Third Wednesday Planning Committee

Members of the Third Wednesday Planning Committee:

<table>
<thead>
<tr>
<th>Conservatives</th>
<th>Liberal Democrats</th>
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<tbody>
<tr>
<td>Mr W Kemp</td>
<td>Mr T East</td>
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<tr>
<td>(Chairman)</td>
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<tr>
<td>Mr J Mooney</td>
<td>Miss P Allen</td>
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<td>(Vice-Chairman)</td>
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<td>Mr T Blowfield</td>
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<td>Mrs M Dewsbury</td>
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<td>Mrs F Ellis</td>
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<td>Mr C Foulger</td>
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<td>Mr C Gould</td>
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<td>Mr J Overton</td>
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<td>Mr B Riches</td>
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Group Meetings

Conservatives: Kett Room 12.45 pm to 1.30 pm

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.

Date
Wednesday 18 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

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

16/01/2012
AGENDA

1. To report apologies for absence and identify substitute voting members (if any);

2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972; [Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of he 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 Third Wednesday Planning Committee held on 21 December 2011;
   (attached – page 8)

5. Pre-determination in decision-making
   (report attached – page 22)

6. Planning Applications and Other Development Control Matters;
   To consider the applications as listed below:  
   (report attached – page 26)

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Planning Ref No.</th>
<th>Parish</th>
<th>Site Address</th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2011/1567/F</td>
<td>BURSTON</td>
<td>Greenfields, Bridge Road, Burston</td>
<td>27</td>
</tr>
<tr>
<td>2</td>
<td>2011/1787/F</td>
<td>BARNHAM</td>
<td>Dandis, Ashtree Works Mill Road, Barnham Broom</td>
<td>34</td>
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<td>3</td>
<td>2011/1492/O</td>
<td>DISS</td>
<td>Former CartcoTransport Depot, Victoria Road, Diss</td>
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<tr>
<td>4</td>
<td>2011/1706/F</td>
<td>PORINGLAND</td>
<td>Land to rear of 14, 16, 18, 20 &amp; 22 Stoke Road with access between 12 and 14, Stoke Road</td>
<td>45</td>
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<tr>
<td>5</td>
<td>2011/1860/F</td>
<td>TACOLNESTON</td>
<td>Land rear of 23 &amp; 25 Norwich Road, off New Road, Tacolneston</td>
<td>50</td>
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<td>6</td>
<td>2011/1911/F</td>
<td>WYMONDHAM</td>
<td>Land adj Oak Farm Bungalow, Sawyers Lane, Suton</td>
<td>55</td>
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<tr>
<td>7</td>
<td>2011/1922/H</td>
<td>BROOME</td>
<td>70 Yarmouth Road, Broome</td>
<td>59</td>
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<td>8</td>
<td>2011/1923/F</td>
<td>CRINGLEFORD</td>
<td>Cringleford Surgery, Cantley Lane</td>
<td>62</td>
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<tr>
<td>9</td>
<td>2011/1924/F</td>
<td>WYMONDHAM</td>
<td>31 Market Street, Wymondham</td>
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<td>10</td>
<td>2011/1929/F</td>
<td>ROYDON</td>
<td>Grove Farm, High Road, Roydon</td>
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<tr>
<td>11</td>
<td>2011/1958/H</td>
<td>LANGLEY</td>
<td>10 Langley Street, Langley</td>
<td>74</td>
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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 8 February 2012 with membership to be confirmed.
8. Planning Appeals (for information) (attached – page 77)
## Details of Planning Accreditation

<table>
<thead>
<tr>
<th>Conservative Councillor</th>
<th>Accreditation Expiry Date</th>
<th>Liberal Democrat Councillor</th>
<th>Accreditation Expiry Date</th>
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<td>Y Bendle</td>
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<td>P Allen</td>
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<td>D Bills</td>
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<td>V Bell</td>
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<td>D Goldson</td>
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<td>A Pond</td>
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<td>G Walden</td>
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<td>N Ward</td>
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<td>Independent Councillor</td>
<td>Accreditation Expiry Date</td>
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<td>K Weeks</td>
<td>4/07/12</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.
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?

<table>
<thead>
<tr>
<th>Your own</th>
<th>A family member</th>
<th>A close associate</th>
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<tbody>
<tr>
<td>Any person or body who has employed or appointed your family member/close associate</td>
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<td>Any firm in which your family member/close associate is a partner or company of which they are directors</td>
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<tr>
<td>Any company in which your family member/close associate has shares with a face value more than £25,000</td>
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<td>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</td>
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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.

Disclosure the existence & nature of your interest

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

You may have a prejudicial interest

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

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

You have a personal interest in
the matter

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

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
Pre-determination in decision-making

Solicitor to the Council

A report to advise Members concerning new statutory provisions on pre-determination of decision-making

<table>
<thead>
<tr>
<th>Cabinet member(s):</th>
<th>Ward(s) affected:</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>All</td>
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</tbody>
</table>

Contact Officer, telephone number, and e-mail: Stuart Shortman 01508 533671 sshortman@s-norfolk.gov.uk

1. Background

1.1. The Localism Act 2011 seeks to clarify the law relating to the pre-determining of a decision by a councillor. At common law, a public body and its individual decision makers must not appear to have “pre-determined” the outcome of a decision making process in advance by public pronouncements made earlier, before the decision is to be taken.

Section 25 Localism Act 2011

1.2. This new statutory provision comes into force on 15 January 2012 and provides:

“Prior indications of view of a matter not to amount to predetermination etc

(1) Subsection (2) applies if –

a. as a result of an allegation of bias or predetermination, or otherwise, there is an issue about the validity of a decision of a relevant authority, and

b. it is relevant to that issue whether the decision-maker, or any of the decision-makers, had or appeared to have had a closed mind (to any extent) when making the decision.

(2) A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because –
a. the decision-maker had previously done anything that directly or
indirectly indicated what view the decision-maker took, or would or
might take, in relation to a matter, and

b. the matter was relevant to the decision.

(3) Subsection (2) applies in relation to a decision-maker only if that decision-
maker –

a. is a member (whether elected or not) of the relevant authority, or

b. is a co-opted member of that authority.

(4) In this section –

“co-opted member”, in relation to a relevant authority, means a person
who is not a member of the authority but who –

a. is a member of any committee or sub-committee of the authority, or

b. is a member of, and represents the authority on, any joint committee
or joint sub-committee of the authority,

and who is entitled to vote on any question which falls to be decided at
any meeting of the committee or sub-committee;

“decision”, in relation to a relevant authority, means a decision made in
discharging functions of the authority, functions of the authority’s
executive, functions of a committee of the authority or functions of an
officer of the authority (including decisions made in the discharge of any of
those functions otherwise than by the person to whom the function was
originally given);

“elected mayor” has the meaning given by section 9H or 39 of the Local
Government Act 2000;

“member” –

a. in relation to the Greater London Authority, means the Mayor of
London or a London Assembly member, and

b. in relation to a county council, district council, county borough council
or London borough council, includes an elected mayor of the council;

“relevant authority” means –

a. a county council,

b. a district council,

c. a county borough council,

d. a London borough council,
e. the Common Council of the City of London,
f. the Greater London Authority,
g. a National Park authority,
h. the Broads Authority,
i. the Council of the Isles of Scilly,
j. a parish council, or
k. a community council.

(5) This section applies only to decisions made after this section comes into force, but the reference in subsection (2)a. to anything previously done includes things done before this section comes into force."

1.3 The provision is necessarily narrow. The core of its scope is to exempt the member or council from challenge to the following extent

“… A decision-maker is not to be taken to have had or to have appeared to have had a closed mind when making the decision just because [my italic] – the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to the matter …”

Advice as to the scope of new provision

1.4 The expression of a view of a matter should attract the benefit of the new provision.

1.5 But if other factors are involved which would themselves ordinarily have precluded safe involvement in decision-making, that is likely to remain the case, in spite of the new law. Examples of such circumstances which would continue to preclude involvement in decision making might include:-

- Evidence of irrationality – eg ruling out the possibility of any change of opinion, come what may.
- The existence of a vested interest such as ownership of relevant land affected or membership of a support or protest group.

Practical steps

1.6 I suggest that where a member is contemplating doing so or has already declared his/her position concerning a matter which potentially arises for decision making, and the member would wish to take part as a voting member in that process; the member should seek advice on whether it is possible to do both those things. The Council’s Local Code of Practice on Planning Matters already contains that advice at paragraph 1.1.2 which can be suitably expanded to include reference to Section 25.
1.7 Where a Member, having taken any appropriate advice is of the opinion that a view indicated by him or her attracts the protection of Section 25, in terms of allowing him/her to take part in the decision making without being treated as having a closed mind on an issue; then it would be helpful if a declaration to that effect be made at the meeting before the matter comes up for discussion; preferably at the beginning of the meeting, under Declarations of Interest.

2. Relevant Corporate Priorities

2.1. Enhancing our quality of life and the environment we live in.
2.2. Promoting a thriving local economy.
2.3. Supporting communities to realise their potential.
2.4. Driving services through being businesslike, efficient and customer aware.

3. Implications and Risks

3.1. Financial

The costs of judicial review proceedings brought against the Council can run to several thousand pounds.

3.2. Legal

It is important that costs are minimised, not to mention public confidence maintained, by careful observance of the law relating to pre-determination.

4. Conclusion

4.1. The advice and practical steps set out in this report should enable Members to make use of the new legal provision concerning pre-determination without incurring significant risk of challenge to the Council.

5. Recommendations

5.1 Recommendation that Members accept this report.
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 (Detail following outline consent)  LP Certificate of Lawful Proposed development
F Full (details included)  O Outline (details reserved for later)
H Householder – Full application relating to residential property  SU Proposal by Statutory Undertaker
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).
Applications Referred to Inspection Panel

1. Appl. No : 2011/1567/F
Parish : BURSTON

Applicants Name : Ms Carol Taylor
Site Address : Greenfields, Bridge Road, Burston, IP22 5TH
Proposal : Installation of one small scale wind generator (14.97m to hub, 5.5m diameter blades)

Recommendation : Approve

1. Planning Policies

1.1 National Planning Policies
Supplement to PPS1 – Climate Change
Planning Policy Statement 22 – Renewable Energy

1.2 Joint Core Strategy
Policy 3: Energy and Water

1.3 South Norfolk Local Plan
UTL 13: Renewable energy
IMP 15: Setting of Listed Buildings
IMP 9: Residential amenity
IMP 10: Noise

Introduction

This application was considered by the Third Wednesday Planning Committee on 21 December 2011 where issues relating to the potential visual impact to neighbouring properties, and in the wider landscape context were considered. In addition the potential impact of noise from the turbine was considered. The scheme had been amended to delete one of the two turbines originally proposed, and therefore Environmental Services had removed their objection. However, members resolved to refer the application to the Sites Sub Committee to assess both the visual impact of the proposed turbine, and have the opportunity to visit the same model of turbine which is in operation to ascertain the level of noise generated.

2. Planning History

2.1 2009/1897/LE Occupation of dwelling without compliance with agricultural occupancy condition 4 of planning. Approved

2.2 2009/1896/LE Depot for commercial and staff vehicles, including a mobile crane, and for tool and equipment. Approved
3. Consultations

3.1 Parish Council

Burston Parish Council – Refuse
- Contrary to policy UTL13 (i) Visual intrusion
- Contrary to IMP9 (iii) (iv) – the proposed wind turbines would impact adversely on the setting of existing buildings and damage the amenity of nearby dwellings.
- Contrary to policy ENV8 (i) (ii) (iii) (iv) (v) – the proposed development is outside the village development boundary and does not meet any of the mitigating criteria documented by this policy.

Gissing Parish Council – Approve
- The turbines are of a size and type suitable for the site, and
- That they will not impinge unduly on any neighbouring property.

The applicants should be requested to improve and maintain access along the adjacent footpath, both during and after the installation of the turbines.

Comments from both Parish Council’s on amended scheme to reported

3.2 District Member

Can be delegated – Green energy is to be encouraged
Comments on amendment to be reported

3.3 Environmental Services (Protection)

Object
Two turbines would increase the overall noise level and disturbing neighbouring properties.

Comments on amended scheme
Remove objection – now feel that the noise from the revised scheme would not be detrimental to amenities of residents.

3.4 Local Residents

5 Letter of objection
- Intrusive in typical South Norfolk rural setting.
- Seriously affect amenity of existing Listed Buildings which are protected for a reason.
- Site is along the Burston Strike March route which attracts large numbers of people – impact of turbines will be intrusive in this rural location and the beautiful thatched cottage (Grove Cottage Grade II listed Building).
- Height of turbines from tip of blade to ground 18 metres, clearly visible from kitchen window of neighbouring property (Grove Farm).
- No consultation by the applicants with the neighbours.
- Possible affect on the horses kept in the adjacent paddock – British Horse Society recommends 200metres from any turbine to any equine activity. Plans indicate a distance of 74 metres from paddock edge to site of turbine.
- Bridge Road used for horse riding also falls within this distance.
Horses may react to blades of turbines as they start to move.
Construction work for turbines and subsequent maintenance could result in disturbance to horses.
Safety to pedestrians using the public footpath in such close proximity to the turbines.
Potential for lumps of ice to drop from the blades in cold weather conditions.
Not generating for private use but commercial, with the real benefit being to the investors at the expense of the rural village.
No need for two turbines if for domestic purposes.
Effect on the value of neighbouring properties.

2 letters of support
Everyone should have the opportunity to generate their own electricity to offset the cost of energy.
All have to make small sacrifices if we are at all realistic about energy conservation.

Comments on amended scheme
To be reported

4. Assessment

4.1 The application as originally submitted sought permission for the construction of two wind turbines measuring 14.97 metres to hub both with 3 blades with a 5.5 metre diameter. The steel towers would be of pale grey, and the blades are of Glass fibre Reinforced Composite, low reflection coloured Dark Squirrel Grey.

4.2 To address concerns relating to noise, the application was deferred from the previous Planning Committee. Following a sustained objection from Environmental Services relating to the noise from 2 turbines, the application has been amended and now proposes 1 turbine only.

4.3 Planning Policy Statement 22 relates to renewable energy and sets out that the increased development of renewable energy sources is vital to facilitating the delivery of the Government’s commitment on both climate change and renewable energy.

4.4 Paragraph 18 of PPS22 considers small scale renewable energy developments such as solar panels, Biomass heating, small scale wind turbines, photovoltaic cells and combined heat and power schemes can be incorporated both into new developments and some existing buildings. Local planning authorities should specifically encourage such schemes through positively expressed policies in local development documents.

4.5 PPS22 paragraphs 19 through 21 also note that wind turbines are the most likely to have the greatest visual and landscape effects. And that the cumulative impact of wind generation projects in particular areas should also be taken into account.

4.6 Policy 3 of the Joint Core Strategy sets out that development will where possible aim to maximise the use of decentralised and renewable or low carbon energy sources and sustainable construction technologies. Policy UTL 13 of the South Norfolk Local Plan promotes renewable energy projects provided that the benefits are not outweighed by demonstrable harm to the locality in terms of visual intrusion, noise or the safe and free flow of traffic.
4.7 This particular proposal raises two main issues, that of visual effect in the locality and secondly, the potential noise impact on nearby residents.

4.8 The turbine is proposed to be sited to the north of Greenfields, and to the east of the farm buildings on the boundary of Greenfields and the neighbouring property Grove Farm. A Public Footpath runs north/south on the west boundary of the property, which is approximately 30 metres from the proposed turbine. The turbine will be clearly visible from this footpath, and from the Public Footpath which is situated on the opposite side of Bridge Road and runs south to join a path which runs east west.

4.9 5 Letters of objection have been received raising concern as detailed in section 3.4 above. Members should note that all comments stated in this section relate to the original proposal of two turbines, at the time of this report being completed no comments have been received on the amended scheme of the one turbine – these comments will be reported verbally.

4.10 At the request of the neighbours I have visited 4 of the adjacent properties with the neighbours to assess the visual impact from either within the dwellings, and/or from the gardens/grounds of the properties. The turbine will be visible from the kitchen window and from the first floor bedroom window/balcony of Grove Farm, it will also be visible from the vegetable garden situated to the south east of the main dwelling. The owner of Lime Grove, situated to the west of the site, and adjacent to Grove Farm, raises concern about the visual impact of the turbines, but from my visit there will not be any clear view of the turbine/s from either the dwelling or the grounds. The application site is screened by other buildings and trees on the neighbouring property of Grove Farm.

4.11 The second two properties visited were Grove Cottage which is a Grade II listed building, and the adjoining paddocks of Kite House which is also a Grade II listed Building. I viewed the site from the boundary of Grove Cottage which abuts the application site. Although the turbine/s will be clearly visible from this point, I consider that the existing polytunnel of Greenfields, due to its close proximity to Grove Cottage, has more of a significant visual impact on the property than the turbine/s which would consequently only have a marginal visual impact. The last point visited was the boundary of the paddocks of Kite House. The turbines will be visible from this point, however, there is no adverse visual impact on the listed building, and the issue relating to equine welfare which is raised as part of the objections is addressed separately.

4.12 Grove Cottage is set at an angle off Bridge Road and the turbine will be offset to the west of Grove Cottage. I consider that, due to the position on the site and the distance from Grove Cottage, the turbine will not be viewed within the immediate setting of the listed building and will not therefore have an adverse impact on the significant views of Grove Cottage from Bridge Road. When viewed from the public footpath to the north of the site, only the gable end of Grove Cottage is visible, therefore I consider that from this position, the visual impact of the turbine is not so significant as to result in an adverse impact on the setting of the listed building.

4.13 Assessing the impact the turbine will have in the broader context of the landscape, I have viewed the site from Bridge Road both to the east and west of the site, and from the public footpaths in the immediate vicinity. Although the turbine will have a visual impact on the area, this impact is not so harmful as to outweigh the benefits to be derived from such renewable energy. Similarly, although the turbine will have some adverse impact on the visual amenities of the neighbouring properties, they are separated sufficiently so that the visual harm would not be so severe as to justify refusal.

4.14 The second point which is of concern and has raised objection from the Environmental Services team is that of noise. Based on the original scheme of two turbines objections were raised on the following grounds.
4.15 In most instances the noise from this type of turbine is acceptable provided there is a certain distance from dwellings. In this instance the nearest neighbour is approximately 95 metres away according to the information submitted by the agent. South Norfolk’s Environmental Services Officer considers that while the noise generated from one turbine at this distance may be acceptable, the additional noise from the second turbine is likely to result in an unacceptable level of noise disturbance to the adjacent neighbouring properties.

4.16 Background noise levels have been requested by Environmental Services. From their knowledge and experience it is likely that the background noise levels in this location will be lower than suggested by the applicant, and no evidence to the contrary has been provided by the applicant. The agent has stated that the property (Grove Cottage) is a holiday let. While this may be the case at present, the property could be occupied on a permanent basis at any time. Notwithstanding the fact that the property is currently a holiday let consideration should still be given to any noise disturbance. Any adverse noise disturbance could impact on the potential to let the property which would have an adverse impact on the vitality of the business as well as the amenity of the occupiers. I am advised that the owners of the holiday let are currently in the process of moving back and will occupy the property as their permanent residence as soon as practicably possible.

4.17 It is the opinion of the Environmental Services Officer that the noise of the wind turbines at lower wind speeds would be sufficiently above the background noise level that it would be intrusive at the nearest residential property. The practical effects of this are that at times it could be annoying to the residents and affect their sleeping.

4.18 In response to the amended scheme for the installation of one turbine, there is now a minimum distance of 100 metres between the proposed turbine and the neighbouring properties. On this basis the objection from the Environmental Services Officers is now removed.

4.19 As previously mentioned, the proposed turbine is 30 metres from a public footpath, however, the Public Rights of Way Officer raises no objection on this point. It is also noted that Gissing Parish Council support the scheme but require the footpath to be maintained during and after the installation of the turbines. The Public Footpath will not be obstructed or altered as a result of the installation of the turbine, therefore I do not consider that any condition would be appropriate should the application be supported. If the Footpath is not maintained, then this issue needs to be addressed by Norfolk County Council.

4.20 As stated previously, concern has been raised about the potential impact on the horses which are kept in the adjacent paddock to Kite House. There is a distance of approximately 74 metres from the edge of the paddock to the application site. Information from the British Horse Society suggests that there should be a distance equivalent to 3 times the overall height of the turbine between the site and the equine facilities. The original scheme of the two turbines gave a distance of 53.25 metres, this has now increased with the revision of the scheme and the removal of the turbine which would have been closest to the paddock. Given the distance between the turbine and the neighbouring paddock I do not consider that is unreasonable.

4.21 I am advised by the applicant that in a parish in the neighbouring District there are turbines of the same height in the same field as equines although to date I have received no details or confirmation of this.

4.22 Taking into account the principle of supporting renewable energy, I have concluded that any adverse, visual impact the proposal has on the surrounding landscape, neighbouring properties, or on the setting of listed buildings, is not so severe as to justify refusal of the application. The amendment to the scheme for the provision of one turbine rather than two now reduces the potential of noise to levels which are accepted by Environmental Services and which accord with the principles of policies PPS22, IMP9, UTL13, and IMP10.
5. **Reasons for Approval**

5.1 The installation of one turbine in this location while being visible within the wider context of the landscape and from neighbouring properties which include listed buildings is not considered resulting in an unacceptable visual impact within the locality or impact to such a degree on the visual amenities of the neighbouring properties to justify refusal.

5.2 The reduction of the scheme to one turbine will reduce the potential for noise disturbance to the neighbouring properties, and given the distance to the nearest neighbouring property is now considered to fall within acceptable levels of noise. The scheme as amended is now considered to accord with national policy PPS22 and policies IMP9, IMP10 and UTL13 of the South Norfolk Local Plan 2003.

Contact Officer, Telephone Number and E-mail: Jacqui Jackson, 01508 533837, jjackson@s-norfolk.gov.uk
Applications Referred Back to Committee

2. Appl. No : 2011/1787/F
Parish : BARNHAM BROOM

Applicants Name : Dandis
Site Address : Dandis, Ashtree Works Mill Road, Barnham Broom, NR9 4DE
Proposal : Retention of enclosed loading bay cover to existing industrial unit

1.1 On 21 December 2011, the Third Wednesday Planning Committee considered the report attached at appendix 2 and resolved to approve the application. The decision was issued on 22 December 2011.

1.2 As part of the consideration of the application comments from two neighbouring properties were taken into account, however, following the grant of planning permission it has come to light that replies had been received from the Parish Council and Environmental Services prior to the Committee meeting but were not reported to the Members. Environmental Services have raised no comments, however the Parish Council had objected to the proposal due to concerns relating to the permanent nature of the extension, the continued expansion of commercial premises in a residential area and the impact on the adjacent tree. These concerns are similar to those raised by the neighbours and are summarised in the report at appendix 2. The Parish Councils full comments can be seen at appendix 3.

1.3 The application is therefore presented to this committee to consider the additional details and to decide whether if these comments had been presented to the Committee of the 21 December 2011, the Committees decision would have been any different.

1.4 As set out in the attached report, the application is for the retention of an extension which is similar in scale and mass to the approved scheme and is not considered to dominate the outlook of the neighbours or, subject to condition, adversely affect the amenity of the neighbours.

1.5 With regard to the impact on the adjacent tree, the scheme approved under reference 2010/2151 used a steel frame to minimise root disturbance. It is recognised that the extension as constructed, which uses a strip foundation, may have caused damage to some of the adjacent tree roots.

1.6 From discussions with CNC Building Control, they inspected the foundation strip and noted the proximity of the tree in relation to the depth of foundation although there are no details of whether there was any evidence of damage to roots of the tree.

1.7 In the absence of any clear evidence, I do not consider the Council could prove that the development has harmed the tree, now or in the future. In this context, the Officers recommendation remains unchanged however I consider the options available to Members are:

   a) To confirm that they uphold the decision to approve the application or,
   b) To confirm that in the light of the additional information that they would have resolved to refuse the application. In this case, the Council would need to issue a discontinuance order to require the removal of the extension as constructed. Members should note that compensation could be payable relating to the depreciation in value of the interest in the land and any expenses incurred.

Contact Officer, Telephone Number   Stuart Pontin, 01508 533796,
and E-mail:                       spontin@s-norfolk.gov.uk
Third Wednesday Planning Committee 18 January 2012

Scale 1:1250  Appendix 1  Application No:2011/1787

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South Norfolk Council, Long Stratton, Norwich, Norfolk, NR15 2XE Tel (01508) 533633 Fax (01508) 533625
9.  
   Appl. No    :  2011/1787/F  
   Parish      :  BARNHAM BROOM  
   Applicants Name  :  Dands  
   Site Address  :  Dands, Ashtree Works Mil Road, Barnham Broom, NR9 4DE  
   Proposal  :  Retention of enclosed loading bay cover to existing industrial unit  
   Recommendation  :  Approve with conditions  
   1. In accordance with submitted drawings  
   2. Tree protection  
   3. No power tools outside building  
   4. Restrict use of loading bay. Not to be used for manufacturing and to be incidental to adjacent unit and not to be occupied separately  
   5. Provision of Parking and Servicing Areas  

1.  
   Planning Policies  
   1.1 Joint Core Strategy  
      Policy 2: Promoting Good Design  
   1.2 South Norfolk Local Plan  
      EMP 6: Alterations and extensions to existing business premises  
      IMP 8: Safe and free flow of traffic  
      IMP 9: Residential amenity  
      IMP 10: Noise  

2.  
   Planning History  
   2.1 2010/2151/F  
        Proposed enclosed loading bay cover to existing industrial unit  
        Approved  
   2.2 2004/1183/F  
        Flues to serve replacement spray booths for water based paints, re-positioning of  
        1no existing booth and installation of gas tanks  
        Approved  
   2.3 2001/0175/F  
        Erection of warehouse  
        Approved  
   2.4 1999/0868/F  
        Extension to factory for storage and staff  
        room and installation of replacement flues  
        Approved  
   2.5 1994/1330/F  
        Extend existing exhaust stacks from spray booths  
        Approved  
   2.6 1989/1732/F  
        Erection of single storey factory extension  
        Approved  
   2.7 1989/0027/F  
        Erection Of Spray Booth.  
        Approved  
   2.8 1986/2716/CU  
        Change Of Use Of Part Of Unit To Sale  
        Of Clothing.  
        Approved  
   2.9 1983/2977/F  
        Erection Of Industrial Unit (No. 3  
        Demolition Of Existing Store And Erection  
        Of Unit (No. 4).  
        Approved  
   2.10 1976/0216/F  
        Extra Office And Extra Workshop.  
        Approved
2.11 FH135999F Additional work area for finishing of glass fibre. Approved

2.12 FH180999F Erection of a paint spraying shop. Approved

2.13 FH172201CU Change of use of existing building to car repair workshop. Approved

3. Consultations

3.1 Parish Council: To be reported

3.2 District Member: To be reported if appropriate

3.3 NCC Highways: No Comments

3.4 Environmental Services (Protection): To be reported

3.5 Landscape Officer: To be reported

3.6 Local Residents: 2 letters of objection
   - Extension bears no resemblance to the approved extension
   - Consider that it will be used for purposes other than loading and unloading of vehicles
   - Foundations for the extension have probably damaged the roots for the ash tree
   - Question the need for roller doors

4. Assessment

4.1 The application is for the retention of a loading bay which has been constructed in brick and in a different form to that approved under reference 2010/2151. The loading bay now has a flat roof and has eaves height of 3.6m (previously the front elevation had eaves of 3.4m). The loading area is in line with the front of the existing building as previously approved and has been constructed in brick rather than green metal sheeting as previously approved. The corner of the building has been amended due to the position of a drainage inspection chamber.

4.2 The site is within the Development Limit where the principle of development is acceptable. Policy EMP6 relates to the extension of existing business premises and states that proposals will be permitted provided that the size and design is in keeping with the existing building and its surroundings; existing landscaping would not be seriously compromised and that necessary parking, servicing, access and circulation can be accommodated.

4.3 The site is substantially bordered by residential properties and SNLP policies IMP9 and IMP10 seek to safeguard the amenities of neighbouring uses.

4.4 The existing building is brick built with a sheeted roof and the bricks which have been used for extension match the existing building. The previously approved extension was to be a steel framed construction in order to minimise disturbance to the adjacent tree from foundation construction. The extension as built has involved the digging of a strip foundation which may have caused damage to the adjacent tree. The comments of the Landscape Officer will be reported verbally to the Committee.

4.5 The proposed extension is in close proximity to the neighbour’s boundary, which tapers towards the frontage of the extension. There is an ash tree adjacent to the proposal and the boundary adjacent to the extension is formed by a close board fence.
4.6 The extension is visible from the properties to the south and is close to the boundary, however, it is single storey in form and is not significantly higher than the extension which was previously approved. While an element projects above the fence line, I do consider that this dominates the outlook of the neighbours.

4.7 Concerns have been expressed about the potential increase in disturbance and loss of amenity for the neighbouring properties. The site has a long history of commercial uses and the adjacent unit has been used for paint spraying which has caused odour nuisance in the past.

4.8 The unit to which this extension relates is used for the manufacture of clothing and promotional clothing. Permission was granted in 2001 (2001/0175) for a warehouse extension which is to the east of the current proposal. The use of the 2001 extension was restricted to storage incidental to the adjacent unit and that it should not be occupied separately. The extension currently proposed is for use as an enclosed loading area and, given the position relative to the neighbours, I consider that it would not be unreasonable to restrict the use of the extension such that it is not used for manufacturing and is not occupied independently to the rest of the unit.

4.9 The proposal is served by the existing access off Mill Road and the Highway Authority has raised no objection.

5. Reasons for approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and the South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 2 of the Joint Core Strategy and Policies EMP8, IMP8, IMP9 and IMP10 of the South Norfolk Local Plan as the proposal has been designed to be of a form in keeping with the existing buildings and which will not adversely affect the adjacent tree or significantly adversely affect the outlook or amenity of neighbouring uses or highway safety.

Contact Officer, Telephone Number Stuart Pontin, 01508 533796, and E-mail: spontin@s-norfolk.gov.uk
Donna L. Caballero Reyes

From: Heidi Frary [hefrary@googlemail.com]
Sent: 12 December 2011 09:28
To: Planning
Subject: 2011/1767: Dandis, Ashtree Works, Mill Road: Retention of enclosed loading bay cover to existing industrial unit.

Barnham Broom Parish Council feel that the application should be rejected, on the basis of the following comments.

The Council disagree with the continued development of an industrial area within a residential area. The initial plans were for a temporary loading bay structure to which the Parish Council had objected but permission had been granted. Concerns in the first instance were that the initial plans for a loading bay would be surpassed by a permanent structure, despite the applicant confirming that this would not be the case (see Parish Council minutes from 10th February 2011). The Council feel that despite this specific guarantee, the building which had been built did not comply with the plans which were passed. It was reported that as the foundations were not as per the plans, they had cut through the roots of a large tree which could endanger surrounding properties.

Heidi Frary
Clerk to the Parish Council
Major Applications or Applications Raising Issues of Significant Precedent

3. **Appl. No**: 2011/1492/O  
**Parish**: DISS  
**Applicants Name**: Lexham Property Management  
**Site Address**: Former Cartco Transport 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 – 40 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

   Comments on amended Design & Access statement to be reported.

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

4. **Appl. No:** 2011/1706/F  
**Parish:** PORINGLAND

Applicants Name: Old Mill & Millgates Medical Practice  
Site Address: Land to rear of 14, 16, 18, 20 & 22 Stoke Road with access between 12 and 14, Stoke Road, NR14 7JL.  
Proposal: Proposed two storey health centre

Recommendation: Authorise Director of Development and Environment to approve with conditions or refuse in default

1. Full - Planning Permission Time Limit  
2. In accordance with submitted amendments  
3. External materials to be agreed  
4. Slab level to be agreed  
5. Tree protection  
6. Landscaping scheme to be submitted (Full applications)  
7. No generators/air handling plan without consent  
8. Contaminated land during construction  
9. Surface water drainage to accord with submitted details  
10. Full details of external lighting- no additional without consent  
11. Standard Estate Road Conditions  
12. Tactile pavement footway crossing to be provided  
13. Provision of Visibility Splays - Dimensioned on Approved Plan  
14. Provision of Parking and Servicing Areas - Where shown on plan  
15. No PD for fences, walls etc  
16. Details of barrier to be agreed

Subject to satisfactory protection measures for Oak tree being submitted.

1. **Planning Policies**
   
   1.1 Joint Core Strategy  
   Policy 2: Promoting good design  
   Policy 7: Supporting communities  
   Policy 14: Key service centres

   1.2 South Norfolk Local Plan  
   IMP 2: Landscaping  
   IMP 7: Provision of infrastructure  
   IMP 8: Safe and free flow of traffic  
   IMP 9: Residential amenity

2. **Planning History**

2.1 2006/2078 Renewal of 2006/0322. Temporary car parking for six members of staff. Approved

2.2 2006/0322 Temporary car parking for six members of staff Approved

3. **Consultations**

3.1 Parish Council: Approve subject to:  
- Should include rainwater harvesting  
- Concerns re suitability of ditch being able to manage the water and appropriate drainage facilities should be included
• Sufficient parking spaces for employees and visitors
• Concerns re appropriate of road in relation to amount of traffic
• Traffic survey carried out between 6-7pm after the closure of the medical centre would not give a true reflection of road use
• Concerned re possible development of Heath farm site (put forward under LDF) and impact on current proposed access

3.2 District Members
   Ms L S Neal : To be reported if appropriate
   Mr J Overton : Can be delegated – support

3.3 NCC Highways : Conditional support

3.4 Environment Agency : No objections

3.5 Police Architectural Liaison Officer : No objections in principle – a barrier should be erected to the entrance

3.6 Environmental Services (Protection) : Conditional support

3.7 Landscape Officer : Object conditionally:
   • To ensure the retention of the Oak a site-specific design for the access road should be submitted

3.8 Local Residents : 2 letters of support
   • Fine looking building
   • Hopefully solve the existing parking problems
   19 letters of objection
   • Outside the development boundary
   • On north side of Stoke Road, when development only allowed to south
   • Set a precedent for further development
   • Drainage almost non-existent and flooding occurs, this will exacerbate drainage problems
   • Should be located to the south of Stoke Road
   • Large areas in central Poringland still to be developed
   • Concern that if approved it will enable further applications for 100’s of houses
   • Concern that it will be used as a meeting place for drinking, drug taking and messing about with motorbikes and cars
   • Overlooking
   • Light pollution
   • Noise disturbance
   • Concern re maintenance of hedging and its height
   • Loss of agricultural land that produces crops annually
   • No reference to electricity supplier re removal of terminal and cables
   • Concern Clearview drive will be used as a cut through for both the health Centre and housing development
   • Aggrieved that the parish council has approved without consultation with local residents
   • Our local South Norfolk Councillors have not sought our opinions or contacted us
   • No permissions for further housing should be given until approved developments completed
4. Assessment

4.1 This application seeks full planning permission for the erection of a two storey health centre on land to the north of Stoke Road which forms part of a large agricultural field. The site is bounded by residential properties to the south and east and the proposed access road is located between existing two storey dwellings.

4.2 The application proposes the construction of a new medical centre to accommodate the Old Mill Medical Practice. The existing surgery is located on Stoke Road opposite the proposed access road. The surgery was a converted telephone exchange and despite additions has outgrown the buildings capacity. The proposed building will provide 6 GP consulting rooms, 2 nurses consulting rooms, 2 treatment rooms, multi-purpose rooms, dispensary and waiting area with administration and staff facilities on the first floor.

4.3 This application was deferred from the 21 December Committee meeting following concerns raised by local residents that the site address was misleading. The application site address has been amended and all consultees reconsulted.

4.4 The proposed development, whilst sited outside the development boundary for the village, is assessed in relation to Policy 7 of the Joint Core Strategy (JCS) which positively supports the provision of appropriate and accessible health facilities and services being provided through new or expanded primary health facilities, particularly in growth locations. The principle of the development therefore accords with Policy 7 of the JCS.

4.5 In terms of design, the overall appearance and use of materials takes a more modern approach. The building has been orientated so that the single storey elements face the southern and eastern elevations with the two storey element located to the north to reduce impacts on the amenities of the neighbours via overlooking and overshadowing. The asymmetric roof design enables high level glazing over corridors creating a lighter environment and full height glazing on the gable end will allow light through the waiting area and into the centre of the building. The building has been designed to meet current sustainable design standards wherever feasible. I consider that the proposal is a good quality design, providing a distinctive and interesting addition to the village, whilst not harming the character of the area, in accordance with Policy 2 of the JCS.

4.6 The proposal has been amended to remove a first floor window facing the residential properties to the south and the layout amended to move parking and bin storage away from the existing residential properties. Whilst there will be a notable change from the existing agricultural use, I consider that the proposed new centre would not, due to its position on the site, the distance between the first floor windows facing east and the properties on Clearview Drive and the revised layout, give rise to a situation so detrimental to the amenities of the neighbours as to warrant refusal on amenity grounds. The proposal accords with policy IMP9 of SNLP.

4.7 NCC: Highways as local highway authority have been consulted on this application, and they have undertaken an assessment of the likely impacts of the development in highway safety terms, including the amount of staff / patient parking proposed. The highway officer has confirmed that he raises no objection to the application. In light of this response, I consider the proposal to be in accordance with policy IMP8 of SNLP. The Parish Council’s has raised comments in respect of highway issues, however I do not consider the application could be refused on highway safety ground.

4.8 As members are aware there are issues of surface water drainage affecting Poringland and surface water drainage issues have also been raised by the Parish Council. Additional information was requested in respect of the proposed drainage strategy following concerns raised by Shirley Bishop the Council’s Flood Defence Officer. Satisfactory information has now been submitted and she has confirmed that she is happy with the surface water drainage strategy. The proposal also includes the use of water butts.
4.9 There is an Oak tree protected by a tree preservation order located to the east of the site and the access drive is proposed to run underneath the canopy of the Oak tree. The landscape officer has commented that the Oak is an A1 tree with over 40 years useful life expectancy and therefore its retention is paramount. As such he has requested that a site-specific design for the access is submitted and agreed prior to any consent being given. It is therefore recommended that approval is only given if satisfactory details are received.

4.10 The Parish Council and local residents have raised concerns as set out in paragraphs 3.1 and 3.8. I have addressed the drainage, highway and residential amenity issues in my assessment above. In respect of the other comments raised, whilst I fully appreciate the concerns, in particular with regard to the potential further development of the site for housing, (this is due to the land has been put forward under the Local Development Framework for residential development) and it could be located elsewhere in the village, each application should be determined on its own merits and therefore these would not be reasons to refuse the application. The Architectural Liaison officer also raised the issue of preventing access to the site to stop anti social behaviour therefore a condition has been imposed requiring the agreement of a barrier to prevent access. With regards to light pollution, it is proposed to use low level bollard type of lighting, which again shall be agreed with the Council. This will reduce the impact of lighting on the amenities of the neighbours.

5. Reasons for Approval

5.1 Subject to the receipt of satisfactory information the proposal is acceptable in respect of the aims of the South Norfolk Local Plan 2003 and the Joint Core Strategy for Broadland, Norwich and South Norfolk adopted 2011, in particular is considered to be in accordance with policies IMP8 Safe and free flow of traffic, IMP9 - Residential amenity of that plan and Policy 2: Promoting good design and Policy 7: Supporting communities of the Joint Core Strategy for Broadland, Norwich and South Norfolk

5.2 Subject to the receipt of satisfactory information the proposed development is considered to accord with the above policies as it positively supports the provision of appropriate and accessible health facilities and services being provided through new primary health facilities; it is not detrimental to highway safety; it is a good quality design, providing a distinctive and interesting addition to the village, whilst not harming the character of the area; and it would not adversely affect the residential amenities of nearby residential properties to an unacceptable degree.

Contact Officer, Telephone Number and E-mail: Claire Curtis, 01508 533788, ccurtis@s-norfolk.gov.uk
5. **Appl. No:** 2011/1860/F  
**Parish:** TACOLNESTON  

**Applicants Name:** The Realty Business  
**Site Address:** Land rear of 23 & 25 Norwich Road, off New Road, Tacolneston, NR16 1DD  
**Proposal:** Erection of 2 houses and garages and ancillary works  
**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**  
HOU7 Development within Defined Boundaries of Small Villages  
IMP2 Landscaping  
IMP8 Safe and Free Flow of Traffic  
IMP9 Residential Amenities

2. **Planning History**  
2.1 2010/0195 Proposed erection of dwelling Approved  
2.2 2009/1700 Erection of one dwelling Withdrawn

3. **Consultations**  
3.1 Parish Council: Approve  
3.2 District Member: To be reported if appropriate  
3.3 NCC Highways: Support conditionally  
- Any access gates etc to be set back 5 metres from carriageway edge  
- Parking and turning as shown on plan  
3.4 Environmental Services: Support subject to appropriate disposal of surface water  
3.5 Local Residents: 7 letters of objection received  
- Loss of light and privacy windows in the rear and side elevations would overlook the rear and side of Ka’anapali and other neighbouring properties.  
- Residents choose to live in a rural village without good transport links, doctors etc if further development goes ahead residents may as well be living in an estate in town.  
- Dwellings out of keeping with the size of plots
• Neighbours would not object if a bungalow was sought for this plot.
• House adjacent to Ka’anapali is not of lower chalet design and therefore there will be more loss of light to property and garden.
• Residents opposite will feel totally overshadowed by development.
• Houses will appear imposing and result in loss of privacy to properties opposite.
• Problems with parking on New Road since the Abel development (McKee Drive) obstructing the pavement. School pick up point at junction of New Road/Norwich Road further development will make the situation worse, and increasing the risk to pedestrians and traffic.
• Concerns raised previously to a precedent being set by permission being granted for one dwelling. Assurance given that when outline permission granted that the rear gardens of adjacent properties to number 23 would not be developed.
• Villages feel that no further development is appropriate and that housing density too high.
• Area already suffers from temporary surface water flooding in the winter months, any loss of grass soil hedges etc would increase the run off from the site increasing the risk of flooding.
• Environmental Impact Assessment incorrectly states that there are no hazardous or toxic substances present. There is an existing garage on the site which has an asbestos roofing material which will require expert removal and disposal.
• Loss of value to The Vineries making it much more difficult to sell.
• Loss of vista, skyline will be completely lost from the Vineries by the new development.
• The hedge along the highway boundary is a haven for butterflies, birds and the common lizard, which have been recorded over the years, what guarantee does SNDC planning give that the hedge will stay in its original for?

2 letters of support – each part owner of the adjacent site 23 & 25 Norwich Road.

1 Letter not objecting in principle, but raising issue of surface water disposal and the suitability of soakaways.

4. Assessment

4.1 The site is within the Development Limits of Tacolneston, and currently forms part of the rear garden of No23 and 25 Norwich Road running parallel to New Road. No 23 and 25 are two storey semi-detached properties with the front elevation facing onto Norwich Road. The vehicular access to the site is off New Road which also serves as vehicular access to No 23. The site is adjacent to McKee Drive, which is comprised of 24 two storey dwellings, some of which face New Road.

4.2 A previous outline application for one dwelling in the garden of No 23 was approved under the 2010 reference number; the access arrangements were approved and remain unaltered for the current proposal.

4.3 Concern has been raised by neighbours to the principle of the development of the site. However, as already stated the site is within the Village Boundary and benefits from extant outline permission, therefore the principle to develop the plot is acceptable.
4.4 The current scheme includes part of the rear garden of no 25 which allows for deeper plots providing space for garaging, parking and turning area within the site. The only trees to be removed to facilitate the scheme are fruit trees which are not considered to provide any landscape importance to the area and could be removed by the owner without the need for permission. Both the proposed dwellings are two storeys, and take into account the scale of the adjacent development of McKee Drive, and the existing properties on Norwich Road.

4.5 The proposed house adjacent to Ka’anapai (on McKee Drive) on the west boundary has been designed to match the eaves and ridge height of the existing property. The proposed dwelling on Plot 1 closer to No 23 Norwich Road is designed with a lower eaves and ridge to reflect the scale of No23 and be more in keeping with the appearance of the overall street scene.

4.6 The garage to serve both properties is set between the two dwellings with a pyramid roof. The eaves height of the garage is 2.3 metres with the highest part of the roof measuring 4.8 metres.

4.7 As part of the scheme, the boundary treatment of the site is proposed to erect/retain a 2.1 metre close board fence along the boundaries of McKee Drive, 27 Norwich Road and nos 23 & 25 Norwich Road. In addition, some sections of Beech hedging will be planted to provide additional boundary treatment.

4.8 The hedge along the highway boundary contributes to the overall character of the street scene. The previous scheme for one dwelling required this hedge to be retained. I suggest it is necessary to retain this hedge for the proposed development to retain its contribution to the character of the street.

4.9 Concern has been raised by the neighbours to the loss of privacy from first floor windows.

4.10 The property proposed for plot 2 includes two side facing windows at ground floor level which serve a WC and utility room, with a side facing first floor window which serves a bathroom. In the rear elevation the window closest to the boundary serves an en-suite, but does include a bedroom window which will result in some overlooking to the rear garden of Ka’anapali and other properties on Norwich Road. However, I do not consider this loss of privacy so significant to justify refusal, particularly as the area is already overlooked by existing first floor windows.

4.11 The windows in the rear elevation of Plot 1 (adjacent to 23 Norwich Road) are restricted to three velux roof lights to serve an en-suite, a bedroom and the stairwell, the two high panel ground floor windows serve a dining area and the living room.

4.12 Although concerns have been raised by neighbours about the loss of privacy to the rear gardens of Norwich Road residents, I consider that due to the orientation of nos 23 and 25 these already overlook the rear gardens of these properties, and the proposed development does not result in any additional loss of privacy to such a degree as to justify refusal.

4.13 As with the previous application, issues relating to the increase in highway danger are raised. Photos have been provided by one of the residents of vehicles parked on the pavement outside the application site and the neighbouring properties which results in hazard for pedestrians and other road users alike. The junction of New Road & Norwich Road is a school pick up point for 3 Wymondham schools. The proposed development will increase the level of traffic movements close to the junction which local residents feel will result in increased safety issues for school children. However, the increase in traffic movement will be modest and no objections have been received from the Highways Officer on these grounds. Subject to the recommended conditions, Highways support the proposal. In the absence of a Highway objection I do not consider there are any grounds to refuse the scheme on highway safety issues. I therefore consider that the proposal accords with the principles of policy IMP8.
4.14 Environmental Services have noted that no details have been submitted at this time to demonstrate the suitability of the site for soakaways as a method of surface water disposal. At the time of writing the report, the results of the percolation tests have not been submitted to ascertain if a soakaway system is suitable. The results of this will be reported to Committee.

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 HOU7, IMP2, IMP8 and IMP9 of the South Norfolk Local Plan.

5.2 The siting and design of the proposed dwellings is appropriate for the size of the plot, is considered to be in keeping with the character of the street scene, and to have minimal impact on the neighbouring properties. The position of the access is acceptable in terms of highway safety, and there is adequate space on the site to provide parking and turning for both properties, and the existing dwelling of No 23 Norwich Road. The scheme as submitted therefore accords with the principles of the above policies.

Contact Officer, Telephone Number and E-mail: Jacqui Jackson, 01508 533837, jjackson@s-norfolk.gov.uk
6. **Appl. No**: 2011/1911/F  
**Parish**: WYMONDHAM

Applicants Name: Mr John Nickalls  
Site Address: Land adj Oak Farm Bungalow, Sawyers Lane, Suton, NR18 9SH  
Proposal: Proposed new dwelling to existing garden/yard area - re-submission

Recommendation: Refuse

1. **Insufficient justification for dwelling in a countryside location**  
   Contrary to Policy ENV8 and Planning Policy Statement 7

1. **Planning Policies**

1.1 National Policy  
Planning Policy Statement 7 – Sustainable Development in Rural Areas

1.2 Joint Core Strategy  
Policy 2 : Promoting Good Design

1.3 South Norfolk Local Plan  
ENV 8: Development in the open countryside  
HOU 8: Agricultural and forestry dwellings  
HOU 9: Dwellings for other rural enterprises  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity

2. **Planning History**

2.1 2010/2141/F Proposed new dwelling to existing orchard/garden area and conversion of outbuilding to garage Withdrawn

2.2 2010/1166/F Proposed new dwelling to existing garden/yard area Refused

2.3 2000/1133/F Retention of residential caravan Refused

2.4 1992/0355/F Removal of condition of planning permission 87/3646/F Approved

2.5 1991/0154/F Removal Of Condition 2 Of Planning Consent 07/87/3646/F Relating To Off-Site Works Necessary To Improve The Junction Of Sawyers Lane With The A11 And Construction Of 2 Laybys. Refused

2.6 1987/3646/F Extension To Agricultural Livestock Unit By The Construction Of Five Poultry Breeding Houses. Approved

2.7 1986/2872/F 5 No. Poultry Breeding Houses. Refused

2.8 1980/1201/F Proposed Conservatory And Store. Approved

2.9 1977/2529/F New Farmhouse - Private Dwelling. Approved

2.10 WY\0915\F Erection of bungalow. Approved
3. **Consultations**

3.1 **Town Council**: Approve

3.2 **District Member**: To be determined by committee
   - While outside Development Boundary, the personal circumstances of the applicants should be considered

3.3 **NCC Highways**: Does not wish to formally object but states that the site in an unsustainable location and conflicts with the aims of National and local policies. Recommends conditions relating to visibility and parking

3.4 **Local Residents**: 1 letters of support
   - Design is suitable and sensitive to the area
   - Will improve vicinity and tidy up existing yard
   - For applicants family and will enhance sense of community
   - 1 letter of objection. Reiterates comments raised in respect of previous applications
   - Loss of light and privacy
   - Other properties in locality are offset from each other to reduce overlooking
   - Site has not been used as a garden area.

4. **Assessment**

4.1 The application is a revised proposal for the erection of a dwelling and follows the refusal of 2010/1166 and withdrawal of 2010/2141. The principle differences are that this application proposes the conversion of an existing building to provide garaging rather than the erection of a new garage, proposes the replanting of the roadside hedge and includes the provision of sustainable elements including ground source heat pump, solar and photovoltaic panels, rainwater harvesting, low energy lighting and heat recovery ventilation system.

4.2 The application is submitted in full for the erection of a detached dwelling with associated garage for the applicant’s daughter, husband and family. The Design and Access Statement sets out the family’s historic association with Suton and the site and explains that the dwelling has been positioned and designed to minimise the impact on neighbouring properties and to reflect the character of the area.

4.3 The site is situated in a countryside location beyond any defined Development Limit and as such is in a location where National and Local Plan policies seek to restrict new dwellings unless justified in connection with a rural enterprise. The application refers to the applicant’s small holding and book publishing business but does not advance these in terms of justification for a dwelling.

4.4 The dwelling will be to the southern side of Sawyers Lane and is bordered to the south east and opposite by two storey dwellings, with a bungalow to the west. There is some limited planting along the boundaries, however the dwelling would be clearly seen from public view points.

4.5 There is no distinctive character to properties in the vicinity of the site and consequently I consider that the scale and form of the dwelling would not be out of keeping with the area, however it would erode the openness of the current frontage.
4.6 The property would be to the south of No 214 and concern has previously been raised about the relationship to this property and overlooking. While the dwelling will be visible from the neighbouring properties it will be approximately 18m away and due to its scale, I do not consider that it will dominate their outlook. There will be some degree of overlooking, however I do not consider that this in itself would be sufficient to warrant refusal of the dwelling.

4.7 The District Member has requested that the application be considered by the Committee as he considers that the applicant's personal circumstances should be considered in determining this application. The Design and Access Statement sets out that the applicant’s family have lived in Sutton from circa 1900 and that his grandparents took on the tenancy of Oak Farm in 1936. In 1953/54 The Oaks was constructed and in 1964 Mr Nickalls’ parents built and moved into Oak Farm Bungalow, with Mr Nickalls remaining at The Oaks and running the farm. In 1979, Mr Nickalls built and moved into Oak Farm and sold The Oaks separately to the farm. For personal reasons, in 1985 Oak Farm and part of the land was sold and in 1998, Mr Nickalls moved into Oak Farm Bungalow. The applicant has a small holding at the premises and also runs a small book publishing business from Oak Farm Bungalow.

4.8 Members will be aware that an applicant’s personal circumstances rarely justify the grant of planning permission contrary to National and Local Plan Policy, and while I recognise the long history of the applicant’s family association with Sutton and this site, I do not consider that this is sufficient to justify a new dwelling in this unsustainable location.

5. Reasons for Refusal

5.1 The site is situated in a countryside location where National and Local Plan policies seek to restrict new dwellings to that which requires a rural location in connection with a rural enterprise. While the applicant’s family has a long association with the locality and the site, the personal circumstances are not considered sufficient to outweigh the harm to the character of the area. The proposal is therefore contrary to Policy ENV8 and IMP1 of the South Norfolk Local Plan and Planning Policy Statement 7.

Contact Officer, Telephone Number and E-mail: Stuart Pontin, 01508 533796, spontin@s-norfolk.gov.uk
7. **Appl. No**: 2011/1922/H  
**Parish**: BROOME

Applicants Name: Mr Christopher Jeffries  
Site Address: 70 Yarmouth Road, Broome, Norfolk, NR35 2PE  
Proposal: Proposed demolition of garage, construction of side and front extensions with integral garage, front porch with internal alterations.

Recommendation: Refuse

1. **Planning Policies**

1.1 Joint Core Strategy  
Policy 2: Promoting good design

1.2 South Norfolk Local Plan  
HOU 19: Extensions to existing dwellings  
IMP 8: Safe and free flow of traffic

2. **Planning History**

2.1 No recent planning history

3. **Consultations**

3.1 Parish Council: Support  
- Will improve the property but consider amenities of neighbour  
- No unnecessary external lighting

3.2 District Member: To be reported if appropriate

3.3 NCC Highways: No comment

3.4 Local Residents: No letters received

4. **Assessment**

4.1 The property is a detached bungalow set back within its plot with a detached garage at the rear. It fronts the highway to the north west but the garage is currently accessed off Walpole Close a cul de sac to the south western side. To the north east is a row of terraced cottages forward of number 70, to the south east beyond the cul de sac are additional cottages, again in closer proximity to the highway.

4.2 The proposed development is comprised of a single garage to the front, parallel to the highway with the garage door in the south western gable end. The access is to be moved closer to Yarmouth Road but still from Walpole Close. The garage is to be linked to the side of the bungalow with a hipped roof extension to provide a parlour and utility room. The garage and link extends 8 metres from the existing front wall, is a total of 12 metres from front to back and four metres in height, increasing to 4.4 metres in height above the garage and utility room. It is in close proximity to the boundary on the north eastern side.
4.3 As the property is located within the development limits for Broome, the proposal is assessed against the Council's planning policy HOU19 in addition to policy IMP8 and Policy2 of the Joint Core Strategy.

4.4 The Parish Council support the application stating that it will improve the property but the interests of number 72 should be considered and there should be no unnecessary external lighting. I am of the view that there is potential to extend this dwelling but not in the form proposed. I do not feel that the amenities of the neighbouring occupiers will be adversely affected but I am of the opinion that the extension will significantly alter the character and appearance of the property more particularly the front and north eastern side elevation. The introduction of the large garage extension does not sit comfortably with the bungalow and unbalances it, appearing bulky and dominant which does not enhance the form and character of the existing dwelling.

4.5 I consider the garage link between the bungalow and highway adversely impacts upon the open feel of the frontage and visual amenities of the wider area, it does not respect the local distinctiveness of the area consequently I consider it not be of the highest standard of design contrary to Policy2.

5. Reasons for Refusal

5.1 The proposal is contrary to the provisions of the South Norfolk Local Plan and the Joint Core Strategy and in particular policies HOU19 – Extensions to existing dwellings of the South Norfolk Local Plan and Policy 2 – Promoting good design of the Joint Core Strategy.

5.2 The proposal involves an extension which, due to its design, massing and external appearance, is incompatible with the scale and features of the existing building, resulting in a form of development out of character and keeping with the existing dwelling contrary to the above policy HOU19.

5.3 The prominent location of the garage extension would result in an unacceptable form of development, detrimental to the local distinctiveness, character and visual amenities of the area as it will close the current feeling of space between the properties and openness within the street scene contrary to the above Policy 2.

Contact Officer, Telephone Number and E-mail: Helen Cox, 01508 533832, hcox@s-norfolk.gov.uk
8. **Appl. No**: 2011/1923/F  
**Parish**: CRINGLEFORD  

Applicants Name: Hurn Chemists  
Site Address: Cringleford Surgery, Cantley Lane, Cringleford, Norfolk, NR4 6TA  
Proposal: Extensions to the front of the Cringleford Surgery including internal alterations to create new pharmacy and associated external works.  

Recommendation: Approve with conditions  
- Planning Permission Time Limit  
- In accordance with submitted drawings  
- Matching Materials  
- Limited Hours of Use. 8:00 to 18:30 Monday to Saturday.  
- Use restricted to pharmacy  

1. **Planning Policies**  
1.1 Joint Core Strategy  
Policy 2: Promoting good design  
1.2 South Norfolk Local Plan  
EMP 6: Alterations and extensions to existing business premises  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity  

2. **Planning History**  
2.1 2008/2399/F Extensions to front and rear including internal alterations and associated external works. Approved  
2.2 1989/1401/D Erection Of Doctors Surgery As Approved In Outline On 07/88/4541/O. Approved  
2.3 1988/4541/O Erection Of Doctors Surgery. Approved  

3. **Consultations**  
3.1 Parish Council: No comments  
3.2 District Member: To be reported if appropriate  
3.3 NCC Highways: No objection  
3.4 Local Residents: 3 letters of objection  
   - Detrimental to front elevation  
   - Out of keeping with original design  
   - Retail unit is out of character with residential area  
   - Existing pharmacy at Waitrose Easton store  
   - Availability of parking, which will cause congestion within the site and on Cantley Lane.  
   - Proposal reduces the number of parking spaces  
   - Safety issues in relation to nearby school and future use of adjacent building as vets  
   - Traffic calming should be provided
4. **Assessment**

4.1 The proposed extension will project 9.3m to the front of the existing building and will project from a recent extension approved under reference 2008/2399. The extension is to provide a pharmacy.

4.2 The proposal relates to the extension of existing premises and policies seek to ensure that such proposals are in keeping with the existing and do not adversely affect the character of the area, the amenity of neighbouring uses or highway safety.

4.3 The extension will project from an existing frontage wing and will be in materials to match the existing and will incorporate a roof form to match. The extension will project forward of the adjacent building by approximately 7m, but will be lower in form and while it will be visible in the streetscene, I do not consider that it will be unduly prominent.

4.4 There are currently 37 parking spaces on the site and as part of the application it is proposed to re-order the parking area to reduce this to 34 spaces. Concerns have been raised about the adequacy of existing parking and the implications of increasing the use while reducing the number of spaces. Using NCC’s parking standards, the use of the premises together with the recent extensions and proposed pharmacy generates the need for 27 spaces and consequently, although there will be a reduction, this still exceeds the current standards. The Highway Authority has raised no objection to the proposal.

4.5 The application form indicates that the hours of use of the proposal will be 8:30 to 6:15pm Monday to Friday and 9:00 to 1pm on Saturdays. The agent has confirmed that the pharmacy would be open to members of the public as well as patients of the practice.

4.6 While the use of the pharmacy will increase activity at the premises, there is adequate space within the site to accommodate customers and given the separation to nearby dwellings, I consider that the proposal will not result in a significantly loss of amenity. I do however consider that it would be reasonable to restrict the open hours and restrict the use to a pharmacy. Comments have been received that there is a pharmacy at Waitrose and while I note that there are similar facilities in the locality, I do not consider that this is justification to refuse this application.

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 of the Joint Core Strategy and Policies IMP8, IMP9 of the South Norfolk Local Plan.

Contact Officer, Telephone Number and E-mail: Stuart Pontin, 01508 533796, spontin@s-norfolk.gov.uk
9. **Appl. No**: 2011/1924/F
   **Parish**: WYMONDHAM

   Applicants Name : T W Gaze LLP
   Site Address : 31 Market Street, Wymondham, NR18 0AJ
   Proposal : Change of Use from A1 Retail to A2 Professional Services
   Recommendation : Approve with condition

   1. **Planning Policies**
      1.1 National Policies
         Planning Policy Statement 4 : Planning for sustainable economic growth
      1.2 Joint Core Strategy
         Policy 1 : Addressing climate change and protecting environmental assets.
         Policy 2 : Promoting good design
      1.3 South Norfolk Local Plan
         IMP 15: Setting of Listed Buildings
         IMP 17: Alterations and extensions in Conservation Areas
         SHO 4: Town centres
         SHO 5: Mix of uses within Central Business Areas

   2. **Planning History**
      2.1 1989/0342/A Erection Of Illuminated Fascia Sign. Refused
      2.2 1975/2076/F Conversion Of Storage Area To Shop And Extending Storage And Residential Area. Approved
      2.3 1974/0994/F Conversion Of Existing Storage Area To Shop And Building New Storage Area. Approved
      2.4 WY\2036\F Erection of offices. Approved
      2.5 WY\1063\F Electrical shop in accordance with the revised plan deposited on the 20th January, 1965. Approved

   3. **Consultations**
      3.1 Town Council : Approve
         • Would like the concerns regarding loss of retails space to be noted.
      3.2 District Member : To be reported if appropriate
      3.3 Planning Policy : Comment regarding the interpretation of Policy SHO5 of Local Plan
3.4 Warners Estate Agent : Object
- Proposed change of use is against current planning policy (SHO5) which seeks to protect retail space in town centres.
- Disappointing that one of the most prime retail sites on Market Street could be lost further removing foot traffic from the Town Centre which is just recovering from the loss of Woolworths and Somerfields.
- The main use of the premises is not A1 retail
- There has been no noticeable attempt made to offer the premises for sale or let to alternative retail use.

3.5 Local Residents : 3 letters of support
- Support use of premises by a long established firm that will bring employment opportunities to the town
- Applicants are estate agents and renowned Antique Auction Marketers. Will be a “antique and collectables” presence in Wymondham.
- 1 letter clarifies the mix of uses within the primary shopping area.

4. Assessment

4.1 The proposal is for the change of use of an existing retail unit (Use Class A1) to a multi discipline firm including Estate Agent, Commercial Agent, Rural Business and Chattels Auctions (Use Class A2). The scheme also proposes alterations to the frontage, the replacement of first floor windows and provision of new windows.

4.2 The application site is located within the Primary Shopping Area of Wymondham as defined in the 2003 adopted South Norfolk Local Plan. Policy SHO 5 relates to the mix of uses within Central Business Areas and states that in the defined Primary Shopping Areas of Diss, Harleston and Wymondham permission will not be granted for changes of use at ground floor level from Class A1 to Class A2 and Class A3 uses.

4.3 Despite the strong wording of SHO 5 an appeal decision in Wymondham (against planning ref 2002/0121/CU) has led to a change in emphasis of the wording of SHO 5 to make the loss of Class A1 uses acceptable in the Primary Shopping Area if the proposed use is a defined main town centre use, if there would be no adverse impact on the town centre or Primary Shopping Area, if a high proportion of shops would be maintained and that there would be no over concentration of dead frontages.

4.4 The Council interprets a high proportion of shops as being over 50%, as supported by Annex B to Planning Policy Statement (PPS) 4. Information submitted with the planning application states that the applicant has done a survey of the Primary Shopping Area in Wymondham which shows that retail uses would continue to predominate. They argue that there would be no increase in concentration of dead frontages as the proposal would utilise and bring to life a currently vacant unit. They also argue that the proposal is for more than just an estate agency and the added promotion of auction sales and weekly visit from a valuer would add to the vitality of the centre of Wymondham.

4.5 While I note concerns which have been raised regarding the loss of a retail unit within the primary shopping area, the use proposed is a town centre use and will attract people to the town centre. I therefore consider that the proposal will not adversely affect the vitality or viability of the town centre.
4.6  The site is also located within a Conservation Area and will involve alterations to the frontage of the building and additional windows in the rear side elevations. Policies seek to ensure that proposals preserve or enhance the character of the area. The proposed alterations will replace modern windows with a more traditional form and materials. I consider that this will enhance the appearance of the Conservation Area.

4.7  Windows in the rear elevations will look towards the adjacent public house and will not result in a loss of amenity for neighbouring uses. They will not be prominent from wider public view points.

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 Policy 1 and 2 of the Joint Core Strategy and Policies IMP17 and SHO5 of the South Norfolk Local Plan as the proposal will enhance the character of the Conservation Area and the use will not have a significant adverse affect on the vitality or viability of the town centre.

Contact Officer, Telephone Number     Stuart Pontin, 01508 533796,
and E-mail:                           spontin@s-norfolk.gov.uk
10. **Appl. No**: 2011/1929/F  
**Parish**: ROYDON

**Applicants Name**: Mr Will Gaze  
**Site Address**: Grove Farm, High Road, Roydon, Norfolk, IP22 5RF  
**Proposal**: Installation of a single small scale wind turbine (14.97m to hub, 5.5m diameter blades)

**Recommendation**: Approve with conditions
1. Planning Permission Time Limit
2. In accordance with submitted details

Subject to the receipt of additional satisfactory evidence that any protected species will not be affected

1. **Planning Policies**

1.1 National Planning Guidance  
Supplement to PPS1 – Climate Change  
Planning Policy Statement 22 – Renewable Energy  

1.2 Joint Core Strategy  
Policy 3: Energy and Water

1.3 South Norfolk Local Plan  
UTL 13: Renewable energy  
IMP 9: Residential amenity  
IMP 15: Setting of Listed Buildings  
IMP 10: Noise

2. **Planning History**

2.1 No relevant history

3. **Consultations**

3.1 Parish Council : Approve  
• But reservations regarding noise levels to neighbouring properties and the visual intrusion into the river valley

3.2 District Member : To be reported if appropriate

3.3 NCC Highways : No objection

3.4 Natural England :  
• Do not consider that there would be an adverse impact on Wortham Ling Site of Special Scientific Interest (SSSI).  
• Description and location of buildings close to traditional building suggests that an assessment into biodiversity interest needs to be considered  
• Authority needs to be satisfied that bat foraging and feeding areas will not be affected by turbine, if not surveys will be required.

3.5 Norfolk Wildlife Trust : No response
3.6 Environmental Services (Protection) : No objection
   • Due to the distance between the proposed wind turbine and the nearest dwelling it is unlikely the turbine will cause any significant noise disturbance.

3.7 Conservation Officer : No objection
   • The proposal will not adversely impact on the views of the grade II listed farmhouse and its setting and therefore I have no objection

3.8 Landscape Officer : No response

3.9 Ecologist : The proposed site is within an area of high biodiversity interest with Wortham Ling SSSI to the South and Roydon Fen which is a County Wildlife Site to the South East. The valley has a number of habitats suitable for bat foraging and flight lines and connecting habitats exist.
   • Further evidence needs to be provided to justify the view in Design and Access Statement that the turbine will not have an adverse impact on any protected species

3.10 Local Residents : 13 letters of support
   • Brilliant things only regret is that I will not be able to see it
   • Strongly support renewable energy
   • As long as it is silent in operation
   • Good to see wind turbines- modern day wind mills

   17 letters of objection
   • Not small as 15 metres tall with 15.5 blades
   • Erection near residential area and the Ling Conservation Area
   • Would be clearly visible and completely environmentally ruinous
   • No benefit to local community
   • Blot on landscape
   • Noise disturbance
   • Issue at Palgrave wind turbine and noise disturbance
   • No use in high winds
   • Dangerous known to burst into flames
   • Precedent for future turbines
   • Disturbs wildlife
   • Solar panels would be better
   • Size of a four storey house
   • Loss of view
   • Church tower would be the highest and focal point in the village.
   • Turbine should be closer to farmhouse than Church Close

4. Assessment

4.1 The application is for the installation of a wind turbine to the west of the farm buildings at Grove Farm. The proposed turbine would be 14.97 metres to hub with 3 blades with a 5.5 metre diameter. The steel tower would be pale grey, and the blades are of Glass fibre Reinforced Composite, low reflection coloured Dark Squirrel Grey

4.2 Grove Farm is located in the Waveney River Valley as defined by policy ENV3 in the South Norfolk Local Plan (SNLP) just south of the village of Roydon. The main farmhouse is a listed building.
4.3 Planning Policy Statement 22 strongly supports the use of renewable energy, Policy 3 of the Joint Core Strategy also promotes the use of renewable energy. Policy UTL 13 of the South Norfolk Local Plan supports renewable energy projects providing that the benefits are not outweighed by harm to the locality in terms of visual intrusion, noise or the safe and free flow of traffic.

4.4 The key issues which have arisen as part of this application are the visual impact of the turbine in the landscape and the setting of the listed building, potential noise disturbance and the ecological impact of the development.

4.5 A number of letters of concerns have been received about potential noise disturbance. The nearest dwellings are approximately 278 metres from the proposed turbine, apart from the Farmhouse which is approximately 100 metres away. Environmental Services have considered the calculations provided by the applicant and have concluded that the turbine is unlikely to cause any significant disturbance as noise emissions are close to expected normal background noise levels. I therefore, consider that due to the distances involved that the turbine it unlikely to cause a level of noise disturbance which would have a significant impact on residential amenity of nearby properties.

4.6 The proposed turbine would be located within the Waveney river valley as defined by policy ENV3 in the South Norfolk Local Plan, this policy seeks to protect these areas from inappropriate development. The village of Roydon is located at the top of the hill with the land sloping gradually down towards Wortham Ling to the South. It is proposed to locate the turbine close to existing farm buildings approximately 300 metres south of the settlement boundary for Roydon.

4.7 The properties most affected are the bungalows between the Church and the farm access but the turbine will be seen in the context of the existing farm building and trees. The view from properties in Church Close will also be screened by the existing farm buildings and trees. In terms of the wider landscape the site is very well screened with vegetation, it would be possible to see the turbine from near Droit Bridge on Wortham Hill, but again the turbine will be seen in the context of the farm buildings and existing trees and vegetation. The distances and existing vegetation would mean it not be possible to see the wind turbine from Wortham Ling. The Angles Way public footpath runs along the valley further down the hill. Due to the change in level and existing hedging and vegetation it will only be possible to see the turbine from a few limited places along the path. I therefore, consider that as the proposed wind turbine will be seen from a limited number of public places and the within the context of the existing buildings and vegetation that the impact of the landscape is not significant enough to warrant a refusal.

4.8 The proposed site is within an area of high biodiversity interest with Wortham Ling SSSI to the South and Roydon Fen which is a County Wildlife Site to the South East. The valley has a number of habitats suitable for bat foraging and flight lines and connecting habitats exist. The Design and Access Statement states that there are no bat roosts within 50 metres on the proposed turbine site but does not say what data has been used to make that assessment. The NBIS database has indicated that there are records of bat roosts within the area. Further evidence must be provided to justify the view that the turbine will not have an adverse impact on any protected species; this information has been requested and will be reported to members verbally at committee. Members will note that the recommendation is subject to satisfactory information being received.

4.9 The main farm house is a grade II listed building, however due to the siting of the turbine the Conservation Officer does not consider that it would harm the setting of the listed building, nor do I consider that it would adversely affect the setting of the listed church.

4.10 Given the strong support for renewable energy in PPS22, I consider that in this instance the limited impacts of the proposed development are outweighed by the need for renewable energy subject to clarification on the safeguarding of protected species.
5. **Reasons for Approval**

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy, South Norfolk Local Plan 2003 and Planning Policy Statement 22: Renewable energy in particular is considered to be in accordance with Policy 3 Energy and Water of the Joint Core Strategy and Policy ULT13 – Renewable energy, IMP9 – Residential amenity, IMP10 – Noise and IMP15 Setting of listed buildings of the South Norfolk Local Plan.

5.2 The proposed development will provide an important source of renewable energy without causing significant harm to the local landscape, the setting of the listed building, the amenity of local residents in terms of noise disturbance and protected species subject to receipt of satisfactory evidence that any protected species will not be affected.

Contact Officer, Telephone Number and E-mail: Helen Bowman, 01508 533833, hbowman@s-norfolk.gov.uk
11. **Appl. No:** 2011/1958/H  
   **Parish:** LANGLEY

   Applicants Name: Mr R Rockley  
   Site Address: 10 Langley Street, Langley, Norfolk, NR14 6DE  
   Proposal: Erection of conservatory

   Recommendation: Approve with Conditions

1. **Planning Policies**

   1.1 Joint Core Strategy  
      Policy 2

   1.2 South Norfolk Local Plan  
      HOU 14: Extensions to dwellings in the open countryside  
      IMP 9: Residential amenity

2. **Planning History**

   2.1 2009/0234 Proposed change of use and conversion of outbuilding with cartshed side extension for use solely as a bed and breakfast annexe  
      Approved

   2.2 2009/1825 Retention of outbuilding  
      Approved

   2.3 2010/0017 Modification of condition 9 of planning application 2009/0234 to reposition treatment plant  
      Approved

3. **Consultations**

   3.1 Parish Council: Approve

   3.2 District Member: To be reported if appropriate

   3.3 Local Residents: 1 letter of objection from the neighbouring dwelling  
      - Right of way will be blocked  
      - The amount of light that will be lost due to the height and size of the building being right on the boundary  
      - The access to the drains will be moved and not be as easily accessible as in the past.  
      - Lighting – may cause a nuisance

4. **Assessment**

   4.1 This application seeks permission for a conservatory situated to the rear of the two storey semi detached dwelling. The property is situated outside of a development boundary and in a rural location and as such this proposal has been assessed against policy HOU 14 – Extensions to dwellings in the open countryside and policy IMP 9 – Residential amenity.
4.2 The applicants dwelling is situated to the west of the plot reached via an access driveway running to the north of the dwelling. The applicants dwelling has been previously extended to the side for the use as a Bed and Breakfast accommodation. The proposed site for the conservatory is to the rear elevation.

4.3 The boundary to the rear of the dwellings is defined by a wooden fence of approx 2 metres in height. This fence will be replaced by the side wall of the conservatory. While the roof aspect of the conservatory will be viewed from the neighbours rear garden the size and design of the conservatory is subordinate to the existing dwelling and respects the landscape setting of the house and its grounds. The adjoining occupier also has a single storey flat roof extension to the rear of the dwelling.

4.4 An objection has been received from the adjoining dwelling. Concern has been raised as to the blocking of a right of way and the moving of the drains along with the choice of internal lighting. The neighbour has clarified there is a footpath right of way, and this will be blocked by the conservatory, however, this matter is not a planning issue and as such cannot be taken into account.

4.5 The conservatory is to be situated to the north of the objector with the existing fence replaced by a wall. For the avoidance of doubt, as there is a change in levels, further information and clarification has also been requested from the applicant to ensure the conservatory is to be built at the lower level. With the proposed translucent roof combined with the objectors single storey flat roof rear extension I consider any impact in potential loss of light is not significant to warrant refusal of planning permission and the proposal accords with policy IMP 9 of the SNLP.

4.6 While the neighbour’s objection is acknowledged I do not consider this proposal will have a negative affect on the amenities of the adjacent property and as this proposal complies with policy HOU 14 and IMP 9 of the SNLP and I recommend this application for approval. The issues raised with respect to drainage and rights of way are a civil issue.

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 of the Joint Core Strategy and policies HOU 14, and IMP 9 of the South Norfolk Local Plan.

5.2 The proposal is acceptable as the dwelling enjoys a lawful residential use and is currently occupied. The size of the proposed extension is subordinate to the existing dwelling while respecting the landscape setting of the existing house and its grounds, and will not have any undue impact, by loss of light, on the neighbouring property.

Contact Officer, Telephone Number and E-mail: Chrissy Briggs, 01508 533832, cbriggs@s-norfolk.gov.uk