning head which creates an open green frontage to the dwellings. The neighbouring properties are located within spacious plots and there is a feeling of openness associated with the properties on Colney Drive. The agent sets out that the position of the dwelling is aligned with the layout of the original dwellings of 1 to 4 Colney Drive, with the new dwelling forming a backstop to the rear of No 5 and maintaining the openness of these properties.

4.5 The indicative layout for the dwelling shows an L shaped plan form with the dwelling being in a similar alignment to the garage of No 4 and the proposed garage aligning with the annexe at No 5. The existing garage to No 4 is single storey in form and there will be a 16m gap between the single storey section of the annexe at No 5 and the proposed garage.

4.6 Concerns have been raised that the dwelling will be squeezed into the site. The plot is significantly smaller than the neighbouring properties and while the footprint shown is similar in scale to the adjacent dwellings, I consider that on balance, due to the spacing between the properties and the position of single elements on the dwelling and neighbours, that the plan form proposed respect the layout of the existing neighbouring development and is acceptable in principle.

4.7 While elevation drawings and floor plans have not been submitted, I consider that it will be possible to design a dwelling of the plan form shown which will not dominate the outlook of neighbouring dwellings or result in unacceptable overlooking.

4.8 The access will be off Colney Drive and it is proposed to remove the northern hedge for access and to provide visibility. Concerns have been raised regarding the suitability of the access and in particular the junction with Colney Lane, however the Highway Authority has raised no objection subject to a condition.
5. **Reasons for approval**

5.1 In the opinion of the local planning authority the proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policies 2 and 3 of the Joint Core Strategy and Policies HOU4, IMP8 and IMP9 of the South Norfolk Local Plan as the indicative details indicate that the site is capable of accommodating a dwelling without adversely affecting the character of the area, the amenity of neighbouring properties or highway safety.

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and E-mail:                            spontin@s-norfolk.gov.uk
12. **Appl. No:** 2011/1904/F  
**Parish:** WYMONDHAM  

Applicants Name: Mr & Mrs Nick Anderson  
Site Address: Unit 4, Morley Hall Farm Barns London Road, Suton, Norfolk, NR18 9SN  
Proposal: Workshop conversion to fourth dwelling  
Recommendation: Refuse

1. Contrary to SNLP policies HOU10, and ENV 8  
2. Tantamount to a new dwelling because workshop use not implemented and extensions to facilitate use as dwelling do not accord with above policies.

2. **Planning History**  

2.1 2008/1392/F  
Erection of 2 ensuite rooms and lobby  
existing dwelling. Erection of free standing workshop and change of use of farm land to residential  
Approved

3. **Consultations**  

3.1 Town Council: To be reported  
3.2 District Member: To be determined by Committee  
Family Circumstances – Contrary to policy  
3.3 NCC Highways: To be reported  
3.4 Local Residents: To be reported

4. **Assessment**

4.1 The proposal is for the alteration/conversion of a recently constructed workshop building sited to the rear of an existing complex of barns. The access is from a private track off London Road. Although there are no properties to the rear of the site, the barn complex has been converted to 4 dwellings which are occupied by the same family. The site is outside any Development Limits with the main town of Wymondham some distance to the north.

4.2 The proposal is assessed against the principles of saved policies HOU10 and ENV8 of the South Norfolk Local Plan. Which seeks to allow the conversion of redundant rural buildings that are capable of conversion, while policy ENV8 seeks to restrict new buildings in the open countryside to that required for agricultural or forestry purposes, or is justified to sustain economic and social activity in rural communities, and demands a rural location, and is suitable for adaptation and re-use of an existing rural building.

4.3 The workshop proposed for conversion was applied for and granted permission in 2008. Although the workshop has been mainly constructed, it is not totally complete, and has never been used for its intended purpose of domestic workshop/in association with the applicants business.
4.4 As proposed the scheme for the conversion of the workshop to a separate dwelling will result in the height of the roof being increased by 1.2 metres, and the length of the building being increased by 4 metres which will allow a mono pitch roof construction to make provision for a car port on the north west elevation of the building. From discussion with the applicant, the garden would be sub-divided to allow both the new dwelling and the existing barn privacy from each other.

4.5 The purpose of converting the building is to allow a family member to return from abroad and live with the existing family on site. However, I consider that the alterations required to the building to provide adequate space for a dwelling together with the sub-division of the plot is tantamount to a new dwelling which will be occupied independently rather than provide annexe accommodation to the existing dwelling. In addition as the building is of recent construction and has never been used for the proposed purpose of a workshop, I consider that its conversion to a dwelling may well result in pressure for additional workshop/storage facilities on the site for the existing dwelling and the new dwelling created from the conversion of the existing workshop further eroding the rural landscape and character of this area. This will conflict with the principles of policy HOU10 of the South Norfolk Local Plan 2003.

4.6 Because the building is of recent construction but has not been used for the purpose it was approved, and also because of the substantial extensions required to achieve its conversion, the proposal is tantamount to the erection of a new dwelling in the countryside. The proposal consequently conflicts with the principles of policy ENV8 which restricts new dwellings in the open countryside to that required for agricultural or forestry purposes, or that require a rural location for economic or recreational purposes. Although it is acknowledged that there are personal circumstances for the family to wish to live in close proximity, the principle of a new dwelling in this location is not justified for the purposes permitted by policy ENV8, and do not outweigh the principles of preventing inappropriate development in the open countryside. For these reasons I consider that the alterations required to the existing building to facilitate its use as a dwelling do not comply with the principles of the above policies and recommend refusal.

5. Reasons for Refusal

5.1 The proposal is contrary to the provisions of the adopted South Norfolk Local Plan 2003 including, in particular, policies HOU10 and ENV8.

5.2 The existing building is of recent construction and has never been used for the intended purpose of domestic workshop. In addition, the alterations to the workshop to facilitate its use as a dwelling exceed the purpose of policy HOU10 as the building will be significantly increased in height and footprint to provide what is tantamount to a new independent dwelling which is contrary to policy HOU10, and ENV8 of the South Norfolk Local Plan 2003.

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