Development Management Committee

Members of the Development Management Committee:

<table>
<thead>
<tr>
<th>Conservatives</th>
<th>Liberal Democrats</th>
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<tbody>
<tr>
<td>Mr J Mooney</td>
<td>Mr T East</td>
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<tr>
<td>(Chairman)</td>
<td>Dr M Gray</td>
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<td>Mr D Blake</td>
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<td>(Vice-Chairman)</td>
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<td>Mr C Foulger</td>
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<td>(Vice Chairman)</td>
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<td>Mrs F Ellis</td>
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<td>Mr C Gould</td>
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<td>Dr C Kemp</td>
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<td>Mr L Hornby</td>
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<td>Mrs L Neal</td>
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<td>Mr T Palmer</td>
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</tbody>
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Pool of Substitutes

| Leslie Dale      | Vivienne Bell |
| Nigel Legg       |               |
| Brian Riches     |               |

Pre-Committee Members’ Question Time

12.30pm – 1.00pm         Blomefield Room

Date

Wednesday 20 June 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

13/06/2012
A G E N D A

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

2. To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972; [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]

3. To receive Declarations of Interest from Members;
   (Please see flowchart and guidance attached, page 6)

4. Minutes of the Third Wednesday Planning Committee held on Wednesday 16 May 2012; (attached – page 8)

5. Planning Applications and Other Development Control Matters;
   To consider the applications as listed below: (report attached – page 20)

<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>2011/1284/O</td>
<td>FRAMINGHAM EARL</td>
<td>Land north-west of, Pigot Lane</td>
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<td>2011/1929/F</td>
<td>ROYDON</td>
<td>Grove Farm, High Road</td>
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<td>3</td>
<td>2012/0648/F</td>
<td>COSTESSEY</td>
<td>Ormiston Victory Academy, Middleton Crescent</td>
<td>45</td>
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<tr>
<td>4</td>
<td>2012/0748/F</td>
<td>DISS / ROYDON</td>
<td>Land between Roydon Road and Denmark Lane</td>
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<td>5</td>
<td>2011/1666/F</td>
<td>WORTWELL</td>
<td>Granary Barn, Wortwell Hall Farm Low Road</td>
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<td>6</td>
<td>2011/1732/LB</td>
<td>WORTWELL</td>
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<td>7</td>
<td>2012/0368/CU</td>
<td>GISSING</td>
<td>Gissing Manor, Malthouse Lane</td>
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<td>8</td>
<td>2012/0420/CU</td>
<td>MARLINGFORD AND COLTON</td>
<td>High House Farm Barns, High House Farm Lane</td>
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<td>9</td>
<td>2012/0552/F</td>
<td>PORINGLAND</td>
<td>Land rear of, Holly Bank Heath Loke</td>
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<td>10</td>
<td>2012/0715/RVC</td>
<td>TASBURGH</td>
<td>Greenacres Farm, Ipswich Road</td>
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<td>11</td>
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<td>HARLESTON</td>
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<td>13</td>
<td>2012/0872/F</td>
<td>GREAT MOULTON</td>
<td>Capital Farm, Frith Way</td>
<td>110</td>
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</tbody>
</table>
6. **Sites Sub-Committee;**

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

7. **Enforcement Reports** (attached – page 115)

8. **Planning Appeals (for information)** (attached – page 125)
## 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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<tr>
<td>Y Bendle</td>
<td>17/04/13</td>
<td>P Allen</td>
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<td>T Blowfield</td>
<td>17/04/13</td>
<td>J Hardinge</td>
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<td>M Gray</td>
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<td>17/04/13</td>
<td>T Lewis</td>
<td>17/04/13</td>
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<td>M Edney</td>
<td>4/07/12</td>
<td>B McClenning</td>
<td>18/04/13</td>
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<td>F Ellis</td>
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<td>G Watt</td>
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<td>K Kiddie</td>
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<td>N Legg</td>
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<tr>
<th>Independent Councillor</th>
<th>Accreditation Expiry Date</th>
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<tbody>
<tr>
<td>K Weeks</td>
<td>17/04/13</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? |
| Your own | A family member | A close associate |
| Any person or body who has employed or appointed your family member/close associate |
| Any firm in which your family member/close associate is a partner or company of which they are directors |
| Any company in which your family member/close associate has shares with a face value more than £25,000 |
| Any of the following in which you hold a position of general control or management: outside organisations, other public authorities, charities, pressure groups, political parties or trade unions |

Does the interest:

(a) affect your financial position or the financial position of a person or body described above? **(If Yes the interest may be prejudicial)**

(b) relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described above? **(If Yes the interest may be prejudicial)**

(c) relate to scrutiny by the Overview and Scrutiny committee of a decision you were party to? **(If Yes the interest is prejudicial)**

(d) relate to the functions of the council in respect of housing (except your tenancy), statutory sick pay, an allowance, payment or indemnity given to members, any ceremonial honour given to members, or setting the council tax or a precept under the Local Government Finance Act 1992. **(If Yes the interest is NOT PREJUDICIAL)**

**PREJUDICIAL INTEREST**

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

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

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

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

What matters are being discussed at the meeting?

Do any relate to my interests?

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

OR

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

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

More than the majority of other people in the ward?

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

Disclose the existence & nature of your interest

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

YES

You have a personal interest in the matter

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

NO

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

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

NO

Yes

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?

NO

Yes
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

<table>
<thead>
<tr>
<th>Letter</th>
<th>Description</th>
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<tr>
<td>A</td>
<td>Advert</td>
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<td>AD</td>
<td>Certificate of Alternative Development</td>
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<td>CA</td>
<td>Conservation Area</td>
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<tr>
<td>CU</td>
<td>Change of Use</td>
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<td>D</td>
<td>Reserved Matters (Detail following outline consent)</td>
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<tr>
<td>F</td>
<td>Full (details included)</td>
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<td>H</td>
<td>Householder – Full application relating to residential property</td>
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<tr>
<td>C</td>
<td>Application to be determined by County Council</td>
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<tr>
<td>G</td>
<td>Proposal by Government Department</td>
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<td>HZ</td>
<td>Hazardous Substance</td>
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<td>LP</td>
<td>Certificate of Lawful Proposed development</td>
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<td>Removal/Variation of Condition</td>
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<td>SU</td>
<td>Proposal by Statutory Undertaker</td>
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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).
- J.C.S: Joint Core Strategy
- N.P.P.F: National Planning Policy Framework
Enforcement Report

Report of The Development Control Services Manager

1. **Enforcement Ref**: 2010/8302  
   **Parish**: SAXLINGHAM THORPE

**Site**: Land On The North Side of Windy Lane, Foxhole, Saxlingham Thorpe, Norwich

**Development**: Caravan parked in agricultural field

**Developer**: Mr Steven Fryett and Mr Victor Francis

1. **Background**

1.1 It was brought to the Council’s attention in late 2010 that a caravan (first caravan) had been stationed on an agricultural field. In 2011 a further caravan (second caravan) was brought on to the site. The first caravan appeared not to be used incidentally to the agricultural use of the land but the Council were satisfied at the time that the second caravan was being used incidentally to the agricultural use of the land. An Enforcement Notice was served in relation to the first caravan which was then subject to an appeal. The appeal was subsequently quashed on a technicality. However, the first caravan was removed from the land prior to the appeal decision.

1.2 The second caravan remained in situ, however it then became apparent this was no longer being used incidentally to the agricultural use of the land. The owner was asked to remove the caravan from the land or submit a planning application to regularise the situation. The caravan has since been dismantled but remains, in part on the site.

1.3 Following a visit to the site on the 25 May 2012 it was apparent that a larger touring caravan had been brought on to the land. It had been stationed together with a generator, two polytunnels and a portaloo. The occupiers of the caravan confirmed they were living there and hoped to stay for approximately 2 months and that they were hoping to establish a small holding on the site. They informed me that they rent half the site, approximately 9.5 acres (shown on location plan) from a Mr Victor Francis. They were of the understanding that planning permission had been granted for a caravan to be stationed on the land. I explained that this was not the case and that I would write to them explaining the situation.

1.4 The occupiers of the caravan have been informed that the use of a caravan for residential use in an agricultural field requires planning permission. However, under Part 5 Class A of the Town and Country General Permitted Development Order 1995 (GPDO) and the Caravan Sites and Control of Development Act 1960 Paragraph 3 the use of the land for a caravan site for up to 28 days in a period of 12 months from the date the caravan was first stationed anywhere on that land would not require planning permission. The 28 days will expire on the 22 June 2012.

2. **Planning Policies**

2.1 **National Planning Policy Framework**  
   Section 6: Delivering a wide choice of high quality homes

2.2 **Joint Core Strategy**  
   Policy 2: Promoting good design

2.3 **South Norfolk Local Plan**  
   ENV 8: Development In The Open Countryside
3. **Assessment**

3.1 The stationing of a caravan on a piece of land does not require planning permission provided that it is used incidentally to the permitted use of the land, which in this case is agricultural. However, if it is not used incidentally to the permitted use of the land the stationing of a caravan would constitute a material change of use and therefore require planning permission, except for the 28 days explained in paragraph 1.3. To date I have received no response from the occupiers informing me of their intentions.

3.2 National Planning Policy Guidance Section 6 and South Norfolk Local Plan Policy ENV8 restricts development in the open countryside unless it is requisite for agriculture. There are currently no agricultural activities taking place on site. In view that the caravan is not being used for that purpose its use is contrary to these policies. Furthermore the stationing of the caravan would detract from the landscape character of the area and is therefore contrary to the provisions of Joint Core Strategy Policy 2.

3.3 In view that there have been a number of unauthorised caravans stationed on the land and there has been little co-operation in the past in terms of adhering to the Council’s requests it is considered appropriate to seek authority to take enforcement action before the breach has taken place to ensure the Council are in the best position to take relevant action if a breach does occur.

4. **Recommendation**

4.1 That subject to legal advice enforcement action be authorised to secure the removal of the touring caravan.
2. **Enforcement Ref**: 2012/8070  
**Parish**: ASWELLTHORPE AND FUNDENHALL

**Site**: L'Ecole, Whipps Lane, Fundenhall, Norwich NR16 1DT  
**Development**: Construction of First Floor Extension  
**Developer**: Mr Barker

1. **Background**

1.1 It was brought to our attention in March 2012 that a first floor side extension was being constructed at the above property. The extension is above an existing flat roof conservatory and has two rear dormers, a small front dormer and a first floor window in the side elevation. The development has been finished with white render and grey roof tiles to match the existing dwelling.

1.2 The developer was invited to submit a planning application for the works that have been undertaken to the property but has chosen not to proceed with a formal application.

1.3 The developer considers the works that have been undertaken to be permitted development in accordance with Part B of the General Permitted Development Order 1995 which relates to the enlargement of a dwelling consisting of an addition or alteration to its roof.

1.4 Due to the increased height of the eaves along the principal elevation it is our opinion that the works must be considered as an enlargement of the original dwellinghouse and therefore must be assessed against the provisions of Part A of General Permitted Development Order 1995. As such, planning permission would be required for the works that have taken place to the property.

2. **Planning Policies**

2.1 **National Planning Policy Framework**  
Section 7: Design  
Paragraph 207: Enforcement

2.2 **Joint Core Strategy**  
Policy 2: Design

2.3 **South Norfolk Local Plan**  
HOU14: Extensions to dwellings in the open countryside (part consistent)  
HOU19: Extensions to existing dwellings  
IMP9: Residential amenity

3. **Assessment**

3.1 As members will be aware, the Local Plan policies require extensions to existing dwellings to be sympathetic to the appearance and character of the existing property and not result in material harm to neighbouring occupiers.

3.2 Policy HOU14 relates to extensions to dwellings that are outside the Development Limits and is considered to be more restrictive than the NPPF however I consider that the extension that has been constructed on the site accords with the principles of both the Local Plan policy and the NPPF.
3.3 The development is visible from Whipps Lane due to the proximity of the dwelling to the highway however the extension that has been constructed is sympathetic to the character and appearance of the main dwelling and does not result in material harm to either the streetscene or the original property.

3.4 Due to the distance between L’Ecole and the nearest residential properties, as well as the orientation of the dwelling and the neighbouring properties, I do not consider that alteration to the property (including the side elevation window) results in material harm to the amenities of the neighbouring occupiers as it does not result in any significant overlooking or loss of privacy.

3.5 The two properties in closest proximity to the dwelling, as well as the Parish Council, have been contacted and comments about the development invited. The Parish Council has supported the works that have been undertaken and one letter of no objection has been received from the closest neighbouring property. No other comments have been received.

3.6 Whilst it is disappointing that the developer has chosen not to submit a householder planning application for the works that have been undertaken to the property, I consider that the extension accords with the principles of all of those policies set out above.

3.7 In view of the above I do not consider it expedient to take enforcement action to remove or modify the extension to the dwelling and therefore recommend that no further action be taken on this matter.

4. **Recommendation**

4.1 That no further action be taken on this matter.
3. **Enforcement Ref**: 2012/8074  
**Parish**: WYMONDHAM

**Site**: 70 Damgate Street, Wymondham NR18 0BH  
**Development**: Demolition of Wall and Erection of Fencing Within the Curtilage of a Grade II Listed Building  
**Developer**: Ms T A LUISKA

1. **Background**

1.1 On 1st March 2012 it was brought to our attention that the owner of 70 Damgate Street, Wymondham had demolished approximately 2.1 metres of a parapet wall to the bridge in Damgate Street. The wall is within the curtilage of the Listed Building but the wall is owned by Norfolk County Council. Initially the end of the wall was left with broken bricks protruding but this has now been made good. A few weeks after the demolition took place fencing was erected within the curtilage of the Listed Building. The wall was demolished to allow the landowner vehicular access to her property.

1.2 The dwelling is a Grade II Listed Building and as such an application for Listed Building Consent should have been submitted for the partial demolition of the wall and an application for planning permission for the fencing.

1.3 The owner of the property has been requested to submit a retrospective Listed Building Application but has failed to do so.

1.4 Following the making good of the wall, Norfolk County Council, (Bridge Management & Design) who are the owners of the wall, were consulted and after an inspection have stated:

   1. The wall leans backwards and would benefit from a pilaster or a return to aid stability.
   2. The mortar used in the repair is too strong. Furthermore it doesn’t blend in with the existing wall.
   3. The sandstone coping has been repaired with concrete. It is a very poor repair and some of the concrete has broken away already. The existing sandstone coping is lying on the ground partially covered by the gravel in the driveway and could be used to make good the wall.
   4. The crack in the parapet wall which appeared after the end was demolished still needs further investigation and repair.
   5. A new fence has been erected which means that other residents have to pass over the location of the demolished wall, where there is a trip hazard, to gain access to their properties.

   In view of the above points, I consider the works to finish off the wall are unsatisfactory. However, we will not take any action until I hear from you with regard to any enforcement action your Council proposes to take.

1.5 Norfolk County Council were informed that this Council may consider serving an enforcement notice on the landowner and on them as the owner of the wall and they have acknowledged that.

1.6 Norfolk County Council (Highways) were asked for their comments on the formation of the access which had been formed and have confirmed that they have no objection.
1.7 The Conservation Officer assessed both the wall and fencing and concluded that he had no objection to either but the repairs to the end of the wall have been carried out using an inappropriate grey cement mortar that provides a very poor appearance. He also stated the cement mortar will contribute to the decay of the brick surfaces over time.

1.8 Wymondham Town Council were consulted who stated they had received a number of communications from local residents in respect of the works carried out in particular the damage to the wall. It is their view that the wall should be reinstated back to its original position and that the full force of enforcement law should be applied if this does not happen within a short period of time. In respect of the fencing they again would wish full enforcement action to be taken.

1.9 Local residents were consulted and their comments were:

- Appalled and shocked at the demolition, also the remainder of the wall has serious cracks in it as a result of being hit with a sledgehammer. Regarding the fence I find this quite unacceptable as it does restrict my view up Damgate Street which I had before.

- The bridge has been vandalised. A once pretty view is no more. The erection of the fence has restricted my right of way and it has been left a death trap.

- The bridge area and the character of the listed buildings have been ruined. I cannot believe they will get away with destroying a wall that doesn’t belong to them. The access I had has now been denied to me and is a bit dangerous the way the steps have been left. I hope the outcome is that the bridge wall is reinstated to match the wall on the opposite side of the road and that the fence is taken down.

2. Planning Policies


2.2 South Norfolk Local Plan:

- IMP8: Safe and free flow of traffic
- IMP 9: Residential Amenity
- IMP 13: Alteration of Listed Buildings
- IMP 15: Setting of Listed Buildings
- IMP16: Demolition in Conservation Areas
- IMP18: Development in Conservation Areas

3. Assessment

3.1 In the light of the above policies and comments of interested parties, an assessment of the unauthorised works can be considered under the general headings of; impact on Listed Building and Conservation Area; Residential Amenity; and Highway Safety.
Impact on Listed Building and Conservation Area

3.2 Although walls have been removed which were part of the ‘street scene’ of Damgate Street, I do not consider that their loss has caused significant harm to the character and appearance of the area. A larger portion of the bridge wall remains so that the bridge is still a prominent feature. Similarly, although the walls were visible within the setting of the listed building, I do not consider that their removal could be said to have materially harmed its setting. Members will note that this is also the view of the Conservation Officer, but is not a view shared by local people, including the Town Council.

3.3 Unfortunately, the quality of the work that has been carried out is not of a good standard. The comments from the NCC Bridge Maintenance Team (see para. 1.4 above) note a number of defects. As owners of the wall, the County Council is in a position to require these defects to be remedied, but await South Norfolk’s decision as to whether the wall should be replaced. I consider that the defects listed are in the nature of repair and maintenance issues. Given the variable condition and quality of the pointing of the remainder of the bridge, I do not consider that they can be said to justify enforcement action by the Local Planning Authority, although they should clearly be addressed by the Authority responsible for the wall.

3.4 The fences erected are of two types, a close-boarded fence closest to the road and a more lightweight bamboo (or similar) fencing further to the rear. I acknowledge that there may be an issue regarding a private right of way which may be affected by the fencing, but this is not a matter over which the Council can adjudicate and is not a material planning consideration. Such issues should be resolved by the parties directly involved.

3.5 In terms of their planning merits, the Conservation Officer raises no objection and I do not consider the fences could be said to cause material harm to the Conservation Area or the setting of the listed building.

Residential Amenity

3.6 Concern has been expressed about the blocking or disruption of a claimed right of access to the rear of adjacent properties. The remedy of this would appear to lie in a private action by the aggrieved parties. I do not consider that the works themselves result in a loss of amenity.

3.7 Reference is also made to the loss of a view. The impact on neighbours outlook can be a material planning consideration, however, I do not consider that the fences erected cause such harm to amenity that their removal should be enforced.

Highway Safety

3.8 NCC Highways were consulted because the wall removal has been undertaken in order for the occupier to bring her car off the highway for security reasons. The Highway Officer has noted the presence of dropped kerbs which apparently served an access to a garage in the past. Although he acknowledges that the access is not ideal, he concludes that Highways consent is not required for the access and raises no objection. Given this advice, the urban context of the access, and the relatively slow traffic speed in the vicinity, I do not consider that an objection on highway safety grounds could be sustained.

4. Recommendation

4.1 1. In respect of the unauthorised fencing, no further action.

2. In respect of the demolished walls, no enforcement action, but a letter be sent to the County Council urging them to require the defects they have identified to be rectified.
Development Management Committee

20 June 2012

Scale 1:1250

Appendix 1

Application No: 2012/8074

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South Norfolk Council, Long Stratton, Norwich, Norfolk, NR15 2XE Tel (01508) 533633 Fax (01508) 533625
Application Deferred by Previous Committee

1. **Appl. No**: 2011/1284/O
   **Parish**: FRAMINGHAM EARL

   **Applicants Name**: Hibbett & Key
   **Site Address**: Land north-west of, Pigot Lane, Framingham Earl
   **Proposal**: Outline application for residential development of 100 dwellings and associated works including new access onto Pigot Lane.

   **Recommendation**: Approve

   1. Outline permission time limit
   2. Agreement of design brief pre-submission of reserved matters
   3. Approval of reserved matters
   4. Development limited to max 2-storey in height
   5. Detailed surface water drainage scheme in accordance with the FRA to be submitted and agreed
   6. Detailed foul water drainage scheme to be submitted and agreed. Implementation of any mitigation measures prior to occupation
   7. Archaeology
   8. Details or roads, footways and cycleways to be agreed
   9. Roads, footways and cycleways to be constructed in accordance with the above
   10. Off-site highway works
   11. Traffic Regulation Order – pre commencement
   12. Travel Plan to be agreed
   13. Implementation of agreed travel plan prior to occupation
   14. Materials to be agreed
   15. Landscaping (inc details of management)
   16. Tree protection – pre-commencement
   17. Boundary treatments to be agreed
   18. Wildlife management plan in accordance with the findings of the Ecological survey to be submitted and approved prior to commencement

Subject to a S106 legal agreement providing for developer contributions towards education (inc. a pro-rata contribution towards a MUGA at Poringland High School), libraries, travel plan, off-site highway works, and an affordable housing agreement confirming the type, tenure and mix of affordable housing, including its affordability in perpetuity.

**Introduction**

This application and the following report were considered by the 3rd Wednesday Planning Committee on the 16th May 2012, when it was resolved to defer determination until after the meeting of Cabinet on the 11th June, where members will agree the preferred options for site allocations (including those at Framingham Earl) for consultation in the late summer. Any update necessary as a result of this meeting will be given orally at the Committee meeting.

1. **Planning Policies**

   1.1 **National Planning Policy Framework**

   Section 6 – Delivering a wide choice of high quality homes
   Section 7 – Requiring good design
   Section 10 – Meeting the challenge of climate change, flooding and coastal change
   Section 11 – Conserving and enhancing the natural environment
1.2 Joint Core Strategy

Policy 1 – Addressing climate change and protecting environmental assets
Policy 2 – Promoting good design
Policy 3 – Energy and water
Policy 4 – Housing delivery
Policy 7 – Supporting local communities
Policy 14 – Key Service Centres
Policy 20 – Implementation

1.3 South Norfolk Local Plan

IMP 8: Safe and free flow of traffic
IMP 9: Residential amenity
ENV8: Development in the open countryside

2. Planning History

2.1 2011/0100 EIA Screening opinion issued EIA not required.

2.2 N/A Individual Settlement Proposals for the South Norfolk Local Plan – plan.

2.3 1985/3322 Appeal against refusal of permission for 6 houses and garages on part of the site. Appeal dismissed.

3. Consultations

3.1 Framingham Earl Parish Council: Refuse
- Development is not necessary. It will fulfill the entire lower end of the estimated requirement for the next 15 years in a single development.
- Development is outside the current development boundary.
- Constitutes ribbon development along a rural lane.
- Roads and lanes in the area would not be able to cope with the increased traffic.
- Exacerbate flooding and drainage issues.
- Already more than sufficient sites suggested for housing development.

The Parish Council have also requested that professional bodies take account of the local views and information in respect of flooding and drainage concerns.

3.2 District Member: Comments attached as appendix 3.

3.3 NCC Highways: No objection, subject to a S106 legal agreement requiring a Travel Plan bond, and suitable conditions requiring final details of off-site highway works to be agreed.

3.4 Environment Agency: No objection, subject to appropriate conditions.
3.5 SNC : Planning Policy

Offer the following comments:

- The site falls within the parish of Framingham Earl, but the application site is immediately adjacent to the built-up area of Poringland. In this case, JCS Policy 14 (Key Service Centres) therefore applies, and we will be seeking to allocate land for 100-200 dwellings, and employment land provision in Poringland / Framingham Earl.

- The site is within the buffer zone of a pumping station, and Anglian Water would need to advise if they have objections in this respect.

- The NPPF states a presumption in favour of sustainable development. To be sustainable, it emphasises the need for development to be located where it can make maximum use of walking and cycling for day-to-day needs. The application site is close to Framingham Earl High School and several other village services are within the 800m ‘walking distance’. Therefore, this site is sustainably located within the village. The NPPF also states a housing supply policy should not be considered up-to-date if a five year supply cannot be demonstrated. The GNDP AMR base date 1/4/11 shows 3.28 years supply in NPA.

- The site falls within Landscape Character Area D2, Settled Plateau Farmland. The most important landscape assets within this area are considered to be the presence of isolated churches and strong regional vernacular character, important views, drainage/boundary ditches, wide grass verges, a wooded character with mature hedgerow trees and the contribution towards a strategic break between settled areas. Any of these assets should be preserved or enhanced by development.

3.6 Anglian Water Services Ltd

No objection – have confirmed that capacity exists at the SWT and advise that they are in discussions with the developers to enable a foul strategy to be formulated so that this development can be accommodated in the network without any detrimental impact on existing properties / sewers. This strategy will be required by condition.

3.7 Ecologist

No objection – ecological issues can be addressed through an ecological methods statement. A European Protected Species license will be required for the demolition of the buildings. As there will be a minor negative impact on biodiversity, it is pleasing to see that the County Council has requested a contribution towards Green Infrastructure.

3.8 Natural England

No objection.
3.9 SNC: Housing Strategy Manager : Support – application proposes 33% affordable housing, and it includes an 85% / 15% split between affordable rent and shared ownership. Supporting financial evidence has been submitted that demonstrates that this is an acceptable and viable mix of housing types that meets housing need.

3.10 Waveney Valley Internal Drainage Board : No objection.

3.11 NCC: Planning Obligations Co-Ordinator : Request financial contributions towards education (£583,320) and enhanced library provision (£6000), and green infrastructure (£5000). A pro-rata contribution towards the provision of a MUGA at Poringland High School is also requested.

3.12 Environmental Services (Protection) – Flood Defence Officer : Surface Water Drainage – No objection, subject to a condition requiring percolation testing to allow for further consideration of opportunities for infiltration devices as a means of surface water drainage and that the overall drainage strategy is agreed by the LPA.

Further maintenance and management of the drainage features to be agreed by the LPA.

Foul Drainage – No objection. It is understood that drainage is to be pumped to Pigot Lane and onto Poringland WwTW. Anglian Water have confirmed that there is treatment and volumetric capacity at Poringland WwTW.

3.13 SNC: Design Officer : A Building for Life Assessment will be carried out at the reserved matters stage, assessed against Policy 2 of the Joint Core Strategy. The submitted masterplan and design and access statement clearly shows that the development has the potential to achieve the required high quality design when assessed against the criteria of Building for Life.

3.14 NCC: Historic Environmental Services : No objection, subject to a condition requiring a scheme of archaeological works.

3.15 Landscape Officer : None received.

3.16 Norfolk CPRE : Object
  • Application is ‘jumping the gun’
  • Housing targets for the JCS are incompatible with the objectives of protecting and enhancing the rural environment in the Norwich Policy Area
  • The site encroaches into attractive rural countryside

3.17 Local Residents : The following petitions against the development received:

564 signatures (on behalf of local residents)
17 signatures (on behalf of local residents)
11 signatures (on behalf of residents of Pine Cottages)
8 signatures (raising specific flooding concerns)
A further 68 individual letters of objection received:

- Increase in traffic will cause problems for local residents
- Development would impact on the quiet way of life of the area
- Present infrastructure will not be able to cope
- Impact from additional pedestrians using Oaklands to get to the school (crime etc.)
- Existing drainage problems in the area
- Loss of a valuable wildlife resource containing many species of wildlife and fauna
- Visually damaging to an area of natural beauty
- Proposed footpath within site would cause amenity issues for existing residents (Oaklands)
- Proposal conflicts with current LDF plans for this site
- Traffic from the development would change the nature of Pigot Lane
- Site is full of wildlife and birdlife
- High risk area for flooding
- Development is out of scale
- Potential for light pollution
- Development will exacerbate the current traffic problems at the roundabout
- Loss of Greenfield land
- Pigot lane is a haven for natural pursuits, cycling, walking and horse riding – all will be affected.

4. **Assessment**

4.1 This outline application seeks consent for the erection of 100 dwellings on a 4.7 hectare piece of land at Pigot Lane, Framingham Earl. The proposals also include the provision affordable housing (33%), open space, a flood attenuation pond, pedestrian links through to Oaklands, and a new vehicular access from Pigot Lane. Excluding the area of land set aside for the attenuation pond, the proposed density of development would be approx. 22 dwellings per hectare. A location plan of the site is attached as appendix 1, and a summary of the proposals is attached as appendix 2 to this report.

4.2 The site is located to the north west of Pigot Lane adjacent the existing single storey properties in Oaklands. A small bungalow and disused farm buildings are located within the site at its western edge, with the remainder of the site comprising a number of enclosed fields bounded by hedgerows. The fields do not appear to be in use for intensive agricultural production. The site is bounded to the north west by the playing fields serving Framingham High School, to the north east by further agricultural land, and to the south east by Pigot Lane beyond which is the land known as Forty Acre Plantation.

4.3 As the site is located outside the current development boundary in an area of open countryside (as defined by the South Norfolk Local Plan 2003), the application is clearly contrary to saved local plan policy ENV8. The proposal should therefore be refused unless there are material considerations that dictate otherwise. In my opinion, the following material considerations need to be considered:

- The provisions of the adopted Joint Core Strategy (JCS), which allocates Poringland/Framingham Earl for further development of 100 – 200 dwellings during the period 2011 to 2026.
• There is an acknowledged lack of a 5-year housing supply within the Norwich Policy Area. (There is currently 3.28 years supply in the NPA.) The recently published National Planning Policy Framework makes it clear that there is a presumption in favour of sustainable development, and that relevant policies in the local plan cannot be considered up-to-date where a 5-year supply of deliverable housing sites does not exist. The 5-year supply should also have an additional buffer of 5%, or 20% where there has been a record of persistent under-delivery of housing.

• The site is in a sustainable location, adjacent a Key Service Centre (as defined in Policy 14 of the JCS).

• The site appears to be deliverable (as defined by section 6 of the NPPF) in that it is available now and offers a reasonable prospect of being delivered within the next 5 years).

• Other relevant sections of the NPPF as set out in par. 1.1 above.

4.4 It will be noted from section 3.15 above that there has been a significant amount of objection to the proposal from local residents raising a number of issues. In my opinion, the critical issue that members need to address is the principle of the development having regard to:

• The provisions of the NPPF, the adopted JCS, and the requirement to achieve a 5-year land supply of housing.
• The suitability of the site having regard to its sustainability and the impact on the landscape and ecology.
• Drainage & flood risk
• Highway Impact

NPPF, JCS & the 5-year land supply of housing

4.5 The presumption in favour of sustainable development does not remove the need to assess the proposed development having first had regard to the development plan, however the relevant planning policies referred to need to be up-to-date. The GNDP has accepted that there is a 5-year land supply deficit with the Norwich Policy Area, and as Section 6 of the NPPF points out, where this is the case, the relevant development plan policies cannot be up-to-date. Whilst material considerations then need to be taken into account, the NPPF advises that development should be approved unless the ‘adverse impacts of doing so would significantly and demonstrably outweigh the benefits’.

4.6 In allocating Poringland (including Framingham Earl) as a key service centre, JCS Policy 14 acknowledges that the community has a dispersed provision of local shops and services, as well as a high school and a primary school. They also have key public transport services for journeys to work and leisure purposes. Due to the significant amount of housing commitments (as of 2008) not built, this community only has an allocation of between 100 – 200 dwellings, and the proposed development fits within this range.

4.7 It is noted that many residents feel that the site should not be considered ahead of specific sites having been allocated for development through the Local Development Framework process. However, taking the above into account I feel that the proposed development cannot be dismissed purely on the grounds of prematurity, and that the demonstrable lack of a 5-year housing supply carries significant weight in the consideration of the application.
Suitability of the Site

4.8 As already established, the communities of Poringland and Framingham Earl already have a good range of facilities, and apart from being located within easy walking distance of the high school and a convenience shop, other facilities are also close by, some within walking distance, but all accessible by public transport if required. The site is sustainable in these terms.

4.9 Many comments of local residents also reference the intrinsic beauty of the area, and in particular point out that Pigot Lane and the surrounding fields are often used by dog walkers and ramblers. It is noted that a permissive path runs to the east of the site, connecting the Forty Acre Plantation with Poringland Wood to the north of the site. Although the development of the site will be visible at various points along Pigot Lane, it is well contained within existing field boundaries and the mature trees contained within them. The visual impact of the development is restricted to the immediate vicinity of the site when leaving or approaching the village. Further down Pigot Lane, the tree-lined nature of the lane mean that the views of the site are much more restricted, and any views of the site from here would be insignificant. In conclusion, the visual impact of the development would be limited to within the immediate vicinity of the site, and would not significantly harm the rural character of Pigot Lane.

4.10 I have no doubt that the area including Pigot Lane, Forty-Acre Plantation, and the site itself, contains much flora and fauna. Section 11 of the NPPF requires development to minimise the impact on diversity, and to where possible enhance it, but it also acknowledges that a balanced view has to be taken. The proposed development allows for the retention and enhancement of the existing trees and boundaries in and around the site, which I consider to be the main feature of the site in terms of its landscape character and ecological value. The surface water lagoon represents a further opportunity for a wetland habitat enhancement. The presence of bats in the old buildings on the site is noted, and in line with the recommendations of the ecology report submitted with the application, an ecological methods statement to accommodate the requirements of protected species such as bats and grass snakes, can be required to be submitted.

4.11 Taking the above into account I have concluded that the development of the site in the scale proposed (i.e. restricted to a maximum of 2-storey in height) would not have a significant detrimental impact on the character and appearance of the area, and with a net gain in terms of tree planting and wetland habitat, would have a positive ecological impact. The application accords with Section 11 of the NPPF and Policy 1 of the JCS in this regard.

Drainage & Flood Risk

4.12 Alongside the impact on the character and appearance of Pigot Lane, it is issues of drainage and flood risk that have been raised the most by local residents and the Parish Council. The development of the site having regard to these issues represented a significant challenge for the developers, a fact further highlighted by the Environment Agency who initially objected to the application. However, lengthy discussions with the applicants drainage engineers, the EA, Anglian Water and the Council’s own Flood Defence Officer, has resulted in a revised drainage strategy that is acceptable to all technical consultees.

4.13 Key drainage points can be summarised as follows:

- On site surface water run-off will be attenuated to Greenfield rates, utilising improved existing land drains and ditches.
Drainage from the upstream catchment area will be maintained through this existing ditch network and be separate from the proposed development drainage. This will result in a reduction in flood risk to the existing residents of Oaklands.

Foul drainage will be pumped via a rising main through the site to Pigot Lane, and then on to the Poringland Sewage Treatment Works. (No on-site treatment works are now proposed.)

4.14 The above proposals have addressed the initial concerns of statutory consultees, and also go some way in addressing a number of local resident’s concerns in respect of existing flooding issues, and flooding downstream of the catchment area. The use of a pumped sewage system removes the original requirement for an on-site treatment works, and means that there will be no increased flood risk downstream of the site.

4.15 Taking the above into account, I consider that in respect of flood risk, the application is in accordance with the requirements of section 10 of the NPPF, having demonstrated that the site can be developed without increase flood risk elsewhere.

Highway Impact

4.16 Another issue that raised much concern with local residents, is the potential impact on the local highway network, both in respect of the increased traffic on Pigot Lane, and the capacity of the ‘fiveways’ roundabout. A transport statement was submitted (and later revised) by the applicants illustrating how appropriate access can be achieved for public transport, cyclists, pedestrians and vehicles. NCC: Highways have accepted that the traffic assessment demonstrates that the adjacent highway network has sufficient capacity to accommodate forecast traffic flows. A Travel Plan which sets out a series of objectives, actions and targets to actively promote the use of alternative modes of transport would help to provide for a small reduction in car trips, and a framework document has been submitted with the application. Again, this has been accepted by NCC: Highways.

4.17 Subject to the provision and implementation of a travel plan, the extension of the 30mph speed limit to the north eastern boundary of the site, and the provision of a 1.8 metre wide footway from the site to the junction of Long Road, the development would not give rise to any concerns in respect of highway safety or traffic impact and accords with saved local plan policy IMP8 and section 4 of the NPPF.

Design Approach

4.18 Both JCS Policy 2 and Section 7 of the NPPF require high quality design, and great importance is attached to the design of the built environment, with it being seen as a key aspect of sustainable development, indivisible from good planning and contributing positively to making places better for people. Although detailed aspects of the design are reserved for future submission, through the formulation of a Masterplan for the site based on an appraisal of the context and constraints of the area, the applicants have been able to show that the development will provide for a good mix of homes with a spread of density that takes account of the existing development, the edge of village location, and the amenities afforded by local residents. Footpath links through to the existing Oaklands development can be accommodated and, although not popular locally, would enable safe access for pedestrians to the shop and school.
5. **Conclusion**

5.1 It is accepted that there is not a five year supply of sites within the Norwich Policy Area. The NPPF is clear and explicit that in such circumstances Local Planning Authorities should consider favourably sustainable development that would address that deficit. The lack of a five year supply and the requirements of the NPPF are a very strong material consideration in favour of this application.

5.2 I consider the site to be sustainable, having regard to its location, connectivity with adjoining development, proximity to local services and facilities, impact on the local transport network, ecology, drainage, and its impact on the landscape character and appearance of the area.

5.3 It is acknowledged that this proposal is contrary to current adopted planning policy, coming ahead of any site allocations being made, however the 5-year housing supply deficit, and the sustainability of the site, lead to me to conclude that the requirements of the NPPF and the presumption in favour of sustainable development outweigh other material considerations and that the proposed development, limited in scale to two-storey in height and in numbers to 100 dwellings, can be accepted as a departure from adopted planning policy.

6. **Reasons for Approval**

6.1 It is accepted that there is not a five year supply of sites within the Norwich Policy Area. The National Planning Policy Framework (NPPF) is clear and explicit that in such circumstances Local Planning Authorities should consider favourably sustainable development that would address that deficit. The lack of a five year supply and the requirements of the NPPF are a very strong material consideration in favour of this application.

6.2 The requirements of the NPPF and the presumption in favour of sustainable development outweigh other material considerations and that the proposed development, limited in scale to two-storey in height and in numbers to 100 dwellings, can be accepted as a departure from local saved plan policy ENV8, which is given due weight as it remains partly consistent with the published NPPF. In all other respects, and subject to appropriate conditions, the proposed development is in accordance with the Sections 6, 7, 10 & 11 of the NPPF, and relevant policies the Joint Core Strategy.

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

1.3 SUMMARY OF THE PROPOSALS

The masterplan proposals include the provision for 100 dwellings, associated access routes, open space and drainage systems.

**Concept Masterplan**

1: Shared surface roads provide frontage along Pigot Lane.
2: Access to dwellings by footpath over ditch.
3: Shared surface provides frontage across countryside.
4: Shared surface squares at key intervals.
5: Footpath link to Oaklands and Pigot Lane.
6: New area of public open space for new and existing residents.
7: Existing ditches, hedgerows and trees retained and enhanced.
8: Proposed drainage ditch running from South East to North West linking into existing on-site ditches.
9: Reinforced green edge along eastern boundary.
10: Proposed adopted foul pumping station or klargester package treatment system.
11: Proposed balancing pond for surface water network.
PROPOSED PIGOT LANE DEVELOPMENT.
FRAMINGHAM PIGOT.

CLR. JOHN OVERTON PORINGLAND WITH THE FRAMINGHAM'S.

As local member I hope my comments will help to provide a balanced view regarding the proposed development.

We have seen many changes in the area over the last 35 years, I actually live in a cul-de-sac that used to be the local village allotments used by local people for many years, very controversial at the time I seem to recall but now long forgotten, like most new developments.

The call is for 5 million new homes to be built over the next twenty years in the u.k. and this may mean building on about 1% of the unprotected and sometimes not particularly attractive scrubland that surround our villages towns and city's.

The Norfolk Homes development which was heavily apposed at the time brought with it over 250,000.00 pounds contribution to the building of the new Community Centre, cycle paths, contribution to the local bus service, a contribution to the existing Primary School to provide updated facilities.

Supermarket, Library, Police Beat, a new state of the art Doctors surgery coming on stream, restaurants, Dentists, Chemist, all these facilities need people. Businessmen don't run investments in area's like ours on fresh air and will only make investments and commitments in vibrant villages.

27/03/2012
All these facilities need people, and new blood and should be made welcome to support not only these but also other local shops, pubs, organisations, churches, and well run schools, all the above you hope to find when you move into a thriving village.

More housing often means more children which may lead to improved school facilities. The 106 contribution from this proposed development is substantial and could lead to more teachers or even a 6th form at Framingham Earl High School which would be a massive benefit to our young people.

Given the position of Framingham Earl and Poringland vis-a-vis Norwich it is inevitable that sooner or later we will have to take our share of further housing, hopefully the extra 200 allocated to this area would be then capped for a few years.

Those that may remember over 25 years ago a planning meeting was held at the High School, the then Senior Planning officer told the meeting that Poringland and Framingham had got away very lightly with the housing development that was being allocated at the time, but remarked that are time will come.

I feel that over the last 10/15 years we have controlled our new housing development in the area very well, and in return we have negotiated excellent village facilities.

This proposed development from a local developer with a personal interest in the local impact appears to be thoughtfully planned out with environmental issues taken into account, i.e. flood risk, wildlife, traffic, pedestrian access, tree’s and ditches are to be kept and enhanced.

The site is of good design and very low density, the development will also include 33 new affordable homes, our young people need affordable homes in order to stay local, at present the market provides very few low priced property’s in the village other than neglected homes that need considerable money spent on them to bring them up to a modern standard, thus putting them out of reach for many first time buyers or family’s with young children. This alone can bring a good positive outcome for our young people in the area.

No one likes changes and I have seen many in the area over the last 35 years, without change you don’t get the facilities we all enjoy i.e.

- PRESCRIPTIONS FROM OUR CHEMIST AND OTHER RELATED ITEMS.
- FISH & CHIPS.
- DENTAL TREATMENT.
- LIBRARY FACILITIES.
- HAIRDRESSERS, LADY’S AND GENTS.
- VETS.
- POLICE FACILITY.
- COMMUNITY CENTRE.
- SMALL BUSINESS, INSURANCE, TRAVEL, BUILDERS, PLUMBERS, ETC.
- UNDERTAKERS.
- RESIDENTIAL HOME.
- SHELTERED HOUSING
- POST OFFICE FACILITIES,(KEPT DUE TO POPULATION)
FW:

- CHINESE TAKEAWAY.
- RESTAURANTS.
- FAST FOOD TAKEAWAY.
- PUBLIC HOUSES.
- OUT OF TOWN OFFICE'S EMPLOYING SOME 150 PEOPLE PLUS.
- ONE OF THE COUNTY'S TOP RESTAURANTS AND BOUTIQUE HOTELS.

I am sure that all residents who have strong opinions for and against the proposed development enhance the excellent facilities provided in the area and will only improve with new blood.

Poringland and the Framingham's have become a thriving and lively community over the past 40 years because of change and enterprise of people who live here.

In my opinion as a resident that has lived here for over 30 years and my parents before me and as a local Councillor, and also been very active in some of the changes and facilities created in our area have provided a balanced view of the situation.

Having said that the application on the day will be decided by it's strengths and merits and by the input of the residents who have valid reasons under the JCS why the scheme should not go ahead, also, and also the planning committee on the day who will consider all aspects of the application which would include any adverse effect on the amenities of local residents or on the character and appearance of the area.

27/03/2012
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 Policies

1.1 National Planning Policy Framework
Section 10: Meeting the challenge of climate change, flooding and coastal change
Section 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy
Policy 3: Energy and water

1.3 South Norfolk Local Plan
UTL 13: Renewable energy (Part Consistent)
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 : Amended proposal
No comments received

Original proposal
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 : Amended proposal
No objection note District Ecologist’s comments

Original proposal
• 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 : Amended proposal
No response
Original application
No response

3.6 Environmental Services (Protection) : Amended proposal
No response
Original proposal
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 : Amended proposal
- Prefer option two but if this is not possible OK with option 1 which will have less impact in views of the church than the original proposal
Original proposal
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 : Amended proposal
To be reported
Original application
No objection
- Comprehensive desk top study has been completed
- satisfied the issues of bat usage within the vicinity have been addressed

3.10 English Heritage : Amended proposal
No response
Original proposal
- Small scale wind turbine, but is a modern structure that can be eye catching
- PPS5 requires an assessment of the impact on the significance of the heritage asset. Submission does not adequately address this
- Doubt turbine blades will have any significance of views of the church from the main road.
- Important historical site including medieval moated site further down the valley.
- Turbine will be visible within setting of the church.
- PPS5 asks local authorities to weigh the harm to the significance of the listed against the benefit of renewable energy, but also to seek ways of mitigating that harm.
- Although turbine is relatively small mitigation of the impact should be investigated through redesign, relocation of the turbine could be an appropriate course of action.

3.11 Local Residents : Amended proposal
One additional letter of objection
- Noise disturbance
- Turbine in Palgrave has caused concern
- Affect property values
- Original application
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

18 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. Roydon Church is located north West which is a grade I listed building. The Angles Way foot path runs to the South of the site.

4.3 Members agreed to authorise approval of this application to the Development Control Services Manager on 18th January 2012 subject to the receipt of comments from English Heritage. (A copy of the original report is attached as appendix 2). Members will note from the consultation responses that English Heritage subsequently objected to the application because there was no adequate assessment of the impact the proposal would have on the setting of the listed buildings within the landscape particularly from the South and considered that there would be a degree of harm to the setting of the listed church. It goes on to advice the Council to weigh the harm to the setting of the listed building against the benefits of the renewable energy generation. But also to seek to mitigate the impact by redesign. They do however acknowledge that mitigation of the impact may be possible and suggest the relocation of the turbine could be an appropriate course of action.
4.4 Subsequently the Conservation Officer and I revisited the site and along with the applicant’s agent with the benefit of a temporary mast being in place and it was acknowledged that there was a degree of harm to the setting of the listed church which needed to be addressed. Alternative locations were explored which would lessen the impact on the proposal. In visual terms it was preferable to locate the turbine within the small field to the south of the existing agricultural building; however, this location is not suitable in operational terms and was more likely to have an adverse impact on the Ecology. The application was amended to move the turbine further south and east adjacent to the existing modern agricultural building. An additional period of consultation has occurred on the amended proposal.

4.5 Also since the last committee report the National Planning Policy Framework has come into force which has superseded Planning Policy Statement 22 but the companion guide remains enforce. Policy UTL 13 of the South Norfolk Local Plan remains generally consistent with the NPPF which 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. Planning Policy Statement 5 was also superseded by the NPPF which remains consistent with the policy IMP15 in the SNLP and requires an assessment of the impact of a development on the significance of the building and the need to balance the harm in relation to public benefit.

4.6 The Conservation Officer raises no objection to amended proposal which I consider reduces the harm to the setting of the grade I listed Roydon Church and the local landscape. At the time of writing the reported comments from English Heritage on the amended proposal have not been received.

4.7 In addition to the impact on the setting of the listed building, other issues are the visual impact, potential noise disturbance and the ecological impact of the development.

4.8 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. The amended location reduces the impact of the turbine in the landscape as it is seen more in the context of the farm buildings.

4.9 The amended location of the turbine is further away from residential properties than the previous location. No comments have been received from Environmental Services on the amended location however they have previously concluded that the turbine in the original location 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.

4.10 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 information was submitted on the original application and the Council’s ecologist that the proposal would not have a significant impact on any protected species. Comments are awaited on the amended location.
4.11 Given the strong support for renewable energy in the National Planning Policy Framework, I consider that in this instance and the amended location the limited impacts of the proposed development are outweighed by the benefits of generating renewable energy.

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 National Planning Policy Framework 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. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework. Policy ULT13 is only partially consistent with the National Planning Policy Framework because it requires a positive strategy and support for community led schemes.

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.

Contact Officer, Telephone Number Helen Bowman, 01508 533833, and E-mail: hbowman@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 is 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 buildings 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 Driot 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 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 NSIS 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 buildings 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
Development Management Committee

20 June 2012

Major Applications or Applications Raising Issues of Significant Precedent

3. **Appl. No**: 2012/0648/F  
   **Parish**: COSTESSEY

   **Applicants Name**: Ormiston Academies Trust  
   **Site Address**: Ormiston Victory Academy, Middleton Crescent, Costessey, Norfolk, NR5 0PX

   **Proposal**: Demolition of existing main school building and the construction of a new three storey Academy, separate sports hall building and associated works.

   **Recommendation**: Authorise DCM to Approve with conditions

   1. Full - Planning Permission Time Limit
   2. In accordance with submitted drawings
   3. Materials to be submitted
   4. Archaeological Assessment
   5. Levels
   6. Ecology mitigation
   7. Landscaping
   8. Acoustic details of plant
   9. Details of lighting
   10. Protection of existing playing fields during construction
   11. Assessment of ground conditions for new pitches
   12. Community Use Scheme for sports facilities
   13. Surface water drainage scheme
   14. Contaminated land scheme
   15. Travel plan
   16. Provision of parking
   17. Details of cycle parking
   18. Closure of temporary access
   19. Construction compound

   Subject to details of satisfactory archaeological evaluation

1. **Planning Policies**

1.1 National Planning Policy Framework
   - Section 4: Promoting sustainable transport
   - Section 7: Promoting good design
   - Section 8: Promoting healthy communities
   - Section 11: Conserving and enhancing the natural environment

1.2 Joint Core Strategy
   - Policy 1: Addressing climate change and protecting environmental assets
   - Policy 2: Promoting good design
   - Policy 3: Energy and water
   - Policy 6: Access and Transport
   - Policy 7: Supporting Communities
   - Policy 8: Culture, leisure and entertainment

1.3 South Norfolk Local Plan
   - ENV 13: Sites of regional and local nature conservation interest and geological/geomorphological value (Part Consistent)
   - ENV 14: Habitat protection
   - ENV 15: Species protection
   - IMP 8: Safe and free flow of traffic
   - IMP 9: Residential amenity
   - IMP 10: Noise
Development Management Committee

IMP 25: Outdoor lighting
LEI 8: Loss of recreational or amenity land
LEI 9: Joint provision and dual use of recreation facilities

2. Planning History

2.1 2012/0571/EA Screening opinion for demolition of existing buildings and erection of new academy building and associated works EIA Not Required

2.2 2010/1323/F Erection of temporary building for a period of four years to be used as a hall, located south of the school tennis courts Approved

2.3 2009/0202/C Proposed detached building to house 2no class bases, 2no IT suites, SRB unit, associated toilets, staff room, offices and car parking. Approved

2.4 2006/2473/F Alterations and extension to The Old School House to form Behaviour for Learning Centre Approved

2.5 1998/0566/F Erection of floodlighting to tennis courts (revision to 94/1668) Approved

2.6 1997/0024/F Erection of new sixth form block adjoining existing library and relocation of mobile classroom Approved

2.7 1994/1668/F Replace tennis courts with 3 all weather courts, extension to provide changing facilities, new access road, car park and associated floodlighting for public & private use Approved

2.8 1994/0724/F Erection of two storey library and cloakroom block Approved

2.9 1993/0805/F Erection of extension to school Approved

2.10 1992/1055/F Standing of double mobile classroom Approved


2.12 FH\4364\C Provision of Two Stores. Approved

2.13 FH\3193\C Construction of instructional swimming pool. Approved

2.14 FH\2902\C Erection of three classrooms. Approved

2.15 FH\11862\C Extension to Costessey Secondary Modern School. Approved

2.16 FH\0711\C Proposed Modern Secondary School. Approved

3. Consultations

3.1 Parish Council: Approve in principle
   • Subject to provision being provided on site for parental parking
Recent complaints about inconsiderate parking in the locality. Increase in student numbers will exacerbate this problem. Note the hard surface play area will be retained and could be used for parking when not in use.

3.2 District Member: To be reported if appropriate

3.3 NCC Highways: Initially considered that parts of the assessment were flawed regarding parking levels and further details were required regarding travel plan, coach parking, and cycle parking. Considered that further parking areas are required which could be provided as an overspill area. Following additional details, confirmed that the additional parking area is acceptable together with the details of cycle parking. Requested that details of cycle shelter and travel plan were required by condition.

3.4 Environmental Services (Protection): To be reported

3.5 Environment Agency: Following the review of the Flood Risk Assessment, no objection subject to conditions relating to the drainage strategy and potential land contamination.

3.6 Natural England: Initially commented that further survey work should be undertaken with regard to the presence of bats and recommended that the application should be refused if not submitted. They also recommended ecology enhancement measures. Further discussions have taken place and have commented that the further surveys should be undertaken before development commences.

3.7 Norfolk Wildlife Trust: To be reported

3.8 Ecologist - David White: The surveys undertaken use best practice and identifies the need for an EPS License and potential for further roosts. Additional survey to be undertaken to inform mitigation strategies. Condition should be imposed to relate to timing of demolition and provision of mitigation measures.

3.9 Sport England: No objection subject to conditions. Consider that the proposal complies with adopted playing field policy and will deliver significant sporting benefits to the school and wider community.

- The new school will be on the northern section of existing playing fields but replacement facilities will be provided on the existing site. Satisfied the school will retain sufficient playing fields to match existing facilities, although there will be a reduction during the construction period.
- Realigned pitches will increase the number of winter pitches and improve orientation. Will be difficult to accommodate a cricket square clear of winter pitches and question whether the sports hall can accommodate cricket nets. Satisfied that overall the school can retain sufficient playing field provision.
• Replacement sports hall will constitute a significant gain for school and community being able to accommodate a wider range of sports than the existing. Will also include a dance studio and gym further increasing the sporting benefits of the development.
• Comment regarding the size of the gym store and gym
• Support community use and recommend a “community use agreement” to agree details such as hours of use, management, pricing policy etc. Should cover indoor and outdoor facilities if possible

3.10 Police Architectural Liaison Officer: To be reported

3.11 Conservation and Design Architect: To be reported

3.12 Historic Environment Services: There is potential for pre historic and Roman remains to be present on the site. In addition the use as playing fields could result in any archaeological remains being relatively well preserved. Further information about the presence, nature and significance of any heritage assets is required. Request details of archaeological evaluation prior to determination of application.

3.13 Landscape Officer: To be reported

3.14 NCC - Children's Services: To be reported

3.15 Local Residents: 2 letters of support
• Position of proposal will not impact on outlook
• Will improve facilities for education
• 1 letter of objection. Support the regeneration of the school but have the following concerns.
• Large number of lights around the school including 2.4m flood lights on the service yard, which could potentially be on until 11pm. Appreciate current building has this, but it is shielded by trees and is a lower building.
• Noise pollution from potential generators and bells
• Overlooking from building, exacerbated by being 3 storeys
• Loss of view. Outlook currently onto playing fields
• Should be additional planting to reduce impacts of lighting and impact on outlook and privacy
• Potential for bats on the site

4. Assessment

4.1 The application relates to the demolition of the principal school building on the site which was erected in the 1950s and the demolition of more recent changing rooms which have become structurally unsafe. It is proposed to retain the library, 6th form block, school house, Golden Jubilee teaching block and Luke Day building and to replace the other existing buildings with a new Academy building and sports hall.
4.2 The school is a mixed comprehensive for 11 to 18 year olds and currently has 801 students. It is proposed that the new school will have a roll of 1250 students (including 200 6th form students).

4.3 The new main building will be three storeys in form which will incorporate a performance venue and health and beauty suite and to the east it is proposed to erect a new sports hall which will incorporate a gym and dance studio. It is indicated that these facilities will be available for use by third parties and benefit the wider community.

4.4 The new building will be sited on part of the existing sports pitches and the existing school will remain operational during the construction phase, however, following the completion of the new Academy, the existing school will be demolished and additional pitches will be provided to the north of the new building.

4.5 Consultation has taken place with a number of stakeholder groups including the school management team, facilities managers, pupils and staff, and the local community in the form of an open engagement session at the school. Full detail of the consultation is included with the application.

4.6 Due to the scale of the project as a whole the application has been screened under the provisions of the Environmental Impact Assessment Regulations which concluded that an Environmental Statement was not required to support the application.

4.7 The site is located within the Development Limit for Costessey and as such the principle of development is acceptable. Policies in the Joint Core Strategy and South Norfolk Local Plan promote the provision of community facilities and encourage the dual use of education facilities. Policies which relate to design encourage proposals to be well designed and respond to the site and its context together with incorporating energy efficient measures and sustainable forms of construction while safeguarding the amenity of neighbouring uses and not adversely affecting highway safety.

4.8 The site is located close to a County Wildlife Site where proposals should demonstrate that there will not be an adverse effect on ecological interests.

4.9 The site is located in an area which is predominantly residential in character and is bordered to the east, south and west by dwellings with East Hills woodland along the northern boundary which is a County Wildlife Site. Along the western boundary are mature trees and there is an avenue of mature trees between the existing buildings and the playing fields.

Design

4.10 The design process has explored a number of alternatives which included the refurbishment of the existing buildings, the erection of new buildings around existing buildings and the use of temporary accommodation to allow the redevelopment of the site of the existing school building. Following consultations and consideration of the schools objectives it was concluded that the current proposal resulted in the best future layout of the site, most cost effective solution and least disruptive construction period for the existing school.

4.11 Following the preferred siting, the design of the building has taken account of accommodation schedules for a secondary school with 1250 students and engagement meetings have taken place to test the accommodation schedule against the schools curriculum requirements and the layout of departments and their needs.
4.12 The design of the main building includes a central courtyard which is adjacent to a double height dining area and atrium. Within the centre of the building is a theatre, with teaching space being provided along the north and south elevations to look outward across the playing fields. Staff and support services are located within the centre of the building to overlook the internal courtyard. Practical spaces are located at ground floor with general teaching at first floor and larger art studios and science labs at second floor with their own dedicated external terraces.

4.13 To the east of the main building is the sports hall. The buildings have been separated to reduce the massing of the accommodation and to provide a communal space between the buildings. The scale and massing of the building has taken account of the scale of the site and the spacing around the buildings. The use of vertical timber cladding seeks to reduce the visual massing of the building with detailing in the brick curtain walls to break the line of the parapet and brick façade. In addition the windows will be set in a reveal to give depth and shadow to this element of the building. As such, while the new building will be higher than the existing structures on the site I consider that the design has taken account of the setting of the building and has sought to reduce the visual massing of the structure and add interest to the form of the building.

4.14 Policy 3 of the JCS looks for proposals to incorporate a decentralised and renewable or low carbon energy supply to provide 10% of the scheme’s expected energy requirement. The design of the new school aims to reduce energy consumption by using passive measures. The orientation of the building is key to this and classrooms have been placed to control solar intake. Large window openings are placed high to the underside of ceilings to maximise daylight and minimise the need for artificial lighting. The space will be ventilated wherever possible using opening windows allowing users to control their own spaces. Additionally energy efficient fittings will ensure peak energy demands are minimised and a Combined Heat and Power (CHP) boiler will provide the requirement for 10% renewable energy.

Relationship to neighbouring dwellings

4.15 The new buildings are proposed to be centrally located within the site and will be approximately 90m from dwellings to the west, 60m from properties to the east and 155m from properties to the south. Due to the orientation of neighbouring dwellings and the position of the buildings, while the buildings will be larger and more prominent than the existing, I do not consider that they will have a significant adverse effect on the outlook of the neighbouring properties. Concerns have been raised about the potential for overlooking from the building and while this will be greater than at present, I consider that due to the separations between the proposal and neighbours and existing boundary planting, that the proposal will not result in a significant loss of amenity.

4.16 Lighting is proposed to the walkways which is proposed to be surface mounted, with lighting to car park and access roads being by column lights with flat glass luminaries to avoid light pollution. Lighting will be controlled by photocell and time switches to avoid unnecessary lighting. All lighting will be off between 23:00 and 07:00. While concerns have been raised regarding the potential for disturbance from lighting, particularly that associated with the service yard, I consider that the level and form of lighting proposed is not excessive and should not result in significant disturbance to neighbouring properties.

Community use

4.17 The sports facilities are proposed in a separate building and will incorporate a four court sports hall with dance studio and changing areas together with staff room and reception facilities to enable the building to operate on its own outside of school hours.
Policies 7 and 8 of the JCS, Policy LEI9 of the SNLP and section 8 of the NPPF promote community use of school facilities. The design has sought to allow for extended community use and the layout of the building allows for this while minimising disruption to the overall building. The sports hall has been kept as a separate building and includes its own reception space and toilet facilities to allow it to be used by independent groups. The layout of the changing rooms means that visiting players can access the playing fields directly.

The hall and drama space are adjacent to the student entrance to provide facilities for local clubs and thespian groups, with access to the dining areas and courtyard during performances. In addition the kitchens and food tech classrooms can be used to provide refreshments.

The health and beauty suite has been located to have its own dedicated access for out of hours use and includes a reception, two classrooms and independent treatment room.

With regard to the playing field provision, Policy LEI8 of the SNLP and Sport England’s playing fields policy seek to resist the loss of recreational facilities. The new school building will be sited on part of the existing playing fields and will result in the loss of existing sub standard changing rooms, however the proposal will re orientate the pitch layout to provide an improved layout and following demolition of the existing school will provide additional pitches on the site of the former school resulting in an increase in pitch provision. In addition, the sports hall will provide enhanced facilities and on this basis Sport England have raised no objection to the proposal subject to conditions.

There is currently 3 accesses to the school incorporating pedestrian accesses from Longdell Hills to the west, Stone Breck from the east and vehicular access from Middleton Crescent to the north. A construction access is proposed off Whitegates. The position and orientation of the building has sought to link the existing pedestrian access points and utilise the avenue of trees to provide a landscaped approach. The service road will be extended to the access the service yard and facilities to the west of the new main building.

As part of the proposal is it intended to increase staff parking areas and visitor / disabled drivers parking which will include 109 staff spaces, 14 visitor and 7 disabled spaces. There will also be new provision for deliveries and a coach turning loop which incorporates a layby. Cycle parking will be close to the pedestrian access points and will be increased.

It is recognised that the increase in student and staff numbers is likely to increase traffic to the school but it is set out that further use could be made of contract coaches and other modes of transport can be promoted and monitored through the Academy’s travel plan. The level of parking proposed is below the Highway Authorities parking standards, however the applicants contend that from surveys of travel patterns to the site for students and staff, that the proposed levels are appropriate. The assessment recommends that an up to date travel plan is prepared in conjunction with the redevelopment of the site and that this should be required by a condition.

The Highway Authority initially considered that assumptions in the Transport Assessment were fundamentally flawed as it isn’t the use class of the site which curtails the numbers of spaces needed but rather the size of the buildings. This development increases floorspace by some 25% or 1,992 square metres. There is already an existing under provision of 20 spaces with cars needing to park elsewhere.
Development Management Committee

4.26 Parking standards for Norfolk 2007 indicate that a maximum of 225 parking spaces would be needed and the applicants estimate (based on a parking accumulation model with a travel plan) that they will require between 160 and 175 spaces. However they initially intend to only provide 130 spaces which would result in a short fall of between 45 and 95 car parking spaces. The Highway Authority considered that all of these cars would inevitably park on the surrounding residential streets. They accept the fact that a travel plan will be provided, however this factor is already taken into account within the parking accumulation model. The Highway Authority requested additional details relating to parking levels and this has been addressed by the agents who have submitted details of an additional parking area. The Highway Authority have confirmed that these details are acceptable.

4.27 The Highway Authority also commented on the submitted Travel Plan and details relating to the position and form of the coach drop off point, and the number and form of cycle parking provision. Additional details have again been submitted by the agents and the Highway Authority have confirmed that these are acceptable subject to conditions requiring an updated travel plan and details of the design of the cycle shelters.

Ecology

4.28 To the north of the site an area of woodland which is a County Wildlife Site. As part of the application and ecology survey has been undertaken which identified the potential for bat roosts. Further surveys have identified that parts of the existing buildings are used as a bat roost and as a protected species, their presence is a material planning consideration.

4.29 Natural England has been consulted on the submitted details and initially commented that further survey work should be undertaken with regard to the presence of bats and recommended that the application should be refused if not submitted. They also recommended ecology enhancement measures. Further discussions have taken place and Natural England have commented that the further surveys should be undertaken before development commences. The agents have confirmed that these are being undertaken and any further comments will be reported at Committee.

4.30 The presence of bats does not necessarily mean that development can not go ahead, but that with suitable approved mitigation, exemptions can be granted from the protection afforded to bats by means of a licence under Regulation 53(2)e. In considering such an application, Natural England will establish whether three tests have been satisfied. These are:

- preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- there is no satisfactory alternative (to the granting of a licence) and
- That the action authorised will not be detrimental to the maintenance of the population of the European protected species concerned at a favourable conservation status in their natural range

4.31 The assessment concludes that the erection of the new building is unlikely to result in disturbance to the existing roosts. As part of the submission of the licence application it will be necessary to prepare a method statement with mitigation and compensation measures to ensure that disturbance to bats is minimised and that the bat populations are maintained by the provision of replacement roosting sites. Prior to the commencement of any demolition or preparatory works, it is recommended that further bat surveys are carried out. The agents have confirmed that these are being carried out during the summer of 2012 in order that the incorporation of appropriate replacement bat roost provision within the new building can be informed by the results.
4.32 I consider that the application has clearly demonstrated the need to replace the existing school facilities and that the refurbishment of the existing school buildings is not a viable alternative. I consider that the enhancement of the education facilities and the wider public benefits the enhanced sports facilities and community facilities address the requirements of the first test.

4.33 I consider that in order to enhance the character of the site and to provide adequate replacement sporting facilities it is necessary to demolish the existing school buildings and that it would not be practical to retain the elements of the existing buildings which contain the roosts. The recommendations of the survey indicate that alternative roosts can be incorporated into the new development and the form of these can be influenced by further survey work and I therefore consider that it is unlikely that there detrimental to the maintenance of the population of the European protected species concerned.

Archaeology

4.34 As part of the application an archaeological assessment has been undertaken. This has highlighted that there is potential for pre historic and Roman remains to be present on the site. As the site has not been used for agriculture, Norfolk Historic Environment Services are of the view that any archaeological remains could be relatively well preserved. Further information about the presence, nature and significance of any heritage assets has been requested and a brief has been prepared by Norfolk Historic Environment Services. The applicants indicate that the requested details will be submitted by mid June and any comments received will be reported at committee.

Flood Risk

4.35 The application is also supported by a Flood Risk Assessment. This assesses the potential for an increase in flood risk as a result of the development both during the construction period when the existing school remains and post development. This has been assessed by the Environment Agency who have made a number of technical comments regarding the calculations but have not objected subject to conditions.

Construction

4.36 Details relating to the construction phase of the development have been included with the application which set out that a temporary access will be formed off Whitegates with a construction compound and parking along the eastern side off the playing fields. This will allow the existing school to operate and use the existing pedestrian and vehicular accesses, together with access to the majority of the playing fields. For the second phase, which relates to the demolition of the existing buildings, the temporary access will be removed and access will be from the existing points. I recognise that there will be disturbance to neighbours during this period, but consider that the access route will be using the existing public highway and will pass through a landscaped area at the end of Whitegates and is therefore unlikely to result in significant disturbance. Details of the position of storage and layout of the compound can be required by a condition.

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 Policies 1, 2, 3, 7 and 8 of the Joint Core Strategy and Policies ENV13, ENV14, ENV15, IMP9, IMP10, IMP25, LEI8 and LEI9 of the South Norfolk Local Plan as the proposal has been sited and designed to take account of the context of the site and its surroundings without have a significant adverse effect on their outlook or amenity, enhances existing facilities and community benefits while safeguarding ecological interests.
5.2 Subject to further information relating to the provision of on site parking and associated facilities and supporting Travel Plan, 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 6 of the Joint Core Strategy and Policy IMP8 of the South Norfolk Local Plan

Contact Officer, Telephone Number and E-mail: Stuart Pontin, 01508 533796, spontin@s-norfolk.gov.uk
4. **Appl. No**: 2012/0748/F  
**Parish**: DISS / ROYDON  
Applicants Name: Czero - Mr Robert Pearson  
Site Address: Land between Roydon Road and Denmark Lane, Roydon, Norfolk  
Proposal: Amendment to approved scheme 2007/0555/F for 114 dwellings, 29 of which constructed. 12 units removed from scheme and 45 approved dwellings replaced with 33 new house types.  
Recommendation: Refuse  
- Contrary to Section 6 of the NPPF and policies 4 and 20 of the JCS

1. **Planning Policies**

1.1 National Planning Policy Framework  
Section 6 – delivering a wide choice of high quality homes  
1.2 Joint Core Strategy  
Policy 2 – Promoting good design  
Policy 20 – Implementation  
Policy 4 – Housing delivery  
1.3 South Norfolk Local Plan  
IMP 8: Safe and free flow of traffic  
ENV 8: Development in the open countryside (Part Consistent)

2. **Planning History**

2.1 2007/0555 Application for 114 dwellings (12 detached open market houses, 18 flats and 84 2/3 bed affordable houses)

3. **Consultations**

3.1 Diss Town Council: Refuse  
- Have concerns in respect of the proposed tenure types and the proposed amendment to the Section 106 community infrastructure contributions – full comments are attached as appendix 2.

Roydon Parish Council: Raise concerns with the tenure of the properties and the financial contributions to infrastructure. The proposed tenure arrangements do not seem to provide guarantees that the affordable homes will be affordable in perpetuity. The proposed financial contribution will not be enough to cover the additional schooling resources needed to match the demands arising from this development. (NOTE: - A response from CZero to the concerns raised is attached as appendix 3.)

3.2 District Members  
Mr Keith Kiddie (Diss): Can be a delegated decision.  
Mr G H Walden (Diss): To be determined by planning committee.
Mr Tony Palmer (Diss) : To be reported if appropriate.

Mr D Goldson (Roydon) : To be determined by planning committee – the legal / financial arrangements in support of this application are complex and require detailed analysis.

3.3 NCC Highways : No objection, however have requested various minor amendments to the internal highway layout.

3.4 Environment Agency : No objection.

3.5 Anglian Water Services Ltd : No objection.

3.6 Natural England : No objection.

3.7 Norfolk Historic Environment Service : No objection – no implications for the historic environment.

3.8 SNC: Housing Strategy Manager : It is accepted that the Discount Market Sale (DMS) tenure proposed for 87 properties is no longer mortgageable – consequently discussions have taken place with C-Zero to identify a way forward which is financially viable, whilst remaining as close as possible to the original intention. I am satisfied that the proposed package is the best that can be achieved, and as a housing enabling officer, I support the application.

3.9 Police Architectural Liaison Officer : The site layout demonstrates that the majority of the dwellings benefit from natural surveillance. A small number of plots would benefit from additional windows in specific elevations.

3.10 Norfolk Wildlife Trust : None received.

3.11 NCC: Planning Obligations Co-Ordinator : Require contributions towards primary, secondary and 6th form provision totalling £552,997. (This being based on a total of 102 dwellings across the site, including the 29 dwellings already completed.)

3.12 SNC: Environmental Services (Protection) : No objection.

3.13 SNC: Design Officer : No comments, as the application is not seeking to make any changes to the approved design (2007/0555).

3.14 SNC: Landscape Officer : None received.

3.15 NCC: Public Rights of Way : None received.

3.16 Local Residents : 3 letters of support received:
- Provides affordable housing for medium income earners
- Will provide affordable housing for local families
- Will help free up council housing for those who need it.
3 letters of objection received:
- Should be green fields between Diss & Roydon
- Loss of light
- Loss of green belt land
- Poor management of existing land
- Infrastructure will not support additional housing.

4. **Background & Assessment**

4.1 The development site lies at the western edge of Diss, and straddling the administrative boundaries of Diss and Roydon. All of the site is outside the development boundary of Diss, but adjacent to the built up edge of the town, sandwiched between Roydon Road/Old High Road to the north, and Denmark Lane to the south. The site is directly bounded to the east and north by residential development, and to the west and beyond the road to the south, by agricultural land. (A site location plan is attached as appendix 1.)

4.2 Planning permission was granted in September 2009 for 114 dwellings comprising mainly affordable homes, and was granted under the then exceptions policy as housing for local needs. The breakdown of houses approved is set out in the S106 Agreement as follows:

- 87 homes for discounted market sale (DMS) (the price of each property fixed for first and subsequent sales at a percentage of its open market value),
- 15 homes for Social Rent,
- 12 homes for open market sale to provide cross-subsidy for the affordable housing.

The S106 Agreement also set a cap on the total income, limiting the developer’s profit to 10%.

4.3 The Long Meadow development is being undertaken by Linford Czero Limited (Czero).

4.4 The intention was to construct affordable homes for local people to level 4 of the Code for Sustainable Homes using innovative construction methods. The construction method chosen was Hemcrete (a hemp-based product), and Czero received £3 million from the Department of Energy and Climate Change (DECC) to fund the innovative construction method, and this grant made the project financially viable.

**The Current Position**

4.5 Czero have completed 29 homes:

- 14 for discounted market sale – 13 are sold and occupied, with a buyer interested in the 14th.

Work ceased on the site in June 2011 because no more mortgages were available for discounted market sale. Those already granted were by 2 minor lenders who are unwilling to lend more on Hemcrete construction, and none of the major lenders are willing to lend for DMS.

4.6 Czero wish to complete the development, but they are unable to proceed under the current permission because of the following:

1. the non-availability of mortgages means that there are no purchasers for any more DMS,
2. changing construction costs and property values have eroded Czero’s profit, so the project is no longer financially viable,
3. Czero need a replacement construction method for Hemcrete, which takes a long time to dry, and has limited mortgageability,
4. development finance has been impossible to secure because Czero are unable to guarantee sales of the remaining homes.
The Revised Proposal

4.8 **Principles** - Czero have submitted a new planning application for 73 homes on the undeveloped part of the site, 12 fewer than the existing planning consent. This reduces the total number of dwellings from 114 to 102. The details of the new application are:

- A revised design with improved layout and parking,
- 61 affordable homes with the following tenure mix:
  - 19 Affordable Rent,
  - 17 shared ownership,
  - 25 equity loan (discounted market sale with the purchaser having the right to buy the unsold equity at a later date),
- 12 open market sale (no change),
- Restricting Czero’s profit to 10% (no change to the percentage).

4.9 Czero expect a housing association to acquire the rented and shared ownership properties, although there is no contract in place yet. The equity loan and shared ownership tenures are mortgageable.

4.10 **Financial Viability** - To date, Czero have paid £97,840 in contributions towards bus services, libraries, Diss walking & cycling strategy, and the provision of a bus stop. However, Czero are now seeking exemption from making S106 Agreement payments totalling (as revised) £552,997. Czero are offering up to £235,620 at a later date when equity loan purchasers buy the rest of the equity, and this money could be used for any specified purpose, including education.

The revised proposal makes the project viable for Czero because the four problems are being addressed:

1. Mortgage availability – the two sale tenures are mortgageable, and Affordable Rent does not require a mortgage.
2. Scheme viability – the request to waive the education contribution achieves this.
3. Construction method – a different innovative method of delivering homes with a low carbon footprint is necessary to comply with the DECC grant conditions. Czero are optimistic that the Homes and Communities Agency will approve an alternative to Hemcrete.
4. Development finance – Czero have been successful in obtaining funding from the Get Britain Building initiative. Their bid was successful subject to due diligence checks.

4.12 The Council’s property consultant, has checked the financial evidence provided by Czero, and has confirmed that all assumptions and calculations advanced in support of the application are valid, and that the developers profit on the revised scheme would not exceed 10%.

**Main Issues**

Design & Layout

4.13 The minor design changes to the scheme are not significant, and in any case represent an improvement in terms of design and appearance. Furthermore, the reduction the number of dwellings proposed would appear to be supported by the Parish and Town Councils, and local residents. As no significant design changes are proposed to the scheme, I feel that it would not be appropriate to revisit the scheme in respect of a Building for Life assessment.

4.14 The central issue to this application is the proposed change to the delivery of the affordable housing, as well as the significant reduction in the financial contributions being offered. Although complicated, the issues raised from the proposed changes can be summarised as follows:
Tenure
4.15 Tenure (a high proportion of owner occupation) was a factor when Planning Committee resolved to approve the application for 114 properties in 2010. It was made clear that 99 would be for owner occupation (87%). Overall, the new proposal would result in 34 homes for rent and 68 for sale (67% owner occupation).

Eligibility
4.16 Under the current planning consent all applicants for the affordable housing, except the 15 Flagship tenants, must have the ability to purchase. Czero propose to retain this principle for all homes in the revised proposal. Effectively, this means treating the rented properties as being available for people who wish to purchase when vacancies arise in other tenures, and restrict eligibility to applicants with reasonable prospects of being able to obtain a suitable mortgage. However, the availability of 19 homes for Affordable Rent means that it would be possible to make them available for any local person in housing need if the Council wished to vary the customer base.

Affordability
4.17 Czero propose that the sale prices of equity loan are slightly higher than those sold on DMS terms, with prices at 80% of market value, rather than the 70-75% for those already sold. However, house prices have fallen, and Czero have produced evidence that the monthly cost will be little more because mortgage interest rates are lower for equity loan than for DMS.

Perpetuity
4.18 Under the exceptions policy, the affordable housing should remain affordable in perpetuity, and existing DMS achieved this. Equity loan is not affordable in perpetuity because purchasers have the right to acquire the unsold equity at a later date. It is also possible that shared ownership properties would cease to be affordable homes because mortgage lenders might require the right for purchasers to ‘staircase out’ to 100% ownership.

S106 Contributions
4.19 Czero justify reduced contributions on the grounds that if the planning application was determined after the introduction of the Community Infrastructure Levy (CIL), no CIL would be payable on the 19 Affordable Rent and 17 shared ownership properties because these tenures would be exempt. Czero are asking the Council to pre-empt that situation and extend the principle to the whole development. (Equity loan, like open market housing, incurs CIL.)

4.20 Based on legislation and GNDP consultation proposals, the 36 Affordable Rent and shared ownership properties would be exempt from CIL. At the proposed level of £75 per square metre, this exemption would save £208,725. The comparative cost of not meeting current planning policy is £488,150. Accepting deferred payments as Czero propose, this could reduce the difference by £235,620 to £252,530.

4.21 As the majority of the proposed dwellings would be allocated to those currently living and/or working in the local area, it is likely that some of the children of potential occupiers of these dwellings would already be attending the local schools.

Existing DMS owners
4.22 One of the existing DMS purchasers has suggested that they might be disadvantaged because they have a limited choice of mortgage lenders (just the two who agreed to lend on the first 14 homes). There is also the possibility that these two lenders might refuse to lend again on the properties. If equity loan is agreed, future purchasers might be financially better-off because the right to acquire 100% of the equity in their home could attract lower interest rates. It has been suggested that we could consider allowing DMS owners to acquire the unsold equity to give them the same tenure basis as equity loan purchasers.
5. **Conclusions**

5.1 The new planning application makes the scheme viable, although the tenure basis would change substantially. Critically, in this case the changes to the proposed tenure means that the affordability of only the rented properties can be guaranteed in perpetuity.

5.2 The loss of £552,997 towards education provision is significant, and the County Council have indicated that there is currently no spare capacity at Roydon Primary School and Diss High School.

5.3 There is a general desire to see the development of this site completed to provide much needed affordable housing for the local area, particularly as 28 of the existing 29 dwellings completed on the site are occupied.

5.4 There are two potential outcomes:

- the scheme proceeds on a revised basis, controlled by a new planning consent and a revised S106 legal agreement, or
- the scheme proceeds no further, leaving the 29 completed properties as the entirety of the development.

The affordability in perpetuity aspect of the affordable housing in the approved scheme carried a lot of weight when it was considered by planning committee in 2007. The removal of this guarantee, and the loss of £552,997 of education contributions required by Norfolk County Council to off-set the lack of existing capacity in the local schools, is at odds with the reasons for originally allowing the development of this site as an exception to normal planning policy. For these reasons, the application does not accord with the requirements of Policies 4 and 20 of the Joint Core Strategy.

Although I appreciate the desire and the efforts of Czero to find a viable solution to continuing their development, I have concluded that the material considerations put forward by the applicants do not outweigh the relevant policy requirements set out in the Joint Core Strategy. I also consider that the proposal would not be sustainable in that the ability of the scheme to meet the local need for affordable housing into the future can not be guaranteed, and that the impacts in terms of education are unable to be addressed financially, putting further pressure on the capacity of local schools. The scheme therefore fails to accord with Section 6 of the National Planning Policy Framework.

6. **Reasons for Refusal**

6.1 The proposal would not be sustainable in that the ability of the scheme to meet the local need for affordable housing into the future can not be guaranteed, and that the impacts in terms of education are unable to be addressed financially, putting further pressure on the capacity of local schools. The scheme therefore fails to accord with Section 6 of the National Planning Policy Framework, and the application does not accord with the requirements of Policies 4 and 20 of the Joint Core Strategy.

6.2 Reluctantly, I would advise members that for the reasons set out above, the application should be refused.

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

Re: Application reference 2012/0748 – amendment to approved scheme 2007/0555/F for 114 dwellings, 29 of which constructed. 12 units removed from scheme and 45 approved dwellings replaced with 33 new house types.

Diss Town Council has considered the above application to amend the existing planning consent and has major concerns about the proposed amendments, in particular the proposed tenure types and the proposed amendments to the community infrastructure contributions under the s106 agreement. In light of these concerns, this application for amendment is recommended for refusal.

Tenure
This site was granted permission in 2008 as an exception site, contrary to the wishes of both Diss Town Council and Roydon Parish Council not least because it was outside the development boundary and encroached on the ‘green belt’ between the two settlements. At that time, guarantees were sought and received that the affordable housing, which made up 90% of the dwellings, was to be for local people in perpetuity. Under the proposed three types of tenure, this ‘in perpetuity’ guarantee is lost:

Equity loan - In particular, the Council is very concerned that the ‘equity loan’ option is only eligible to the first purchaser and thereafter the property will be available for sale on the open market. In the application, some 25 dwellings are proposed for the equity loan option but there is no indication of which organisation will provide this loan and no guarantee that the number of dwellings sold under this option, won’t increase. This is because the developer has stated in the Design and Access statement that they would ‘require flexibility to switch numbers of houses between ownership tenure types to reflect market conditions’.

Shared ownership – this is proposed at 25% owned by a Registered Provider and 75% by the purchaser but in the Design and Access statement, the developer states that ‘dilution may occur in cases of repossession by mortgage lenders or by mortgage lender requirements that staircasing to 100% ownership is not restricted. Based on our research with mortgage lenders a restriction on staircasing cannot be enforced as the properties could not be guaranteed as mortgageable. In practice staircasing out 100% by people choosing a shared ownership property is not the normal scenario so we can expect this 75% purchase option to be available over the long term’.
This is an easy statement for the developer to make but where is the evidence to back it up? This option does not instil confidence of affordability 'in perpetuity'.

Affordable rent – on the face of it this option appears relatively straightforward, however the Design and Access statement’s stated partner as the Registered Provider appears not to have made any commitment to this project, contrary to the developer’s assertions. This raises serious concerns about the deliverability of both the affordable rent and shared ownership options if there is no Registered Provider on board at this stage, especially when the developer is under pressure to get the development completed sooner rather than later.

S106 contributions
Under the current legally binding S106 agreement, the developer is required to make infrastructure contributions to the amount of £803,146, some £100,000 of which has already been paid. Of the remainder, £605,475 (index-linked) was to be paid for education and £99,831 (index-linked) was to be paid for recreation provision.

In this amended application, it is proposed to pay an amount of £51,060 for education and £50,000 for recreation which removes over £600,000 of developer contributions to local infrastructure.

For the education element, the proposed new amount represents less than 10% of the original even when taking into account the reduced density. This is wholly unacceptable when this development will put significant pressure on local schools which were relying on this funding to accommodate the extra pupils.

Whilst the developer is offering a ‘sweetener’ in terms of 33% of the equity loan repayment as a ‘contribution’ to offset this loss, it means that

a) there are no guarantees regarding when the equity loan repayment will be received and will come in ‘drips and drabs’ as these house types are sold on and
b) that for every installment the local council receives, another ‘affordable’ dwelling has been lost to the open market.

Density
The reduction in density is welcomed but the Council’s previous comments on the design of this development are still relevant. It is disappointing that the redesign has not resulted in a less car park dominated green space.

The build material has a history of not being particularly successful especially where it is applied during cold and/or wet conditions and the dwellings already built on this site were not constructed in ideal conditions. There is anecdotal evidence that built dwellings are already experiencing problems and the built area is looking worn after just 12 months.

In Conclusion
If this amendment is permitted, then not only has the original planning permission for this development on an exception site been compromised but it will set a precedent for other developers to renegotiate their developer contributions.

Whilst the Town Council recognises that this development must be completed now that it has been started, it cannot express strongly enough that the developer should not be holding the Planning Authority and the local community to ransom in order to achieve the completion of this development.

The developer has already received grants of £3,000,000, has completed less than a third of the development and is now seeking a further £1,000,000 of public money to complete it. It is wholly unacceptable that in doing so, it not only removes a significant proportion of the perpetual
affordability of the housing, but it will remove over £600,000 of the agreed contribution toward community infrastructure.

If C-zero are unable to complete the development under the existing permissions and s106 obligations, then the site should be made available to other developers to do so and not hold all parties to ransom.

Earlier this year an article appeared in the Eastern Daily Press regarding a developer obligation for a site in Costessey where John Fuller, Leader of South Norfolk Council is quoted as saying 'when developers make promises, our council will hold them to those promises'. We would respectfully request that South Norfolk Council treats this obligation in the same way.

Yours sincerely

Ms Deborah Sarson
Town Clerk

Cc: Richard Bacon, MP
Roydon Parish Council  
c/o The Parish Clerk  
4 St Georges Drive  
Rickinghall  
Diss  
IP22 1AY

Dear Sirs

Planning Application ref 2012/0748  
Response to Long Meadow submission dated 30th May

First we would like to say that our discussions regarding this development have been with South Norfolk Council as the enabling body and we have not been party to further communications between them and the local parishes. This is not ideal as we have not been able to address any concerns at Parish level directly or explain the reasoning in further detail. We appreciated the detailed and considered response to our planning application and would like to take the opportunity to clarify and comment on the issues raised.

The DMS form of tenure originally proposed by HAH and agreed by South Norfolk Council was a very good way of providing affordable homes to buy for local people largely priced out of the housing market, with the discount existing in perpetuity. It was therefore very disappointing when during the course of last year the major mortgage lenders confirmed they would not provide mortgage support for DMS, thus rendering the development undeliverable in this format.

Rather than give up, we have worked hard in consultation with the HCA and South Norfolk Council to find other ways of making this development available at affordable levels to local people with a mix of tenures, and preserving the maximum level of affordability for this development. We have also had to be very careful both in terms of forms of tenure and pricing that our phase 1 purchasers are not compromised in any way.

One possible scenario would have been for the remaining houses on this site to be sold at the DMS prices (adjusted for inflation), providing the same level of section 106 fees per unit but without the discount being protected in perpetuity. Local purchasers would have been able to buy a three bedroom house for £50,000 less than a smaller three bedroom home on the Frenze Hall Lane estate in Diss. This would have been a great benefit to the first time buyer, who could also have pocketed a windfall gain on sale, but of no tangible benefit to future home seekers. If all the remaining 61 discounted houses planned had been sold on this basis the total revenue at time of sale would have been around £6.5m. We did not seriously consider this as it only offered one-off affordability although it could have supported the high level of section 106 fees previously sought subject to lender approval. It is only mentioned here by way of illustration and comparison.

The supported mix in the new planning application includes a good range of affordability which is underpinned by the discounts given in relation to cost and open market value. We provide more detail of these and the discount levels below.

1. 19 houses are proposed on an affordable rent tenure that will be sold to a Housing Association (HA) for an average of £73,500 each allowing the HA to rent these at a minimum 20% discount to comparable local market rental properties. These properties would have an average open market value of around £135,000, so this sale
price represents a 46% discount and is below cost. It is however the most a Housing Association can pay.

2. 17 shared ownership properties with 25% of the sale price given free to a Housing Association to help keep these affordable. If people choose to staircase out the revenue gained by the HA could be used to protect long term affordability. However the latest research from Cambridge University shows that very few people staircase out of shared ownership just 0.9% of all shared ownership properties staircase out in 2010/11. The HA has the right under HCA shared ownership rules to purchase all the equity in 100% staircase properties when they are sold to safeguard affordability. We are selling these houses to the purchaser/HA at an average price of £98,800 against an open market price of around £144,000, representing a 31% discount.

3. 25 equity loan houses are being sold for an average initial consideration of £114,240 each. Our three bedroom houses are nearly 20% bigger, and more energy efficient, than houses at Frenze Hall Lane which are being sold for £11,000 more on the same basis! When you take the difference in the full sale price the gap is even greater. Even though the discount in perpetuity is lost with these houses the local first time buyer or other needy buyer is given a much needed helping hand. At the same time a portion of the equity loan repayment is paid to the local authority as a S106 contribution.

The total revenue from these three tenures is around £600,000 less that would have been achieved under the first scenario described - the scenario which would have kept the DMS pricing but lost the discount in perpetuity. We did not believe the unrestricted discount option was politically acceptable but this value difference is the main reason for the revenue fall which impacts on the level of section 106 fees this affordable development can sustain. Even so, based on our proposals the level of section 106 fees available is greater than would be required by SNC under the new Community Infrastructure Levy.

You might consider one option just to be to increase the prices of each of the three proposed forms of tenure. However we are restricted by what a HA and customers together can afford so do not by ourselves have the flexibility to set higher prices to fund additional section 106 fees. The scheme is reliant upon the participation of a HA to satisfy SNC that the affordable rent and shared ownership properties remain affordable. Our focus has been to deliver housing at the lowest fundable cost to local residents, rather than maximise section fee contributions, considering this to be the right approach for a rural exception site intended for people priced out of the area. The level of profit built into this development is the minimum possible to give this development a chance of succeeding. It is at a level which is acceptable to SNC but is still significantly lower than is acceptable to the limited number of commercial lenders still active in this market.

We would also like to draw comparison with the Frenze Hall Lane again, this time in terms of section fee payments. This is a standard open market development by a national house builder with an equal number of dwellings, but the education contribution there is £440,910. We struggle to understand how this is equitable with Long Meadow, where 78% of the units are classified as affordable and education contribution of £552,997 is sought by Norfolk County Council. Effectively residents at Long Meadow are expected to subsidise a national commercial housebuilder’s section 106 contributions at the expense of their own affordability! Perhaps they have greater bargaining power than us.

We received one grant and one grant only. This grant was focused on sustainability and construction method, and was not specifically a subsidy intended to cover s106 charges. The grant received has been invested in this project, and without it Phase 1 would not have been possible. It has also paid for site infrastructure ready for Phase 2. We have not sought an additional grant for Phase 2 and do not need to do so. All that is required
for Phase 2 is loan finance, however there is a complete absence of development finance for independent housing developers nationally, a fact which is well publicised. The government recognised that something needed to be done to try and ease this deadlock and launched the new £520 million "Get Britain Building" initiative (GBB) which has shortlisted 240 projects across the country. Long Meadow is the only project in South Norfolk in this list. Details can be found at http://www.homesandcommunities.co.uk/get-britain-building

Long Meadow has been shortlisted for GBB loan finance and if successful, will pay interest to the HCA and hence the government, before repaying the loan out of housing sales, as with any commercial development finance. It is important thus to stress that this additional finance is not a grant or public subsidy in any way.

It is also worth noting that this project is for local people and those who work locally, and the only one we are aware of offering this level of affordability. Potential residents are already contributing to the local economy, and this scheme will generate further funding for local facilities through additional council tax and the government's New Home Bonus.

Finally, in terms of the points relating to parking provision, layout and lighting, we are complying with the statutory authority's requirements and there is not under provision. The spaces per dwelling have not altered and we have generally been complimented on how attractive this development looks so do not understand your comments that imply otherwise. The street lighting is designed by Norfolk County Council's designated body and illumination levels are to their requirement which we cannot influence.

Yours sincerely

Simon Linford

Director
Other Applications

5. **Appl. No**: 2011/1666/F  
   **Parish**: WORTWELL

   **Applicants Name**: Mr T Gentleman  
   **Site Address**: Granary Barn, Wortwell Hall Farm Low Road, Wortwell  
   **Proposal**: Repair & re-erection of collapsed barn caused by storm damage and conversion to residential use  

   **Recommendation**: Refuse

   1. Contrary to JCS policy 1 and section 20 of the NPPF  
   2. In functional flood plain where new residential development should not be permitted  
   3. Unsatisfactory Flood Risk Assessment

6. **Appl. No**: 2011/1732/LB  
   **Parish**: WORTWELL

   **Applicants Name**: Mr T Gentleman  
   **Site Address**: Granary Barn, Wortwell Hall Farm Low Road, Wortwell  
   **Proposal**: Repair & re-erection of collapsed barn caused by storm damage and conversion to residential use  

   **Recommendation**: Refuse

   1. Contrary to Policy IMP13 as little historic fabric retained

1. **Planning Policies**

1.1 National Planning Policy Framework  
   Section 6 – Delivering a wide choice of quality homes  
   Section 10 – Meeting the challenge of climate change, flooding and coastal change

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

1.3 South Norfolk Local Plan  
   HOU 10: Adaptation and re-use of existing rural buildings for residential purposes (Part Consistent)  
   IMP 8: Safe and free flow of traffic  
   IMP 9: Residential amenity  
   IMP13: Alterations to Listed Buildings

2. **Planning History**

2.1 2004/2804/F & 2805/LB : Proposed dismantling, repair & re-erection of collapsed barn caused by storm damage and conversion to residential dwelling  
   **Status**: Approved

2.2 2004/2227/F & 2228/LB : Re-erection of collapsed barn caused by storm damage and conversion to residential dwelling  
   **Status**: Withdrawn

2.3 2000/1611/F & 1612/LB : Conversion of barn and granary to two residential units. Use of cart shed as residential car ports  
   **Status**: Approved
3. Consultations

3.1 Parish Council: Approve
- The plans are in keeping with the area

3.2 District Member: To be determined by Committee
- Disappointing that original timbers aren’t being used apart from in the roof
- Views of the EA need to be taken seriously

3.3 NCC Highways: No objections

3.4 Environment Agency: Refuse
- The proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located which is functional flood plain
- Property would be at risk of frequent flooding and also of significant depths of internal flooding
- Flood risk assessment does not contain an assessment of whether the proposed development will result in an increased flood risk elsewhere within the flood compartment

3.5 Health & Safety Executive: No response received

3.6 Waveney Valley Internal Drainage Board: No response received

3.7 Environmental Services (Protection): No response received

3.8 Conservation Officer: Conditional Support

3.9 Local Residents: No response received

4. Assessment

4.1 The site is located outside of the development limits for Wortwell and forms part of a collection of buildings including an adjoining barn and Wortwell Hall itself. They are located close to the River Waveney, accessed via a private track from Low Road in the village of Wortwell. The barn was storm damaged in February 2004, causing partial collapse of the structure. Prior to the collapse of the building a previous scheme had been approved to convert the building to a residential dwelling. Permission was subsequently granted consent for reconstruction (2004/2804 & 2805), but this permission required the use of far more original timbers than is now proposed and therefore no longer remains valid.

4.2 Since the granting of the 2004 permission, there have been a number of policy changes in regard to development within the flood plain, firstly with the introduction of PPS25 and its subsequent replacement with Section 10 of the National Planning Policy Framework (NPPF). The supporting technical guidance for the NPPF states that no new residential development should be permitted within the functional flood plain. As the proposed reconstruction is new build, the proposal is contrary to this guidance and therefore subject to a strong objection from the Environment Agency.
4.3 Notwithstanding the above, given that the proposal is a reconstruction of a barn that had consent for conversion to residential use a sequential test in respect of the development has been applied. The original building was listed and therefore this could be a justification for development in this location. Norfolk County Council’s Historic Environment Services officer was contacted to establish to what extent the rebuilt structure could be considered a heritage asset. He has advised that the structure could still be considered a heritage asset to an extent, due to the queen post roof which is a unique form of roof structure to South Norfolk and North Central Suffolk. However, he also advises that it is unlikely that the rebuilt structure would retain such value as to be listed. Given that the development would not therefore be a statutory heritage asset, it is not considered that the development can be justified in such a location. The development therefore fails the sequential test and is not acceptable in principle.

4.4 The Environment Agency has also commented that the Flood Risk Assessment is deficient in a number of ways. In particular, the Assessment does not sufficiently demonstrate that prior evacuation of the property would be practicable as it does not contain a detailed assessment of the anticipated depths of flooding along access routes, nor is it known how long it will take for flood waters to reach the site in a flood event. The Assessment also fails to contain an assessment as to whether the proposed development will result in an increased flood risk elsewhere within the flood compartment.

4.5 No objection is raised to the detailed design of the scheme proposed for the reconstruction of the barn, however in light of the objection of the Environment Agency and the position of the NPPF in relation to development in the functional flood plain the application is recommended for refusal.

5. Reasons for Refusal

5.1 The proposal is contrary to the provisions of the adopted Joint Core Strategy and South Norfolk Local Plan including, in particular, Policy 1 (Addressing climate change and protecting environmental assets) of the JCS, as well as Section 10 of the National Planning Policy Framework (NPPF).

5.2 The site lies within Flood Risk Zone 3b (functional floodplain) and therefore as is in a location where new residential development should not normally be permitted. The application is therefore contrary to Section 10 of the NPPF.

5.3 Furthermore, the Flood Risk Assessment provided as unsatisfactory to demonstrate that the safety of occupants of the proposed development would not be compromised during times of flooding and that the proposed development will not lead to an increased flood risk elsewhere within the flood compartment, thereby contrary to the above Policy 1 of the JCS.

5.4 In addition, the proposal is contrary to Policy IMP13 (Alterations to Listed Buildings) of the South Norfolk Local Plan as the proposed development would preserve little of the historic fabric of the original barn.

Contact Officer, Telephone Number Tim Barker, 01508 533801, and E-mail: tbarker@s-norfolk.gov.uk
7. **Appl. No**: 2012/0368/CU  
**Parish**: GISSING

Applicants Name : Mr & Mrs Smith  
Site Address : Gissing Manor, Malthouse Lane, Gissing, Norfolk IP22 5UT  
Proposal : Change of Use of Holiday Cottages to residential, new cartlodges and new access

Recommendation : Approve with conditions

1. Full - Planning Permission Time Limit  
2. In accordance with submitted drawings  
3. No PD for Classes ABCD & E  
4. Provision of new access

1. **Planning Policies**

1.1 National Planning Policy Framework  
Section 1 : Building a strong competitive economy  
Section 3 : Supporting a prosperous rural economy  
Section 4 : Promoting sustainable transport  
Section 6 : Delivering a wide choice of high quality homes  
Section 12 : Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 1 : Addressing climate change and protecting environmental assets  
Policy 5 : The economy  
Policy 6 : Access and transport

1.3 South Norfolk Local Plan  
EMP 7: The retention of rural employment and services (Part Consistent)  
ENV 8: Development in the open countryside (Part Consistent)  
HOU 10: Adaptation and re-use of existing rural buildings for residential purposes (Part Consistent)  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity  
IMP 15: Setting of Listed Buildings

2. **Planning History**

**Holiday Units**

2.1 2002/1174/F Variation of condition and Section 106 Agreement Approved

2.2 2000/1328/F Erection of pool house/gym recreation building for use by holiday let tenants Approved

2.3 2000/0475/F Revision to earlier planning permission Ref 07/99/0045/F - Alteration to design of relocated & extended barn to form holiday unit. Approved

2.4 1999/0046/F Repairs & extension to house, Relocation of part of barn conversion & extension of former cottage to holiday units & rebuild unit to form stable & storage Approved

2.5 1999/0045/F Repairs & extension to house, relocation of part of barn, conversion & extension of former cottage to holiday units & rebuild unit to form stable & storage Approved
| Malthouse Farm | 2.6 | 2012/0338/H | Provision of garage | Approved |
| 2.7 | 2005/2766/LB | Rebuild of ‘Hovel’ outbuilding to form a detached, residential annexe ancillary to dwelling | Refused Appeal |
| 2.8 | 2005/2765/H | Rebuild of ‘Hovel’ outbuilding to form a detached, residential annexe ancillary to dwelling | Refused Appeal |
| 2.9 | 2005/1185/LB | Provision of garage | Approved |
| 2.10 | 2005/1184/H | Provision of garage | Approved |
| 2.11 | 2004/0410/F | Residential annexe | Refused |

| Black Barn | 2.12 | 2010/1327/F | Variation of condition 3 of permission 2001/0449/F - revision of window positions, removal of some roof lights and adjustments to layout to suit needs of owner | Approved |
| 2.13 | 2010/0707/LB | Proposed alterations to scheme approved under ref: 2001/0450/LB | Approved |
| 2.14 | 2008/0479/LB | To Erect a Timber and brick garage with Pantile roof and Fire escape windows to Black Barn. | Approved |
| 2.15 | 2008/0472/H | Erection of New Garage and alterations to barn windows to allow for Fire escape. | Approved |
| 2.16 | 2001/0450/LB | Conversion of barn to dwelling | Approved |
| 2.17 | 2001/0449/F | Conversion of barn to dwelling and erection of double garage | Approved |
| 2.18 | 2000/1302/LB | Retention of 2no small windows to east elevation of listed barn | Approved |

| Aquaponics | 2.19 | 2012/0367/RVC | Removal of condition 5 of planning permission 2011/0101/CU | Approved |
| 2.20 | 2011/0101/CU | Change of use of stables to office accommodation | Approved |
| 2.21 | 2010/1467/F | Proposed two polytunnels plus storage building | Approved |
| 2.22 | 2007/1377/F | Alteration to approved Stables building all in association with the Black Barn. | Approved |
| 2.23 | 2002/1173/CU | Change of use from study to small office and retention of hedge and temporary fence | Approved |

3. Consultations

3.1 Parish Council: Refuse
- Inappropriate subdivision creating 3 new properties resulting in a destruction of the link between the listed building and its farmstead cartilage and affecting the character of the countryside
• NCC highways have previously objected due to the width of the access and unsustainable location
• Proposal will result in an unacceptable increase in vehicular activity
• Proposed access does not appear to be in the applicants control. It will be on bend and is on a route which forms part of a circular walk. Will result in an unacceptable impact on amenity and safety
• Continuous domestic occupation will increase noise to the detriment of neighbouring properties
• Unconvincing business case. Alternative marketing strategies do not appear to have been sufficiently considered or practiced.

3.2 District Member : Can be delegated for approval  
• Brought about by economic circumstances. Appears to be a logical use of properties

3.3 NCC Highways : No objection subject to conditions

3.4 Economic Development and Tourism Officer  
• Recognise that the holiday units have struggled for business, but this is not consistent with the overall value of tourism in South Norfolk which grew by 5% in 2010
• The units are specifically arranged and fitted out for disabled people. Could be considered to be a niche market, but estimated that 1 in 9 people are registered disabled or a carer.
• Recent moves towards personal budgets in social care are taking some time to be consistent and popular. The situation should now be easing as the LINks and new Healthwatch organisations take responsibility for promoting services
• SNC Economic Development Officers would be happy to offer assistance and advice in promoting the business. There are few similar tourism businesses within the district or county. The loss of these units would be deleterious to the visitor economy of South Norfolk.
• Regarding the marketing of the units, the owners have taken reasonable steps to attempt to sell the business. The applicants appear to have been very proactive in chasing up their agents to seek out buyers. The applicants appear to have focused on the disabled market, but do still have a presence on the Tourism for all website and seem to be making efforts to attract custom.

3.5 Historic Environment Service : No objection

3.6 Local Residents : 5 letter of objection  
• The cumulative implications of the three applications should be considered
• There has been much development over the last 10 years which has enable more residential and commercial properties to be built for future sale
• The holiday lets should be retained for their original purpose. If they can not be run by the current owners they should be sold as a going concern
• Down turn in the holiday trade is temporary
There are regular bus services along New Road, 200m from the properties.
Will lead to significant increase in traffic on unclassified road with no passing bays.
Holiday cottages have generated traffic, but this is light and seasonal.
Sad to see the loss of the units which have been valued by disable visitors.
Marketing of the properties has been to specialist users. Market should be broadened to demonstrate that there is no market for holiday accommodation.
Properties are remote from services and infrastructure so that future occupiers will be dependant on private vehicles making it an unsustainable location.
NPPF sets out that LPAs should avoid isolated new homes in countryside unless there are special circumstances – new development should be in or adjacent to towns and close to local services and facilities.
Site size indicates that applicant should make provision for affordable housing.
Permanent residential use will increase domestic paraphernalia not normally associated with holiday use altering the character of the barn complex and surrounding cartilage.
Additional structures will result in further urbanisation of the site.
Two of the barns are small and will result in further pressure for extensions.

4. **Assessment**

4.1 The application is for the change of use of 3 existing holiday units and 1 associated dwelling to 3 permanent dwellings and for the erection of cart lodge garages and a new access.

4.2 The existing holiday units were approved in 1999 and incorporated 3 units (2, 3 and 4) and The Cottages (unit 1) which was ancillary to the main house and subject to a Section 106 Agreement. The agreement was subsequently amended in 2002 to allow the building to be used in association with the holiday units.

4.3 The application sets out in the Design and Access Statement (appendix 2) the background to the application and specifically sets out in appendix I the justification for ceasing use as holiday units. This highlights the change in market trends in terms of the length of bookings and discounts given. In addition it identifies the remoteness of the site from visitor attractions and fuel costs as part of the reason why bookings have fallen. The cost of running the facilities and swimming pool also result in high running costs.

4.4 The properties have been marketed since 2006 and have included the sale of the listed house. Correspondence between the applicants and their agents relating to the marketing and interest shown between 2007 and 2009 has been submitted with the application. This shows that the business has been advertised in the National Press including the Sunday Times, Tuesday Times and Telegraph, an e mail shot to approximately 10,000 buyers and links to 31 web sites.

4.5 Policies in the JCS and South Norfolk Local Plan seek to promote a viable rural economy and retain existing employment and service uses. They also seek to ensure that proposals do not adversely affect the setting of listed buildings, the amenities of neighbouring properties or highway safety.
4.6 In the context of the NPPF, policies EMP7, ENV8 and HOU10 have been considered to be partly consistent with the policies in the NPPF. While the policies in the NPPF seek to promote a sustainable rural economy, the policies are less restrictive than those in the South Norfolk Local Plan. Consultees have highlighted that the NPPF seeks to avoid isolated new homes in countryside unless there are special circumstances and that new development should be in or adjacent to towns and close to local services and facilities. However it does also support the re use of existing redundant or disused buildings and in the context of these policies I consider that weight can be given to the policies of the SNLP.

4.7 The holiday units were initially provided through the conversion and re building of existing buildings and have been operated as a business for a number of years. The buildings have a domestic appearance and each property has an associated garden area and parking spaces. The units have predominantly sought to cater for disabled people but this has not precluded use by other visitors and the properties have been actively promoted.

4.8 The applicants have submitted details relating to the marketing of the business for sale and different approaches which have been taken to find a new operator. While it is regrettable that a suitable purchaser has not been found, and while I note the comments of the Council’s Economic Development and Tourism Officer, I consider that the length and nature of the marketing exercise has shown that the continued viability of this business is questionable.

4.9 The alterations to facilitate permanent residential use are limited and predominantly relate to the combining of two of the units and provision of two cart shed garages for units 1 and 3 and alterations to the pool building. While the garages will increase the built form on the site I do not consider that they will detract from the openness of the countryside.

4.10 The use as permanent dwellings will increase the use of garden areas, however each unit currently has a dedicated garden area and I consider that this will not detract from the character of the area. Neighbouring dwellings are 110m from the site and while concerns have been raised about the potential for increased noise disturbance, I consider that given the separation between properties that this would not justify refusal of this application.

4.11 Concerns have been raised regarding the increase in traffic associated with 3 dwellings compared to the holiday units and the previous concerns of the Highway Authority. I recognise that dwellings in this location are likely to be dependant upon private vehicles, however the buildings are existing and have been converted to dwellings in a form which would accord with the objectives of conversion policies in the SNLP and NPPF. In addition, it is noted that the Highway Authority has raised no objection subject to a condition relating to the provision of the new access.

4.12 Comments have been raised regarding the provision of the new access and land ownership, however further information has been submitted which clarifies the ownership boundaries and the extent of highway land.

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 1 of the Joint Core Strategy and Policies EMP7, HOU10, IMP8, IMP9 and IMP15 of the South Norfolk Local Plan as it has been shown that attempts have been made to promote and market the units without success. The re use of the buildings as dwellings is in line with Policy HOU10 and will not have a significant adverse effect on the character of the area, amenity of neighbouring uses or highway safety.
DESIGN AND ACCESS STATEMENT

For Change of Use, 1 no. new access, carports and boundary fences

from
3no. Holiday Let units and 1 no. tied Dwelling
to
3no. dwellings

Norfolk Cottages, Malthouse Lane, Gissing

February 2012

Appendix 1  Applicant's supporting information
for ceasing holiday lettings
Appendix 2  Planning history and policies
Appendix 3  Applicant's marketing correspondence
Appendix 4  Sales Marketing brochures
Appendix 5  Planning comparables
Appendix 6  Photographs

Agent:
Roberts Molloy Associates
3 Church Lane
Bressingham
Diss Norfolk
IP22 2AE

01379 687705

Client:
Anglo-Euro Properties Ltd
Malthouse Lane
Gissing
Norfolk IP22 5UT
DESIGN & ACCESS STATEMENT
for
For Change of Use, One new access and boundary fences, from
3no. Holiday Let units and 1no. associated Dwelling to 3no. Dwellings

1. **Amount of development**

   Number of residential units: The property currently comprises:
   Unit 1 - two-storey dwelling, associated with the holiday lets;
   Unit 2 - two-storey holiday let;
   Units 3 & 4 - pair of holiday let bungalows which can be used together or separately;
   one shared recreational building;
   one shared road access with shared parking.

   The proposal is:
   to separate the Unit 1 existing dwelling from the holiday lets, with a new carport,
   parking and turning area;
   create one Unit 2 separate two-storey dwelling with a private road access and
   private recreational building including garage;
   create one Unit 3 bungalow, with carport and parking area.
   The Unit 3 bungalow and Unit 1 dwelling will share the existing road access.

   The residential floor areas will not change as there are no extensions proposed.

   The site layout of the residential accommodation will not change. There is just the
   addition of traditional-style carparking for the existing dwelling and the bungalow,
   with alterations to an existing building for parking for the Unit 2 two-storey dwelling.

   The site has been used as a holiday let complex specifically for disabled visitors,
   therefore it is fully accessible in terms of level access into each unit and around the
   site. Hard surfaces and ramps ensure accessibility to and between parts if the
   development.

   The site is in a rural setting, which will not be affected by the changes. There is a
   residential house and barn conversion and light commercial buildings adjacent to the
   site, all currently part of houses, businesses and buildings in the same ownership. The
   setting is generally one of a small rural complex of mixed-use and mixed-style of
   buildings and enclosures, typical of a rural area where different uses and ages
   develop over the centuries.

2. **Layout of development**

   Placing & orientation of buildings, routes & open spaces, in relation to buildings and
   spaces surrounding the development: The main change to the layout of the existing
   group is to introduce one new Highways access for one of the new private dwellings,
   Unit 2. The access is positioned on the corner of the Lane, situated so as to give
   better visibility in both directions from its corner position. The access will bridge
   over a drainage ditch and enter directly into the new single property. This property
   will now have its own turning and parking area and garage space taken out of the
   existing recreational building. No new structure will be required to accommodate
   the new garage parking. This unit will then have its own entrance and driveway
potentially up close to the house door. The house has a spacious private garden to the rear. The recreational building will remain in the ownership of this new dwelling. See Block Plan for layout.

The remaining two dwellings will share the existing Highways access which is in a slightly less convenient position in that visibility along the Lane is affected by the adjacent corner. However, this is an existing access currently serving Unit 1 dwelling (used for holiday letting) and the other three holiday lets Units 3 & 4. Now it will serve the one dwelling Unit 1 and the one new bungalow Unit 3. Parking, turning and a carport for the bungalow will be positioned on an existing hardstanding area at the front of the bungalow.

The shared drive will pass alongside the bungalow for ...m. to a new timber gate which then gives access to the new private area for the Unit 1. From that gate onwards will be solely the property of the dwelling, including a new traditional carport and turning area and back garden facing onto open countryside. The new proposed carport will blend in with the vehicle building for the adjacent Listed house which gained Planning Permission in 2005.

The interior of the existing courtyard is currently broken up with decorative brick planting beds which offer some privacy between the units. The new proposal extends that approach with solid boundary screening, using as many of the existing brick beds as possible. Each unit has additional private garden areas and the buildings themselves are far enough apart and orientated so there is no specific over-looking problem between dwelling windows, so the yard can provide sheltered yet private space for each house. The courtyard area for the Unit 2 dwelling will only be used for access. The courtyard area for the Unit 1 dwelling is connected to and continuous with its private back garden and the courtyard area associated with the Unit 3 bungalow offers a sunny area outside the bungalow, but there is additional private garden on the road side. If the bungalow, which is fully accessible, will be attractive to a less able household, the easy-maintenance courtyard area on the sunny side and manageable front garden may be a more attractive proposition than the sizeable gardens associated with the other two properties.

In summary, with the addition of the new Highways access to the Unit 2 dwelling, it is possible to create three independent properties with their own parking close to each house, without major alterations to the existing surfaces.

3. Scale
The houses and recreational building are all as existing. The new carports with cycle and bin stores will be 5.6mx4.6m, 4m to ridge. All these dimensions are smaller than the existing buildings and will therefore not impact significantly on the overall complex.

4. Landscaping
There are two aspects to the landscaping of the site. One is the traditional rural domestic appearance of the site from the outside, including existing hedges, with grass to the rear gardens adjacent to fields. The other aspect is the inner courtyard
which is on a smaller scale, with planted beds and the proposed boundary fencing, none of which will be seen from the wider landscape.

Maintenance will be through normal domestic gardening.

There is a new brick low-level structure proposed to bridge the ditch for the new access. The mixed indigenous hedge in this area will be maintained and enhanced around the new entrance, with a new timber gate set back from the hedge.

5. **Appearance**
The existing complex is of high quality traditional appearance which will not be at risk by the Change of Use. The new carport buildings, with cycle and bin stores, will be of traditional rural appearance in order to complement the existing attractive setting. Materials will be black stained weatherboard over a red brick – Ibstock Heritage Red with white mortar, clay pantiles for the roofs.

Lighting will be normal domestic bulkheads on timbers and sensors.

6. **Context**
Physical: The property is situated in an isolated rural setting. The benefit of this location used to be its very isolation, its idyllic, quiet surroundings, with the swimming pool facility offering some entertainment for guests, with the wider tourist areas of the coast, the Broads, etc. within driving distance. As is noted in the Supporting information, this type of holiday has now become unaffordable, particularly for care homes and funded service providers who now look to organised holiday parks for on-site entertainment and wider facilities.

Social & Economic: The applicants invested money in the holiday let business 8-9 years ago and have tried both to make a successful rural business providing a niche service and then to sell the business to either a specialist provider or non-specific investor. None of the above has been successful in the long term.

Factors affecting the business include:
- the holiday let market diminishing in this particular location as other competitive provision is available locally and more popular provision such as holiday camps by the sea offer suitable accommodation;
- travel costs become more significant for funded holidays;
- regulations surrounding provision of facilities for disabled visitors and their carers, ratio of carers to guests, the cost of replacing the carer back at the care home, etc. make disabled holidays away from care homes more expensive.

We attach references to two recent permissions for similar change of use or removal of restriction on use as a dwelling – see Appendix 4.

Planning: Stuart Pontin has reviewed the Planning history and requested detailed analysis of the items covered in this document.

Highways: Consultation has been obtained on the proposed new entrance for Unit 2, correspondence attached. The new entrance is acceptable in layout terms, the
only concern being the relative amount of traffic. The applicants have provided the following figures for car movements for the holiday let cottages, compared to projected residential car numbers:

Use of holiday lets with specialist disabled provision:
For the tied dwelling (used for holiday lets) and disabled Units 2, 3 & 4, 1 no. disabled visitor could have 3 no. shift carers, meaning one carer/driver’s vehicle and two additional carers’ vehicles = up to 3 cars per disabled visitor (or per two disabled visitors if two come together. This could mean up to 12 cars even if just one or two disabled visitor in each Unit.

Following conversion to three separate dwellings, we assume 2 cars per dwelling = 6 total.

7. Design
Summary of design & accessibility against use & site: There are no access issue with this site, as the buildings have all been designed and used specifically for disabled accessibility. Apart from carports, which will be located close to each dwelling with hard surfacing between, there are no major alterations to the buildings proposed. The bungalow will have one door bricked up as that entrance will now be in the private ownership of the new house Unit 2, and the new entrance to the bungalow Unit 3 is wheelchair accessible.

8. Secured by Design
Safety will be built into the development through attention to guidance such as 'Safer Places, the Planning System and Crime Prevention' which should be read in conjunction with PPS1. Principles adopted should include:

a. A well-integrated mix of decent homes of different types and tenures to support a range of household sizes, ages and incomes.
b. Well-defined routes, spaces and entrances
c. Structured places, so different uses do not conflict, e.g. parking and playspaces

All the above points are inherently included in the existing and proposed site layouts.

9. Sustainability
Although there is no major construction, the re-use of existing buildings is inherently sustainable. The units were all converted or constructed using modern techniques and meet Building Regulation requirements from those dates. As there is no physical alteration proposed, there is no need to amend the fabric of the buildings.

Materials
The new carports will use
• Modern, sustainable and low embodied energy materials as much as possible in the design.
• A natural and renewable material, timber will be used for external joinery, as opposed to uPVC and will be obtained from suppliers who are members of the Forest Stewardship Council (FSC) - FSC products have their forests of origin independently inspected and evaluated according to specific environmental, social and economic criteria.
• The use of man made materials such as plastic or coated sheets for external cladding, man made coatings for internal wall surfaces is avoided where possible.

• Roof tiles will be natural clay, interlocking tiles which require fewer tiles per square meter area.

Recycling
• Timber, glass, concrete block, clay tiles used in the construction are inherently recyclable.

Air source heat pumps
• New air source heat pumps are to be used to replace the existing oil tanks, to reduce the carbon footprint.

10. Access component (external & site access only)

Public transport links: There are no public transport links to within a useable distance of the property. This is one of the reasons it is no longer viable as a holiday let complex, particularly for disabled groups. There are few tourist attractions within a distance which is financially viable for visitors to be driven to, owing to the rise in the cost of driving. Potential customers have commented that, having been in previous years to Yarmouth and Banham Zoo, there needs to be more entertainment facilities closer to the site, otherwise, after the expense of driving to the property from other parts of the country, they cannot also afford to drive distances for days out.

With regard to the new proposed road access to the new Unit 2 dwelling, Adrian Jacklin has been consulted and, with an understanding of the new proposed site layout arrangement for access, parking and turning, agrees that the one new access will improve the internal layout of the site for all the dwellings. Unit 2 will have its own private access, which is in a better position for visibility around the corner of the lane, compared to the existing access. The existing access will be reduced to serving just two dwellings and the shared aspect of it will be reduced, as the bungalow parking will be off to one side immediately within the shared driveway, in its own private area. This means the Unit 1 dwelling will also be mostly within its own private land and driveway.

11. Access for emergency services

External circulation routes: no constraints to all dwellings
Safe and final egress from buildings: no constraints from all dwellings
Appendix 1

Applicant's Justification for ceasing use as Holiday units specialising in disabled visitors

December 2011
Commencement of the Development and Changes to User groups

From the start in 2001 the business model was providing holidays for families with a disabled member among them. Within a few years we found we were getting more and more visits from groups in residential care i.e. Service users some with physical disabilities and some with learning disabilities along with their professional carers. These groups have really been the backbone of our business and without them, the number of family bookings would not have been enough to sustain the business.

The trend for bookings in 2001/02 showed that guests would come on holiday for one or two weeks at a time, most bookings would take place many months prior to the holiday date. The trend has changed in recent years in that bookings are more often short breaks and bookings are made much nearer the time of the holiday and people want discounts and late availability.

When we first offered self catering holidays with specific access needs catered for, we were very much in a minority. However since the arrival of the DDA most accommodation providers have had to "up their game" and this has resulted in much more choice for accessible accommodation. This change reduced the pool of potential paying guests for us.

This past year was very slow to start, bookings early in the year did not come from any sector at all. We sent mail shots and telephoned our regular care home guests and found that people seemed to be very concerned about the changes in legislation and funding for their service users and job security for themselves and were reluctant to book holidays.

As the year went on some bookings did materialise, but overall we had to give more than £9,000 in discounts to secure these bookings, whereas previously we have only given approximately £1,500 in discounts per annum.

Problems faced by User groups

New people considering booking holidays with us this year have shown great concern as to the location of the cottages, not with reference to the tranquil quiet countryside, but in relation to the cost of fuel to get to Gissing in the first place, and then the distance to the places they wished to visit, most of which were more that 40-60 miles away. Many declined to book due to the anticipated additional costs of the holiday. There is a lack of major visitor attractions in South Norfolk. Usual repeat guests have declined to rebook this year as many feel that they have exhausted the local tourism attractions that we do have in South Norfolk and there are only so many times you can visit the Zoo and the Steam Museum.

Groups coming from residential care homes are regularly forced to make judged and difficult decisions when selecting accommodation for service users' holidays. Most service users will require a minimum of two carers to accompany them as they have to be provided with 24 hour care.
Often carers will try and bring two service users from the same care home to split the costs. Their rules state that each of these service users should have a room each, then the carers in theory, should also have a room each. In practice this cannot happen unless they take a larger cottage with four bedrooms instead of a smaller twin room cottage. At this point many carers have to admit defeat and do not book a holiday, however some say that if they followed all the rules to the letter, then they would never go anywhere with their service users!

However, the obstacles and red tape put before these people is certainly increasing. Many make extra visits to carry out Risk Assessments and to check out the cottages. In addition, DDA rules are changing as our units were prepared, meaning some aspects no longer meet the new regulations.

The cost of the holiday has to come from the service user’s allowance. Additional costs after the accommodation is paid for include petrol/diesel, food, day trips, carers’ wages and the service user’s allowance also has to pay for the temporary staff member employed back at the care home. To sum up, you can see it is a very costly business to take people in care away on holidays, and when everything is weighed up, the choice is often made to go to a Haven Holiday Park or Centre Parc type of establishment due to the cost and on-site facilities and entertainment.

**Business profitability**

Spiralling overheads are causing us great concern. This past year we have had to replace many of the oil fired heating boilers. We are replacing them with Air Source Heat Pumps, and wait with baited breath to see how much our electricity costs will be this winter. The cost of keeping the swimming pool and Spa heated ready for the occasional guest is rising. Overall the general upkeep of the buildings and furnishings is costing more each year. The overhead expenses for 2007/08 was £40,411 rising in 2009/10 to £57,310. The accounts for 2010/11 are with our accountant.

The business has never been profitable, we always thought we would receive a payback on our investment when the business was sold on to another investor, but the specialist business agents all advise us we are unlikely to ever find a buyer willing to invest that much capital into a business with such a limited turnover.

We have marketed the property in several ways for several years – all documentary proof is attached and explained.

**Summary**

In summary, the holiday units are not self-funding, even without taking into account the capital investment spent and they are not worth anything for sale, as there is no prospective income due to the remote location, not in an established tourist area.
Appendix 2

Applicant’s further Justification –

Planning history
Marketing history
Business influences
Planning Policy
Change of use from Holiday accommodation to residential dwellings.

1. **The Proposal:** To permit the existing holiday cottages, one associated dwelling and leisure building to be separated and sold as three individual dwellings.

2. **The cottages:** The cottages were originally derelict and unused farm buildings on Malthouse Farm. Planning was agreed in 1998/9 to convert the buildings to holiday cottages, including some re-construction and new-build to facilitate the development specifically with disabled visitor use and recreation in mind. The complex comprises four cottages and a leisure building with swimming pool. Three of the cottages have planning consent for year round holiday use and the fourth has consent for use as a permanent dwelling.

3. **Recent History & Marketing for sale**
   a) Malthouse Farm a Grade 2 listed Thatched House was purchased by the applicants in 1998 as a family home. The house was in a very poor state of repair and was on the Buildings at Risk list. It soon became apparent that a very large sum of money was going to be needed to restore the house and protect the financial investment already made. The associated farm buildings showed potential to convert into holiday lets and it was anticipated that the income from the lets would contribute to the high renovation costs to the Listed building.
   
   b) When planning the holiday cottage business the applicants identified a niche market for providing accessible accommodation for families with a disabled member. The first guests came in 2001 and the first full year of trading commenced in 2002. It was found that, as well as families, guests came from residential care homes with their carers. In addition some able bodied guests and their families visited for regular family breaks.
   
   c) The business grew in a modest way increasing the turnover until 2005 when the turnover reached a plateau.
   
   d) All four cottages maintain a four star rating from ETC. Awards have been won both regionally and nationally. All cottages have National Accessible Scheme ratings for disability access.
   
   e) A part time housekeeper has been employed to oversee the cottages, this along with the other service providers results in high overheads. Turnover did not increase to a level that provided funds to help with the Listed Building renovation so a further loan had to be taken to complete the works. This fact was taken into account when permission was granted to move the Annex tie on the Unit 1 cottage from the Listed house to the holiday let business.
   
   f) With this in mind at the end of 2006 it was decided to sell the holiday cottages. A description was put together of the business along with brochures and pictures etc and many Charities were contacted that it was thought may be interested in having their own holiday premises (Appendix 3). From that mail shot the applicants were approached by Grooms Holidays and discussions progressed regarding a potential sale for some weeks, however the charity was
taken over by the Shaftesbury Society and they were not interested in continuing the negotiations.

g) In April/May 2007 a Business Transfer Agency was employed (Ashley Tate), they valued the business and the properties and marketed the business for 6 months without success. The ideal buyer would be someone who wanted a lifestyle change, maybe semi retired and would be intending to live in one cottage and renting the other three. This buyer did not materialise.

h) In November 2007 a local Estate Agency was instructed and it was suggested the Listed House was offered for sale in addition to the cottages to attract a different type of buyer. While it raised the selling price, there is a clear divide with a large hedge separating the holiday cottages from the house, it was hoped a buyer would come forward. Sadly this has not resulted in any interest in the cottages at all. During the following years to date, numerous residential estate agents and more business transfer agents have been instructed with no success.

4. The business

a) The business continues to trade. A customer survey was carried out to see if purchasing additional disabled equipment would permit them to bring additional/different people, or stay longer. This resulted in the purchase of profiling beds and an additional overhead hoist.

b) The utility costs are spiralling and while the cottages are in good condition some areas require updating and equipment requires continual replacement as many things have been in service since 2001. Oil heating boilers are being replaced with Air Source Heat Pumps to try and reduce the fuel consumption.

c) The Housekeeper has passed retirement age and has made it clear that she will not wish to continue for much longer in her role of housekeeper for the cottages.

d) Having the indoor swimming pool and Spa enhances the cottages and provides the guest with an on-site amenity, particularly in the off-season cooler months. However the downside of this is the higher rental fee that is needed to fund this side of the business. And with only four cottages to spread this cost across, the overall fees tend to be higher than a cottage of the same size without leisure facilities.

e) While many regular care homes continue to visit, the number of repeat bookings has reduced in 2011 due to the government spending cut backs for disabled people.

f) Since the disability discrimination act was passed, many other accommodation providers have created accessible rooms, therefore reducing the initial niche market that we supplied in the early years.

g) Overspill guests from Weddings at Gissing Hall Hotel have provided some additional trade, but in 2011 there have been no guests from this sector.

h) Research has shown that many people prefer the North Norfolk Coast or other coastal locations for holidays in Norfolk. The cost of fuel seems to be a major concern to potential guests this year (2011), our rural location means that day trips and the initial cost to travel to Gissing is sometimes prohibitive and is a cause for concern. There are no large visitor attractions in the area. Tourism has been hit hard by the economic downturn and in June
2011 we saw the East of England Tourism go into liquidation, this means a quarter of the country now has no representation.

Careful scrutiny of the business shows that the size of the business means that it cannot be run as a hobby as someone would with the occasional let in an adjacent property. Neither is it a holiday park large enough to generate enough turnover to advertise and market extensively to increase the number of guests, i.e. there are only four cottages and 52 available weeks in the year, and of those 52 weeks there are 6-8 weeks of good summer use, 2 weeks at Easter and 10 days at Christmas.

Building additional holiday units in an attempt to increase profitability has been considered, but capital outlay, the risk factor and the likely problems with gaining Planning Permission have meant this option has been discounted.

5. Planning Considerations
   a) The importance of the cottages to the local community is minimal. A minimal number of guests use the public house situated in the village. For most guests the lack of accessible toilets and limited general access prohibits them from visiting. In addition the ford at the bottom of Malthouse Lane makes it difficult for wheelchair users to access the main village thoroughfare. Additional residential properties could lead to more business for the public house and the Children’s centre situated in the redundant school building.
   
   b) The very nature of self catering cottages means that the buildings are not suitable for any other industrial or commercial use and would therefore not support other employment sectors.
   
   c) The business employs just one person outside the family. It is probable she would be offered a similar position on another business owned by the applicant. Therefore the loss of local employment would be zero.
   
   d) Alterations to the buildings: It is not anticipated that any major alterations to the cottages will be needed, however some boundary marks and fences would need to be erected to provide more privacy, as well as possibly additional carport buildings and alterations to improve the access in order to adjust the intimate nature of the existing layout.
   
   e) The cottages currently consist of 2 x One bedroom single storey cottages and 2 x Four bedroom two storey cottages (one already designated as a dwelling). The properties lend themselves to providing a mixed selection of residential properties.

The applicants are entrepreneurial and wish to remain in business in the village. A recently approved application for Waveney Valley Aquaponics sited on Malthouse Farm land is currently under construction and it is hoped that the lack of income from the cottages will be supplemented by the new business and further jobs will develop for the local community.

The current conclusion, after several years of consideration and positive marketing through many agents, is that the only viable option is to sell the buildings individually as residential properties.
8. Appl. No : 2012/0420/CU
Parish : MARLINGFORD AND COLTON
Applicants Name : Mr Ian Alston
Site Address : High House Farm Barns, High House Farm Lane, Colton, NR9 5DG
Proposal : Conversion of barns to B1/ B2/ B8 use, with associated parking.
Recommendation : Approve with conditions

1. Planning Policies

1.1 National Planning Policy Framework
Section 1 : Building a strong, competitive economy
Section 3 : Supporting a prosperous rural economy
Section 4 : Promoting sustainable transport
Section 7 : Requiring good design

1.2 Joint Core Strategy
Policy 2 : Promoting good design
Policy 3 : Energy and water
Policy 5 : The economy
Policy 6 : Access and transportation

1.3 South Norfolk Local Plan
EMP 3: Adaptation and re-use of rural buildings for employment purposes (Part Consistent)
EMP 4: Employment development outside the Development Limits and Village Boundaries of identified towns and villages (Non Consistent)
ENV 8: Development in the open countryside (Part Consistent)
IMP 8: Safe and free flow of traffic
IMP 9: Residential amenity
IMP 10: Noise

2. Planning History

2.1 2007/2121/AG Proposed irrigation reservoirs Approval of details
2.2 2004/2137/F Resubmission of W077/03/2465/F for the proposed conversion of existing barns into offices  Approved

2.3 2003/2465/F Conversion of existing barns to office use and children’s nursery/ adult education facility: construction of new offices and two new dwellings  Refused

2.4 2002/0932/F Renewal of unimplemented permission to convert 2 barns to dwellings, new access through farm and demolition of single storey store  Approved

2.5 2000/0439/F Conversion of 2no barns to dwellings, new access through farm, demolition of single storey store  Approved

2.6 1994/0274/F Conversion of redundant barns to residential use  Approved

2.7 1993/0451/F Conversion of redundant barns to residential and erection of pair of cottages  Refused

The White House

2.8 2009/1596/NMA Proposed enlargement in size of new sun lounge and increase in height to eaves & roof to new garage/playroom.  Approved

2.9 2009/1079/H Single storey extension and erection of detached garage  Approved

2.10 2002/1559/H Alterations & improvements, installation of dormer windows and erection of porch  Approved

3. Consultations

3.1 Parish Council : No objection

3.2 District Member : To be reported if appropriate

3.3 NCC Highways : High House Farm Lane is a narrow unclassified road which does not have the benefit of passing places, and is therefore less than adequate to cater for the potential traffic generation. Previously recommended refusal on highway grounds but are aware that planning permission was approved and this has been implemented. As such, no objection subject to conditions including the provision of an HGV sized passing bay.

3.4 Environmental Services (Protection) : There are a number of properties in the vicinity of the site. Proposal has potential to cause disturbance No objection to B1/B8 uses subject to hours of use B2 uses generally could result in disturbance. Disturbance from proposed brewery use likely to be limited.

3.5 Local Residents : 3 letter of objection to original submission
- Neighbouring property has been renovated and extended since previous permission resulting in main living areas facing proposal.
- Boundaries indicated are inaccurate
• Mature trees not shown
• Potential for asbestos dust contamination
• Overlooking of habitable rooms
• Parking close to residential boundary
• High House Farm Lane has poor surface and no passing places. Increase in traffic will affect locality increasing noise, disturbance and damage to highway.
• Will resulting traffic similar to Honingham Thorpe Farm “business park”.

Following revised details, 4 letter of objection
• Still errors in the site boundaries
• Concerns regarding potential odour from brewery use
• Welcome revisions to parking position
• Still concerned regarding overlooking
• Disturbance to locality from traffic noise and proposed uses
• Increase in traffic on unsuitable roads
• Creeping process of turning rural village into an industrial estate
• Has been significant developments in the locality including Viking Nurseries which have increased activity in the locality
• High House Farm Lane is unlit and used by children walking to the school bus.
• Landscaping should be undertaken to assimilate the development into the landscape
• Ecological implications
• Visual intrusion from lighting

4. Assessment

4.1 The application is for the conversion and change of use of a range of former agricultural buildings to employment uses. Units 1, 2 and 3 are more modern steel portal framed buildings and it is proposed to use these for B1 (Light Industrial) / B8 (Storage and Distribution), with an initial tenant for units 2/3 being a brewery (B2 General Industry). Units 4, 5 and 6 are more traditional buildings with brick and render finish and pantile roofs and it is proposed to use these buildings for B1 Office purposes.

4.2 The application is accompanied by a structural assessment, contaminated land assessment and Design and Access Statement. As part of the consideration of the application a Screening Opinion has been undertaken, which has concluded that an Environmental Impact Assessment was not required.

4.3 The site is located in a countryside location and policies in the Joint Core Strategy, South Norfolk Plan and requirements of the National Planning Policy Framework promote the appropriate re use of existing rural buildings with a view to maintaining a prosperous rural economy while promoting sustainable forms of development.

4.4 Previously approved schemes for the site have included substantial re building works, particularly in respect of the steel framed buildings to facilitate their use for office purposes. The scheme as now proposed includes structural details and I consider that the extent of works to portal frame buildings is now more appropriate and in line with policy. The works to the traditional buildings simplify the number of openings and remove the provision of a first floor. I therefore consider that the works to the buildings will retain the form and character of the group and will not adversely affect the character of the area.
4.5 As part of the proposal it is intended to use the existing portal frame buildings for commercial purposes. This was initially submitted for B2 General Industrial purposes, but following concerns regarding the potential for disturbance to neighbouring dwellings from noise and associated activities, this has been amended to B1 / B8 uses for unit 1 and for a brewery for unit 2/3.

4.6 While a brewery use does fall within use class B2, the supporting information sets out that the proposed brewery will operate in a way which does not generate significant odour or noise and that the range of brewing processes on the site are limited. Given the proximity to neighbouring dwellings, I consider that it is reasonable to restrict the use to this specific use within Use Class B2 and also to restrict the range of brewing processes to minimise odour nuisance.

4.7 With regard to units 4, 5 and 6 it is proposed to use these for offices. There is an extant planning permission for the use of these buildings for this purpose and the scheme as now proposed is for a less intensive use. The scheme has been amended to address concerns raised by neighbouring properties relating to the potential for overlooking, the position of car parking and the retention of trees.

4.8 The office units are adjacent to White House which has been renovated and extended since the previously approved scheme. The current application will incorporate ground floor windows which look into a courtyard area beyond which is a boundary wall and the neighbouring dwelling. Roof lights are proposed to the main building but the provision of a first floor has now been omitted.

4.9 Currently along the western boundary is a building which is shown to be demolished. This will open up views between the proposal and the neighbouring dwelling, however revised layout drawings indicate the boundary treatments and retention of existing trees which will help to soften the outlook of both uses.

4.10 The proposal will increase activity close to the boundary with the neighbour but given nature of the use and the extant planning permission I consider that the current proposal is acceptable.

4.11 Concerns have been raised regarding the suitability of the local highway network to accommodate an increase in traffic generated by the proposal and the potential increase in HGV traffic. The Highway Authority has commented that High House Farm Lane is a narrow unclassified road which does not have the benefit of passing places and is therefore less than adequate to cater for the potential traffic generation. They set out that they have previously recommended refusal for the reuse of the site for employment purposes on highway grounds but are aware that planning permission was approved and this has been implemented. As such they have raised no objection to the current proposal subject to conditions including the provision of an HGV sized passing bay.

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 Policies 2, 3, 5 and 6 of the Joint Core Strategy and Policies EMP3, ENV8, IMP8, IMP9 and IMP10 of the South Norfolk Local Plan as the proposed use makes effective and appropriate re use of existing buildings and subject to the proposed conditions will not have a significant adverse effect on the amenities of neighbours or highway safety.

Contact Officer, Telephone Number Stuart Pontin, 01508 533796, and E-mail: spontin@s-norfolk.gov.uk
9. **Appl. No**: 2012/0552/F  
**Parish**: PORINGLAND  
**Applicants Name**: Mr I Mutch  
**Site Address**: Land rear of, Holly Bank Heath Loke, Poringland, Norfolk, NR14 7JU  
**Proposal**: Construction of one detached 5 bedroom dwelling with double garage along with new access drive  
**Recommendation**: Approve with Conditions

1. **Planning Permission Time Limit**
2. In accordance with submitted amendments
3. External materials to be agreed
4. Slab level t.b.a.
5. Provision of Parking and Servicing Areas and access to adjacent site prior to first occupation
6. No additional windows at first floor level on South elevation
7. Proposed windows on south elevation to be obscure glazed fixed shut
8. Boundary treatment to be agreed
9. No commencement of works until Surface water drainage system on housing development to north can be connected to.
10. Details of rain water harvesting system
11. Water efficiency

1. **Planning Policies**

1.1 **National Planning Policy Framework**  
Section 6 Delivering a wide choice of high quality homes  
Section 7 Requiring good design

1.2 **Joint Core Strategy**  
Policy 1 Addressing climate change and protecting environmental assets  
Policy 2 Promoting good design  
Policy 3: Energy and water  
Policy 14: Key Services Centres

1.3 **South Norfolk Local Plan**  
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes  
IMP 9: Residential amenity  
IMP 8: Safe and free flow of traffic

2. **Planning History**

2.1 **2011/1840**: Construction of one detached 5 bedroom dwelling with double garage along with new access drive Refused

2.2 **2011/0443**: Proposed erection of a detached dwelling house (revised scheme) (to side of Holly Bank) Approved

2.3 **2010/2227**: Proposed garage and family room side extension Approved

2.4 **2010/2221**: Proposed erection of a detached dwelling house Withdrawn

2.5 **2010/1600**: Proposed erection of two detached dwellings and garages Dismissed at appeal
2.6 2010/0209 Proposed erection of two detached dwellings and garages Refused

2.7 2006/2547 Proposed one single storey dwelling Refused

2.8 2004/1006 Proposed erection of 2no detached dwellings Dismissed at appeal (Resubmission of 2003/1039)

2.9 2003/1039 Proposed erection of 2 detached dwellings with double garages Withdrawn

3. Consultations

3.1 Parish Council : Refuse
   • We have grave concerns about how the surface water is going to be managed.

3.2 District Member
   Ms L S Neal : To be determined by committee
   • Have concerns that planning committee have just approved one house for this site and if the services for this site can cope with another additional property.
   • If Officers are happy with the above this application can be delegated

Additional comments
   • Feel a condition should be added about the use of rain water harvesting
   • When will new road be built and what will happen in the mean time.

Mr J Overton : Can be delegated

3.3 NCC Highways : Conditional support

3.4 Environmental Services (Protection) : Advisory support
   Surface water drainage is proposed to discharge via a positive piped system to the Norfolk Homes site to the North. Although SuDs are encouraged they are unlikely to work in this area due the clay soil.
   Support the use of water butt, rain water harvesting and green roofs could be implemented to reduce the volume of water leaving the site.

3.5 Landscape Officer : No objection

3.6 Local Residents : Four letters of objection from three households
   • Loss of view and black light to our property
   • Will spoil rural outlook
   • Loss of privacy
   • Precedent for future development
   • No need for further development in Poringland
   • Surface water drainage
   • Garden development goes against Government and South Norfolk policies
4. **Assessment**

4.1 The application relates to a site that has had a number of planning applications refused for residential development to the rear of the existing dwelling Holly Bank and its neighbour The Brambles. Whilst within the development limits for Poringland, these applications were refused primarily on the grounds of backland development that would be out of character with the existing pattern of development on Heath Loke. This decision was upheld at appeal. Subsequently, approval was granted for a dwelling in between Holly Bank and The Brambles which was considered to be acceptable within the existing pattern of development.

4.2 This application is for a new dwelling to the rear of Holly Bank, but this time with access from the approved Norfolk Homes residential scheme to the North, the section of development behind the site has yet to be completed. The site is within the development limit for Poringland as a result there is a presumption in favour of development subject to a dwelling being able to be accommodated within the constraints of the site. Policy 14 in the Joint Core Strategy and policy HOU4 in the South Norfolk Local Plan both support new dwellings within Poringland and remain consistent with the National Planning Policy Framework as are policies IMP9 and IMP8 which seeks to protect residential amenity and the safe and free flow of traffic.

4.3 There is no objection to the scheme being accessed off the Norfolk Homes site and this will overcome concerns about the impact of the development on the character of Heath Loke.

4.4 The red line of the application has been extended to the west so the plot is now an adequate size for the proposed dwelling and windows have been added to the north gable end which has created interest in the elevation which will be the main view of the development from the Norfolk Homes scheme. A perspective drawing of the development as it will be seen from the Norfolk Homes scheme has been provided and the relationship between the two is considered to be acceptable. The design of the proposed development picks up features in the approved Norfolk Homes scheme and I consider that the proposal is acceptable in design terms.

4.5 There is no highway objection to the site being accessed via the new development. It is likely to a couple of years at least before the road is in place; I have therefore proposed to condition that the dwelling can not be occupied until this road is in place.

4.6 Surface water drainage has also been raised as a concern, the clay soil in this area means that soakaways are unlikely to work. It is proposed that the surface water drainage relating to this site is discharged via a positive piped system which is provided as part of the Norfolk Homes site, the applicant has also confirmed that he is happy to install a rain water harvesting system. The Flood Defence Officer raises no objection to this.

4.7 The proposed dwelling is approximately 8 metres from the east boundary and in excess of 40 metres to the boundaries of the properties that have raised concern about the loss of privacy, given these distances I do not consider that the proposal would result in an unacceptable loss of privacy. Loss of view is not a material planning consideration.

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 1 – Addressing climate change and protecting environmental assets, Policy 2 Promoting good design, Policy 3 – Energy and Water and Policy 14 – Key Service Centres of the Joint Core Strategy and Policy HOU14 - Residential development within the defined Development Limits of the Norwich Policy Area settlements and at selected locations along strategic routes, IMP8 – Safe and free flow of traffic and IMP9 –Residential amenity of the South Norfolk Local Plan. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent with the published National Planning Policy Framework.
5.2 The development accords with the above policies as will provide an additional dwelling within the development limit for Poringland which is in keeping with the area and proposed development without adversely affecting the amenity of surrounding properties or the safe and free flow of traffic and will adequately deal with surface water drainage.

Contact Officer, Telephone Number and E-mail: Helen Bowman, 01508 533833, hbowman@s-norfolk.gov.uk
10. **Appl. No**: 2012/0715/RVC  
**Parish**: TASBURGH

- **Applicants Name**: Mrs Lisa Walsh  
- **Site Address**: Greenacres Farm, Ipswich Road, Tasburgh  
- **Proposal**: Variation of condition 3 of planning permission 2010/1538/CU to increase the number of adult dogs from 12 to 20

**Recommendation**: Approve with conditions

1. **Details of sign to submitted and erected within 3 months**

1. **Planning Policies**

1.1 **National Planning Policy Framework**
   - Section 3 Supporting prosperous rural economy  
   - Section 11 Conserving and enhancing the natural environment

1.2 **Joint Core Strategy**
   - Policy 5 The Economy

1.3 **South Norfolk Local Plan**
   - IMP 10: Noise  
   - IMP 9: Residential amenity

2. **Planning History**

2.1 **2010/1538 Retrospective application to change the use Approved to dog breeding kennels**

3. **Consultations**

3.1 **Parish Council**
   - Refuse  
   - Concern regarding noise of animals, especially those in distress at being separated from parents  
   - Concerns over the disposal of excrement being piled up in the yard causing a health hazard  
   - Concern about traffic levels entering and exiting the site to buy puppies, monitored levels show 50 sold in one week.  
   - Concern regarding the suitability of the site to house more dogs, given current over crowding.  
   - Concern that there is currently in excess of 20 adult dogs on site  
   - Request that the application is heard by committee

3.2 **District Member**
   - To be determined by committee  
   - If minded to approve by officer, as local councillor I wish it to go to committee because of the concerns of neighbours

3.3 **NCC Highways**
   - Conditional support  
   - Note residents have indicated site is poorly signed which has resulted in visitors turning around in gateways  
   - Recommend that suitable signage is provided at entrance to the site in order to identify the premises.
3.4 Environmental Services : No objection
- Having visited the site the dogs were audible from outside the building but the noise was not sufficient to cause a statutory nuisance.

3.5 Local Residents : Three letters of objection
- Police trading standards and RSPCA have visited the kennels on numerous occasions
- Noise from barking dogs
- Overcrowding there are more than 12 already
- Car nuisance buyer coming during the day, night and weekends
- Disturbance because of the number of buyers coming who have been directed to the bungalow
- Large scale business
- Suggest that more puppies are being sold than what could be breed by 20 dogs.
- Increased rats in the area
- Question the number of type of dogs being sold
- Risk of fire due to maintenance of electrics.

4. Assessment

4.1 This application proposes a variation of condition of planning application 2010/1538 which was for a dog breeding business. The condition currently restricts the number of adult breading dogs to 12. This application proposed to increase this number to 20. This increase has already occurred.

4.2 The dog breeding business is located within a substantial brick building at Greenacres Farm which is located on the A140 at Tasburgh. There are residential properties near the site.

4.3 A number of concerns about the proposal have been raised by adjacent properties and the Parish Council. Noise disturbance has been raised as an issue. I have visited the site with the Environmental Health Officer and have concluded that although barking could be heard from outside the building when the dogs were disturbed, this was not significant and was not sufficient to warrant refusal of the application.

4.4 Dog breeding is subject to a control under various pieces of legislation including planning, each has various remits. Although when visiting the site I was not aware of any obvious serious welfare issues, this is not a matter that can be controlled by the local planning authority. It was also not apparent that there was a serious over crowding issue. I am aware that there have been more than 20 adult dogs on the site in the past, but the applicant has said that she is in the process of re-homing some of these dogs and on the last visit to the site the number of adult dogs was 20.

4.5 The condition on the previous application requires any waste to be disposed of in wheelie bins, which appears to be occurring.

4.6 The amount of puppies being sold from the site has been questioned and the traffic this generates. Obviously there will be some variation in the number of puppies sold on a weekly basis due to the nature of the business. The Highway Officer has not raised any objection to the application but has suggested the site may benefit from a sign which will enable the site to be found easier by buyers and prevent people going to adjacent properties.
4.7 In conclusion I do not consider that refusal could be warranted on the increase of breading dogs to 20. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan IMP9, IMP10 and IMP8 which seek to protect residential amenity, control noisy uses and ensure the safe and free flow of traffic, because those policies remain consistent with the published National Planning Policy Framework.

5. Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the South Norfolk Local Plan and the Joint Core Strategy and in particular is considered to be in accordance with Policy 5 The Economy of the Joint Core Strategy and Policy IMP9 – Residential amenity, IMP10 – Noise and IMP8 – Safe and free flow of traffic of the South Norfolk Local Plan. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent with the published National Planning Policy Framework.

5.2 The proposal would result in the expansion of an existing business, in this instance the noise generated from the site and the impact on residential amenity is not considered sufficient to warrant refusal and the proposal would not significantly adversely affect highway safety.

Contact Officer, Telephone Number Helen Bowman, 01508 533833, and E-mail: hbowman@s-norfolk.gov.uk
11. **Appl. No**: 2012/0859/F  
**Parish**: HARLESTON  
**Applicants Name**: Mrs R Rackham  
**Site Address**: Storage building at 3 Smith's Court, Harleston, Norfolk, IP20 9BH  
**Proposal**: Conversion of redundant storage building to one bedroom residential unit  
**Recommendation**: Authorise the Development Control Services Manager to Refuse subject no representations raising new issues being received prior to expiry of the consultation period on 21st June 2012.
- Contrary to policy 2 of JCS
- Unacceptable intensification of use and poor standard of amenity

12. **Appl. No**: 2012/0860/LB  
**Parish**: HARLESTON  
**Applicants Name**: Mrs R Rackham  
**Site Address**: Storage building at 3 Smith's Court, Harleston, Norfolk, IP20 9BH  
**Proposal**: Conversion of redundant storage building to one bedroom residential unit  
**Recommendation**: Approve with conditions
- Listed building time limit
- In accordance with drawings
- Materials to be agreed
- Details of windows and doors

1. **Planning Policies**

1.1 **National Planning Policy Framework**  
Section 6: Delivering a wide choice of high quality homes  
Section 7: Requiring good design

1.2 **Joint Core Strategy**  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and Water  
Policy 13: Main towns

1.3 **South Norfolk Local Plan**  
HOU 5: Residential development within the defined Development Limits of specified towns (Part Consistent)  
IMP 9: Residential amenity  
IMP 8: Safe and free flow of traffic  
IMP13: Alterations and extension to listed buildings (Part consistent)  
IMP18: Development in Conservation Areas

2. **Planning History**

2.1 1979/3324 Convert building to residential Refused
3. **Consultations**

3.1 Town Council: To be reported

3.2 District Member

   - Mr Brian Riches: Can be delegated
   - Jeremy Savage: To be reported if appropriate

3.3 NCC Highways: To be reported

3.4 Environmental Services (Protection): To be reported

3.5 Conservation Officer: No objection
   - Minor alterations to the listed building
   - No objection to separating it from main listed building

3.6 Local Residents: Four letters of support
   - Need for small properties, sustainable location within the development limit
   - Design sympathetic to neighbouring properties and requires little change on the outside.
   - Sympathetic to listed building and conservation area
   - Good to see a disused building brought into use
   - Consistent with the mix of residential and commercial character of the area

4. **Assessment**

4.1 The applications relate to a small two storey building in Smith Court located to the rear of 5 London Street. The building is curtilage listed because of its association with 5 London Street. The ground floor of 5 London Street is a café and there is an independent flat above. The building was previously used as ancillary accommodation for the first floor flat. The site is within the Conservation Area and the Development Limit for Harleston.

4.2 The applications are to convert the building to an independent dwelling. Minor alterations are proposed to the building including new doors and windows in existing openings and a new roof light on the west elevation.

4.3 The site is within the development limit for Harleston where the South Norfolk Local Plan, Joint Core Strategy and National Planning Policy Framework places a presumption in favour of new development subject to a new dwelling being able to be satisfactorily provided within the constraints of the site.

4.4 The site is particularly constrained being surrounded by a mix of residential and commercial properties. There is an access/right of way to an adjacent property which runs directly to the north of the property running directly past windows to the property. The café currently uses part of the area between the two buildings for bin storage and when I visited the site there were two cars parked between the buildings. Although the proposal does not result an increase in built form it does result in the use of the site being intensified. I am concerned if a new dwelling was created then this would result in the over development of the site and a poor standard of amenity for potential occupiers contrary to the provision of Policy 2 of the South Norfolk Local Plan. I consider there is potential for the building to be used in association with the existing flat or café, not necessarily as an extension to the dining area, but potentially for associated storage.
4.5 The proposed changes to the curtilage listed building are sympathetic as required by IMP13 of the South Norfolk Local Plan and the Conservation Officer raises no objection to the proposed alterations or the separation of the building from the main listed building in conservation terms. The visual amenity of the Conservation Area is not adversely affected by the proposal. I therefore have recommended the listed building application for approval.

4.6 I do not consider the position of the new window within the roof would result in a significant amount of over looking.

4.7 The assessment of these applications gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / partially consistent with the published National Planning Policy Framework (NPPF). Policy HOU 5 is only partially consistent with the NPPF because the need to balance employment and housing provision is not specifically referred to in the NPPF and policy IMP13 is consistent in this instance as there is no harm to the listed building.

5. Reasons for Refusal 2012/0859

5.1 The proposal is contrary to the provisions of the adopted South Norfolk Local Plan Joint Core Strategy including, in particular, policy 2 Promoting good design.

5.2 The proposal would result in an unacceptable intensification and over development of the site creating a poor standard amenity for potential occupiers of the dwelling and impinging on surrounding uses.

6. Reasons for Approval 2012/0860

6.1 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 1: Addressing climate change and protecting environmental assets of the Joint Core Strategy and Policy IMP13: Alterations and extensions to listed building of the South Norfolk Local Plan. The assessment of these applications gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because this policy remains partially consistent with the published National Planning Policy Framework but in this instance there is no harm caused to the listed building.

6.2 The development is considered to accord with Policy 1 of the Joint Core Strategy and Policy IMP13 of the South Norfolk Local Plan as it has been designed to ensure that it would preserve the special architectural or historic interest of the building.

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13. **Appl. No**: 2012/0872/F  
**Parish**: GREAT MOULTON

Applicants Name: Mr N & Mrs J Stevenson  
Site Address: Capital Farm, Frith Way, Great Moulton  
Proposal: Re-submission of planning permission 2011/0970/F- Demolition of dilapidated agricultural building and erection of new dwelling with detached garage, including change of use from agricultural to residential

Recommendation: Authorise Development Control Services Manager to Refuse subject to no additional representation raising new issues being received before the expiry of the consultation period on 21st June 2012.

Refuse

1. Contrary to SNLP policy ENV8, ENV9, ULT15, JCS Policy 1 and 17
2. Outside settlement
3. Insufficient information archaeology
4. Insufficient information Contamination

1. **Planning Policies**

1.1 National Planning Policy Framework  
Section 6 Delivering a wide choice of high quality homes  
Section 7 Requiring good design  
Section 11 Conserving and enhancing the natural environment  
Section 12 Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 15 Service villages  
Policy 17: Smaller rural communities and the countryside

1.3 South Norfolk Local Plan  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 9: Nationally and locally important archaeological remains (Part Consistent)  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity  
ENV 15: Species protection  
UTL 15: Contaminated land

2. **Planning History**

2.1 2011/0970: Erection of two storey dwelling with detached garage building. Works to include demolition of existing buildings and change of use from agricultural to residential use. **Refused**

2.2 1982/1045: Dwelling in association with intensive rabbit breeding business **Refused**

2.3 DE\10344\: Agricultural dwelling **Approved**
2.4 DE\6657\ Site for dwelling and garage Refused

3. Consultations

3.1 Parish Council : To be reported

3.2 District Member : To be determined by committee
  • Suitable use of site

3.3 NCC Highways : To be reported

3.4 Environmental Services (Protection) : To be reported

3.5 Historic Environment Service : Object
  • Proposed development is the site of a medieval moated rectory shown on 1824 Great Moulton enclosure map.
  • Potential for archaeological remains on the site which could be adversely affected by the proposed development.
  • A heritage statement with results of archaeological evaluation is required prior to the determination of the application

3.6 Landscape Officer : To be reported

3.7 Local Residents : Two letters of support
  • Support application and have the current consent for an intensive piggery to be removed.
  • Site has previously garden land to the adjacent Rectory and church cottages which were demolished in 1960’s
  • Concern the impact of an intensive pig unit would have on his tourist business.
  • Firth Way is not suitable for an intensive pig unit, which would also affect trees and wildlife.
  • Holiday lets would struggle to be viable
  • Site has not been used for many years to bring it back into use for housing would be positive.
  • Want to support general agricultural use in village that the applicant is involved in.
  • Support allowing agriculturally employed family to built house in the village.

4. Assessment

4.1 The application relates to a ‘backwards L’ shaped piece of land off Firth Way in Great Moulton. Currently there is a building on the site which is in a very poor state of repair, it would appear that in the seventies pigs were reared on the site, but this has not occurred for in excess of thirty years. The site is well screened with trees and mature hedging. The site is outside any development limits or village boundaries as defined by the South Norfolk Local Plan 2003 (SNLP).

4.2 The application is to demolish the existing building and build a new substantial dwelling including an annexe on the site with a detached cart lodge/ workshop block. A similar application 2011/0970 was refused last year because it was outside a settlement boundary, and insufficient information was submitted on surface water drainage, archaeology and contamination.
4.3 Policy ENV8 in the South Norfolk Local Plan 2003 (SNLP) only permits development outside the development limits or village boundaries, if it is requisite for agriculture or forestry, justified to sustain economic and social activity in rural communities and demands a rural location or is the suitable adaption and reuse of an existing rural building, this is consistent with the National Planning Policy Framework.

4.4 The Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) adopted last year, defines a hierarchy for new development. Policy 15 in the JSC defines Great Moulton as a service village and it will receive an allocation of 10-20 dwellings, which will be required to be in character with the scale and form of the village. The development limits and these allocations will be defined as part of the Local Development Framework site specific allocation process which has not been completed. However, this site has not been put forward as a preferred option and therefore falls within the open countryside. Policy 17 of the JCS restricts development in the open countryside as does policy ENV8 in the SNLP.

4.5 The justification for the new dwelling in the application is that this is a redundant site and is unviable for alternative agricultural uses. An economic appraisal of the site has been submitted with the application which indicates that although it would be possible to use the site for cattle, poultry or pig rearing these uses would not be viable, given the size of the site and the amount of investment needed. The site is capable of being used for agriculture however, especially used in conjunction with other land; it might also be suitable for the keeping of horses. Consideration needs to be given that there are thousands of small parcels of land in South Norfolk which might not be viable for agriculture independently, but this alone can not justify a new unrestricted dwelling in the open countryside.

4.6 A number of letters of support have raised the issue that a dwelling would be better than a pig farm. Any agricultural land can be used to keep livestock including pigs without requiring planning permission. In terms of the site being used an intensive pig unit; this use does not appear to have occurred for well in excess of 30 years. The building is in an extremely poor state of repair and in my opinion would need considerable work to comply with current standards. Due to its location this would require planning permission and any proposal would be fully assessed as part of that process. The applicant's own viability statement also states that a pig unit would not be viable due to the amount of investment required.

4.7 The design of the dwelling is considered to be acceptable and incorporates a number of sustainable features including solar panels and rain water harvesting. The site is well screened in the local landscape with existing mature tree and hedging.

4.8 The application site includes a Medieval Moated Rectory shown on 1824 Great Moulton enclosure map, potential for archaeological remains on the site therefore exists and the Norfolk Historic Environment Service require an archeologically evaluation prior to the determination of the application, this is in line with the advice in the National Planning Policy Framework.

4.9 Environmental Services raised concerns regarding the last application as the site has been used for rearing pigs there is the possibility that there may be contamination on the site, which will need to be mitigated against. Their comments will be updated to committee verbally on this application confirming whether they still consider insufficient information has been submitted with the application for this issue to be fully assessed as required by Policy UTL 15 in the SNLP which is consistent with the National Planning Policy Framework.

4.10 Great Moulton suffers from drainage issues, rainwater harvesting is proposed as part of the development, with overflow draining into the adjacent ditch. Comments from Environmental Services regarding the suitability of this system will be reported to committee verbally.
4.11 The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework. Policy ENV8 remains consistent in terms of housing and policy ENV9 is consistent in requiring information of the impact of the development on archaeological remains.

5. Reasons for Refusal

5.1 The proposal is contrary to the provisions of the adopted South Norfolk Local Plan 2003 and the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 including, in particular, policies ENV8: Development in the open countryside, ENV 9: Nationally and locally important archaeological remains UTL 15: Contaminated land of the South Norfolk Local Plan and Policy 17 Smaller rural communities and the countryside and Policy 1 Addressing climate change and protecting environmental assets of the Joint Core Strategy. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework. Policy ENV8 remains consistent in terms of housing and policy ENV9 is consistent in requiring information of the impact of the development on archaeological remains.

5.2 The proposal does not accord with the above policies as it is located outside a development limit or village boundary and it is not connected with agriculture, forestry, organised recreation/tourist facilities or the expansion of existing institutions.

5.3 Insufficient information has been received by the local planning authority to adequately assess the merits of the scheme. In particular, in the absence of an archaeological evaluation it is not possible to assess the impacts of the development on archaeological remains.

5.4 Insufficient information has been received by the local planning authority to adequately assess the merits of the scheme. In particular, in the absence of any information on potential contamination of the land it is not possible to assess the impacts of the development and propose adequate mitigation against contaminated land.

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PLANNING APPEALS

Appeals received from 9 May 2012 to 25 May 2012

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<tr>
<td>2011/2059</td>
<td>THORPE ABBOTTS Annexe at Haggle House, Scole Road</td>
<td>Mr &amp; Mrs C Lister</td>
<td>Use of existing residential annexe as a separate dwelling house</td>
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<tr>
<td>2012/0115</td>
<td>KESWICK The Exchange, Mulbarton Road</td>
<td>Mr B Moss</td>
<td>Conservatory to side and dormer to side</td>
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<tr>
<td>2012/0339</td>
<td>LONG STRATTON 3 Lime Tree Avenue</td>
<td>Mr &amp; Mr T Watts</td>
<td>Enlarged dormer to front of property</td>
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Appeal decisions from 9 May 2012 to 25 May 2012

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PLANNING APPEALS

Appeals received from 26 May 2012 to 11 June 2012

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