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 (Chairman)</td>
<td>Mr T East</td>
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<tr>
<td>Mr D Blake (Vice-Chairman)</td>
<td>Dr M Gray</td>
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<td>Mr C Foulger (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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Pool of Substitutes

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

Pre-Committee Members’ Question Time

12.15pm – 12.45pm   Blomefield Room

Date

Wednesday 15 August 2012

Time

1.00 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

08/08/2012
The Development Management process is primarily concerned with issues of land use and has been set up to protect the public and the environment from the unacceptable planning activities of private individuals and development companies.

The Council has a duty to prepare Local Development Documents (DPDs) to provide a statutory framework for planning decisions. The Development Plan for South Norfolk currently consists of a suite of documents. The primary document which sets out the overarching planning strategy for the District and the local planning policies is the Joint Core Strategy for Broadland, Norwich and South Norfolk. The Strategy is broadly consistent with the National Planning Policy Framework (NPPF) and accompanying technical guidance and was adopted by South Norfolk Council in March 2011. It is the starting point in the determination of planning applications and as it has been endorsed by an independent Planning Inspector the policies within the plan can be given full weight when determining planning applications. South Norfolk Council is also in the process of preparing it’s Site Specific Policies and Proposals DPD, Area Action Plans and Development Management DPD. These documents will allocate specific areas of land for development, define settlement boundaries and provide criterion based policies giving a framework for assessing planning applications.

In accordance with legislation planning applications must be determined in accordance with the policies of the Development Plan, unless material considerations which are relevant to planning indicate otherwise.

The NPPF states that the purpose of the planning system is to achieve sustainable development. The core planning principles contained within the NPPF are summarised as:

- To be genuinely plan-led
- To drive and support sustainable economic development
- Seek high quality design
- Conserve and enhance the natural environment
- Encourage the effective use of land
- Conserve heritage assets

The factors to be used in determining applications will relate to the effect on the “public at large” and will not be those that refer to private interests. Personal circumstances of applicants “will rarely” be an influencing factor, and then only when the planning issues are finely balanced.

THEREFORE we will:

- Acknowledge the strength of our policies,
- Be consistent in the application of our policy, and
- If we need to adapt our policy, we will do it through the Local Plan process.

Decisions which are finely balanced, and which contradict policy will be recorded in detail, to explain and justify the decision, and the strength of the material planning reasons for doing so.

LOCAL COUNCILS

OCCASIONALLY, THERE ARE CONFLICTS WITH THE VIEWS OF THE PARISH OR TOWN COUNCIL. WHY IS THIS?

We ask local parish and town councils to recognise that their comments are taken into account. Where we disagree with those comments it will be because:

- Districts look to ‘wider’ policies, and national, regional and county planning strategy.
- Other consultation responses may have affected our recommendation.
- There is an honest difference of opinion.
1. To report apologies for absence and identify substitute voting members (if any);

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

3. To receive Declarations of Interest from Members;
   (Please see flowchart and guidance attached, page 7)

4. Minutes of the Development Management Committee held on 18 July 2012;
   (attached – page 9)

5. Planning Applications and Other Development Control Matters;

   To consider the applications as listed below:

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Planning Ref No.</th>
<th>Parish</th>
<th>Site Address</th>
<th>Page No.</th>
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<tr>
<td>1</td>
<td>2007/1560</td>
<td>PULHAM ST MARY</td>
<td>Old Maltings, Pulham St Mary</td>
<td>20</td>
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<tr>
<td>2</td>
<td>2010/0216/D</td>
<td>COSTESSEY</td>
<td>Phase 5, Queens Hill, Poethlyn Drive, Costessey</td>
<td>38</td>
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<td>3</td>
<td>2010/1037/D</td>
<td>COSTESSEY</td>
<td>Phase 4, Queens Hill, Costessey</td>
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<td>4</td>
<td>2012/1145/F</td>
<td>COLNEY</td>
<td>John Innes Institute, Colney Lane, Colney</td>
<td>56</td>
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<tr>
<td>5</td>
<td>2011/1908/C</td>
<td>HADDISCOE</td>
<td>Land for sand and gravel extraction, Loddon Road, Haddiscoe</td>
<td>65</td>
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<tr>
<td>6</td>
<td>2012/0414/F</td>
<td>REDENHALL WITH HARLESTON</td>
<td>33b,The Thoroughfare, Harleston</td>
<td>68</td>
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<tr>
<td>7</td>
<td>2012/0415/LB</td>
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<td>68</td>
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<tr>
<td>8</td>
<td>2012/0561/F</td>
<td>DISS</td>
<td>Land opposite 40, Sawmills Road, Diss</td>
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<td>9</td>
<td>2012/0720/F</td>
<td>LITTLE MELTON</td>
<td>Land to rear of 4, The Close, Little Melton</td>
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<td>10</td>
<td>2012/0866/F</td>
<td>HEMPNALL</td>
<td>Hay Cart Barn, Brick Kiln Lane, Morningthorpe</td>
<td>83</td>
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<tr>
<td>11</td>
<td>2012/0996/F</td>
<td>HEMPNALL</td>
<td>Cydonia, Field Lane, Hempnall</td>
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<td>2012/1001/H</td>
<td>COSTESSEY</td>
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<td>90</td>
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<td>13</td>
<td>2012/1043/F</td>
<td>BAWBURGH</td>
<td>Villa Farm, Watton Road, Bawburgh</td>
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<tr>
<td>14</td>
<td>2012/1110/RVC</td>
<td>WYMONDHAM</td>
<td>21 Norwich Road, Wymondham</td>
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<tr>
<td>Item No.</td>
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<td>Parish</td>
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<td>15</td>
<td>2012/1185/F</td>
<td>WACTON</td>
<td>32 The Croft, Hall Lane, Wacton</td>
<td>117</td>
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<tr>
<td>16</td>
<td>2012/1212/H</td>
<td>DISS</td>
<td>1,3,7,9 &amp; 11 Riverside Maltings, Diss</td>
<td>120</td>
</tr>
<tr>
<td>17</td>
<td>2012/1278/F</td>
<td>DISS</td>
<td>14 Mere Street, Diss</td>
<td>124</td>
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<tr>
<td>18</td>
<td>2012/1279/LB</td>
<td>DISS</td>
<td>14 Mere Street, Diss</td>
<td>124</td>
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<tr>
<td>19</td>
<td>2012/1247/A</td>
<td>REDENHALL WITH HARLESTON</td>
<td>Budgens Stores Ltd, Bullock Fare Close, Harleston</td>
<td>129</td>
</tr>
</tbody>
</table>

6. Sites Sub-Committee;

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

7. Enforcement Reports (attached – page 132)

8. Planning Appeals (for information)
1. GUIDELINES FOR DETERMINING THE NEED TO VISIT AN APPLICATION SITE

The following guidelines are to assist Members to assess whether a Site Panel visit is required.

Site visits may be appropriate where:

(i) The particular details of a proposal are complex and/or the intended site layout or relationships between site boundaries/existing buildings are difficult to envisage other than by site assessment;

(ii) The impacts of new proposals on neighbour amenity e.g. shadowing, loss of light, physical impact of structure, visual amenity, adjacent land uses, wider landscape impacts can only be fully appreciated by site assessment/access to adjacent land uses/property;

(iii) The material planning considerations raised are finely balanced and Member assessment and judgement can only be concluded by assessing the issues directly on site;

(iv) It is expedient in the interests of local decision making to demonstrate that all aspects of a proposal have been considered on site.

Members should appreciate that site visits will not be appropriate in those cases where matters of fundamental planning policy are involved and there are no significant other material considerations to take into account. Equally, where an observer might feel that a site visit would be called for under any of the above criteria, members may decide it is unnecessary, e.g. because of their existing familiarity with the site or its environs or because, in their opinion, judgement can be adequately made on the basis of the written, visual and oral material before the Committee.

2. PUBLIC SPEAKING: PLANNING APPLICATIONS

Applications will normally be considered in the order in which they appear on the agenda. Each application will be presented in the following way:

- Initial presentation by planning officers followed by representations from:
  - The town or parish council - up to 5 minutes for member(s) or clerk;
  - Objector(s) - any number of speakers, up to 5 minutes in total;
  - The applicant, or agent or any supporters - any number of speakers up to 5 minutes in total;
  - Member consideration/decision.

TIMING: In front of you there are two screens which tell you how long you have left of your five minutes. After four minutes the circle on the screen turns amber and then it turns red after five minutes, at which point the Chairman will ask you to come to a conclusion.

MICROPHONES: In front of you there is a microphone which we ask you to use. Simply press the button to turn the microphone on and off

WHAT CAN I SAY AT THE MEETING? Please try to be brief and to the point. Limit your views to the planning application and relevant planning issues, for example: Planning policy, (conflict with policies in the Local Plan/Structure Plan, government guidance and planning case law), including previous decisions of the Council, design, appearance and layout, possible loss of light or overshadowing, noise disturbance and smell nuisance, impact on residential and visual amenity, highway safety and traffic issues, impact on trees/conservation area/listed buildings/environmental or nature conservation issues.
HEALTH AND SAFETY INFORMATION

<table>
<thead>
<tr>
<th><strong>Fire alarm</strong></th>
<th>If the fire alarm sounds please make your way to the nearest fire exit. Members of staff will be on hand to escort you to the evacuation point</th>
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<tr>
<td><strong>Mobile phones</strong></td>
<td>Please switch off your mobile phone or put it into silent mode</td>
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<tr>
<td><strong>Toilets</strong></td>
<td>The toilets can be found on your right and left of the lobby as you enter the Council Chamber</td>
</tr>
<tr>
<td><strong>Break</strong></td>
<td>There will be a short comfort break after two hours if the meeting continues that long</td>
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<tr>
<td><strong>Drinking water</strong></td>
<td>A water dispenser is provided in the corner of the Council Chamber for your use</td>
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PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

<table>
<thead>
<tr>
<th><strong>A</strong></th>
<th>Advert</th>
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<tbody>
<tr>
<td><strong>AD</strong></td>
<td>Certificate of Alternative Development</td>
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<tr>
<td><strong>CA</strong></td>
<td>Conservation Area</td>
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<td><strong>CU</strong></td>
<td>Change of Use</td>
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<tr>
<td><strong>D</strong></td>
<td>Reserved Matters (Detail following outline consent)</td>
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<tr>
<td><strong>F</strong></td>
<td>Full (details included)</td>
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<tr>
<td><strong>H</strong></td>
<td>Householder – Full application relating to residential property</td>
</tr>
<tr>
<td><strong>C</strong></td>
<td>Application to be determined by County Council</td>
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<tr>
<td><strong>G</strong></td>
<td>Proposal by Government Department</td>
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<tr>
<td><strong>HZ</strong></td>
<td>Hazardous Substance</td>
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<tr>
<td><strong>LB</strong></td>
<td>Listed Building</td>
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<tr>
<td><strong>LE</strong></td>
<td>Certificate of Lawful Existing development</td>
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<tr>
<td><strong>LP</strong></td>
<td>Certificate of Lawful Proposed development</td>
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<td><strong>O</strong></td>
<td>Outline (details reserved for later)</td>
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<tr>
<td><strong>RVC</strong></td>
<td>Removal/Variation of Condition</td>
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<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 |
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Development and Environment

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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 : 2012/8082
   Parish : SHOTESHAM
   Site : Hengate Farm
         Brooke Road
         Shotesham
         Norfolk
         NR15 1XN
   Development : Not built in accordance with approved plans
   Developer : Miss D Brand

1. Background

1.1 Planning permission was granted in October 2012 under reference 2010/1079/F for the erection of a dwelling for an agricultural worker. It was brought to the Council’s attention that the works were not being carried out in accordance with the approved plans. There have been minor but material changes to the fenestration, including the re-configuration of the windows and doors, new rooflights installed and a chimney on the north projecting wing (replacing a flue).

1.2 The owner of the site was invited to submit an application to regularise the situation but An application has not been forthcoming.

2. Planning Policies

2.1 Joint Core Strategy
   Policy 2: Promoting good design

2.2 South Norfolk Local Plan
   IMP9: Residential Amenity

3. Consultations

3.1 Parish Council – No comments received

3.2 Local Member – To be reported if appropriate

3.3 Local residents – One letter received raising no concerns to the alterations to the dwelling but questioning whether the dwelling is for an agricultural worker and the validity and integrity of the original application and whether consent should have ever been given.

4. Assessment

4.1 As members will be aware, Policy 2 of the Joint Core Strategy requires all new development to be designed to the highest possible standards. The minor alterations which are material changes to the design of the dwelling are not considered to detract from the design approved by members under reference 2010/1079/F and are acceptable changes in this instance.

4.2 Plan Policy IMP9 states that new development will only be granted where the Council is satisfied that the development does not have a significantly adverse impact on nearby residents. The dwelling is located in excess of 150 metres from the nearest dwelling and is therefore not considered to impact on their residential amenity.
4.3 The letter received from a local resident raises no specific concerns regarding the alterations to the dwelling. The concerns relate to whether planning permission should have been granted for the development in the first instance and whether the current owner complies with Condition 8 of the permission which requires the occupation of the dwelling to be limited to an agricultural worker solely or mainly working or last working on the land edged in blue on the approved location plan. This matter is being investigated separately and if necessary will be brought to a future Development Management Committee for consideration.

5. **Recommendation**

5.1 That no further action be taken on this matter.
2. **Enforcement Ref**: 2012/8193  
**Parish**: PULHAM ST MARY  
**Site**: Kings Head Inn, The Street, Pulham St Mary, Norfolk, IP21 4RD  
**Development**: Untidy Land  
**Developer**: Mr Graham Scott

1. **Background**

1.1 Grade II listed early c17 timber frame building situated in the Pulham St Mary Conservation Area in the centre of the village.

1.2 Until being closed in December 2007 the building had been used as a Public House for much of its life, and forms an important part of the history of the village.

1.3 Since its closure, the building has not been properly maintained, the front and east elevations having fallen into a state of disrepair.

1.4 Local residents have raised their concerns with the Council about the impact the condition of the building is having on the appearance of the centre of the village.

1.5 The owner is fully aware of the buildings need for repair having previously submitted a listed building consent application in 2009 for a programme of permanent repairs. A number of other applications have also been submitted in the last few years for change of use of part of the property to residential, which were all refused, any appeals by the applicant not being upheld. An application for enabling development was also refused earlier this year.

1.6 The Council wrote to the owner on 19 July requesting that he carryout works to address the external appearance of the building and its detrimental impact on the amenity of the area. To date no response has been received from him.

2. **Planning Policies**

2.1 Section 215 of the Town and Country Planning Act 1990 (as amended) provides a mechanism for safeguarding the amenity of areas.

Section 215 states:

1) If it appears to the local planning authority that the amenity of a part of their area, or of an adjoining area, is adversely affected by the condition of the land in their area, they may serve on the owner and occupier of the land a notice under this section.

2) The notice shall require such steps for remedying the condition of the land as may be specified in the notice to be taken within such period as may be so specified.

An appeal can be lodged against a Section 215 notice to the Magistrates Court grounds on one or more of four specific grounds.

3. **Assessment**

3.1 The Council considers that issuing a notice is necessary to remedy the current harm being caused by the building to the amenity of the area. The building is located in a prominent location in the Pulham St Mary Conservation Area and is also in close proximity to residential properties. It is considered that the poor condition of the building is detrimental to the character and appearance of the Conservation Area and results in serious harm to the visual amenity of the centre of the village.
3.2 The Government has published a best practice guide in relation to Section 215 notices. This states that Section 215 notices can be used in the enhancement of conservation areas and that the scope of works that can be required in Section 215 notices is wide.

3.3 English Heritage guidance on enforcement action to save listed buildings refers to the use of a Section 215 Notices where the condition of land adversely affects the amenity of an area.

3.4 It is considered appropriate in the circumstances to issue a Section 215 notice that requires the landowner to improve the condition of the building by implementing a scheme of remedial works. The requirements specified in the notice will be sufficient to remedy the harm to amenity of the area and as such they will satisfy the tests set out in the best practice guidance.

3.5 It is, however, acknowledged that specifying steps to improve the buildings external appearance may not fully address its need for repair or provide a long-term solution in terms of the adverse impact on the amenity of the area. As long as the building remains largely unoccupied and under-maintained it is likely to deteriorate further.

3.6 Therefore in addition to the serving of a Section 215 Notice the Council is also considering use other statutory powers for which a further report and recommendations may be submitted for consideration.

4. Conclusion

4.1 The current condition of the building is considered to be detrimental to the amenity of the area. Since its closure in 2007 the Council has allowed the owner a considerable amount of time to try and address repair/maintenance issues. However, the continued deterioration of the site combined with the complaints from local residents, means holding action in abeyance for a further period is no longer a tenable position.

5. Recommendation

5.1 It is recommended that Officers be authorised to issue a notice pursuant to Section 215 Town and Country Planning Act 1990 (as amended).

The notice will require either:

(i) the implementation of a comprehensive scheme of remedial works; or
(ii) the demolition of the buildings and the site to be covered in topsoil and grass seeded.
Deferred from previous Committee – Request to Vary S.106

Request to be discharged from S106 legal agreement planning obligations in respect of planning permission 2007/1560 – the conversion of the Old Maltings, Pulham St Mary to 30 residential units.

1. Background

1.1 Planning permission was granted on 29 April 2008 to convert the Maltings to 30 dwellings. The permission was subject to a Section 106 agreement requiring contributions to be made in respect of Education, Libraries, Community Centre and Safer and Healthy Journeys to School.

1.2 Work commenced in 2008 and the trigger for some of the contributions was reached in November 2009. The developers at that time should have informed the Council that they had reached the trigger but did not do so. The Council first became aware that the trigger had been reached in January 2010 when 6 monthly monitoring of the site was carried out.

1.3 The developers were contacted and advised they needed to pay the outstanding monies. Following further correspondence the developers requested that they be allowed to defer payment. This request was denied and payments in respect of libraries and safer journeys to school were received.

1.4 Shortly after that the original developers went into administration and work ceased on site. In those circumstances there was no further action the Council could take at that time and legal advice confirmed it would be necessary to wait until the site was sold to a new developer, who would be liable for the outstanding contributions.

1.5 Between October 2011 and March 2012 discussions took place with agents acting for potential new owners. An informal request was made as to whether the Council would agree to the Section 106 contributions being waived. Following the submission and assessment of financial information the agents were informed that, although the final decision would be taken by the Planning Committee, it was considered that such a request could not be supported by officers.

1.6 Work recommenced on site in May and once the Council became aware of this it contacted the agent for the new owners (Area Estates Ltd, part of the William Pears Group) seeking the outstanding monies. An e-mail was received from the agent accepting that the new owners were liable and requesting updated figures. These were provided and an invoice issued.

1.7 It was at this time (14th June 2012) that the agents acting on behalf of the developers made a formal request to be relieved of the outstanding obligations on the grounds of non-viability (Appendix 2).

2. Consultations

2.1 Parish Council : Recommend that the request be refused. Comments are attached as appendix 3 to this report.

2.2 District Member : To be reported if appropriate.
2.3 Pennoyers Community Centre: Recommend that the request be refused. Comments are attached as appendix 4 to this report.

3. Current Position

3.1 Work is now continuing on site. The payments in respect of libraries and safer journeys to school were made in early 2010 before the previous developers went into administration. The affordable housing has also been provided as required.

3.2 Following the Development Management Committee decision on the 20th June 2012 to authorise an application for an Injunction the following payments have now been received from the developers:

- Contribution to the Community Centre - £48,943.10
- First instalment of Education contributions - £32,331.00

3.3 A further payment of £32,331.00 is required in respect of education, but the trigger for this payment is the occupation of the 20th dwelling on site, and this trigger has not yet been reached.

3.4 The threat of the serving of an Injunction has now been removed, and work continues on site.

3.5 An application to be discharged from the planning obligations (including those already paid), under s106A of the Town and Country Planning Act 1990 (as amended) has now been made. It is requested that monies recently paid be refunded.

3.6 On the 18th July members of the Development Management Committee resolved to defer making a decision on this application until the 15th August to allow consideration by all parties of additional supporting information submitted by the applicant. This additional information is attached as appendix 5 to this report.

4. Assessment

4.1 In requesting to be discharged from planning obligations, a clear economic and financial case has to be made to satisfy the Council. Indeed the National Planning Policy Framework at paragraph 205 states:

4.2 "Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and where appropriate, be sufficiently flexible to prevent planned development being stalled."

4.3 The Council’s consultant valuer has considered the financial information and development appraisal submitted in support of the application, and whilst he does not agree with all aspects of the appraisal in overall terms, it is agreed that it represents a reasonable assessment of the likely outcome of the scheme based upon the information currently available. The appraisal shows a developer return of 19.84% on cost and 16.56% on the gross development value which is below the normal acceptable return of 20% on value.

4.4 However, the Valuer also expresses the view that it is unreasonable for the new owner to claim that the scheme is unviable to the extent that the s106 agreement should be varied, as a reasoned buyer and experienced developer will undertake proper due diligence before concluding any site purchase. In this case this would have included taking account of outstanding and future s106 liabilities and the price paid for the site should have reflected these.
4.5 It is the Agent’s contention that the price paid for the site should not have taken full account of the s106 liabilities. This stance is not agreed as the site was purchased in full knowledge of the outstanding planning obligations and that works had been dormant on site for some time. The outstanding monies have been paid by the new owners of the site, and development continues on site.

Response to Developer’s Supporting Information

4.6 The developer has provided a brief in response to this report (as it appeared in the 18th July agenda), the majority of which deals with correspondence leading up to the formal request to be discharged from obligations. However, it is necessary to clarify the following points:

- No formal request to be discharged from planning obligations was made in January 2012 as suggested. The developer was advised as to the likely outcome of such a request in a ‘without prejudice’ e-mail on the 9th March 2012. At this time, reference to the formal process needed to be undertaken was made.

- In respect of the education contribution, the required contribution and the assessment that led to it was made available to the applicant / developer in August 2007, and has been available to be viewed since this date.

- The developers imply that the Pennoyer Centre does not need the S106 funding, as it would now only be contributing towards care and maintenance of the building, and not its construction. However, the response from Pennoyers (see appendix 4) makes it clear that the Heritage Lottery Fund granted its award based on the funding secured to date, with the S106 contribution being a major part of this secured funding. The restoration of the building had to progress ahead of the S106 funding being available to avoid other grants being lost and because some of the structure of the building was in a dangerous condition. The shortfall in funding was covered by the project team taking out a loan (at 4% interest). As it has been 32 months since the S106 monies were due, Pennoyers have lost approx £2000 per annum in interest. If the S106 funding is not paid as agreed, there is a serious risk of the centre closing.

4.7 Taking into account the above, the firm view is that the new owner of the site should have paid a price that reflected the outstanding and future S106 liabilities, and that to argue that the site is not viable on the basis of the price paid is inappropriate. It is therefore concluded that the planning obligations should remain unchanged, and that there are no material considerations of sufficient weight to allow the public interest to be harmed through the loss of Community and Education contributions.

5. Recommendation

5.1 That members do not agree to the request to be discharged from the s106 planning obligations, and that the monies paid to date by the developer are not refunded.
Dear Gary

RE: S106 Agreements - The Old Maltings, Pulham St Mary

Further to the various correspondence and discussions regarding the outstanding S.106 payments for the above site, please accept this letter as formal notification of our application to discharge the obligation commitments.

As required under Section 106A of the Town and Country Planning Act 1990 the following information is provided.

1. the name and address of the applicant.

2. the address or location of the land to which the application relates and the nature of the applicant’s interest in that land.

3. sufficient information to enable the authority to identify the planning obligation which the applicant wishes to have modified or discharged.

4. the applicant’s reasons for applying for the modification or discharge of that obligation.

5. such other information as the authority consider necessary to enable them to determine the application.
1. Name and Address of Applicant

Area Estates Ltd
Clive House
2 Old Brewery Mews
Hampstead High Street
London NW3 1PZ

2. Site Address and Interest

The Old Maltings
Station Road
Pullham St Mary
Norfolk IP21 4QT

A Site plan is attached at Appendix C.
The applicant is the owner of the site.

3. Obligation to be discharged

Community Centre Contribution £49,076
Educational Contribution £64,662

4. Reasons for Discharge

We are applying to discharge the above financial contribution obligations on the grounds of economic non-viability.

The original contribution amounts were negotiated in early 2008 when the economic climate had a very different outlook than it does today. The original developer has since gone into liquidation and the current owners purchased the site from receivers Leonard Curtis & Co, appointed by Allied Irish Bank.
We have prepared a residual development appraisal (Appendix A) that demonstrates the scheme shows a profit on cost of only 16.72% with a land cost of £950,000 – the appraisal excludes the outstanding S106 payments as a cost line item. The figures were calculated using optimistic end sale values based on the units that have been sold at market value. The reality is that these levels are probably not achievable in the current market where there are limited mortgage options available to prospective purchasers.

In previous discussions with South Norfolk District Council’s property consultant Stuart Bisley, there was a broad agreement in cost and sale assumptions used. Mr Bisley adopted an approach that calculated an acceptable profit figure of 20% of GDV by inserting a land price of £500,000.

This is a notional land price and the reality is that the site has been purchased for £950,000. A report was commissioned by the receiver in June 2011 by Colliers international (Appendix B) to advise on the value of the site. The valuation range was between £850,000 and £1.2m, after negotiation the sale was agreed at £950,000 to Area Estates.

The site was marketed for a 12 month period prior to sale and after various offers from interested parties the transaction was concluded at £950,000. This must therefore be considered the market value of the site and incomplete development, reinforced by the advice of Colliers international.

5 Other Factors

The site has already provided a large contribution to the local community via the social housing allocation as required under the original S106 agreement. Eight units were provided to Flagship Housing Group for £620,000 which reflects a discount to market value in the region of 50%.

In deteriorating market conditions we are of the opinion that providing these units as part of the planning obligation was a major contributing factor to the failure of the original developer.

I hope the contents of this letter are satisfactory to register our application for discharge and I look forward to hearing from you in due course.

Yours sincerely

R Marsh-Feiley BA (Hons)

Dip Arch RIBA
Mr G Hancock  
Planning Department  
South Norfolk District Council  
Swan Lane  
Long Stratton  
NR15 2XE

Request to be discharged of S106 legal agreement planning obligations in respect of planning permission 2007/1566 - the conversion of the Old Maltings, Pulham St Mary to 30 residential units.

The Councillors of Pulham St Mary Parish Council have considered the above request received by the LPA from the agents acting on behalf of the developers and would request the application is refused.

The current developers have advised that the site was purchased for £950,000, following a valuation in June 2011 by Colliers International suggesting a value range of between £850,000 and £1.2M. From the copy of this report we can see that the valuation relates to the whole site which includes the two detached houses covered by separate permission and not covered by this section 106 agreement. The Council therefore requests that, if the purchase price is also based on the whole site then this should be reduced accordingly for purpose of consideration and profitability calculations.

The council also notes that the developer’s agent had been in discussion with South Norfolk District Council on this matter prior to purchase of the site and had been advised, not only of the S106 agreement obligations but also of the Council’s own appraisal of the value and viability of the site. The Parish Council therefore conclude that as there have not been any substantial changes in the market since the purchase of this site by the current developer and as the developer was aware of obligations attached to this site prior to purchase, the request to discharge the S106 legal agreement should be refused.

Yours sincerely

Mrs Lisa Aston  
Clerk to Parish Council
Dear Gary

**Pulham Maltings – request to be discharged from S106 obligations**

Thank you for forwarding the developers’ ‘brief’ dated 16 July 2012, requesting discharge from the S106 obligations relating to The Pennoyer Centre. As you know, I chair the Trustee body, and was project manager, on a voluntary basis, throughout the project from its inception in 2005.

The brief states that “The Pennoyer Trust (sic) has not so far commented on this application and has not contacted this office to confirm where the money is allocated”. The author remains anonymous; no correspondence has ever been sent to The Pennoyer Centre; neither the developers nor their advisors have contacted the Trustees at any point during these negotiations, so a lack of comment from the charity is not surprising. It is essential the Trustees have been kept ‘out of the loop’. The Trustees have, however, pressed SNC for details regarding the likely payment date throughout the entire life of the project.

In the original S106 agreement, funding towards the Pennoyer Centre was agreed “for the restoration of the Pennoyer School as a Community Centre in lieu of the actual provision of Recreational Space on the land”. Effectively, the developers gained from this agreement by having space on site for additional units and parking spaces that could increase income and/or enhance sales, rather than having to provide public recreational space that had potential to detract from the development. The need for recreational space for the community remains. The Pennoyer Centre delivers that space and the developers have a duty to stick to their original promise.

The developers’ brief states: “The Pennoyer Trust has been ‘restored’ and completed with a full grant of approximately £1M from the Heritage Lottery Fund and therefore this payment may not be properly allocated under the terms of the 106 as it would not be going toward the restoration’ but would go to the ‘upkeep’ and ongoing costs which did not form part of the terms of the 106.”

This would set an interesting precedent for S106 obligations: a company employs delaying tactics until such time as the intended beneficiary project(s) has been delivered, out of necessity, at which point the company claims that the obligation cannot ‘be properly allocated under the terms of the 106’ agreement, and ducks out of the deal.
In this specific case, the developers imply that The Pennoyer Centre, having received a capital grant from the HLF (of £850K approximately, not £1M) doesn’t therefore need the S106 funding. In fact, the HLF granted its award based on the funding secured to date, and the contribution from the Matings was a significant part of securing funding. Major grant funders do not hand over their money lightly; they need to see what funding is secured before they invest.

The restoration project had to progress while waiting for the S106 funding, because other grants secured would have expired and been lost, and because the Pennoyer’s School building itself had structurally deteriorated to the point of imminent collapse. Members will recall that the school was on the Buildings at Risk register, and SNC was considering compulsory purchase to protect it.

As a result of the capital shortfall, the team had to take out a loan (at 4% interest) from the Architectural Heritage Fund to cover project costs. Continued non-payment by the developer, despite the trigger point having been reached 32 months ago, has cost the project approximately £2,000 per annum in interest. To reduce the size of the capital shortfall, some items within the restoration project were put on hold, and others were completed to a temporary standard (eg our car park) whilst awaiting the debt to be paid.

The team also had to use monies reserved for working capital for the first five years of operation to cover necessary capital items for the building to open for public use. Working capital is an essential part of the package for a new charity; major funders will not fund a project without reasonable financial provision to cover the start up and early years of operation.

However, using the charity’s start-up funding to cover capital shortfall leaves the charity in a parlous position given the extent of the delays by the developers. The charity employs nine part-time staff, but, to reduce costs, the Trustees were forced to make one member of staff redundant last month, and to restrict the hours of others. If the money is not paid over, there is no apparent alternative but for The Pennoyer Centre to close. The remaining staff would lose their jobs, and local people would lose their only community facility.

William Pears Group (parent company of the developer) delivered a profit before tax of £42m last year, and has invested over £500m in acquisitions in recent years. For developers to punish local people for striving against all odds to improve their community is shameful. This is especially so for developers whose parent company’s admirable charitable foundation supports “identity, community and citizenship in the UK”. The Trustees of The Pennoyer Centre, an award-winning community charity, find it extraordinary that the Pears Foundation could be party to such behaviour.

During the due diligence phase of the acquisition process, the obligations under the S106 agreement would have been fully investigated; correspondence to date proves that this is so. No organisation of the calibre of the William Pears Group would progress the acquisition with an assumption that the obligation could in some way be removed; instead it would assess whether the acquisition including the cost of the S106 obligations, made good business sense or not. Clearly, it did. This is, quite simply, profiteering at the expense of the local community.
The sales potential of the Maltings properties is enhanced by the facilities of The Pennoyer Centre, which are known to be used both by existing Maltings' residents and by prospective purchasers viewing properties on site. Since taking over in May, the developers have already sold one large house, and have three further properties on the market. The developers' estate agents describe the properties as being sited "within a desirable and well-served village location". The Pennoyer Centre is the major factor in the desirability of this village. It's ironic that, if the developers were to succeed in reducing or removing their debt to The Pennoyer Centre, it would ultimately diminish the value of their own investment.

Yours sincerely

Sheila King
Chair
The Pennoyer Centre
APPLICATION TO REMOVE OR AMEND THE
FINANCIAL CONTRIBUTION CONTAINED IN
S106 AGREEMENT AS PART OF THE
PLANNING APPROVAL FOR THE
PULHAM MALTINGS 2007/1560

Introduction

This application to alter the financial contributions was not entered into lightly or with the intention to remove all contributions as it has always been the developer's intention in the negotiation to pay whatever contributions are agreed.

It has been regrettable that negotiation on this matter has taken over a year to get before committee and more regrettable that the developer has been forced to pay whilst negotiations and application were being deliberated. Had negotiations and responses occurred more quickly the development would not have recommenced on site prior to this negotiation being finalised. It is however a fact of life that where a land owner has a potential purchaser that is keen to complete a scheme after almost 3 years of inactivity on site the opportunity cannot be ignored and work had commenced prior to final details of the negotiations had been completed, resulting in the recent threat of an injunction.

The purpose of this brief is in response to South Norfolk District Council's (SNDC) planning officer's report prepared for the planning committee meeting to be held on the 18th July 2012 and has been carried out to put the opposing argument forward in a more detailed and informed manner than is possible within the three minutes allocated at the meeting. It is intended that members are able to read this document prior to the meeting.
History

The site has had a long planning history and the current approval followed initial applications of 48 units and then 44 units in 2006 with the current negotiated approval of 30 units securing in 2007.

The original section 106 negotiations included the following figures:

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<tr>
<td>Highways</td>
<td>£10,400</td>
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<td>Library contribution</td>
<td>£1,500</td>
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<tr>
<td>Community payment</td>
<td>£48,212</td>
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<tr>
<td>Schools contribution</td>
<td>£64,662</td>
</tr>
<tr>
<td>Safer journey to school</td>
<td>£10,655</td>
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<tr>
<td>Social Housing</td>
<td>8 units</td>
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These were eventually agreed to excluding the Highways contribution as this had been allocated for the provision of a roundabout at the “Pulham” junction with the A140 which had, by the time of this application, been carried out.

Various triggers were put in place with the S106 agreement in order that payments were made throughout the development and thereby spreading the cost to the developer to enable some return to be realised prior to all payments.

The development commenced in late 2007 with the social housing being completed first as the developer had a confirmed purchaser to take on this element. In carrying out the social housing first the developer was taking a risk as social housing does not produce much, if any, profit.

Initial negotiations and offers for the social housing were received in the order of £685K. However, after the housing market crashed in 2008 the housing association who originally had contracted to purchase the units withdrew and an alternative housing association was sought. The social housing was eventually completed and handed over for approximately £620K, almost £70K less than the original offer.

Comments/Notes

Reducing the number of units within an existing building obviously increases the size of units. The number of bed spaces per unit is limited for this type of development and consequently the conversion costs are higher without necessarily increasing the sales price by the same proportion.

A full financial viability was not carried out but the development sales returns in 2007 were believed by the developer to be sufficient to adequately fund the 106 obligations.

The loss at this stage of a significant portion of revenue was, inevitably, to put a strain on the development’s viability.
The development of the second phase of works continued with 7 further free market units being completed, but not all sold, prior to the developer going into receivership in early 2010.

Current Application

In June 2011 we were asked to look into the possibility of reducing the S106 contributions on the planning approval prior to its potential sale.

It was stated that a possible reduction in contributions would be looked at given the current economic climate and the fact that the site had been dormant for over 2 years.

We were informed that an open book financial viability would be necessary to back up and request to alter the terms of the 106 agreement, and were told that there was no “formal” process for this application and any application would need to consist of a letter and accompanying financial viability statement. This was done in January 2012. Two options for the financial viability appraisals were carried out.

Option 1 looked at the whole site including the social housing and ones that were partially complete. However, this showed a substantial loss (around £300K) given current market prices and actual sales figures achieved for the social housing and those free market properties sold.

Option 2 looked at the whole site but included three additional units which are currently being considered on the scheme, which reduces the overall loss on the scheme.

In response to the submission, we were asked to look at an up to date scenario omitting all those units currently sold or forming part of the social housing contributions.

This has been accepted and a revised financial viability was produced and issued in February 2012.

The second trigger for additional S106 payments were reached however they were not paid prior to this site being closed.

A detailed breakdown has been issued to SNDC and is available if necessary outlining a summary of correspondence dates and content.

As far as we were aware a “formal” application had been made in January 2012 and we had expected this, after “negotiation”, to be presented to the planning committee.

By looking at the current houses remaining, clearly this omits the element of non-profit making within the scheme (or what was to prove loss making element) and only assessing the profitable free market housing in isolation it has also not reduced the overall contributions.
Further negotiation was held between Hollins and SNDC with the majority of “figures” presented and being accepted, however, there remained one essential figure that could not be agreed - the land value. The land value obviously has a key impact on the financial viability of a scheme.

Hollins were requested to provide detailed confirmation of how the prospective land price had been arrived at in order to satisfy the council’s valuer. The land value used in the financial appraisal had been £950K. However, the district valuer asserted that the figure should be £500K. Clearly this is a significant reduction in the land value. In questioning the land value the district valuer had worked backwards from the “notions acceptable profit” including all S106 contributions which resulted in a land value of approximately £500K.

Hollins provided evidence of an independent valuation of the land carried out by Colliers which detailed several agents figures and a mean value used of £950K.

We would contest that assessing the land value should be done independently without regard to any potential costs otherwise it does not represent “land value”.

This financial assessment of the land value and potential land development cost also looked at potential resale costs and suggested the figure of £133/sq ft would be more likely to be achievable. In our assessment the sales returns have not been adjusted to reflect this drop in sales revenue as the higher figure used of £153/sq ft (£1,650/m²) still didn’t reach the “Three Dragon Toolkit” trigger value. If the reduced figure was to be used then the resulting profits would be cut substantially.

We contested that a “formal” process had already begun back when the letter in January was issued despite the “formal” request by SNDC for which no FORMAL process exists.

The resultant financial assessment was issued on the 8th June 2012 under a second application, now noted as “formal”.

However, in negotiations we have reduced this figure by removing the S106 contributions (for the purposes of the financial assessment) and also the land also included within the sale for plots 31 and 32 (excluded in the S106 terms).
This assessment was issued on the 2nd July 2012 which shows a resultant land value of £750K. This results in an overall profit of 19.8% with no S106 contributions.

In making the judgements of financial contributions councils have generally adopted a software package known as the “Three Dragon Toolkit”. This assesses the financial viability of a scheme and thereby assesses what financial/housing contributions are economically viable on a given scheme.

We have not had confirmation as to whether SNDC have adopted this software (despite several requests to confirm or otherwise). However, it has been widely adopted by other local authorities and can therefore be seen as a benchmark for assessing viability.

This software provides a default profit that is set at 21% before section 106 contributions are triggered.

In the case before you this trigger has not been met and therefore we request that the financial contributions be waved (or reduced by further negotiations).

Conclusions

At no point have we attempted to suggest that the developer is not liable for some financial contribution. However, some payments have already been made and the social housing has also been completed and occupied. We are requesting that the council renegotiate the terms of the section 106 obligations given the very specific circumstances of this case and do not accept the unjustifiable case but forward by SNDC.
Summary

NOTES on current financial assessment dated 2 July 2012.

- Land value independently assessed by 3 land agents and average used in assessment.
- Sales figures used in current assessment well above those predicted by independent valuer (Colliers).
- Land value used in assessment has been reduced by £200K to allow for S106 contributions and land value of plots 31 and 32.
- Financial assessment does not trigger S106 contributions and could not be justified by other local authorities.
- Current assessment only considers profitable section of development.
- Some financial contributions have already been paid not included in assessment.
- All social housing provision has been made and completed which has not been used in overall assessment.

NOTES on financial contributions.

Education assessment -

- We have not yet had confirmation on how the contribution was assessed as flats only incur 50% contribution as they are less likely to have significant child numbers.

Community Payment -

- The terms of the section 106 state payment to be made towards either “the provision of a community centre” or the “restoration of the Pennoyer School as a community centre”. This contribution was envisaged to enable or go towards the restoration of the Pennoyer Trust building. The Pennoyer Trust has been “restored" and completed with a full grant of approximately £1M from the Heritage Lottery fund and therefore
this payment may not be properly allocated under the terms of the 106 as it would not be going “toward the restoration” but would go to the “upkeep” and ongoing running costs which did not form part of the terms of the 106. The Penneyer Trust has not so far commented on this application and has not contacted this office to confirm where the money is allocated.
Applications deferred from previous Committee – Major applications or applications raising issues of significant precedent

2. Appliance No : 2010/0216/D
Parish : COSTESSEY
Applicants Name : Taylor Wimpey
Site Address : Phase 5, Queens Hill, Poethlyn Drive, Costessey
Proposal : Proposed residential development of 142 dwellings and associated structures (Phase 5)

Recommendation : Approve

1. In accordance with submitted drawings
2. Materials
3. Water efficiency scheme to be submitted
4. No occupation until it has been shown that adequate capacity of the existing foul sewerage network and pumping stations exists to cater for the foul flows from the development and that both the northern and southern pumping stations have been adopted by Anglian Water
5. Landscaping
6. No occupation of any dwelling until the bus link from Ringland Lane to the development has been provided

3. Appliance No : 2010/1037/D
Parish : COSTESSEY
Applicants Name : Bovis Homes Ltd
Site Address : Phase 4, Queens Hill, Costessey
Proposal : Proposed residential development of 115 dwellings including associated infrastructure

Recommendation : Authorise the head of Development & Environment to approve, subject to amended design

1. In accordance with submitted drawings
2. Materials
3. Water efficiency scheme to be submitted
4. No occupation until it has been shown that adequate capacity of the existing foul sewerage network and pumping stations exists to cater for the foul flows from the development and that both the northern and southern pumping stations have been adopted by Anglian Water
5. Landscaping
6. No occupation of any dwelling until the bus link from Ringland Lane to the development has been provided

Subject to S106 legal agreement to provide financial contributions towards the production and implementation of a Travel Plan for the whole of Queen’s Hills, highway improvements to Ringland Lane, and a highway contribution in accordance with that required by the Bovis appeal decision 2007/1443.
Introduction

These applications were deferred by members of the Third Wednesday Planning Committee on the 17th August 2011 for the following reasons:

- To allow the Council to independently appraise and verify the Travel Plan approach in this particular case.
- To allow for further information to be obtained regarding the foul water pumping station.
- To give the applicant opportunity to amend the design.

Travel Plan

Richard Jackson Consulting Engineers were commissioned to undertake an independent appraisal of the Transport Assessment and proposed Travel Plan option for Queen’s Hills, and a report was received by them in October 2011. Further consultations were then undertaken with the developers and NCC: Highways, and their views taken into consideration by Richard Jackson. The consultants agreed that the proposed travel plan could attain the 7.6% reduction in vehicle movements required to achieve ‘nil detriment’. Although it was suggested that additional baseline traffic information should be provided, they did not feel that the absence of this data is a reason for refusal that could be defended at an appeal. The key test when considering the Highway Network, as defined by the DfT’s ‘Guidance for Transport Assessment’, is the Nil Detriment Test. This test can be assumed to be met if the scale of the proposal is small when compared to that which was previously accepted by the authorities. In this case the number of additional houses over those that have been previously accepted is quite small. Further to this, the guidance rules out existing congestion as a reason for development to be refused.

Pumping Station

Since these applications were discussed at planning committee in August 2011, the southern pumping station has failed on several occasions, the most recent failure the result of a power outage. A remedial inspection of the pumping station was carried out by Anglian Water on the 18th May, and contractors (TT Pumps) have now started rectifying the list of faults found. TT Pumps have confirmed that there is sufficient storage capacity within the two pumping stations to serve in excess of 2000 properties. A second remedial inspection will be required once the works have been completed, before final adoption by Anglian Water.

In light of the above, any approval of the applications would be conditional on there being no occupation of any dwellings until it has been shown that adequate capacity of the existing foul sewerage network and pumping stations exists to cater for the foul flows from the development, and that both the northern and southern pumping stations have been adopted by Anglian Water.

Design

The design and layout of the Taylor Wimpey application has now been amended to the satisfaction of officers, and has achieved the required score of 14 when assessed against the Building for Life checklist. The Bovis scheme is close to achieving this score, and discussions are still on-going.

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 – 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 & Water
Policy 4 – Housing delivery

1.3 South Norfolk Local Plan
COS 1: Housing allocation, north of the River Tud, Costessey
IMP 2: Landscaping
IMP 8: Safe and free flow of traffic
IMP 9: Residential amenity

2. Relevant Planning History

2.1 2001/1435/O Outline application for residential development (approx. 1400 dwellings) Allowed at appeal

2.2 2007/1443 Reserved Matters submission for 178 dwellings (Bovis) Refused, but allowed at appeal.

3. Consultations

3.1 Parish Council: No objection, although raise concerns with parking areas and possible anti social behaviour. Previous issues at QH indicate that the road widths are too narrow with a lack of off-street parking.

3.2 District Member: To be reported if appropriate.

3.3 NCC Highways: No objection, subject to a S106 legal agreement requiring financial contributions towards a Travel Plan, and a deed of variation of an existing legal agreement to allow a financial contribution to provide for improvements to Ringland Lane to facilitate bus links to the site.

3.4 Environment Agency: No objection, subject to appropriate conditions.

3.5 Anglian Water Services Ltd: None received.

3.6 NCC: Planning Obligations Co-Ordinator: No objection, subject to financial contributions towards the provision of a 420-place school (extended from 350).

3.7 Environmental Services (Protection): None received.

3.8 Local Residents: 3 letters of objection received from one property
- Transport / access issues
- Object to the use of 2.5 storey buildings
- Green areas provide convenient access for fly-tipping.
- Trees should be protected
4. **Background to grant of outline planning permission for this estate**

4.1 Residential development on 45.5 hectares of land to the north of the River Tud, Costessey was formally allocated in 2003 following the adoption of the South Norfolk Local Plan. The development was to also include open space, affordable housing, bus facilities, play space, community facilities, and a new primary school. Although the indicative number of dwellings expected for the site was 1365, the density and total numbers of dwellings were not capped.

4.2 During the local plan inquiry traffic studies centred on the impact of the development on the Longwater junction at the time indicated a capacity of up to approx. 1600 dwellings. However, late representations received from both the Highways Agency and NCC: Highways required the junction capacity to be increased through the provision of a second bridge over the A47 (T). A developers contribution of £1.3 million was subsequently requested. In order to achieve viability for the development of the site, taking into account this large financial contribution, it was agreed that required percentage of affordable housing be reduced.

4.3 Outline planning permission for residential development and community facilities, recreational land, construction of a loop road, new Bridge over the river Tud and a Country Park, along with an executed Section 106 legal agreement was issued in July 2004. The permission was issued without an upper limit on housing numbers as under then planning guidance, a selected limit would have been arbitrary and challengeable.

5. **Period of grant of outline planning permission to immediately prior to receipt of reserved matters planning application now falling to be considered**

5.1 Following the granting of outline consent a consortium of landowners sold the land to Cofton Ltd. Who organised development with themselves as lead developers / coordinators of infrastructure provision. The site was split into sub-sites (phases), with various sites being sold to individual national house builders to develop and market their own phased areas of the development under separately applied for reserved matters submissions. The overall delivery of infrastructure was a private arrangement between Cofton and the house builders.

5.2 By mid 2007, eight reserved matters submissions had been made and granted, providing for some 920 dwellings. However, at this time officers began to have concerns at the rate of and density of development being applied for and having to be granted (entirely in accordance with Government policy in respect of density, design and good use of development land), and that the infrastructure capacity of the Longwater junction and education was approaching exhaustion.

5.3 Further highways advice at this time stated that even with the planned junction improvements, the junction was at capacity and could not cope with any more than 1600 dwellings. Officers were also concerned that the successful planning of the estate could be prejudiced if the remainder of houses to be developed were not planned in a comprehensive way, rather than by piecemeal applications. This concern partly resulted in an application for reserved matters by Bovis Homes being refused for two reasons. In respect of the infrastructure issue, it was refused for the following reason:

5.4 As the estate approaches exhaustion of the capacity of the planned infrastructure (including school facilities and highway junction capacity) it would not be in the interest of the proper planning of the area to approve this application in isolation of a comprehensive consideration of all the remaining developable land contained in the outline planning permission pursuant to which this application for approval of reserved matters is made. The application is therefore contrary to Strategic Principle 4 (Impact on Infrastructure) of the South Norfolk Local Plan 2003.
5.5 The Council’s arguments were partly supported at appeal, and the Inspector agreed that we should have regard to infrastructure constraints, but, given that this application itself did not take the infrastructure beyond capacity, it should not be refused on this ground.

5.6 Following the outcome of the appeal by Bovis Homes in August, the Council reviewed its approach to reserved matters applications at Queens Hills in the light of the Inspector’s findings and overall judgement. We considered the adequacy of infrastructure to serve the development at Queens Hills to be so important a consideration that the number of dwellings to be constructed should not exceed the ability of the associated infrastructure to cater for the new community.

5.7 It was clear to the Council that in reaching his conclusions the Inspector made certain judgments about the likely capacity of the school on site, and the ability of the surrounding road infrastructure to cope with the additional traffic generated from the site as the scheme develops over time.

5.8 Discussions with the County Council Children Services in response to the Inspector’s findings were entered into, with a view to securing the use of the adjoining playing fields during school time and otherwise exploring whether the school can be expanded. Unfortunately, these discussions ceased when the infrastructure provider, Cofton, went into administration in March 2009. The Council also took into account further advice received from the highway authority concerning the capacity of the junction and prospects of securing improvements. From these discussions I can advise that the following information needs to be taken into account:

- the Longwater Junction CIF2 bid was not accepted by the Government Office to go forward.

- Using previous and future planned development housing mixes as a guide (a 2:1 housing / flat mix is never likely to be achieved, especially given the current market conditions), it has been estimated that the 350-place school will be at capacity when approx 1600 dwellings have been built and occupied on site, depending upon the actual pupil product estimated from the mix which is delivered.

5.9 First, on education infrastructure: the adequacy of available infrastructure is a vital material consideration, and we welcomed the Inspector’s recognition of this. Until the threshold beyond which a 350-place school would be exceeded, further housing at Queens Hills can, with a degree of confidence, be accommodated without creating a situation where the school will be over-capacity. This was not our preferred approach, (we hoped to achieve the co-ordinated delivery of the remainder of land at Queens Hills), but following the Inspector’s decision this is the approach we will take unless circumstances change.

5.10 During the Inquiry, it was also acknowledged, by both sides, that the highway junction is at capacity in 2017 when 1760 dwellings have been built and occupied. We consider it less likely that the junction improvement will be provided now that the CIF2 bid has been unsuccessful, although it cannot be ruled out of course. Further advice from the Highway Authority indicates that the junction improvement will not happen before 2018.

5.11 Taking into account both school capacity and junction capacity, it was decided to use 1650 dwellings as the threshold for the amount of new development at Queens Hills, until such time as the 420 place school and improvements to the highway junction at Longwater can be guaranteed. The pupil product of each application will be considered individually as the 1650 figure reflects our assumptions about likely future development mix.
5.12 Again, in line with the Inspector’s decision, developers will be required to make additional contributions towards an enhanced Longwater junction proportionate to the traffic likely to be generated from development proposed over 30 dwellings per hectare (this being calculated at £1192 per dwelling). This contribution has been procured by means of a S106 legal agreement.

5.13 Unfortunately the Cofton Group of companies entered administration in March 2009, with much of the infrastructure incomplete. Since this time, all developers and landowners at Queen’s Hills have been in breach of a growing amount of conditions and S106 legal Agreement clauses. These are listed below.

Outline Planning Permission 2001/1435 – Condition 14 requires the provision of the link road to Ringland Lane before the completion of the 200th dwelling on site.

Section 106 Legal Agreement - PART 1 (Education) – Financial contributions towards High School of £409,513.00 on occupation of 250th dwelling (of which £109,513.00 plus index linking thereon is outstanding). Financial contribution towards School Transport of £136,800.00 - £22,800.00 on commencement of development, and then £22,800.00 each April for 5 years (of which £45,600.00 plus index linking thereon is outstanding).

PART 3 (Recreational Space) - Provide and layout (to include levelling, fencing, draining, seeding, access and parking) the 6 hectares of recreational space (adult / older children’s playing fields) before the completion of the 381st dwelling on site.

To agree in writing with the Planning Officer a scheme for the future management of the Recreational Space prior to the completion of the 381st dwelling on site.

PART 6 (Community Facilities) - Provision of a Community Centre (design, location and layout to be agreed) up to a cost of £500,000.00 (indexed linked) before the completion of the 381st dwelling on site.

S.106 PART 1 (Education) – Financial contributions of £409,513.00 required before occupation of the 500th dwelling on site. Again, note the index-linking requirement.

S.106 PART 4 (Affordable Housing) – 20 units provided before completion ready for occupation of 500 market dwellings on site – 40 units provided before completion ready for occupation of 800 market dwellings on site – 60 units provided before completion ready for occupation of 1100 market dwellings on site. (Only 34 dwellings so far provided.)

5.14 Although the Council has attempted to resolve the outstanding breaches by way of negotiation with the developers and landowners, this has proved problematic with the Cofton group of companies being in Administration. This came to a head in October 2009 when Planning Committee authorised the obtaining of an Injunction stopping any further development on site until the outstanding requirements of the S106 legal agreement have been met. A further Planning Committee meeting in July 2010 accepted that progress had been made by the developers in addressing the outstanding breaches, but requested that 3-weekly meetings with the developers be set up, stipulating that the members still had the ability to re-authorise the making of an application to the High Court at a later date if necessary.

5.15 The present position is that whilst progress is now being made to resolve some of the outstanding matters, and that the £675,000 contribution towards the Community Centre has now been paid by the developers, the Council has reserved the right to take Injunction action should it be deemed appropriate.
6. New Reserved Matters submissions by Bovis Homes Ltd., and Taylor Wimpey East Anglia Ltd., for a further 257 dwellings

6.1 Two applications have been received on sites adjacent to each other that would, if approved, bring the total number of consented dwellings to 1905, this being 295 above the currently applied ceiling of 1650 dwellings previously accepted at appeal by all parties. However, the applicants have advanced mitigation and arguments suggesting that through the use of an estate-wide travel plan and additional contributions towards education provision, there would be nil additional impact on infrastructure capacity. These arguments are now assessed below.

**Education**

6.2 The Queens Hills Primary School is designed for up to 350 dwellings primary children. The school will therefore be at capacity once existing completions and commitments are built out. The additional pupil numbers arising from the reserved matters application will require an extension to the school in order to bring it up to 420 places, which is the next size up that makes organisational sense. Schools cannot be built or operate on the basis of 386 places (i.e. 350 space school plus 36 pupils arising from the above proposal). The following contributions will therefore be sought:

- 3 to 5 years – 12 places x £5,822 = £69,864
- 5 to 11 years – 70 places (420 – 350) x £11,644 = £815,080.

In addition, based on a 420-place school this would require the developer to provide either access to an off-site playing field or provision (on-site) of a multi-use games area (MUGA). A MUGA would count for twice the amount of playing fields required. The following MUGA cost have been estimated:

MUGA – Approximately £250,000

Total Primary contribution sought = £1,134,944

High School - There is currently sufficient capacity at the local High School to accommodate the children likely to arise from this development. Therefore no additional contributions are being sought.

6.3 The applicants have agreed, in combination with the developers of the neighbouring site (Bovis Homes), to provide the above financial contribution in full. On this basis, the impacts on the capacity of the school can be mitigated.

**Highway Impact**

6.4 It was agreed by all parties concerned at the Bovis Public Inquiry that the existing Longwater Interchange junction will be at technical capacity by 2017 when 1760 dwellings are built and occupied. Furthermore, it is likely that that this threshold will have decreased as general car use and traffic generation in the local area has increased since the appeal decision in 2008. In a letter to all developers dated 20th October 2008, the Council set out its reasoning for applying a total development limit of 1650 dwellings at Queens Hills, and without dispute, this cap has been in place since this date. Clearly, this current application for 142 dwellings exceeds this cap.

6.5 In their Design & Access statement, the applicants acknowledge that the existing Longwater junction only has capacity for a further 112 dwellings. However, they have suggested that a Residential Travel Plan could be applied to this site, and applied retrospectively across the other Taylor Wimpey committed development at Queen’s Hills. They state that this will achieve a reduction in vehicle movements of such significance so as to allow 142 dwellings within the existing highways capacity.
NCC: Highways accepts the developer's premise that a Travel Plan for the whole of Queens Hill will so reduce peak hour traffic levels from Queens Hill that the additional traffic generated by the new dwellings will not have a material impact at Longwater junction. Crucial to this acceptance is the availability of buses to use the Ringland Lane bus gate so providing additional routes for buses and much improving bus passenger accessibility. The Highway Authority is aware that the level of current development is already past the trigger point for provision for the bus gate and would not want to see additional permissions granted until that previous obligation is discharged.

It has been brought to my attention that the bus companies serving Queens Hill say that they will not use the route as there is a section of carriageway of Ringland Lane between the bus gate and West End which is narrow and represents a safety hazard. NCC already has funds from the contributions collected for Queen’s Hills mitigation works which could fund widening this section of carriageway. However land will be required from the adjoining land which was owned by Cofton and is soon be owned by the Housebuilders Consortium. Taylor Wimpey will facilitate a transfer of land to NCC so that the required works can be carried out. The land transfer will have to be secured by S106 and an appropriate condition attached to any permission given to control construction until the works are carried out.

A contribution to funding for a site-wide Travel Plan (to be written and implemented by Norfolk County Council) will be provided by Taylor Wimpey to the value of £257,109. The developers have also committed via a S106 agreement with Norfolk County Council as local Highway Authority to a contribution of £54,667 towards highway works at Longwater Interchange as a result of a previous application for housing at Queens Hill (application 2009/0566). It has been agreed that this money will be reassigned via a Deed of Variation such that the monies can be used to widen Ringland Lane to accommodate the buses or further enhance the Travel Plan contributions if not used for highway improvements.

A Section 106 agreement securing the Travel Plan contribution of £257,109 and a Deed of Variation to alter the extant S106 agreement attached to application 2009/0566 will need to be completed before any planning permission is granted.

Subject to the agreement outlined above, the highway impacts of the proposal over and above the highway impacts of development already consented at Queen’s Hills can be mitigated (effectively having a nil impact in highway terms), and therefore the application accords with local plan policy IMP8 (Safe & free Flow of Traffic).

Design & Layout – Bovis application 2011/1037/D

Where possible, the development should also take of account of more recent design guidance, in particular that offered by CABE through their ‘Building for Life’ document, a Government supported standard for the building of new homes. New development should positively respond to the 20 questions set out in this document.

The amended scheme now better responds to both the requirements of Masterplan and the CABE design principles set out in the document ‘Building for Life’. The design attempts to create a sense of place and local character through the use of feature squares, vista end stops and footpath links. A site layout is attached as appendix 2 and the building for life assessment is attached as appendix 3 to this report.

The amended plans have addressed the majority of NCC: Highways’ concerns, which mainly related to minor internal layout issues within the site. Subject to appropriate conditions, both the Environment Agency and SNC: Environmental Services raise no objection to the proposal.
6.14 It is disappointing that the proposed scheme lacks any commitment to a high standard of sustainability in design. Taking into account the current financial climate, and the outcome of the Bovis appeal decision at Queens Hills where the Inspector accepted a minimal commitment to sustainability in design, and the acceptability of all other aspects of the scheme, I do not feel that a refusal on the grounds of a lack of a sustainable design approach is justified in this case.

6.15 As this application was submitted 12 months ago, it was to be considered under former South Norfolk Local Plan design policy IMP1. However, this policy no longer exists, and has been replaced by JCS Policy 2 (Promoting Good Design). In order to comply with JCS Policy 2, the scheme should achieve a minimum score under the Building for Life assessment of 14 – the silver standard. The Design Officer has assessed the scheme and feels that it still falls short of the required minimum standard when assessed against the Building for Life criteria. Discussions are still on-going in respect amended plans, but good progress has been made.

Design & Layout – Taylor Wimpey application 2011/0216/D

6.16 Again, the amended scheme now better responds to both the requirements of Masterplan and the CABE design principles set out in the document ‘Building for Life’. The design attempts to create a sense of place and local character through the use of feature squares, vista end stops and footpath links. The scheme now has more of a green feel to it, particularly in the feature footpath link towards the centre of the site.

6.17 House types and designs have also been improved, and although not completely bespoke, they do show evidence of a structured approach to the use of modern and traditional design approaches. Generally, the street scenes now work much better with the flow in the change of materials and fenestration detailing having more rhythm. Landmark buildings at appropriate points within the development layout have also been included. A site layout is attached as appendix 4 and the building for life assessment is attached as appendix 5 to this report.

6.18 The layout to the northwest has been improved, and the houses have better relationships with each other. I have taken into account the objections received from the neighbouring property to the north west of the site, however I do not feel that there would be a significant detrimental impact on their amenities. The scale of the properties is in keeping with the adjacent properties allowed at the Barratts site.

6.19 The amended plans have addressed the majority of NCC: Highways’ concerns, which mainly related to minor internal layout issues within the site. Subject to appropriate conditions, both the Environment Agency and SNC: Environmental Services raise no objection to the proposal.

6.20 Again it is disappointing that the proposed scheme lacks any commitment to a high standard of sustainability in design. Taking into account the current financial climate, and the outcome of the Bovis appeal decision at Queens Hills where the Inspector accepted a minimal commitment to sustainability in design, and the acceptability of all other aspects of the scheme, I do not feel that a refusal on the grounds of a lack of a sustainable design approach is justified in this case.

6.21 The Council’s Design Officer has assessed this amended scheme and feels that it now meets the required minimum design standard, and has achieved a score of 14 out of 20 when assessed against the Building for Life criteria.
7. **Reasons for Approval**

7.1 The proposals broadly fulfil the requirements of the approved Masterplan, and as amended, are now of a sufficient standard to accord with the requirements of JCS Policy 2. Subject to the funding and provision of a Travel Plan, and improvements to Ringland Lane to facilitate bus links to the site, the development shall not have a detrimental impact on the highway network. Subject to financial contributions towards improvements to the primary school on site, it has been demonstrated that adequate education provision can be afforded to accommodate the development.

7.2 Subject to the above, the applications broadly accord with policies 1 & 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk, adopted March 2011, and policies COS1 & IMP8 of the South Norfolk Local Plan 2003. It is recommended that application 2010/0216 be approved, and that for application 2010/1037 authority be delegated to HDE to approve, subject to the submission of satisfactory design amendments.

Contact Officer, Telephone Number and E-mail: Gary Hancox, 01508 533841, ghancox@s-norfolk.gov.uk
## Scheme name:
Queens Hills, Costessey, Phase 4, North
East Quarter

### Environment and Community

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Evaluation</th>
<th>Evidence</th>
<th>Score</th>
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<tbody>
<tr>
<td>1. Does the development provide (or is it close to) community facilities, such as a school, parks, play areas, shops, pubs or cafes?</td>
<td>Phase 4 of the development is located on the north eastern edge of the Queens Hills development. The development proposes the inclusion of community facilities at the centre of the Queens Hills development, including shops, a new primary school, open spaces, a range of children’s play facilities and a community centre on the edge of the development. The nearest facilities outside of phase 4 of the development are approximately 2km away and provide a large supermarket and range of out of town retail and leisure uses.</td>
<td>DAS Section 2</td>
<td>1.0</td>
</tr>
<tr>
<td>2. Is there an accommodation mix that reflects the needs and aspirations of the local community?</td>
<td>The breakdown of accommodation provides a good mix of dwellings including the provision of 2, 3 and 4 bedroom dwellings. The approved outline application provides an assessment of the needs and aspirations of the local community.</td>
<td>DAS Section 4</td>
<td>1.0</td>
</tr>
<tr>
<td>3. Is there a tenure mix that reflects the needs of the local community?</td>
<td>There is no affordable housing located in phase 4. Affordable housing is located elsewhere on the site. The level and mix of accommodation was established in accordance with the outline planning approval and national planning policy requirements at the time. The site now requires a higher provision of affordable homes.</td>
<td>DAS Section 4</td>
<td>0.6</td>
</tr>
<tr>
<td>4. Does the development have easy access to public transport?</td>
<td>Public transport is accessible along the spine road running through the centre of the site. Bus stops can be located along the spine road, including a bus stop at the front of pots 106 to 113.</td>
<td>DAS Section 5</td>
<td>1.0</td>
</tr>
<tr>
<td>5. Does the development have any features that reduce its environmental impact?</td>
<td>Orientation and the design of the buildings has been exploited where possible to make best use of passive solar gain, heating, cooling etc. There are however, no other features proposed that will reduce the environmental impact of the scheme other than those expected through building regulations and general good practice.</td>
<td>Proposed Development Layout BV01a 02/01 rev j</td>
<td>1.0</td>
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### Character

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<tr>
<th>Criteria</th>
<th>Evaluation</th>
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<tr>
<td>6. Is the design specific to the scheme?</td>
<td>The DAS provides a basic character assessment of the site and its surroundings and a description of the sites constraints and opportunities. A contemporary vernacular is proposed that picks up on elements of the surrounding phases of development by responding to the context of the site. The contemporary design proposed gives the scheme its own character that is specific to the Queens Hills development.</td>
<td>DAS Section 2</td>
<td>2.0</td>
</tr>
<tr>
<td>7. Does the scheme exploit existing buildings, landscape or topography?</td>
<td>Views of the re-planted woodland edge to the north of the site have been exploited for facing development outward. The remainder of the site is limited to the existing infrastructure requirements of the outline approval and has no features to exploit.</td>
<td>DAS Section 2</td>
<td>0.6</td>
</tr>
<tr>
<td>8. Does the scheme have a distinctive character?</td>
<td>The contemporary approach to building design and creation of three character areas within the site along the footpath Primary Avenue and Jockey Park, helps to create a distinctive style within the context of the Queens Hills development. The approach has been continued throughout the treatment of streets and spaces to provide a distinctive public realm.</td>
<td>DAS Section 4</td>
<td>1.0</td>
</tr>
<tr>
<td>9. Do the buildings and layout make it easy to find your way around?</td>
<td>The use of &quot;landmark&quot; buildings helps to make it easy to find your way around the site.</td>
<td>DAS Section 4 Materials Layout BV01a 02-05 rev D</td>
<td>1.0</td>
</tr>
<tr>
<td>10. Are streets defined by a coherent and well structured building layout?</td>
<td>Development blocks are generally well defined and provide adequate frontages onto the street that help to define public and private spaces. There, however, a large number of gaps along the street frontage between house types and garages/undercroft parking.</td>
<td>DAS Section 4 Proposed Development Layout BV01a 02-01 rev j</td>
<td>0.8</td>
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### Streets, parking and pedestrianisation

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<th>Criteria</th>
<th>Evaluation</th>
<th>Evidence</th>
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<tbody>
<tr>
<td>11. Does the building layout relate properly to the streets and car parking, so that the highways do not dominate?</td>
<td>The existing road network has informed the layout of the scheme.</td>
<td>DAS Section 4 Proposed Development Layout BV01a 02-01 rev j</td>
<td>0.8</td>
</tr>
<tr>
<td>12. Is the car parking well integrated and situated so as to support the street scene?</td>
<td>Car parking is well integrated into the layout in a combination of on-street parking, garages and courtyards. The requirement for a high level of parking and density of the site results in a dominance of in-car traffic side-by-side parking that has an negative impact on the appearance and continuity of the street scene.</td>
<td>DAS Section 4 Proposed Development Layout BV01a 02-01 rev j</td>
<td>0.8</td>
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<tr>
<td>Question</td>
<td>Answer</td>
<td>Reference</td>
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<td>Are the streets pedestrian, cycle and vehicle friendly?</td>
<td>Evidence is provided in the transport statement to demonstrate how connecting spaces and streets will form a coherent pedestrian, cycle and vehicle friendly environment throughout the Queen's Hill development. Principles of Manual for Streets have been taken into account.</td>
<td>DAS Section 4</td>
<td></td>
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<tr>
<td>Does the scheme integrate with existing streets, paths and surrounding development?</td>
<td>The development is integrated into the overall Queen's Hill masterplan. Streets and paths are generally well integrated into the surrounding phases of development.</td>
<td>DAS Section 4, Proposed Development Layout BV30 (a) b2:01 rev 1</td>
<td></td>
</tr>
<tr>
<td>Are public spaces and pedestrian routes overlooked and do they feel safe?</td>
<td>The DAS provides information on how the principles of secured by design have informed the design response. Public spaces and pedestrian routes are well overlooked.</td>
<td>DAS Section 4</td>
<td></td>
</tr>
<tr>
<td>Is public space well designed and does it have suitable management arrangements in place?</td>
<td>There is no public open space proposed within the site. All other POS is located off site and forms part of the overall masterplan proposals. Where landscaping has been proposed the DAS states that the management will be carried out by residents, although the detail of how this will work is unclear.</td>
<td>DAS Section 4</td>
<td></td>
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<tr>
<td>Do buildings exhibit architectural quality?</td>
<td>The proposed appearance of buildings is more contemporary than can be found in most of the existing areas of Queen's Hill. All buildings have a combination of vertical and horizontal emphasis defined by fenestration and detailing. A common palette of materials has been proposed that reflects the North Shropshire vernacular. Window openings use a variety of sizes to add interest to the street scene that adopt the principle of form follows function to reflect the use of the room behind the sash window. Overall buildings exhibit good quality architectural details and a coherent design approach.</td>
<td>DAS Section 4, Street scenes and elevations</td>
<td></td>
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<tr>
<td>Do internal spaces and layout allow for adaptation, conversion or extension?</td>
<td>None of the dwellings proposed meet the Lifetime Homes criteria.</td>
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<tr>
<td>Has the scheme made use of advances in construction or technology that enhance its performance, quality, and attractiveness?</td>
<td>Statutory minimum proposed only.</td>
<td></td>
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<tr>
<td>Do buildings or spaces perform statutory minima, such as Building Regulations?</td>
<td>Statutory minimum proposed only.</td>
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# Building for Life Evaluation

<table>
<thead>
<tr>
<th>Scheme name:</th>
<th>Queens Hills, Costassey, Phase 5</th>
<th>Environment and Community: 3.0</th>
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<tbody>
<tr>
<td>Application Number</td>
<td>2010/0216</td>
<td>Character: 3.5</td>
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<tr>
<td>Date:</td>
<td>04/02/2011</td>
<td>Streets Parking and Pedestrianisation: 4.0</td>
</tr>
<tr>
<td>Accredited Assessor:</td>
<td>0 Watts</td>
<td>Design and Construction: 2.0</td>
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### Criteria

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<th>Environment and Community</th>
<th>Evaluation</th>
<th>Evidence</th>
<th>Score</th>
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<tbody>
<tr>
<td>Does the development provide or is it close to community facilities, such as a school, parks, play areas, shops, pubs or cafes?</td>
<td>Phase 5 of the development is located on the north-eastern edge of the Queens Hills development. The overall development proposes the inclusion of community facilities at the centre of the scheme, including shops, a new primary school, open spaces, a range of children's play facilities and a community centre on the edge of the development. The nearest facilities outside of the development are approximately 5 km away and provide a large supermarket and range of out of town retail and leisure uses.</td>
<td>DAS Section 2.1</td>
<td>1.0</td>
</tr>
<tr>
<td>Is there an accommodation mix that reflects the needs and aspirations of the local community?</td>
<td>The breakdown of accommodation provides a good mix of dwellings including the provision of 2, 3, 4 and 5 bedroom dwellings. The approved outline application provides an assessment of the needs and aspirations of the local community.</td>
<td>DAS Section 1.0</td>
<td>1.0</td>
</tr>
<tr>
<td>Is there a tenure mix that reflects the needs of the local community?</td>
<td>The level and mix of accommodation was established in accordance with the outline planning approval and section 106 agreement, comprising of 60 dwellings and additional contributions towards affordable homes / it is unclear where the affordable homes will be located and the mix.</td>
<td>DAS Section 2.3</td>
<td>0.6</td>
</tr>
<tr>
<td>Does the development have easy access to public transport?</td>
<td>Public transport is accessed along the spine road running through the centre of the site. It is unclear where the nearest bus stop is located, how far bus stops are from the site and if a bus route will be provided.</td>
<td>DAS Section 15.0</td>
<td>0.6</td>
</tr>
<tr>
<td>Does the development have any features that reduce its environmental impact?</td>
<td>Orientation and the design of the buildings has been exploited where possible to make best use of passive solar gain, shading, cooling etc. There are however, no other features proposed that would reduce the environmental impact of the scheme other than those expected through building regs and good design practice.</td>
<td>DAS Section 14.0</td>
<td>0.2</td>
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<th>Character</th>
<th>Evidence</th>
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<tbody>
<tr>
<td>Is the design specific to the scheme?</td>
<td>The DAS provides a basic analysis of the immediate site and its surroundings. A contemporary vernacular is proposed that picks up on elements of the surrounding phases of development. The combination of traditional forms and contemporary detailing helps to give the scheme its own character that is specific to the Queens Hills development.</td>
<td>DAS Section 9.0, 11.0</td>
</tr>
<tr>
<td>Does the scheme exploit existing buildings, landscape or topography?</td>
<td>The scheme refers to the surrounding landscape, the proposals do not demonstrate how the features such as the woodland edge have been exploited. The remainder of the site is limited to the existing infrastructure requirements of the outline approval and no features to exploit.</td>
<td>DAS Section 12.3</td>
</tr>
<tr>
<td>Does the scheme feel like a place with a distinctive character?</td>
<td>The contemporary approach to building design helps to create a distinctive style within the context of the Queens Hills development. The approach has been continued through the design of streets and spaces to create a distinctive public realm.</td>
<td>DAS Section 9.0</td>
</tr>
<tr>
<td>Do the buildings and layout make it easy to find your way around?</td>
<td>The DAS provides information on building heights, use of materials and character areas. The footpath link and feature buildings help make it easy to find your way around the site.</td>
<td>DAS Section 5.0</td>
</tr>
<tr>
<td>Are streets defined by a coherent and well structured building layout?</td>
<td>Streets are well defined by continuous frontages of built form that turn corners well. Housing blocks form strong endcaps and provide active frontages which help to define public and private spaces.</td>
<td>DAS Section 6.0</td>
</tr>
</tbody>
</table>

### Streets, Parking and Pedestrianisation

<table>
<thead>
<tr>
<th>Streets, Parking and Pedestrianisation</th>
<th>Evidence</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the building layout take priority over the streets and car parking, so that the highways do not dominate?</td>
<td>The existing adopted road network has informed the layout of the scheme. Shared surfaces and areas of Brock paving help to reduce the overall dominance of the highway.</td>
<td>DAS Section 15.5</td>
</tr>
<tr>
<td>Is the car parking well integrated and sized to support the street scene?</td>
<td>Car parking is well integrated into the street scene using a combination of garages set back from dwellings and private drives. Latters parking courts have been proposed they are well laid out and have a clear distinction between what is private and public space. On-street parking is also proposed in areas where the street widens to provide additional parking spaces.</td>
<td>DAS Section 15.2</td>
</tr>
<tr>
<td>Are the streets pedestrian, cycle and vehicle friendly?</td>
<td>Evidence is provided in the transport statement to demonstrate how connecting spaces and streets will form a coherent pedestrian cycle and vehicle friendly environment throughout the Queens Hills development. Principles of Manors for Streets have been taken into account in the design of the scheme.</td>
<td>DAS Section 10.9</td>
</tr>
<tr>
<td>Question</td>
<td>Rating</td>
<td>Explanation</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>--------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Does the scheme integrate with existing streets, paths and surrounding</td>
<td>1.0</td>
<td>The development is integrated into the overall Queen's Hill masterplan. Streets and paths are well integrated into the surrounding phases of development.</td>
</tr>
<tr>
<td>Has public space and pedestrian routes overlooked and do they feel safe?</td>
<td>1.0</td>
<td>The BAS provides information on how the principles of Secluded by Design has informed the design response.</td>
</tr>
<tr>
<td>Design and Construction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is public space well designed and does it have suitable management arrangements in place?</td>
<td>1.0</td>
<td>There is no public open space proposed within the site other than along the footpath link. All other PDS is located off site and forms part of the overall masterplan proposals.</td>
</tr>
<tr>
<td>Do buildings exhibit architectural quality?</td>
<td>1.0</td>
<td>A basic assessment of the building forms and materials in the area has been made. Buildings have been designed to respond to the surrounding built form in a modern way. Materials have been chosen that are durable and low maintenance. The composition of elevations are well proportioned and adopt a coherent design approach.</td>
</tr>
<tr>
<td>Do internal spaces and layout allow for adaptation, conversion or extension?</td>
<td>1.0</td>
<td>Some building layouts have been designed with future adaptation in mind to allow for changing requirements over time. There is, however, no evidence to suggest which homes, if any, have been built to Life Time homes standards.</td>
</tr>
<tr>
<td>Has the scheme made use of advances in construction technology that enhance performance, quality and attractiveness?</td>
<td>1.0</td>
<td>Statutory minimum proposed only.</td>
</tr>
<tr>
<td>Do buildings or spaces outperform statutory criteria, such as Building Regulations?</td>
<td>0.5</td>
<td>The site proposes to achieve a minimum of Level 4 for water efficiency across the development in accordance with the JCG Policy 3.</td>
</tr>
</tbody>
</table>
Development Management Committee  15 August 2012

Major applications or applications raising issues of significant precedent

4.  Appl. No : 2012/1145/F  
Parish : COLNEY

Applicants Name : Mr Alan Giles - NRP Innovation Centre  
Site Address : John Innes Institute Colney Lane Colney Norwich NR4 7UH  
Proposal : Erection of new building for research and development purposes with associated surface car park, cycle parking, landscaping and enclosed walkway

Recommendation : Authorise the Director of Development and Environment to approve with conditions:

1. Time limit
2. In accordance with submitted drawings
3. External materials to be agreed
4. Tree protection
5. Ecology Mitigation
6. Landscaping Scheme to be submitted
7. Implementation of landscaping scheme
8. Details of foul water disposal
9. Surface Water
10. Archaeological work to be agreed
11. Travel Plan
12. Provision of parking and servicing areas
13. Construction Traffic (Parking)
14. Wheel cleaning facilities for construction vehicles
15. Use Class restriction

Subject to comments form Historic Environment Service and Environment Agency

1. Planning Policies

1.1 National Planning Policy Framework
Section 1 - Building a strong, competitive economy
Section 4 - Promoting sustainable transport
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
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 5: The economy
Policy 6: Access and transportation
Policy 9: Strategy for growth in the Norwich Policy Area
1.3 South Norfolk Local Plan
ENV14 - Habitat protection
ENV 15 – Species Protection
IMP2 – Landscaping
IMP6 – Visual impact of parked cars
IMP 8 - Safe and free flow of traffic
EMP1 – Employment Land Allocations
COL1 - Research and Development uses at NRP
TRA19 – Parking standards

2. Planning History

2.1 2012/0500 Scoping opinion for new offices and ancillary uses with associated parking, access roads, landscaping and cycle parking. Advice issued 25/04/2012

2.2 2012/0342 Screening Opinion for erection of a new building with associated landscaping, internal (site) access and car parking. EIA not required

2.3 2000/1403 Revised design for 4 storey laboratory for plant science research associated single storey building and landscape as approved under reference 07/99/1300/F Approved

2.4 1999/1300 Four storey laboratory for plant science research; associated single storey building; car parking and landscaping Approved

3. Consultations

3.1 Parish Council : Colney finds difficult to comment in an informed and constructive way on this application as the master plan for the NRP North site has not yet been submitted. It is therefore difficult to see the whole picture and how everything fits together or, indeed, if a building of the this size is appropriate for the site. The existing Conference Centre is underused and fulfils many of the functions proposed for the Centrum.

It is not clear why a separate application for a building is needed at this stage. Will all buildings proposed on the illustrative master plan be subject to individual planning applications before the master plan is approved? This seems a cumbersome way of doing things.

We request that this application should be delayed until the master plan has been approved.
3.2 District Members -
   Mr G Wheatley : To be reported if appropriate
   Mr C Kemp : To be reported if appropriate

3.3 NCC Highways : No objection

3.4 Environment Agency : To be reported.

3.5 SNC : Planning Policy : To be reported.

3.6 Historic Environment Service : To be reported.

3.7 Norwich City Council : No comments received.

3.8 Anglian Water Services Ltd : No objection. Condition recommended

3.9 Ecologist : No objection. Condition recommended

3.10 Environmental Services (Protection) – Flood Defence Officer : Supports the EA view that further information should be required.

3.11 SNC: Design Officer : To be reported.

3.12 Landscape Officer : No objection. Conditions recommended to include planting on the southern boundary of the proposed car park.

3.13 Local Residents No comments received

4. Assessment

4.1 The application site is situated within the area known as the Norwich Research Park (NRP) North.

4.2 The existing NRP North is physically defined on its northern and eastern boundary by Watton Road and Colney Lane. The southern aspect of the site which contains a cluster of buildings is adjacent the grounds of the Norfolk and Norwich University Hospital (NNUH). The western portion of the NRP North contains the four storey Genome Building, car parking and research fields which extend to Hethersett Lane.

4.3 The majority of the built form currently on the site is clustered in the southern half of the NRP North and contains a mixture of building styles and materials. The John Innes Institute and Conference centre are on the western side with the more recent Genome building. The eastern side of the built form cluster contains the Sainsbury’s research laboratory and a series of greenhouse buildings.

4.4 The northern area of the site contains grassland with mature trees and vegetation up to Watton Road. Within this area is an existing two storey building which has been converted and altered to a use associated with the NRP. There are parking spaces provided within the western side of the NRP north site and the land form at NRP north is relatively flat but slopes from the north to the south.
4.5 The application site is located to the north west of the John Innes Institute buildings and forms two distinct elements, an area of land currently used for formal car parking and recreation directly adjacent the John Inness Institute Conference Centre and a further parcel of land to the north west of the existing car park which is currently grassed with mature trees. The application site covers a land area of 1.6ha.

Proposal

4.6 This application seeks consent for the erection of a four storey flat roofed building with provision for 4536 sq m of floorspace. The building has been proposed to be used specifically for B1 (b) use and any necessary ancillary requirements i.e. staff restaurant, exhibition foyer and offices.

4.7 The building is proposed to be constructed with a mixture of coated aluminium panels, glazing, brick and steel louver screens for the associated plant.

4.8 The building would not project forward of the building line established by the John Innes developments and would also provide a 'green wall' to the existing service led façade on this northern elevation.

4.9 The proposed building would link into the existing John Inness centre by virtue of a walkway located on the eastern side. The southern elevation is proposed to contain a terrace which would lead from the café/restaurant to give views onto the remaining retained recreational area and the fields to the west.

4.10 The development would result in the overall provision of formal car parking spaces being increased by 108 spaces. 50 cycle spaces would also be provided through the development.

Principle of Development

4.11 The application site is located within the development limits of Colney as identified through the South Norfolk Local Plan. Colney is regarded within the South Norfolk Local Plan as being a main strategic location for new employment in the Norwich Policy Area and is allocated as part of the COL1 - Research and Development uses at NRP and EMP1 - Employment Land Allocations policy areas.

4.12 COL1 - Research and Development directs that development will be approved within the NRP area provided that it is acceptable in relation to design and layout and that the development would provide for B 1(b) use and others which would be ancillary to that use. This policy direction is a detailed reflection of Saved Policy EMP1 which allocates 35ha of restricted use development within the COL1 NRP area.

4.13 These policies are considered to be consistent with the aims and objectives of JCS Policy 5 which encourages the increase in higher value, knowledge economy jobs and JCS Policy 9 which identifies the growth of the NRP area as a fundamental part of the economic strategy for the area.
The NPPF also encourages the local authorities to plan positively and in a flexible manner for the location, promotion and expansion of clusters of knowledge driven, creative or high technology industries.

The proposed development is considered to comply with the relevant policy direction provided above as it is for the provision of a B 1(b) use in an area allocated for such development. Furthermore the proposal would aid the growth of the high knowledge employment sector within the Norwich Policy Area.

The Saved Policy COL1 area is adjacent two further allocations for development COL2 and COL 4. COL2 covers an area of 14 ha between Hethersett Lane and Watton Road, and is a contingency reserve for the NRP. Land allocation COL4 is an area of land covering 5ha which would allow for expansion of the hospital towards Heathersett Lane.

The development proposed would not conflict with the principle of bringing forward these sites in any strategic manner or create any physical constraint upon them that would prejudice their development.

NRP Development Framework – Supplementary Planning Document (SPD)

The SPD was adopted in March 2009 and sets out parameters and principles for development within the allocated land areas which form the NRP. The SPD encourages a holistic approach to be taken to the development of the NRP with the creation of a masterplan document, as requested by Colney Parish. However, the SPD does not preclude the approval of stand alone planning applications within the NRP site.

The main principles the SPD seeks to establish is that development should:

- Be of a high quality design
- Take account of the overall transport implications of the site
- Be an exemplar of sustainability
- Ensure accessibility and connectivity with the existing site and the remaining allocated areas
- Take into consideration the recommended density ratio and ensure that individual applications do not hinder the rest of the site being brought forward
- That the use class of development be for B1 (b) use and other uses which could be considered directly related or ancillary

The development would result in the provision of 4536 sq m of B1 (b) floorspace which accords with the SPD. The proposal would not result in the recommended plot ratio of 25% being breached and would only account for a relatively minor proportion of the 123,150 sq m of development which is recommended to be accommodated within the allocated NRP land.

The further principles which the SPD identifies are considered to be consistent with those which have been developed through the JCS and the NPPF. These principles will be examined separately below.

Design

Joint Core Strategy Policy 2: Promoting Good Design, directs that new development should take account of its siting, scale, form, character and energy efficiency, these principles are also promoted through NPPF - 7. Requiring good design. It should also be noted that Saved Policy COL1 also requires for new developments within the policy area to take account of design and layout.
4.23 The part of the application site which would host the proposed building has the four storey Genome Building to the south and the similarly sized John Innes Centre immediately to the south east. The proposed building is detailed to be four storeys and in terms of the existing building context is therefore considered to be of an acceptable scale.

4.24 The materials proposed in terms of colour and textures are considered to be supplementary to the finishing's which are found on the neighbouring buildings.

4.25 The proposed building would not project forward of the existing John Innes complex and is located at the lower end of the NRP north site. The location of the proposed building is considered to be acceptable as it will not be visually intrusive on the landscape by being positioned at the lower end of the site and by respecting the existing building line.

4.26 It should also be noted that the proposal also details the creation of a green wall along the service side of the John Innes Centre, which faces towards the car park, this is considered to be of benefit to the integration of the new buildings with those adjacent.

4.27 The building is also proposed to have a terraced area on the southern aspect to take advantage of natural daylight and provide interaction with the existing retained recreational space, which leads to the Genome building. The proposed building would also be linked to the John Inness centre via a walkway. This connectivity with the existing development is encouraged and considered to be in accordance with high quality design principles.

4.28 The car park area to the north connects to the existing car park area by virtue of a new link road and access point. The proposed car park area currently consists of a grassed clearing and clusters of tress.

4.29 The location of the car park has taken advantage of the natural clearing in the vegetated northern area. This element of the development benefits from the remaining vegetation which will act as a visual barrier on the northern, eastern and western sides. The southern aspect which is currently open to view will remain so.

4.30 The car park has been sited in the most appropriate location available on the northern side of the site. It will allow for a vast majority of the existing vegetation to be retained and act as visual barrier to the parked cars.

**Landscaping and Trees**

4.31 Saved Policy IMP2 directs that development should use landscaping to incorporate into the locality and Saved Policy IMP 6 aims to reduce the visual impact of parked cars through the use of mitigation measures.

4.32 The car park development would result in the loss of a large number of trees but no objection has been received by the Landscape Officer. However, the application details the planting of trees within and around the car parking area and for replacement planting to the north east of the application site on land owned by the UEA.
4.33 The tree and hedge planting proposed will aid to integrate both elements of the development into the existing landscape and act as a visual buffer to the parked cars on the northern side of the site. The new planting proposed will supplement an existing green area and should not conflict with any further development on the NRP site.

**Drainage & Flood Risk**

4.34 The application site is located within an area classified as being Category 1 Flood Zone; this is the lowest risk category. The NPPF technical guidance document advises that use class B1(b) in a Category 1 Flood Zone area is acceptable and that no sequential test would be required in relation to flooding.

4.35 The application is supplemented with a Flood Risk Assessment which recommends the use of infiltration devices with pollution control measures to manage the surface run off. The Environment Agency has requested further clarification on surface run off calculations and their views will be reported to the meeting.

**Highway Impact**

4.36 The application is accompanied by a Transport Assessment which has been evaluated by the Highway Authority. They have not raised any objection to the development and have recommended conditions. The application is therefore considered to comply with the requirements of Saved Policy TRA19.

**Sustainability**

4.37 As the total floor space of the development is greater than 1000 sq m of non-residential floor space, the requirement of JCS Policy 3 for at least 10% of energy needs from decentralised and renewable or low-carbon sources is applicable. JCS Policy 1: Addressing Climate Change and Protecting Environmental Assets also directs that development should be sustainable and be energy efficient.

4.38 The renewable energy target will be met by a closed loop deep borehole ground source heat pump system working in conjunction with high efficiency plant. In addition to the ground source heat pump system; solar thermal panels will be installed on the roof to generate hot water for the kitchen. The building has also been designed with a range of carbon reducing and sustainable features which should allow the development to obtain a BREEAM rating of excellent. The development is therefore considered to comply with JCS Policies 1 and 3.

**Ecology**

4.39 The NPPF advises that development should aim to conserve and enhance biodiversity which is reiterated through JCS Policy 1.

4.40 The application site is located within 2km of two Local Nature Reserves and within 1km of eight County Wildlife Sites. The development is not considered to be of a scale or use which would have significant impacts on the ecological biodiversity of the locality. The loss of trees for the provision of the car parking area could result in the loss of natural habitats for birds and bat species. It is recommended through the applicants ecological report that bird and bat boxes be provided. Should approval be granted the location and amount of these boxes will be agreed through a condition.
There have been no further conditions recommended from the Council's Ecology Officer other than those which form the recommendations of the applicants ecology report. Therefore the application is considered to preserve the current ecological infrastructure and will provide an opportunity to enhance it through the installation of bat and bird boxes.

## Conclusion

5.1 The proposed development would provide for up to 210 full time jobs. These jobs will be directly related to, or ancillary to, B1(b) research use which the land is allocated for in the South Norfolk Local Plan.

5.2 The development would not prejudice any of the further NRP land allocations being brought forward and could act as a catalyst to interest and investment in the NRP area.

5.3 The application is considered to comply with the aims and objectives of the relevant development plan policies in the JCS and South Norfolk Local Plan, as well as the intent of the NPPF and SPD.

5.4 There are no issues associated with ecology, landscape, drainage or highways which cannot be addressed through the imposition of conditions and there are no material considerations which would warrant the consideration of a refusal.

5.5 The proposed building is considered to be of a design and scale which is considered to be appropriate to the locality and is sustainable in its fabric.

5.6 Accordingly, the application is considered to be of benefit to the economy of the Norwich Policy Area and the long term development of the NRP and is therefore recommended for approval.

## Reasons for Approval

6.1 The principle of the development is considered acceptable in respect of the aims of the Joint Core Strategy Policies 5 and 9 and South Norfolk Local Plan 2003 Policies COL1 and EMP1 and NPPF Section 1.

6.2 The design, scale and materials proposed for the development are considered to be in accordance with the aims and objectives of Joint Core Strategy Policy 2 and NPPF Section 7 whilst also meeting the sustainability principles of Joint Core Strategy Policy 3 and NPPF Section 10.

6.3 Through the use of replacement planting and further ecological mitigation measures the overall scheme is also considered to accord with the objectives of South Norfolk Local Plan Policies ENV14, ENV15, IMP2, and IMP6.

6.4 Through the use of appropriate conditions the development proposal is also considered to comply with the aims and objectives of NPPF Section 10, Joint Core Strategy Policy 1 and 3 and South Norfolk Local Plan Policy TRA19.

The development proposal is also considered to accord with the intent of the principles established through the NRP Development Framework – Supplementary Planning Document

Contact Officer, Telephone Number: Ian Reilly, 01508 533674, and E-mail: ireilly@s-norfolk.gov.uk
Application to be determined by Norfolk County Council

5. **Appl. No**: 2011/1908/C  
**Parish**: HADDISCOE

Applicants Name: Earsham Gravels Ltd  
Site Address: Land for sand and gravel extraction, Loddon Road, Haddiscoe, Norfolk  
Proposal: Extraction, Processing, Bagging and Sale of Sand and Gravel with Concrete Batching

Recommendation: That the County Council be advised that this Council raises no objections subject to  
- Compliance with the County Council’s Core Strategy and Minerals and Waste Development Management Policies DPD  
- Any planning permission includes the conditions as set out in the memo from Environmental Services dated 22 December 2011  
- Mitigation measures to protect the setting of the church  
- Appropriate conditions to ensure delivery of an appropriate restoration scheme

1. **Planning Policies**

1.1 National Planning Policy Framework  
Section 13 – Facilitating the sustainable use of minerals

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

1.3 South Norfolk Local Plan  
IMP 9: Residential amenity

2. **Planning History**

2.1 No relevant planning history

3. **Consultations**

3.1 As the application is being processed and determined by the County Council, the District Council (as a consultee) does not have the benefit of all consultee responses.

3.2 District Member: Recommend object due to  
- Concerns about the impact of the site on the local highway network  
- The impact on the amenities of neighbours to the site and residents in Haddiscoe  
- Adverse landscape impact on the village and surrounding countryside  
- Impact on the Grade 1 listed building of St Marys Church  
- Impact on biodiversity and groundwater supplies  
- Impact on Broads Authority area

3.3 Landscape Officer: To be reported
3.4 Conservation Officer : Conditional Support
- Provided the mitigation measures are carried out I would not object to the proposal in terms of the impact upon the setting of the heritage assets

3.5 Environmental Services : Conditional Support

4. Assessment

4.1 The proposal is for the extraction, processing, bagging and sale of sand and gravel with concrete batching from a site to the west and north-west of the village of Haddiscoe on a phased basis over 20 years, with a programme of restoration as the various phases of extraction are completed. Although this is the first planning application submitted, the site has previously been considered in the site allocations for Norfolk Minerals and Waste Development Framework. At that time, South Norfolk Council raised concerns in their response to Norfolk County Council which are echoed in the local member’s comments on this application. It is a concern that this site which had apparently been discounted had now been brought forward, however consideration of compliance with Minerals and Waste policy is a matter for determination by the County. The response of the District Council as a consultee should be limited to any specific concerns about impact on surrounding properties or the local landscape.

4.2 The primary concern is that of the impact on residential amenity given the proximity of the site to the village of Haddiscoe. Several properties either adjoin the site or are immediately on the opposite side of roads that adjoin the site. It is proposed to screen the site to minimise any visual impact whilst Environmental Services have commented that they consider the impacts from noise, dust and contamination can be controlled through conditions. If this is the case, then it would be difficult to argue that there is an unacceptable impact on the residential amenities enjoyed by these properties would not be adversely affected despite their proximity.

4.3 Development of this nature has the potential for significant landscape impact. In this instance significant work is proposed to ensure the impact in the wider landscape is minimised. The Landscape Officer has not provided formal comments at the time of writing this report, however he has advised that he has no objection subject to the scheme being to the satisfaction of the County Council’s landscape officer. There is a specific local impact in terms of the impact on the historic church. Our Conservation Officer has commented that the measures proposed during extraction and afterwards would not cause unacceptable harm to the setting. He does not therefore raise any objection.

4.4 Other concerns raised regarding traffic impact, biodiversity and the impact on the Broads Authority will be considered by Norfolk County Council as the determining authority but fall outside the remit of the District Council as a consultee.

5. Recommendation

5.1 It is recommended that the County Council be advised that South Norfolk Council no objection to the proposed development for the following reasons:
- Although the site is in close proximity to residential properties, appropriate measures can be taken to minimise any impact
- The landscaping measures will mitigate any significantly detrimental impact on the local landscape

Contact Officer, Telephone Number and E-mail: Tim Barker, 01508 533801, tbarker@s-norfolk.gov.uk
Other Applications

6. Appl. No : 2012/0414/F
Parish : REDENHALL WITH HARLESTON

Applicants Name : Cecil Amey Ltd
Site Address : 33B The Thoroughfare, Harleston, Norfolk, IP20 9AS
Proposal : Retrospective application for replacement of condensing unit

Recommendation : Approve
1) In accordance with submitted amendments
2) Screen fence to be erected
3) Restricted hours of use

Parish : REDENHALL WITH HARLESTON

Applicants Name : Cecil Amey Ltd
Site Address : 33B The Thoroughfare, Harleston, Norfolk, IP20 9AS
Proposal : Retrospective application for replacement of condensing unit

Recommendation : Approve
1) In accordance with submitted amendments
2) Screen fence to be erected

1. Planning Policies

1.1 National Planning Policy Framework
Policy 7: Requiring good design

1.2 South Norfolk Local Plan
IMP 10: Noise
IMP 13: Alteration of Listed Buildings (Part Consistent)
IMP 18: Development in Conservation Areas.
IMP 9: Residential amenity

2. Planning History

2.1 None relevant

3. Consultations

3.1 Town Council : Refuse
   - Of the opinion that the problems highlighted by residents had not been resolved

3.2 District Members : To be reported if appropriate

3.3 Environmental Services (Protection) : Approve conditionally

3.4 Conservation Officer : Support conditionally
3.5 Local Residents : 1 letter of support

Objection letters received from 4 addresses expressing following concerns:
- Very unsightly, attached to a listed building
- Constant noise 6 days a week
- Continuous blast of icy air over pathways and gardens
- The guard erected in front of the unit results in extra dust so 1st floor windows have to be kept shut. Is this environmentally friendly in an enclosed garden?
- Residential properties since 1996. Why should we have to put up with the noise and discomfort recently put on us?
- Very cold air goes into No 3 Eagle Court, 7ft from unit. Very difficult to live in the house which will substantially devalue.
- Previous units only ran in summer time when only issue was noise.
- Units have degraded the appearance of the area.

4. Assessment

4.1 The property is a grade II listed building situated within the Conservation Area. The ground floor is a commercial premise and is sited within the central business area and primary shopping area of Harleston. The applications are for the retention of a replacement condensing unit sited at rear of the building which is a more recent addition to the listed building.

4.2 The situation in this case is unusual in that the rear of the building forms part of one side of a courtyard with residential properties, within close proximity, forming two other sides. There are also residential units above the commercial premises.

4.3 It is acknowledged that the unit is not attractive, even set against the modern extension. However, given the commercial use of the building, a unit of this size is required and does replace a previous condensing unit. This was in situ for many years, but had become unable to adequately cope with the requirements of a retail business and was not legal under new legislation. The applicant has confirmed that he is willing to erect a screen surrounding the unit, and the Conservation Officer has confirmed that this would reduce the visual impact. I also consider that with a screen, the unit will not have a detrimental impact on the existing listed building or on the conservation area, in accordance with policies IMP13 and IMP18 of SNLP. A condition has therefore been recommended for a screen fence to be erected.

4.4 The main issue with the application is the impact it has on the existing residential amenities enjoyed by the occupiers of the surrounding residential units. Following initial concerns raised by the neighbours regarding cool air blowing out, and water freezing on the area below the unit, the applicant tried to alleviate the issues by having an air deflection element added to the unit to discharge the airflow upwards, and a drip tray to the underside for water to discharge directly to the drain.

4.5 Whilst I acknowledge that the unit is within close proximity of adjoining properties, and the issues raised by the occupiers, the Environmental Protection Officers have assessed the noise level of the unit operating in various modes on two occasions and do not wish to object to the application as the noise within the courtyard was not unacceptable and the unit did not appear to greatly add to the overall background noise levels. A hours of use conditions, however, has been recommended. Given that there is no objection raised by the Environmental Protection Officer, I would find it difficult to justify refusal on noise grounds and consider that the unit does not have a detrimental impact on the amenities of the neighbours to an unacceptable degree, in accordance with Policies IMP9 and IMP10 of SNLP.
4.6 Policies in the NPPF, JCS and SNLP seek to ensure that proposals are of a good design and do not adversely affect the existing amenities of the locality. 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 IMP13 is only partially consistent but no harm is caused to the listed buildings.

5. **Reasons for Approval 2012/0414/F**

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 IMP9-Residential amenity, IMP18-Development in conservation areas and IMP10-Noise of the South Norfolk Local Plan, as it has been sited in the most appropriate position, at the rear of a commercial premises within the central business area and primary shopping area of Harleston, to ensure that it will not have a detrimental impact on the existing building, the conservation area, or on the existing residential amenity of the neighbouring residents.

6. **Reasons for approval 2012/0415/LB**

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 Policies IMP13-Alterations of listed buildings and IMP18-Development in conservation areas of the south Norfolk Local Plan, as it has been sited to ensure that it will not have a detrimental impact on the special architectural or historic interest of the building or on its setting within the conservation area.

6.2 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 with the published National Policy Framework.

Contact Officer, Telephone Number and E-mail: Rachel Flaxman, 01508 533960, rflaxman@s-norfolk.gov.uk
8. **Appl. No**: 2012/0561/F  
**Parish**: DISS

Applicants Name: Victoria Road Motors  
Site Address: Land opposite 40, Sawmills Road, Diss, Norfolk  
Proposal: Change of use of land to second hand car sales and erection of office building

Recommendation: Refuse

1. **Detrimental to visual amenities**

1. **Planning Policies**

1.1 National Planning Policy Framework  
Section 1 Building a strong competitive economy

1.2 Joint Core Strategy  
Policy 13 Main Towns  
Policy 5 The Economy  
Policy 2 Promoting good design

1.3 South Norfolk Local Plan  
DIS 3: Employment development to the east of Sandy Lane/Sawmills Farm, Diss  
DIS 7: Access requirements for employment land allocation at Sandy Lane/Sawmills Farm, Diss  
EMP 1: Employment land allocations

2. **Planning History**

2.1 2002/0603/0 Mixed use development comprising Class B1/B2/B8, transport depot/coach park/workshops/offices, ancillary coach wash facilities, residential and improvements to transport infrastructure

Appeal against non determination and consent was given

3. **Consultations**

3.1 Town Council: Refuse  
- Concerns about safety of pedestrians using the public footpath adjacent to the western side of the site due to the proposed high fence along the boundary

3.2 District Members  
Mr Keith Kiddie: Can be delegated  
Mr G H Walden: Can be delegated  
Mr Tony Palmer: To be reported if appropriate

3.3 NCC Highways: Conditional support

3.4 Waveney Valley Internal Drainage Board: No comments received

3.5 Environmental Services (Protection): Conditional support
Development Management Committee

3.6 Local business: 2 letters of support
- Will bring more people up Sawmills Road which could benefit other companies

4. Assessment

4.1 This application seeks planning permission looks to change of use of land to second hand car sales and erection of office building. The site is a narrow strip of land located off Sawmills Road, with a foot path running to the south and west of the site.

4.2 The site forms part of the 15.2ha allocated for employment use as defined on the Proposals Map of the South Norfolk Local Plan (SNLP). The relevant policies of the SNLP are EMP1, DIS3 and DIS7. The NPPF, JCS and SNLP all positively support employment uses subject to the normal planning requirements.

4.3 The site forms part of the open character of this part of the street scene, it is considered that the change of use of the land to car sales with its associated office building, 1.8 metre security fencing, parking and cars sales area would significantly alter the character and appearance of this part of Sawmills Road detrimental to the visual amenities of the area. I also consider that the site if granted consent would set a precedent for the remainder of land leading to the roundabout to also be developed.

4.4 The Town Council have objected on health and safety issues and whilst these concerns are fully appreciated I do not consider the application could be refused on this ground.

5. Reasons for Refusal

5.1 The proposed development would by virtue of its office building, 1.8 metre security fencing, parking and cars sales area would significantly alter the character and appearance of this part of Sawmills Road detrimental to the visual amenities of the area and contrary to Policy 2 of the Joint Core Strategy.

Contact Officer, Telephone Number and E-mail: Claire Curtis, 01508 533788, ccurtis@s-norfolk.gov.uk
Development Management Committee

9. **Appl. No**: 2012/0720/F
   **Parish**: LITTLE MELTON

   **Applicants Name**: Mrs Mary Blake
   **Site Address**: Land to rear of 4 The Close, Little Melton
   **Proposal**: Proposed new single storey dwelling

   **Recommendation**: Approve with conditions

   1. Full - Planning Permission Time Limit
   2. In accordance with submitted drawings
   3. External materials to be agreed
   4. No additional windows at first floor level
   5. Reporting of unexpected contamination
   6. Ecology mitigation
   7. Provision of Parking and Servicing Areas
   8. Provision of service vehicle turning

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

1.2 Joint Core Strategy
   - Policy 1: Addressing climate change and protecting environmental assets
   - Policy 2: Promoting good design
   - Policy 15: Service Villages

1.3 South Norfolk Local Plan
   - HOU 4: Residential development within the defined Development Limits
   - ENV 6: Areas which contribute to maintaining the landscape setting of the Southern Bypass of the City (Part Consistent)
   - ENV 8: Development in the open countryside (Part Consistent)
   - ENV14: Habitat protection
   - ENV15: Species protection
   - IMP 8: Safe and free flow of traffic
   - IMP 9: Residential amenity

2. **Planning History**

2.1 2010/2224 Proposed new single storey dwelling Withdrawn
2.2 2008/1613 Construction of one and a half storey detached dwelling house with attached double garage Approved
2.3 2008/0159 Construction of one and a half storey detached dwelling house with attached double garage Approved
2.4 1987/2140 Change Of Use From Poultry Slaughterhouse To Car Maintenance Workshop Refused
3. **Consultations**

3.1 Parish Council: No objection subject to consideration of the following:
- Part of dwelling crosses the Development Boundary
- Concerns about ownership of The Close and unregistered land adjacent to the proposal. Ownership of some of the land shown as a turning area is disputed
- Will be a cramped appearance between No 5 and the proposal. No further development should be permitted beyond the proposal
- Representations suggest that ecology surveys have not been performed properly. This should be undertaken to the satisfaction of SNC Ecology Officer
- Concern that it will not be possible to comply with Building Regs in respect of fire engine access
- Concern that proposed roof material will be out of keeping

3.2 District Member: To be determined by Committee
Revised application following earlier application which was considered by the Committee and Site Panel.

3.3 NCC Highways: No highway safety or transportation objections
- The Close is a private means of access which serves less than the maximum number of properties recommended to be served from a private drive.
- The turning area indicated on the submitted drawing to remain free of obstructions

3.4 Environmental Services (Protection): No objections.
Comment in respect of surface water drainage

3.5 Landscape Officer: A full arboricultural survey has been submitted. Confirms that the dwelling may be achieved without serious detriment to the trees that are worthy of retention, but that the dwelling will be shaded for much of the time. Consequently there may be future pressure to reduce or remove the trees and therefore can not support the application.

3.6 Ecologist:
- The Ecology Survey and Great Crested Newt Survey is a fair assessment of the ecology situation. There is potential conflict for disturbance to breeding birds and reptiles, but consider that potential impact to reptiles is low. Recommends a number of conditions.
- With regard to the neighbours comments, he states that the report indicates that the survey followed best practice guidelines and reasoned arguments are given for why only one pond was surveyed.
- The proposed development is small and the applicant properly undertook a preliminary ecological assessment and the subsequent recommended survey. He considers that it would be disproportionate to ask for more ecological work in this case.
- Subject to the recommended condition he considers that this should ensure that protected species legislation will not be breached.
3.7 Local Residents : 4 letter of objection

- Access is by The Close which is a private roadway and the applicant has no automatic right of use or access over this roadway
- Access passes over land owned by other parties who do not give permission for it to be crossed either for either construction or access
- Legal ownership of The Close is unclear following the sale of the original agricultural dwellings
- The turning area will require the applicants to “acquire” an area of unregistered land of which they have no proof of ownership
- Access from the north east has not been agreed and therefore no access to the site and concerned over access for construction traffic
- Turning area which was a condition on planning permission for No 5 The Close has not been provided and there is insufficient space to provide it
- Will result in further damage to The Close
- The width of The Close is insufficient for emergency vehicles and the distance to the dwelling will exceed minimum standards
- New dwelling will be too far for refuse collections
- Access passes very close to existing dwellings and will result in further disturbance
- Proposal not in keeping with other properties in the area
- More details of proposed materials should be provided
- Part of site lies outside the Development Boundary
- Will impact on local wildlife
- Ecology surveys are inadequate. Potentially suitable breeding water bodies in the vicinity have been lost for Great Crested Newts. The loss of terrestrial habitats means there are less opportunities for foraging, dispersal and hibernation. The development site was considered to have “good terrestrial habitat for Great Crested Newts”.
- Comment about the desktop information, selection of ponds for surveys, method of surveying and standing advice from Natural England.
- Protected Species surveys are a material consideration in determining a planning application.
- Potential impact on adjacent trees
- Question the purpose of the access track to the side of the dwelling
- 1 letter of support
- Details submitted regarding the extent of ownerships in support of the applicant.

4. Assessment

4.1 The application is a revised scheme for the erection of a bungalow at the southern end of The Close and follows the withdrawal of an earlier application, 2010/2224 which was considered by the Area Planning Committee and visited by the Site Panel, prior to being withdrawn due to ecology issues.
4.2 The property as now proposed has a main ridgeline which runs in a north / south direction, with a lower section of pitched roof projecting from the west elevation, together with a flat roof car port area. The front gable is 8.5m wide and will be 2.5m to the eaves and 5m to the ridge. The property will be 14m in depth with the side element extending 3.3m. The materials are indicated to be red brickwork with steel timing sheets for the roof.

4.3 The frontage of the plot is within the Development boundary for Little Melton as defined by the Adopted South Norfolk Local Plan (SNLP), however the rear section of the dwelling will project approximately 1.5m beyond the defined boundary. Policy 15 of the Joint Core Strategy (JCS) identifies Little Melton as a Service Village where land will be allocated for small scale housing development subject to form and character considerations.

4.4 In addition, since the consideration of the previous application, the National Planning Policy Framework (NPPF) has been published. This promotes a presumption in favour of sustainable forms of development while seeking to ensure that proposals are of a good design which takes account of the context of the site.

4.5 While an element of the dwelling and its garden will project beyond the defined Development Limit, I consider that the encroachment does not materially harm the character of the locality or the objectives of the Development Plan and that in the context of the NPPF, the principle of a dwelling in this position is acceptable.

4.6 Policies in the NPPF, JCS and SNLP seek to ensure that new dwellings are of a scale, form and character which are in keeping with their surroundings and have an access which does not endanger highway safety or prejudice the free flow of traffic on the highway network. Proposals should also not have a significant adverse impact on the amenity of nearby residents through overlooking of habitable rooms; overshadowing of habitable rooms or damaging the setting of existing buildings.

4.7 The Close is characterised by a terraced row of red brick two storey dwellings which front onto an unmade access. To the east of the access is a pair of dwellings to the rear of which is a new 1 ½ storey dwelling. These properties are red brick with a mixture of slate and grey plain tiled roofs and pantiled roofs.

4.8 The proposal will have a gabled elevation facing No 5 and the ridgeline to the proposed dwelling follows the form of the terraced dwellings and No 5. The dwelling will be lower than the adjacent properties, but this results in a reduction in built mass towards the Development boundary which I consider is appropriate. The proposal will be visible from the neighbouring properties but will not be unduly prominent from School Lane and I consider that the form of dwelling as proposed is appropriate to this site.

4.9 The application proposes the dwelling to be red brick with a steel sheet roof. I consider that given the materials in the locality that a sheeted roof is inappropriate and that revised roof materials should be required by condition.

4.10 The position of the property and its fenestration have taken account of the relationship with neighbouring dwellings in terms of the impact on their outlook and overlooking.

4.11 Concerns have been raised about the suitability of the access to serve an additional dwelling, the ownership of this and rights of way over it, the availability of parking for existing properties and the provision of a turning area.
4.12 The access is shared with a number of existing properties and the applicant has notified these properties of the application and published an advert in the press. While I recognise that there are concerns regarding the rights that exist and disputes relating to the extent of ownership, Members will note that should planning permission be granted this would not override any existing civil rights. The Highway Authority has raised no objection to the use of the access to serve an additional dwelling.

4.13 The existing dwellings have very limited space to the front of the properties and informal parking currently takes place along The Close. Concerns have been raised that the erection of a dwelling in the position proposed would result in the loss of some of this parking. The new dwelling will incorporate adequate off street parking and while this could result in the loss of parking which currently takes place informally on the land, I do not consider that this is sufficient to justify refusal of the application.

4.14 The Highway Authority has recommended that the previously agreed turning facility (see appendix 2) should be incorporated into this proposal to provide for service and emergency vehicles. The scheme has shown that this turning facility can be provided and I consider that this should be required by a Grampian condition to ensure that it is implemented.

4.15 Concerns have previously been raised regarding the relationship of the proposed dwelling to trees on land adjacent to the site. This application is accompanied by arboricultural information which indicates that the development is unlikely to impact directly on these trees.

4.16 The Landscape Officer has however commented that the dwelling is due north of the trees and this will result in overshadowing, which he considers will result in pressure to undertake works to these trees and provide a low level of amenity for future occupants together with impacting on the effectiveness of solar panels. On this basis he recommends refusal of the application. While I recognise these concerns, I consider that this is not sufficient to warrant refusal of the application.

4.17 The site is in the vicinity of several ponds and concerns were raised by a neighbour regarding the potential impacts on Great Crested Newts following a survey which had been undertaken of his pond, which is adjacent to the site. As a result of this survey, the applicants have commissioned an ecology survey which has considered the suitability of a number of ponds in the locality and surveyed a pond to the north east which considered likely to accommodate Great Crested Newts together with the impacts on terrestrial habitat.

4.18 The neighbour raises concerns that the data search is inadequate, that only one of four suitable ponds within 250m of the development has been surveyed and that the methods and timing of surveys is not adequate to fully assess potential impacts.

4.19 The Council’s ecologist has considered these concerns and sets out that the report indicates that the survey followed best practice guidelines and provide reasoned arguments for why only one pond was surveyed. He considers that he proposed development is small and the applicant properly undertook a preliminary ecological assessment and the subsequent recommended survey. He considers that it would be disproportionate to ask for more ecological work in this case. Subject to the recommended condition, the Council’s Ecologist considers that this should ensure that protected species legislation will not be breached.

4.20 The neighbour has disagreed with the Council’s ecologist views and has contacted Natural England who has commented that the Council should consider their standing advice in consideration of the application, which is intended to inform decisions made by Local Planning Authorities.
4.21 In response, the applicants ecologist has submitted further comments and the neighbour has responded in detail to these, however the Councils ecologist has considered these submissions and has confirmed that his opinion remains as previously stated and considers that the survey undertaken is fit for purpose.

5. Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and the South Norfolk Local Plan 2003 and in particular is considered to be in accordance with policies 2 and 15 of the Joint Core Strategy and Policies IMP8 and IMP9 of the South Norfolk Local Plan as the development will be within the context of the built form of the settlement and will not have a significant adverse effect on the amenity of neighbouring properties or highway safety.

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10. Appl. No : 2012/0866/F
Parish : HEMPNALL
Applicants Name : Mr O Oram
Site Address : Hay Cart Barn, Brick Kiln Lane, Morningthorpe, Norfolk
Proposal : Conversion including alterations and extension to building to form holiday accommodation
Recommendation : Approve with conditions

1. Planning Policies
1.1 National Planning Policy Framework
Section 3 Supporting a prosperous rural economy

1.2 Joint Core Strategy
Policy 5: The Economy
Policy 2: Promoting good design

1.3 South Norfolk Local Plan
IMP 8: Safe and free flow of traffic
IMP 9: Residential amenity
TOU 7: Conversion of buildings in the open countryside to self-catering holiday accommodation (Part Consistent)

2. Planning History
2.1 2006/0899 To renovate and covert barn to residential dwelling Refused
2.2 1998/0368 Conversion of redundant agricultural building to domestic dwelling Refused
2.3 1997/0940 Conversion of building to dwelling Refused

3. Consultations
3.1 Parish Council : Refuse
   • Not of a height to be suitable for conversion
3.2 District Member : To be reported if appropriate
3.3 NCC Highways : Conditional support
3.4 Environmental Services (Protection) : Conditional support

3.5 Local Residents : 2 letters of objection
- Plans are virtually the same as those previously rejected
- Loss of privacy
- Increase traffic
- No body on site to ensure behaviour of residents is monitored
- Already had 3 refusals
- Conservation officer previously stated that the building itself is very basic and has little value, given the condition, works need to convert it and form conversion would be contrary to HOU10
- Misleading inaccuracies in design and access statement
- Concerned that this application has been tailored to achieve conversion to residential by the back door
- Consider storage would be a more acceptable use
- Concerned at the position of the access and lack of visibility.

4. Assessment

4.1 This application seeks full planning permission to convert, including alterations and extension, to Hay Cart Barn to form holiday accommodation. The barn is located off Brick Kiln Lane to the south of Grey Gables a residential property. There is a significant hedge to the northern boundary and open on the other boundaries.

4.2 Policy TOU7 in the South Norfolk Local Plan and Policy 5 in the Joint Core Strategy promotes the use of buildings for holiday accommodation. Policy TOU7 is only partially consistent with the National Planning Policy Framework (NPPF), because policy TOU7 is more restrictive, the NPPF does not require that a building is structurally sound or of any architectural value and doesn’t preclude extensions, however the remainder of the policy is consistent and due weight can be given to it. Policies IMP8 and IMP9 in the South Norfolk Local Plan (SNLP) are consistent with the National Planning Policy Framework and can be given due weight.

4.3 The building is a brick and clay tile 3 bay cart shed which has been repaired since the previous 2006 application. The proposal will provide two bedroomed unit of a simple design, in keeping with its rural setting. The scheme has been amended to re-site the access in accordance with the highway officer’s requirements. It is considered that the proposal accords with policy.

4.4 Concerns have been raised by the Parish Council and local residents as set out above. Whilst these concerns are fully appreciated, the unit is a reasonable distance from the barn conversions to the south, is single storey and screened from the neighbour to the north by a significant hedge and therefore I do not consider it would give rise to a situation so detrimental to neighbours amenities as to warrant refusal. The highway officer has raised no objections to the proposal and therefore I do not consider that the application can be refused on highway safety grounds. The barn is considered to be of a height that can accommodate the conversion. The references to the previous refusals are noted however the NPPF is a lot less restrictive in its requirements than both policies TOU7 and HOU10 of the SNLP and the proposal is considered to comply with the aims of the NPPF.
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 5 – The Economy of the Joint Core Strategy. The assessment of this application gives due weight to the saved policy TOU7 – Conversion of buildings in the open countryside to self catering holiday accommodation of the South Norfolk Local Plan which is partially consistent with the National Planning Policy Framework which is less restrictive. The assessment of this application gives due weight to the saved policies IMP8 – Safe and Free Flow of Traffic and IMP9 – Residential amenity in the South Norfolk Local Plan, because those policies remain consistent with the published National Planning Policy Framework.

5.2 The proposed conversion will help promote tourism in the rural economy without cause any loss of amenity or detriment to highway safety.

Contact Officer, Telephone Number and E-mail: Claire Curtis, 01508 533788, ccurtis@s-norfolk.gov.uk
Development Management Committee  

11. 
Appl. No : 2012/0996/F  
Parish : HEMPNALL  

Applicants Name : Mr & Mrs P Scott  
Site Address : Cydonia, Field Lane, Hempnall, Norfolk, NR15 2PB  

Recommendation : Approve with conditions  

1 Full - Planning Permission Time Limit  
2 In accordance with submitted drawings  
3 Caravans/Mobile homes temporary consent  
4 External materials to be agreed  
5 Slab level to be agreed  
6 No additional windows at first floor level  
7 No PD for Classes ABCDE & G  
8 Boundary treatment to be agreed  
9 Foul drainage to sealed system or private treatment plant only  
10 Reporting of unexpected contamination  
11 Provision of Parking and Servicing Areas - Where shown on plan  
12 Water efficiency

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 3 Energy and water

1.3 South Norfolk Local Plan  
HOU 11: Replacement dwellings (Part Consistent)  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity

2. Planning History

2.1 2011/0160  
Demolition of existing 2 bed bungalow with attached single garage, removal of old oil tank, removal of old septic tank. Placement on site of caravan for temporary living space during construction phase. Erection of new 2 bed bungalow with attached single garage, installation of new heating oil tank and bund, installation of new bio-disk foul waste treatment plant below ground.  

Approved

3. Consultations

3.1 Parish Council : Approve  
3.2 District Member : To be reported if appropriate  
3.3 NCC Highways : Conditional support
3.4 Local Residents : No comments received

4. Assessment

4.1 This application seeks full planning permission for the demolition of existing bungalow and attached garage and the construction of replacement dwelling and garage. The proposal also includes the siting of a caravan/mobile home on site to be lived in until new dwelling is built. The existing detached bungalow is situated at the end of a group of dwellings. A bungalow is located to the north of the application site with two side windows facing the site; this neighbour is set at a lower level than the application site.

4.2 The National Planning Policy Framework (NPPF) under Section 6 positively supports the provision of housing. The assessment of this application gives due weight to the saved policies in the SNLP because policy HOU11 remains part consistent with the NPPF as in that whilst it resists new dwellings in the open countryside it does not place any restrictions on replacement of existing dwellings.

4.3 It is proposed to demolish the existing dwelling and replace with a larger 2 bedroom bungalow with attached garage. The design of the proposed dwelling has been changed from that approved in 2011. The site is located outside the development boundaries for the surrounding villages as defined by the South Norfolk Local Plan 2003. As such there is a general presumption against new residential development. However an exception to the above is the replacement of an existing lawful residence under policy HOU11. The existing dwelling is capable of occupation and has a lawful residential use. The proposal is for one dwelling and the replacement is located in the same position of the existing. The scale, bulk and design of the development is considered acceptable and respects the character of the existing site, its surroundings and represents an improvement on the existing. The proposal therefore accords with policy HOU11. As previously, the proposal included the siting of a temporary mobile home whilst the works are carried out. A condition will be attached to any consent requiring the removal of the mobile following the occupation of the dwelling.

5. Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the South Norfolk Local Plan 2003 and in particular is considered to be in accordance with policies IMP9 - Residential amenity and HOU11 - Replacement dwellings of that Plan.

5.2 The development is considered to accord with the above policies IMP9 and HOU11 as the existing dwelling enjoys a lawful permanent residential use; there is no increase in the number of dwellings; the replacement is located on the site of the existing dwelling; the scale, bulk and design of the development is acceptable and respects the character of the existing site, its surroundings and represents an improvement on the existing; and the amenities of the nearby residential property not be affected to a material degree.

Contact Officer, Telephone Number and E-mail: Claire Curtis, 01508 533788, ccurtis@s-norfolk.gov.uk
12. **Appl. No**: 2012/1001/H  
**Parish**: COSTESSEY

Applicants Name: Mr Tony Calver  
Site Address: 9 Bawburgh Lane, Costessey, Norfolk, NR5 0TN  
Proposal: Erection of double garage and front entrance gate

Recommendation: Approve with conditions

1. **Full Planning Permission Time Limit**
2. In accordance with submitted details and amended drawing
3. External materials of garage to be agreed
4. Finished colour for the gates to be agreed
5. Retention and replacement of hedgerow and trees

1. **Planning Policies**

1.1 National Planning Policy Framework  
Section 7: Requiring good design

1.2 Joint Core Strategy  
Policy 2: Promoting good design

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

2. **Planning History**

2.1 No recent planning history

3. **Consultations**

3.1 Parish Council: Recommend refusal  
- Detrimental to the streetscene  
- Inappropriate design  
- Construction would be forward of the building line

3.2 District Member: To be Determined by Committee  
- Incompatible design

3.3 NCC Highways: No objection

3.4 Local Residents: 1 letter of objection  
- Construction of timber building in front garden would be out of keeping with all other properties in the area  
- Garage is to be erected 2 metres from the boundary fence and as all other properties on the east side of Bawburgh Lane are set back this could create a precedent for future building work  
- Property has a large front garden & if a new garage was erected adjoining the existing house it would have less of a visual impact

4. **Assessment**

4.1 The application is for the erection of a double garage in front of the main dwelling and the realignment and replacement of the existing front gates with a sliding gate.
4.2 The site is within the Development Limits and is located to the east of the Lodge Farm development. Policies in the NPPF, JCS and the Local Plan seek to ensure that proposals are of an appropriate design and form for the context and do not adversely affect the neighbouring amenities or highway safety. 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.

4.3 The dwelling forms one of a pair of symmetrical properties but is located in an area with a varied streetscene. There is currently a low level brick wall and pair of access gates along the front boundary resulting in an open frontage. Views towards the property are partially restricted by the existing trees within the front garden. There are sizeable brick and tile garages on the opposite side of Bawburgh Lane which are associated with the Lodge Farm development. These garages are set back from the road frontage by a minimum of 2 metres and are set at a slightly lower level than the application site due to the changes in ground levels in the area. It is also noted that Lodge Farm has a denser form of development than those properties adjacent to the application site.

4.4 The open fronted garage proposed has been reduced slightly as part of the application discussions. The revised garage measures 6.6 metres in width, 6 metres in depth and has an overall height of 4.5 metres. The garage will be of standard materials for this type of structure being constructed of an oak frame with stained weatherboarding and red clay pantiles.

4.5 The Highways Officer has not raised an objection to the proposal and whilst the realignment of the existing driveway and the replacement of the existing gates will have a visual impact on the streetscene this would not be detrimental to the overall character of the property.

4.6 The garage is large in scale and concerns have been raised that it will dominate the streetscene. However, although the garage will be prominent due to its position within the site it is similar in form to those garages on the opposite side of Bawburgh Lane which a material consideration in the assessment of this application. The trees that are shown to be retained along the front boundary will partially reduce the visual impact of the structure and as such I consider that it is appropriate to secure their retention (or replacement should they fail as a result of the erection of the garage). I therefore consider that on balance, although the garage is large its overall size or position would not be sufficient to justify a recommendation for refusal in this context.

5. Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 2 of the Joint Core Strategy and Policies HOU19 and IMP8 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 is considered to accord with those policies set out above as it will not have an adverse impact on highway safety and will not have a detrimental impact on the overall character of the streetscene or the neighbouring properties.

Contact Officer, Telephone Number Kate Fisher, 01508 533985, and E-mail: kfisher@s-norfolk.gov.uk
Development Management Committee
15 August 2012

13.  
App. No : 2012/1043/F  
Parish  : BAWBURGH

Applicants Name  : Mr Ben Kemp  
Site Address  : Villa Farm, Watton Road, Bawburgh, Norfolk, NR9 3LQ  
Proposal  : Change of use to a concrete hardstanding and grassed area to allow storage for potential occupiers of the already approved employment units.

Recommendation  : Approve with conditions

1.  Full - Planning Permission Time Limit
2.  In accordance with submitted drawings
3.  Boundary treatment to be agreed
4.  Landscaping scheme to be submitted (Full applications)
5.  Details of earthworks
6.  Limited Hours of Use
7.  Full details of external lighting
8.  Provision of visibility splays
9.  Details of parking and turning
10.  Position of gates
11.  No retail sales direct from site

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 5 : The economy

1.3  South Norfolk Local Plan
    EMP 4: Employment development outside the Development Limits and Village Boundaries of identified towns and villages (Non Consistent)
    ENV1: Protection of landscape
    ENV 6: Areas which contribute to maintaining the landscape setting of the Southern Bypass of the City (Part 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  2012/0229/F  Concrete hard standing to allow external storage for potential occupiers of adjacent approved employment units  Refused

2.2  2009/0910/F  Change of use of piggery building to a dwelling and change of use of redundant agricultural buildings to B1 (a), (b), (c) and B8 uses (60% limit on B1(a) floor space), car parking, landscaping and associated access improvements  Refused  Appeal - Allowed
2.3 1997/0700 Erection of two agricultural cattle & storage buildings  Refused  Appeal Allowed

2.4 1997/0157 Construction of new vehicular access from B1108 Refused  Appeal Allowed

3. Consultations

3.1 Bawburgh Parish Council : Refuse
- Development in the Southern Bypass Landscape Protection Zone
- Increased traffic movements from the site especially relating to the types of vehicles associated with large scale open storage
- Such extension of the site is considered to encourage further application for encroachment into the open countryside
- Unsightly and inappropriate development on a prominent site in the open countryside with associated noise and light pollution
- Intolerable intrusion into the lives of residents living close to the site
- Highway dangers along this section of the B1108 and NCC objected to appeal applications. Parish Council surprised to note that NCC raised no objection to last application and consider further details should be provided.

Little Melton Parish Council : Refuse
- Use is as a sales yard for a builders merchant
- Will result in significant traffic from suppliers and customers – much of it HGV
- This is above the level envisaged by the Inspector
- Outside storage area is similar in size to the overall built area and this is far in excess of any storage area that may be required for the uses that the inspector proposed for the site.
- If permitted, should include conditions to restrict height of stored goods and no audible or visual intrusion with activities restricted to between 8:00 and 17:00 on week days.

3.2 District Member Gary Wheatley : To be determined by Committee
- Application is not materially different to 2012/0229 which the Committee voted unanimously to refuse
- The traffic assessment should receive due attention
- Despite granting planning permission on appeal nothing appears to have been done to implement the permission and trees have been felled, earth and rubble mounds created.

3.3 NCC Highways : On the basis of the submitted details, no objection subject to conditions regarding the position of parking and turning, visibility splays and restricting retail sales from the site.
- The B1108 is classed as a Main Distributor Route but not a corridor of movement. It is subject to a 60mph speed limit. In the vicinity of the site accident records show that 4 slight injury accidents occurred at each of the nearby junctions in the last 5 years.
From information submitted with the earlier application and considered at appeal it was concluded that car parking was adequate and that the use would generate a relatively minor traffic issue but would not cause highway safety issues. Any further development would therefore need to have a notable increase in traffic before a highway objection would be justified.

3.4 Environmental Services (Protection): To be reported

3.5 Landscape Officer: To be reported

3.6 Planning Policy: Comment on changes in Policy set out in NPPF and need to balance landscape impacts with economic development

3.7 Local Residents: 60 letters of objection
- Within landscape zone of southern by pass
- Will be noisy, unsightly and intrusive to those living nearby
- Prominent site in open countryside
- Appeal decision restricts outside storage
- Extension of original site will encourage further encroachment into open countryside
- Alternative sites at Longwater should be considered
- Dangerous implication of increased traffic movements from the site especially relating to types of vehicles associated with large scale open storage
- Restricting hours of use not appropriate given nature of proposed use.

4. Assessment

4.1 The application is a revised proposal for the formation of a concrete hardstanding area to allow for external storage of civil engineering materials in association with the adjacent commercial units and follows the refusal of an earlier application (2012/0229).

4.2 The proposal has been amended to reduce the size of the hardstanding and the height of stored materials, which has been reduced from 3m to 2m. It is also proposed to lower the site level by 0.5m such that materials will be 0.5m below the height of the fencing.

4.3 In addition, further landscaping is proposed along the eastern side of the storage area and an increased width of the site landscaping area. The storage area will be bordered by 2m high palisade fencing to the east south and west, with a 2m close board fence along the northern boundary.

4.4 Planning permission was allowed on appeal for the change of use of the farm group to employment uses and the current application site was shown on the approved drawings as “open meadow land”. The appeal decision, associated conditions and site layout plan are attached at appendix 2.

4.5 The site is in an open countryside location where policies seek to balance safeguarding the character of the area with sustainable forms of development while sustaining the rural economy. Since the consideration of the earlier application, Planning Policy Statement 7 (PPS7) has been replaced by the National Planning Policy Framework.
4.6 The National Planning Policy Framework (NPPF) confirms that a core planning principle is to take account of the different roles and character of different areas, which relates to the landscape designations adopted under the saved Local Plan policies. The site falls within the Southern Bypass Landscape Protection Zone which is covered by Policy ENV6 of the South Norfolk Local Plan and this policy has been assessed as being ‘partly consistent’ with the NPPF. This revised application has sought to address the previous concerns regarding visual impacts stored materials in this area by the measures set out above.

4.7 The NPPF also states that significant weight should be placed on the need to support economic growth and that planning should support the sustainable growth and expansion of all types of business and enterprise in rural areas.

4.8 The settlement of Bawburgh falls into the category of Other Village in the Joint Core Strategy (JCS). However, the application site is outside the main settlement, and therefore JCS Policy 17 (Smaller rural communities and the countryside) applies. This states that small-scale and medium-scale commercial enterprises where a rural location can be justified will be acceptable. It also states that other development will be permitted where it can clearly be demonstrated to further the objectives of the JCS. JCS Objective 3 is to promote economic growth and diversity and provide a wide range of jobs.

4.9 In addition, Policy EMP 4 of the South Norfolk Local Plan (Appendix 3) relates to employment development outside the Development Limits and sets out that exceptionally planning permission may be granted, if the proposal is:
   vii) “unneighbourly”, and therefore unsuitable for locations within an existing built-up area; or
   viii) Reliant on large areas of open storage, and would therefore represent an inefficient use of serviced employment land

4.10 The Design and Access Statement sets out that the proposal would be related to the use of three of the adjacent buildings and that the nature of the business proposed requires a large area of external storage for larger items which cannot be accommodated within the buildings. The proposal could therefore be considered in the context of the exceptions set out in Policy EMP4

4.11 The site is in a prominent ridgeline position and is within the area covered by Policy ENV6 which seeks to safeguard the landscape setting of the Southern Bypass. In considering the application for commercial use of the buildings, the layout of the site sought to position parking areas within the existing group to limit the visual impact of the wider landscape. It was also proposed to undertake further landscaping works and to re-profile an existing bund to enhance the visual effect of the proposal and on this basis the Inspector considered that the proposal did not conflict with the aims of Policy ENV6.

4.12 While the scheme has been amended to reduce the prominence of the stored materials, I consider that the scheme as proposed does have potential to be prominent in the landscape and will be visible from the Watton Road, but in seeking to balance the economic benefits with landscape impacts, the extent of the storage area has been reduced and further landscaping has been proposed to reduce the prominence of the boundary treatments and materials. I recognise that this landscaping will take a number of years to mature, however I consider that in time the proposal would be assimilated into the landscape.

4.13 The application does not at present propose any external lighting associated with the storage area, however, I consider that it is likely that lighting would be needed to address health and safety issues and security of the site. This has the potential to increase the prominence of the site and while there is streetlighting to the east of the site I consider that it would be reasonable to control any future lighting.
4.14 The site is in a relatively isolated location, however there is a dwelling 181m to the west and a group of dwellings 105m to the east. The proposal will be visible, particularly from the east, and there is potential for disturbance to the occupiers of these properties, particularly from vehicle movements. Details of hours of use are not included in the application form, however as previously recommended, I consider that it is reasonable to control the hours of use associated with vehicle movements within the site and deliveries to and from the site.

4.15 The Highway Authority has commented that the B1108 is classed as a Main Distributor Route but not a corridor of movement. While it is subject to a 60mph speed limit, accident records for the vicinity of the site show that 4 slight injury accidents occurred at each of the nearby junctions in the last 5 years.

4.16 From information submitted with the earlier application and considered at appeal, it was concluded that car parking was adequate and that the use would generate a relatively minor traffic issue but would not cause highway safety issues. The Highway Authority therefore consider that any further development would need to have a notable increase in traffic before a highway objection would be justified. They have therefore raised no objection subject to the conditions relating to the provision of visibility splays and position of gates. They have also recommended conditions relating to details of parking and turning and restricting retail sales. Their comments are attached at appendix 4.

4.17 While the application indicates that the current proposal is to use it in connection with two of the units, it is necessary to consider whether its use independent to these is acceptable. In the context of Policy EMP4, if the use of this site for a large area of external storage is considered to be acceptable as an exception, then I consider that it would be unreasonable to restrict its use independent to the other units.

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 5 of the Joint Core Strategy and Policies EMP4, ENV6, IMP8, IMP9 and IMP10 of the South Norfolk Local Plan as the proposal is for a large area of external storage which meets the exception criteria of Policy EMP4 and subject to additional landscaping will not adversely affect the objectives of Policy ENV6 or significantly detract from the amenities of neighbouring uses or highway safety.

Contact Officer, Telephone Number and E-mail: Stuart Pontin, 01508 533796, spontin@s-norfolk.gov.uk
Appeal Decision

Site visit made on 30 June 2010

by John Murray LLB, Dip.Planning, DMS,
Solicitor

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

Appeal Ref: APP/L2630/A/09/2115934
Villa Farm, Watton Road, Bawburgh, Norwich, NR9 3LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990
  against a refusal to grant planning permission.
- The appeal is made by Gable Developments Ltd against the decision of South Norfolk
  District Council.
- The application Ref 2009/0910/F, dated 8 June 2009, was refused by notice dated 12
  August 2009.
- The development proposed is described as the change of use of former piggery building
to one dwelling; change of use of former agricultural buildings to B1(e), (b), (c) and
B8 uses (60% limit on B1(a) and (b) floor space), car parking, landscaping and associated
access improvements.

Summary of Decision: The appeal is allowed, and planning permission
granted subject to conditions set out below in the Formal Decision.

Procedural matters

1. As originally submitted, the application proposed a 60% limit on B1(a) floor
   space only. However, prior to determination of the application, this was
   amended, so that B1(b) uses would also be included within that 60% limit.

2. As well as the conversion of former agricultural buildings, the proposal involves
   the conversion of the dwelling known as Villa Farm House to business use. The
   description of the development should therefore include reference to ". . . change
   of use of former agricultural buildings and existing dwelling . . ." However, the
   description need not refer to the limit on B1(a) and (b) floor space, as this can
   be covered by a condition.

Main issues

3. There are 3 main issues, namely:
   - the effect of the proposal on the safety and free flow of traffic;
   - whether the proposed business uses are acceptable having regard to policies
     aimed at promoting sustainable development; and
   - whether the conversion of the piggery building to a dwelling is acceptable,
     having regard to policies aimed at protecting the countryside.

Reasons

The safety and the free flow of traffic

4. The proposed B1 and B8 units would be accessed from the B1108 via the
   existing bell-mouthed, kerbed and metalled farm access. The B1108 is a main
distributor route within the Norfolk Route Hierarchy and its principal purpose is
to provide essential cross country links. In particular, it is a direct link from Watton in south-west Norfolk to Norwich.

5. In the vicinity of the appeal site, this road is subject to a 60mph speed limit but, using an automated traffic counter (ATC), the appellant established that the 85th percentile speed in both directions is between 50 and 54mph. For these speeds, the Design Manual for Roads and Bridges (DMRB) indicates that visibility of 162.4m in either direction should be achieved, measured from a point 2.4m back from the carriageway edge. The appellant’s evidence is that this is achievable in both directions, within land under its control, and the Highway Authority (HA) suggests a condition requiring visibility splays of 160m x 2.4m. Based on the evidence and my own inspection, I am satisfied that visibility at the access point is sufficient.

6. The concern of the Council and the HA is based on the intensification of the use of the access and resulting interference to the safe and free flow of traffic on the B1108, including the possibility of parking on the highway. Based on the ATC data, the appellant estimates the annual average daily traffic flows (AADTF) along the B1108 at 5,403. By reference to the latest version of the Trip Rate Information Computer System (TRICS) database, it contends that the number of two-way trips into the site during the morning peak would be 21 and 16 during the evening peak and that the AADTF along the site access would be 88. Based on a “parking accumulation exercise”, the appellant also says a maximum of 29 cars would be parked on the site at any time. The proposal includes 42 parking spaces in line with the HA parking standards, which are the same as those in Planning Policy Guidance (PPG) Note 13 (Transport).

7. However, the HA points out that the 3 comparison sites selected from TRICS by the appellant are not truly comparable in terms of bus and other non-car mode accessibility. The appeal site is located in the open countryside, with no footways or cycleways in the vicinity and an extremely limited bus service, the nearest bus stop being in excess of 1.4km away in the village of Little Melton and more than 2km away on the B1108 itself. Given the speed of traffic on this main distributor route, walking and cycling would be unattractive. By contrast the sites used by the appellant in the TRICS analysis are all located on a business park, or in a commercial zone. They all have good footway/cycleway links and good public transport connections with a minimum bus service level of 4 buses an hour and a maximum of 15 buses an hour. All the sites have a bus stop within 400m and one even has a train station within 1km, providing a service of 2 trains per hour.

8. For these reasons, I am not convinced that the TRICS information can be relied upon to indicate the number of vehicle movements and parking demand likely to be generated by this proposal. Indeed, the appellant acknowledges in its final comments that there are no suitable sites included in the TRICS database.

9. In principle, whilst an end user is not known, I consider it more realistic to base the assessment on the potential number of employees, having regard to employee/floor space ratios. The HA says that for B1 development in this location, one can expect between 1 employee per 15sqm and 1 employee per 20sqm. Although the basis of this expectation is not clear, in the Transport Assessment as originally submitted with the application, the office sites identified had employee floor space ratios as high as 1 per 9sqm. On this
basis, the development would accommodate between 62 and 83 employees, depending on the split between B1(a), (b) and (c), or between 108 and 116 employees, if the higher ratio is used. Accordingly, given the 42 car parking spaces provided, the HA suggests that between 20 and 41 employees would not be able to access the site by car, even if the lower ratio is adopted, and this could lead to parking in undesignated areas, or even on the highway.

10. However, the HA’s analysis ignores the fact that, following amendment of the application, B1(a) and (b) uses would be restricted to 60% of the floor space. It also assumes that everyone employed would come by car, with no car sharing. Notwithstanding the limited availability or attractiveness of alternative means of travel to this site, this seems unduly pessimistic.

11. Furthermore, based on studies undertaken throughout the country[^1], the appellant contends in its comments on the Council’s evidence that appropriate employee/floor space ratios are: 1:21 for B1, except for B1(c), for which the ratio is between 1:34 and 1:40; and between 1:47 and 1:50 for B8. Given that no more than 60% of the floor space would be occupied by B1(a) and (b) uses and assuming the remaining 40% would be split evenly between B8 and B1(c) uses, the appellant says that a total of 47 to 48 employees would be accommodated by the development. Both the appellant and the HA say that, based on statistical travel to work information, 84.3%[^2] of employees would normally be expected to travel by car, which would equate to 40 drivers per day. I acknowledge the HA’s concern that, given the lack of alternatives, a higher percentage might come by car and of course there may be other visitors to the site. However, against this, it is unlikely that all employees would all be on site all of the time, given the possibility of off-site meetings, holidays, sickness and so on, and a requirement for a travel plan could encourage sustainable transport choices, including car sharing.

12. In the circumstances, I am satisfied that 42 car parking spaces would be adequate and, even if occasionally they were not, this would be more likely to lead to parking on undesignated areas within the site, rather than actually on the B1108. Furthermore, given that the AADTF along the B1108 is 5,403 vehicles and right turn movements will already take place at the junctions with Stocks Hill and Green Lane nearby, I consider that the relatively minor increase in traffic movements proposed through the main access point into the site would not cause any significant interference with traffic on the B1108.

13. For the reasons given, I conclude on the first main issue that the proposal would not harm highway safety or interfere with the free flow of traffic to a material degree. In this regard, it would comply with saved Policies IMP 8 and TRA 13 of the South Norfolk Local Plan (LP), adopted March 2003 and there is no indication that the other criteria in Policy TRA 13 would not also be satisfied.

**Whether the proposed business uses constitute sustainable development**

14. PPG13 indicates that walking is the most important mode of travel at the local level and offers the greatest potential to replace short car trips, particularly

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[^2]: The HA refers to DfT guidance indicating 1.2 persons per vehicle.
under 2km. However, whilst the site is within 2km of the villages of Bawburgh and Little Melton, it is in the open countryside and there is no footway provision or street lighting within the vicinity, where vehicular traffic is relatively heavy and fast. Even assuming significant numbers of employees would come from those villages, it is unlikely that they would consider walking to work an attractive option. Cycling is more likely, even from further settlements such as Bowthorpe, West Earlham and Cringleford but, given the nature of traffic on the B1108 and the absence of dedicated cycleways, it may still be an unattractive option for many. Indeed, the appellant recognises that only a small proportion of employees would be likely to walk or cycle to the site.

15. There are no bus stops within 1.4km of the site. Whilst the appellant says that it is in negotiations with a bus operator to agree an “on-demand” stop within easy walking distance, there is nothing to indicate that this will be achieved. The evidence suggests that the majority of employees would be likely to get to and from the site by private car, notwithstanding the fact that the appellant has drafted a travel plan to encourage sustainable transport choices. In this regard, whilst the Council cited Policy T1 of the East of England Plan, which no longer forms part of the development plan and carries no weight, the proposal conflicts with saved LP Policies TRA 1, TRA 3 and TRA 4, which seek to encourage access on foot, bicycle and by public transport.

16. Census data indicates that Little Melton has a total population of 620 people, with 375 of these being economically active. Bawburgh has a population of 340, with 213 economically active. The proportion of residents who travel to work by car is 73% for Little Melton and 71% for Bawburgh. Average trip lengths to work are 15.05km for Little Melton and 14.97km for Bawburgh, suggesting that the majority probably travel to work either in Norwich city centre or other employment areas on the edge of the city.

17. Given the size of these settlements, it is unlikely that a large proportion of those employed at the proposed development would come from Little Melton or Bawburgh. However, in addition to settlements such as Bowthorpe on the edge of Norwich, there are others to the west, such as Barford and Hingham, from where people probably commute into Norwich. Whilst I am not convinced that there is significant scope to access the proposed development by non-car modes, it is likely that the employment opportunities it would provide could reduce commuting distances for local people, whilst re-using existing buildings. This reduction in distances travelled by private car is arguably consistent with the thrust of Policy 4 of the Local Transport Plan for Norfolk 2006 – 2011, which states that new development should be located so as to minimise the need to travel and reduce reliance on the private car.

18. Furthermore, notwithstanding contrary views expressed by the Little Melton and Bawburgh Parish Councils, the commercial property market report prepared by Roche Chartered Surveyors indicates that there is a demand for employment space in converted farm buildings in locations such as this. In particular, such sites suit businesses which have a necessity for county wide travel and therefore look to locate close to a major highway network whilst avoiding city centre congestion and costs. The appeal site is located close to the B1108 junction with the A47 Norwich Southern Bypass.

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3 The Secretary of State revoked Regional Strategies on 6 July 2010.
19. Saved LP Policy EMP 3 indicates when the adaptation and re-use of rural buildings for employment purposes will be permitted outside development limits and village boundaries. The structural report submitted with the application indicates that the buildings are structurally sound and capable of re-use without significant rebuilding. The scheme for the conversion of the brick buildings would substantially use existing openings, retaining the buildings' form and character and the steel framed buildings would be clad in sympathetic materials. There is no indication that the conversion of these redundant buildings would cause demonstrable harm to the viability of the farm and I have concluded that the road access is of a sufficient standard to serve the development without causing demonstrable harm to the safe and free flow of traffic. Furthermore, there is no evidence that the proposal would lead to the dispersal of activity on such a scale as to prejudice the vitality of local towns and villages. The scheme therefore complies with saved LP Policy EMP 3.

20. Policy EMP 3 is specifically concerned with proposals such as this and I therefore consider it to be the dominant policy in relation to this main issue. Accordingly, notwithstanding the conflict with saved LP Policies TRA 1, TRA 3 and TRA 4 referred to above, I consider that the scheme complies with the development plan as a whole on this issue. In my view, it is also consistent with Planning Policy Statement (PPS) 4 (Planning for Sustainable Economic Growth), which generally encourages the re-use of buildings in the countryside for economic purposes and recognises that a site may be an acceptable location for development, even though it may not be readily accessible by public transport.

21. For the reasons given, I conclude on the second main issue that the proposed business uses are acceptable, having regard to policies aimed at promoting sustainable development.

**Whether the conversion of the piggery building to a dwelling is acceptable**

22. The Council is concerned that, given the functional appearance of the piggery building, it does not make a positive contribution to the character of the area and therefore considers that, having regard to paragraph 17 of PPS7, the creation of a new dwelling does not outweigh the disadvantages of creating a new dwelling in an unsustainable location. However, in December 2009, that paragraph of PPS7 was cancelled by PPS4 and, in any event, it did not say that conversion should only be allowed if the building was of historic or architectural importance or interest, or otherwise contributed to local character; that was merely one criterion to take into account.

23. In terms of the development plan, the adaptation and re-use of existing rural buildings for residential purposes is addressed by saved LP Policy HOU 10. Having regard to the criteria laid down by that policy, I am satisfied from the structural report submitted with the application and from my own inspection that the structure of the piggery building is both permanent and substantial. I accept that the building is of functional appearance, with little architectural merit. However, whilst there would be no significant changes to its overall form, the building would be repaired, rendered and generally tidied up. Given the ability to control the use of materials by condition, I consider that the fabric and character of the building would be enhanced. The scope for landscaping and the removal of permitted development rights would also prevent the
scheme having an overly domestic appearance in public views. I am satisfied that the building is no longer suitable for continued agricultural use and indeed such use, or even alternative business use, could be detrimental to the living conditions of the occupants of the nearby dwelling known as Villa San Lorenzo.

24. In these circumstances, I am satisfied that the conversion to a dwelling would comply with LP Policy HOU 10. In addition to converting the piggery to a dwelling, the proposal involves conversion of the existing dwelling on the site (Villa Farm House) to a business. Whilst I have seen no evidence to indicate that the conversion of the piggery is absolutely necessary to facilitate the conversion of Villa Farm House, the appellant indicates that it would enable the Villa Farm complex to be converted to employment uses and conditions could ensure that the proposal does not result in an additional dwelling on the site. Furthermore, a suggested condition requiring a minimum of 40% of the proposed employment floor space to be available before the former piggery is occupied would safeguard the provision of that employment space and the attendant benefits to the rural economy.

25. For the reasons given, I conclude on the last main issue that the conversion of the piggery building to a dwelling is acceptable, having regard to policies aimed at protecting the countryside.

Other matters

26. The site lies within the “Southern Bypass Landscape Protection Zone” as identified on the LP Proposals Map. The Little Melton and Bawburgh Parish Councils suggest that this development could be contrary to saved LP Policy ENV 6, which seeks to protect the landscape quality and openness of that zone and to prevent the bypass becoming the outer development boundary of the city. However, given the scope for landscaping, the fact that the scheme would utilise existing buildings and accesses and car parking would be sensitively located within the site, I do not share that concern.

27. The occupier of Villa San Lorenzo says that she owns a major part of the access to the piggery and is concerned that traffic associated with the business units might also use it. A planning condition can ensure that the access does not serve the commercial development and ownership of and rights over the access are not planning matters; if there is no right to use that access, the grant of planning permission will not change that.

Conditions

28. I will impose the usual condition regarding commencement of development. For the avoidance of doubt and in the interests of proper planning, I shall also require that, otherwise than as set out in this decision and conditions, the development shall be carried out in accordance with the approved plans.

29. Suggested conditions requiring approval of external materials, window details, landscaping, earthworks, tree protection measures, the control of external storage and lighting and the removal of permitted development rights are all reasonable and necessary to safeguard the character and appearance of the area. I impose them, subject to minor amendments to ensure precision in accordance with Circular 11/95.
30. Conditions requiring 40% of the employment floor space to be available prior to occupation of the former piggery and ensuring that no more than one dwelling is occupied on the site are reasonable and necessary in the interests of ensuring sustainable development and the delivery of benefits to the local economy. To limit the number of people likely to be employed on the site in the interest of highway safety and the free flow of traffic, I will restrict Class B1(a) and (b) uses to 60% of the total floor space.

31. To avoid risk to public health and the environment, I shall require the implementation of an approved scheme to deal with contamination. In order to prevent harm to biodiversity, I will require ecology mitigation measures to be undertaken in accordance with the recommendations set out in the Bat Survey Report submitted with the application.

32. To safeguard the living conditions of the occupiers of the former piggery and of Villa San Lorenzo, I shall require the submission of a scheme to ensure that the access track between Villa Farm and the former piggery is only used by farm traffic. Whilst this was not addressed in the Council or HA’s lists of suggested conditions, the appellant indicated in its grounds of appeal that the existing central access points would be stopped up once the commercial buildings have been converted. Given the nature of those accesses and the need to avoid closely grouped, multiple accesses onto the B1108, I consider this necessary in the interests of highway safety and the free flow of traffic. For the same reasons, the HA’s suggested conditions concerning the construction of the accesses, provision of visibility splays and gates, on-site parking, servicing and turning areas, and the provision and use of wheel cleaning facilities during the construction period are all reasonable and necessary.

33. In the interests of sustainability, and having regard to the thrust of LP Policies TRA 1, TRA 3 and TRA 4 and advice in PPG 13, I will require the implementation of an approved travel plan. Whilst I note the appellant’s evidence that its draft travel plan contemplates off-site improvements to link bus services and the proposed provision of a bus stop “subject to operators’ agreement”, it is not clear whether this is achievable. On balance, I have found the scheme acceptable in the light of current bus service provision and, on the evidence before me, I am not persuaded that conditions requiring a bus stop and connecting footways are reasonable or necessary.

Overall conclusion

34. Having regard to my conclusions on the main issues and to all other matters raised, I am satisfied that the appeal should be allowed and planning permission granted subject to conditions.

Decision

35. I allow the appeal, and grant planning permission for the change of use of the former piggery building to one dwelling; change of use of the former agricultural buildings and the existing dwelling to B1(a), (b), (c) and B8 uses, together with car parking, landscaping and associated access improvements at Villa Farm, Watton Road, Bawburgh, Norwich, NR9 3LQ in accordance with the terms of the application, Ref 2009/0910/F, dated 8 June 2009, subject to the following conditions:
Appeal Decision APP/L2630/A/09/2115934

1) The development hereby permitted must be begun before the expiration of three years from the date of this permission.

2) Subject to conditions 6, 7 and 9, the development hereby permitted shall be carried out in accordance with the following approved plans: 4732 101F; 4732 105E; 4732 108D; 4732 121; 4732 109; 4732 100A; 4732 107C; 4732 111C; 4732 02; 4732 05; 4732 04A; 4732 03B; 4732 102A; drawing No 10 (Proposed Access Arrangements (Feb 09)); drawing No 11 (Villa San Lorenzo Residential Access Arrangements (Feb 09)); Tree Survey and Arboricultural Implications Plan, dated 30/04/09; and Landscape Layout Plan, dated 21/05/09.

3) The former piggery shall not be occupied until such time as a minimum of 40% of the proposed employment floor space is available for employment use.

4) No more than one dwelling shall be occupied on the site and once the piggery is occupied as a dwelling Villa Farm House shall no longer be occupied as such.

5) No more than 60% (747 sq m) of the total floor space shall be occupied for B1(a) and B1(b) purposes.

6) No works or development shall take place on each building until details, including samples where required, of the materials used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. This condition shall apply notwithstanding condition 2 above and any indication as to these matters that have been given in the application or on the approved plans. The materials to be used in the development shall be in accordance with the approved details.

7) Notwithstanding condition 2 above and details shown on the approved plans, no works or development shall take place on each building until the following details have been submitted to and approved in writing by the local planning authority: detailed drawings of the proposed windows at a scale of no less than 1:20 and timber profiles of a scale no less than 1:5. The development shall be carried out in accordance with the details as approved.

8) With regard to the dwelling hereby permitted through the conversion of the former piggery, notwithstanding the provisions of the Town and Country Planning (General Permission Development) Order 1995 (or any Order revoking and re-enacting that Order) with or without modification, no enlargement, improvement or other alterations of the dwelling; no additions or alterations to the roofs; no provision of porches; nor the provision within the curtilage of the dwelling of any building or enclosure, swimming or other pool, or chimneys, flues or soil and vent pipes or any other works as defined by Classes A, B, C, D, E and G of Part 1 of Schedule 2 of that Order shall be erected or brought onto the land unless an appropriate planning application is first submitted to and approved by the local planning authority.

9) Notwithstanding condition 2 above and the details shown on the Landscape Layout Plan, dated 21/05/09, no development shall take place until further details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:
a) means of enclosure;
b) hard surfacing materials;

Soft landscaping works shall include:

c) planting plans;
d) written specifications (including cultivation and other operations associated with plant and grass establishment);
e) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and

f) an implementation programme.

If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, or becomes in the opinion of the local planning authority, seriously damaged or defective another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

10) No development shall take place on the commercial units until details of earthworks and a timetable for implementation have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details and timetable unless otherwise agreed in writing by the local planning authority.

11) No works or development shall take place on the commercial units until all existing trees have been protected by the erection of a one metre high chestnut pale fence to be positioned beneath the extremities of the crown spread, or in the case of fastigate trees in a position to be agreed with the local planning authority. All such fencing shall be retained and maintained in good condition for the duration of the construction period. During the construction period:

(a) the storage of vehicles, fuel, materials, site huts or other buildings or ancillary equipment will not take place within the fenced areas.
(b) the existing ground levels within the fenced areas will not be raised or lowered;
(c) no services shall be laid within the fenced areas; and
(d) no trees shall be lopped, topped or felled without the prior written consent of the local planning authority.

12) No trees or hedges shall be cut down, uprooted destroyed, lopped or topped, other than in accordance with the approved plans and particulars, without the previous written approval of the local planning authority. Any trees or hedges removed without consent shall be replaced during the next planting season November/March with trees of such size and species as agreed in writing with the local planning authority.
13) No external storage of goods or materials shall at any time take place outside the commercial buildings on the application site, unless otherwise agreed in writing with the local planning authority.

14) No external lighting shall be erected unless full details of its design, location, orientation and level of luminance (in Lux) provided have first been submitted to and agreed in writing with the local planning authority. Such lighting shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation.

15) No development shall take place until a scheme to deal with contamination of the site has been submitted to and approved in writing by the local planning authority. This scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public/environment when the site is developed. No development shall take place on the site until the measures in the scheme as approved have been implemented and completed.

16) Ecology mitigation shall be undertaken in accordance with the Mitigation and Recommendations as set out in Section 6.3 of the Bat Survey Report dated February 2009 and undertaken by Aspect Ecology and shall be retained as such thereafter unless otherwise agreed in writing by the local planning authority.

17) Before any works or development commences on the commercial units a scheme to restrict the use of the access track between Villa Farm and the Piggery to farm traffic only shall be submitted to and approved in writing by the local planning authority. Thereafter, prior to any of the units being first brought into use the approved scheme shall be implemented in full and shall be retained as such thereafter unless otherwise agreed in writing by the local planning authority.

18) Before any works or development commences on the commercial units a scheme for the stopping up of the two central access points, marked "ACCESS RETAINED FOR RESIDENTIAL USE ONLY" on drawing No 10, shall be submitted to and approved in writing by the local planning authority. The scheme shall include a timetable for implementation following cessation of the use of Villa Farm House as a dwelling and shall be implemented as approved. The accesses shall not be used thereafter.

19) Prior to the first occupation of the development hereby permitted, the vehicular access at the eastern end of the site shall be constructed in accordance with the Norfolk County Council industrial access construction specification, and additionally to accord with details to be approved in writing by the local planning authority, for the first 15 metres into the site, as measured back from the near edge of the adjacent carriageway.

20) Prior to the first occupation of the development hereby permitted any access gate or gates, shall be hung to open inwards and shall be set back a minimum distance of 15 metres from the near edge of the adjoining highway carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the (outside) gateposts to the front boundary of the site.
21) Prior to first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 160 metres shall be provided to each side of the accesses at the eastern and western ends of the site, shown in grey on drawing Nos 10 and 11 respectively, where they meet the highway and such splays shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

22) Prior to first occupation of the development hereby permitted the proposed access, on-site car and cycle parking, servicing and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

23) The accesses at the eastern and western ends of the site, shown in grey on drawing Nos 10 and 11 respectively, shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a detailed scheme submitted to and approved in writing by the local planning authority, in consultation with the Highway Authority.

24) The development hereby permitted shall not be commenced until an Interim Travel Plan has been submitted to and approved in writing by the local planning authority, in consultation with the Highway Authority, such plan to accord with the Norfolk County Council document "Guidance Notes for the Submission of Travel Plans" or be produced using the Workplace Travel Plan Generator Tool, www.worktravelplan.net.

25) No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan approved under condition 24 above. During the first year of occupation a Full Travel Plan shall be submitted to and approved in writing by the local planning authority in consultation with the Highway Authority, such plan to include a timetable and targets. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development used for B1(a), B1(b), B1(c) or B8 uses is occupied, subject to any modifications approved by the local planning authority, in consultation with the Highway Authority, as part of an annual review.

26) No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority. For the duration of the construction period all traffic associated with the construction of the development hereby permitted will use the approved wheel cleaning facilities.

J A Murray
INSPECTOR
Policy EMP 4: Employment development outside the Development Limits and Village Boundaries of identified towns and villages

Employment development outside the Development Limits and Village Boundaries defined on the Proposals Map under policy ENV 7 will only be permitted if:

i) There are no alternative sites or premises within the identified Development Limits or Village Boundaries which are either suitable or available; and

ii) The proposed site is on land adjacent to a town, village or other area of development with a defined Development Limit or Village Boundary; and

iii) Road access is of a sufficient standard to serve the scale and nature of development proposed without causing demonstrable harm to the safe and free flow of traffic;

And the proposal is:

iv) For small businesses, modern growth industries, or would specifically address local unemployment problems; and

v) Small in scale and designed to blend with the setting of the settlement concerned;

Or, exceptionally, if the proposal is:

vi) For agriculturally related industry, which must be located close to the farms to which it relates; or

vii) “Unneighbourly”, and therefore unsuitable for locations within an existing built-up area; or

viii) Reliant on large areas of open storage, and would therefore represent an inefficient use of serviced employment land

Subject to the foregoing requirements being first satisfied, the re-use of existing or previously developed land will be preferred to the use of green field sites.
For the attention of Stuart Pontin
South Norfolk District Council
South Norfolk House
Swan Lane
Long Stratton
NORWICH
NR15 2XE

Please ask for: Adrian Jacklin
Contact number: 01508 533929

Your ref: 2012/1043
My ref: TTS/9/7/2012/1043
20 July 2012

Dear Sirs,

Form Of Notification By Norfolk County Council
Relating to an application for Development affecting a County Highway

With reference to the application relating to the following development.

Location Villa Farm, Watton Road, Bawburgh

Proposal: Change of use to concrete hardstanding and grassed area to allow storage for potential occupiers of the already approved employment units

Applicant: Mr B Kemp

IN RELATION TO HIGHWAYS ISSUES ONLY, NOTICE IS HEREBY GIVEN THAT NORFOLK COUNTY COUNCIL RECOMMENDS THAT ANY PERMISSION WHICH THE DISTRICT COUNCIL MAY GIVE SHALL INCLUDE THE CONDITIONS LISTED BELOW:-

I note that this is a further application for this development following the refusal of application 2012/0229. My letter to Mr Whitham of 13 April 2012 gave further consideration to this proposal following that refusal.

The B1108 from which this site is served is classed as a Main Distributor Route in the Route Hierarchy. It is not designated as a corridor of movement. In this vicinity, the road is subject to a 60 mph speed restriction. The current (2012) accident record shows that four slight injury accidents occurred at each of the nearby junction to Bawburgh and one at the junction to Little Melton within the last five year period. The last recorded being in 2010.

Continued....
Continuation Sheet To: Planning Services  Dated: 20 July 2012

Data put forward by the appellants for the Appeal into application 209/0910 showed that the 24 hour traffic flows on the B1108 at this point in 2009 were 5438 vehicles and that the 85 percentile vehicle speeds were between 50 and 54 mph.

The Inspector in considering the various traffic issues was of the opinion that the car parking spaces provided was adequate and that the development would only generate a relatively minor traffic increase. It would not cause any highway safety issues. The Highways objection was not therefore supported. Neither were the sustainability concerns. Any further proposals for the site would therefore need to have a notable increase in traffic before we would be justified in objecting.

On reading the current design and access statement the storage area is again proposed to be used for the storage of civil engineering materials, potentially in conjunction with the occupation of units 7, 8 and 9. If the storage area is specifically related to the previously approved development, the storage area is unlikely to generate any notable degree of traffic in its own right. The likelihood is that a civil engineering company using the site will require at least some office space.

The Agents have not put forward any new traffic information. The Design and Access statement referring to the traffic report that was included as part of the 2009 Appeal. The Planning Inspector concluded that with the relatively low daily traffic flows on this section of the B1108, that the relatively minor increase in traffic movements proposed through the access point would not cause any significant interference with traffic on the B1108.

In consideration of the development I have driven past this site on a number of occasions recently including the morning of the Norfolk Show. I have not noticed any particular highway problems on the highway network in this vicinity. The visibility splays at the access have however, not been provided as the hedging along the roadside has not been maintained. I have therefore recommended this as a condition, rather than relying on the conditions of the 2009 permission. If the proposed hardstanding is to be used for the purposes of storing civil engineering materials, in terms of details, it would also be prudent for clarification as to the parking and turning areas that are to be provided for company vehicles and plant. The application states that car parking will not take place on the hardstanding.

Taking into account the past and current information, it is not therefore considered that a highway objection could be sustained to this application. Only if there is a clear confirmation that the development will raise a significant level of traffic that is over and above that from the 2009 consent, would we be able to suggest a refusal of this application. These comments are based on the details regarding the proposal that are submitted with the application.

As highway Authority we would not however, wish to see the site use as a HGV lorry park which could result in large articulated vehicles entering and exiting the site. Or for retail sales which would be liable to result in a much greater traffic generation than would be the case for the 2009 approved scheme.

Continued....

www.norfolk.gov.uk
14. **Appl. No** : 2012/1110/RVC  
**Parish** : WYMONDHAM

Applicants Name : Mr D Wells  
Site Address : 21 Norwich Road, Wymondham, Norfolk, NR18 0NT  
Proposal : Variation of conditions 5 and removal of condition 7 of planning permission 2010/1568/F to permit revised site layout and non-replacement of removed frontage hedge

Recommendation : Approve  
: No conditions

1. **Planning Policies**

1.1 National Planning Policy Framework  
Section 7 : Requiring Good Design

1.2 Joint Core Strategy  
Policy 2 : Promoting Good Design

1.3 South Norfolk Local Plan  
IMP 2 : Landscaping

2. **Planning History**

2.1 2010/1568/F Erection of new dwelling Approved  
2.2 2009/2044/F Erection of new dwelling Refused

3. **Consultations**

3.1 Town Council : Refuse – Hedgerow to be retained to comply with condition on 2010/1568 – its removal is contrary to policies IMP1 Design and IMP2 Landscaping

3.2 District Member : Can be delegated

3.3 NCC Highways : No objection

3.4 Wymondham Heritage Society : Refuse: Many of the properties are hedged while others have low walls, the wooden fence is not in harmony with other properties;

3.5 Local Residents : No comments received

4. **Assessment**

4.1 The property is of recent construction as approved under the above reference number. It has vehicular access from Norwich Road, is within the development limits of Wymondham and adjacent to other residential properties.

4.2 The highway boundary was previously delineated by a hedge which was required to be retained by a condition on the planning permission for the property. The hedge has been removed and the wooden picket fence has been erected in its place. The application seeks the retention of the fence as constructed
4.3 Policies in the JCS, Local Plan and the requirements of the NPPF seek to ensure that proposals are for an appropriate use, are of good design and do not adversely affect the character of the area. 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.

4.4 The area comprises a mix of hedges and low walls in the immediate vicinity, however further towards the town centre there is a section of timber railings similar to that constructed on this site. While I accept that the purpose of the condition was to retain a hedge which did make a contribution to the visual appearance of the area, I do not consider that its removal and the fence as constructed results in such visual harm to the area to justify refusal. I therefore recommend that the fence can be retained, and no further action is necessary.

5. **Reasons for Approval**

5.1 The visual impact of the fence within the area is acceptable and does not result in any significant harm to the overall character of the area. The fence as constructed accords with policy IMP2 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.

Contact Officer, Telephone Number and E-mail: 
Jacqui Jackson, 01508 533837, jjackson@s-norfolk.gov.uk
15. **Appl. No:** 2012/1185/F  
**Parish:** WACTON  

**Applicants Name:** Mr & Mrs J Tooke  
**Site Address:** 32 The Croft, Hall Lane, Wacton, Norwich, NR15 2UH  
**Proposal:** Erection of Cottage Style Dwelling in Part Garden  

**Recommendation:** Approve with conditions

1. **Full - Planning Permission Time Limit**  
2. In accordance with submitted drawings  
3. External materials to be agreed  
4. New Access - Construction over verge  
5. Provision of Parking and Servicing Areas - Where shown on plan  
6. Slab level t.b.a.  
7. Surface Water  
8. Boundary treatment to be agreed  
9. Reporting of unexpected contamination  
10. New 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  
Section 10 Meeting the challenge of climate change, flooding and coastal change

1.2 Joint Core Strategy  
Policy 17: Smaller rural communities and the countryside  
Policy 2: Promoting good design  
Policy 3: Energy and water

1.3 South Norfolk Local Plan  
ENV 8: Development in the open countryside (Part Consistent)  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity

2. **Planning History**

2.1 2011/0894 Erection of cottage style dwelling in part of garden Approved  
2.2 2010/0871 Erection of cottage style dwelling in part of garden Refused

3. **Consultation**

3.1 Parish Council: To be reported  
3.2 District Member  
Mr Andrew Pond: To be reported if appropriate  
Mr Terry Blowfield: To be reported if appropriate

3.3 NCC Highways: Conditional support

3.4 Environment Agency:  
- Flood zone 2 covers the southern most edge of the site.  
- Consideration needs to be given to floor levels, management of surface water drainage and access and egress in the event of flooding.  
- Assurance should be given that access and egress could be achieved from and to the site.
The application relates to the garden land to the west of 32 Hall Lane in Wacton, which is a two storey dwelling of red brick construction with pantile roof. There is a chalet style property to the west. The site is currently screened from the road with a mature hedge.

Permission was granted last year for a new dwelling on the site, application number 2012/0894. This application proposes changes to the design of the dwelling.

The adoption of the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) in March 2011 removed the development boundary for Wacton. Wacton now falls under Policy 17 of JSC and is not defined as a main town, key service centre, or service village. Policy 17 restricts development in the open countryside unless it is affordable housing or is required to maintain or enhance the rural economy. This advice is similar to that in policy ENV8 of the South Norfolk Local Plan (SNLP) which does not permit new dwellings in the open countryside; unless they are requisite for agriculture or forestry, justified to sustain economic and social activities in rural communities or the reuse of an existing rural building, these policies are consistent with the National Planning Policy Framework. The proposal is therefore contrary to policy however; in this instance material weight has been given to the current approval on the site which was given permission by members because “as a former "infill plot" it will not harm the form or character of the settlement nor the open countryside”.

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 and policy ENV8 is consistent with the NPPF in terms of new dwellings.

The changes of the design include moving the rear wing projection and creating a larger lean to section. These changes are considered acceptable in design terms and would not result in an unacceptable loss of amenity to adjacent properties.

The majority of the site is in flood zone 1 (low flood risk), with just the edge of the south side of the site being with flood zone 2 (1 in 100 to 1 in 1000 years flood risk). The main issue therefore relates to access and egress from the site. The land rises from the road so I do not consider this issue to be insurmountable and do not consider that a refusal could be justified on these grounds.

5. Reasons for Approval

5.1 The proposed development has been designed to be in keeping with the street scene, would not adversely affect the amenity of adjacent properties to a material degree and would not be within significant risk of flooding. Material weight has been given to the current planning approval on the site granted permission because as a former "infill plot" it will not harm the form or character of the settlement nor the open countryside.

Contact Officer, Telephone Number and E-mail: Helen Bowman, 01508 533833, hbowman@s-norfolk.gov.uk
Development Management Committee  15 August 2012

Parish : DISS
Applicants Name : Mrs J Ward
Site Address : 1, 3, 7, 9 & 11 Riverside Maltings, Diss, Norfolk, IP22 4RA
Proposal : Retrospective application for erection of garden fences

Recommendation : Split decision :

A Refuse fence 1
   1 Detrimental to visual amenity of the area

B Approve with no conditions fences 2 and 3

1. Planning Policies

1.1 Joint Core Strategy

Policy 1: Addressing climate change and protecting environmental assets
Policy 2 Promoting good design

1.2 South Norfolk Local Plan

IMP 9: Residential amenity

2. Planning History

2.1 2012/0262 Retrospective application for erection of garden fences
     Approved

2.2 1992/0369 Revision to 4 no three/four bedroom houses to form 8 no two/three bedroomed starter homes.
     Approved

3. Consultation

3.1 Town Council : To be reported

3.2 District Members

Mr G H Walden : Can be delegated

Mr K Kiddie : To be determined by committee if recommended for refusal.
   • I have visited the site on several occasional and believe the fence is in the most appropriate position
   • Will restrict occurrences of anti-social behaviour which have occurred in the past.
   • Moving it back will allow access to the river bank, underneath the bridge and gardens.
   • Litter will accumulate between the traffic barrier and fence

Mr T Palmer : To be reported if appropriate

3.3 Environment Agency : No objection

3.4 Mid Suffolk District Council : Fence 1 considered to be intrusive and prominent in the street scene and detrimental to the visual amenity of the area.
3.5 Waveney Valley Internal Drainage Board: No response

3.6 Local Residents: Four letters of support
- Anti social behaviour has ceased since the erection of the fence
- Tenants have formed a social and gardening community since the fences have been erected this will be lost if fences are removed.

4. Assessment

4.1 The application relates to an amenity area between the rear of 1-11 Riverside Maltings and the river. This is a retrospective application for 3 timber fences which have been erected at right angles between the river and the flats. Fence 1 is a 1.8 metres in height and located adjacent to Rose Lane. Fences 2 and 3 are set back from the road and are 1 metre and 1.8 metres in height respectively. The site is within flood zone 2.

4.2 The fences have been erected as a result of anti social behaviour which has occurred behind the flats. The erection of the fences has blocked an alternative escape route from the development and has eased the anti social behaviour issues.

4.3 There is no public right of way to the rear of the flats and the original planning permission did not require the space to be public open space.

4.4 Permission was granted earlier in the year for fences 2 and 3 within the site and also for the fence adjacent to the highway in an amended location set back from footpath, so an area of planting could be provided which would soften the harsh appearance of the fence. The applicant has since decided that she does not want to move the fence back in fear that anti-social behaviour previously suffered in the area would return. Although there is sympathy with the residents I do not consider that moving the fence back slightly to allow for some planting, would allow access, the set back need not be as large as what was previously proposed on the last application.

4.5 I do not consider that fences 2 and 3 have an adverse on the visual amenity of the area and as a result these fences are recommended for approval.

4.6 Although the Environment Agency would have preferred an open fence they raise no objection to the application.

4.7 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. Reasons for Approval – Fence 1

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

5.2 The design, height and materials of fence 1 result in the development being unduly intrusive and prominent in the street scene resulting in it being detriment to the visual amenity of the area.
6. Reasons for Approval Fences 1 and 2

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 2 Promoting good design of the Joint Core Strategy and Policy 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.

6.2 Fences 2 and 3 do not have an adverse impact on the visual amenity of the area or result in increased flood risk and have helped to combat anti social behaviour occurring within the area.

Contact Officer, Telephone Number and E-mail: Helen Bowman, 01508 533833, hbowman@s-norfolk.gov.uk
17. **App. No**: 2012/1278/F  
**Parish**: DISS  
Applicants Name: William Hill Organisation Ltd  
Site Address: 14 Mere Street, Diss, Norfolk, IP22 4AD  
Proposal: Use of premises for A2 purposes as a licensed betting office, including the installation of 2no. a/c condenser units, 2 satellite dishes and an aerial.  
Recommendation: Approve with conditions

1. Full - Planning Permission Time Limit  
2. In accordance with submitted drawings

18. **App. No**: 2012/1279/LB  
**Parish**: DISS  
Applicants Name: William Hill Organisation Ltd  
Site Address: 14 Mere Street, Diss, Norfolk, IP22 4AD  
Proposal: Use of premises for A2 purposes as a licensed betting office, including the installation of 2no. a/c condenser units, 2 satellite dishes and an aerial.  
Recommendation: Approve with conditions

1. Listed building Time Limit  
2. In accordance with submitted drawings

1. **Planning Policies**

1.1 National Planning Policy Framework  
Section 2: Ensuring the vitality of Town Centres

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design

1.3 South Norfolk Local Plan  
SHO 5: Mix of uses within Central Business Areas  
IMP 13: Alteration of Listed Buildings (Part Consistent)  
IMP 18: Development in Conservation Areas.  
IMP10: Noise

2. **Planning History**

2.1 2012/0450 Proposed removal of ground floor staircase and partition wall, making good first floor and installation of external staircase and safety balustrade  
Approved

2.2 2012/0449 Proposed removal of ground floor staircase and partition wall, making good first floor and installation of external staircase and safety balustrade  
Approved

2.3 2011/1907 Proposed removal of ground floor staircase and partition wall, making good first floor  
Refused
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<td>2.4</td>
<td>2011/1203</td>
<td>Installation of disabled w.c</td>
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<td>2.5</td>
<td>2011/0874</td>
<td>Relocation of staff facilities from second floor to first floor</td>
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<td>2.6</td>
<td>2010/0839</td>
<td>Proposed demolition of modern single storey extension removal of existing staircase &amp; erection of new rear extension</td>
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### 3. Consultations

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<td>District Member</td>
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<td>Mr Keith Kiddie</td>
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<td>Mr Tony Palmer</td>
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#### 3.3 Environmental Services (Protection): To be reported

#### 3.4 Conservation Officer: No objection:
- Clarification required on signage

#### 3.5 Planning Policy: Support
- If predominate use in primary retail area is still A1 and there are no over concentrations of A2 uses.

#### 3.6 Local Residents: Five letters of objection
- Present occupier is the only business in the area providing furniture recycling service, close will result in loss of facility and additional burden on waste disposal facilities
- Loss of a retail outlet in a town already seeing a downturn in footfall, to encourage visitor and residents to support town and boost local economy we need the right mix of shops not 4 betting shops and 3 within 50 metres
- Application site is adjacent to existing Coral book makers and close to Ladbrookes, question the need for three betting shops so close together
- Loss of shopping attraction, town to attain look and feel of a mini Las Vegas.
Development Management Committee 15 August 2012

- Should retain shops so we can attract more retailers.
- Have to travel to Norwich to access items such as affordable ladies fashion and computers
- A better range of shop would help to support local restaurants and cafes
- Disabled people are reliant on local shops
- Question the need for 3 betting shops in small town centre.
- We need some other shops rather than charity, betting, coffee and professional

4. **Assessment**

4.1 The application relates to 14 Mere Street in Diss, which is a listed building within the Conservation Area. The building is part of the primary shopping area for Diss. The building is currently occupied by the YMCA as a retail unit. It is proposed to change the use of the property to a betting shop (A2). The application also proposes minor internal works, two satellites dishes and condenser units on the flat roof at the rear of the property.

4.2 The National Planning Policy Framework (NPPF) promotes competitive town centre environments and states the viability and vitality of town centres should be supported and competitive town centres which provide customer choice and a diverse retail offer should be promoted. The main policy in the South Norfolk Local Plan relating to the change of use is policy SHO5, which is a very restrictive policy and the proposal would appear to be contrary to this policy. The very restrictive interpretation of policy SHO5 however, has been relaxed as a result of an appeal decision in Wymondham and also due to changes in national policy. The Wymondham appeal decision (application number 2012/0121) related to a change of use from A1 to A2.

4.3 Whilst the principle of policy SHO5 is broadly consistent with the NPPF which supports the principle of policies identifying Primary Shopping Areas and policies that make it clear which uses will be permitted in such locations; paragraph 23 in the NPPF does not however, offer any additional support to policy SHO5 in comparison to previous national guidance in terms of restricting uses in the Primary Shopping Area to the A1 use class. Taking the NPPF into consideration I consider that the Wymondham appeal still has material weight in interpreting policy SHO5.

4.4 Policy SHO5 has been re-interpreted after the Wymondham appeal decision and in the light of then current government guidance; as retail should remain the predominate use within the primary shopping area and the number of retail units in the primary retail area should not fall below 50%. Information submitted by the applicant indicates that when taking into consideration the use of vacant units and the proposed change of use 62.2% of premises within the primary shopping area would still be retail, well in excess of this 50% threshold.

4.5 In addition an assessment of the potential harm that a change of use may cause to the integrity of the Primary Shopping Area also needs to be made including ensuring the excessive concentrations of ‘dead’ frontages arsing as a result of a grouping of too many A2 uses together. Although there is already a betting shop in the building next to the application site, Mere Street remains predominantly A1 retail, and I do not consider that this change of use would result in a concentration of uses which would harm the vitality and viability of the town centre to such an extent that would warrant a refusal.

4.6 It is not the role of the planning system to assess the demand for uses including betting shops.

4.7 The Conservation Officer raises no objection to the proposed alterations to the listed building the satellite dishes and air conditioning units are located a flat roof of to the rear of the property which are screened from Chapel Street by existing buildings. Comments from Environmental Services on noise were not available at the time of writing the report but will be updated to members verbally at committee.
4.8 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 IMP13 is only partially consistent but no harm is caused to the listed buildings.

5. Reasons for Approval 2012/1278

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 of the Joint Core Strategy and Policies SHO5 – Mix of uses within Central Business Area, IMP13 – Alterations to listed buildings, IMP18 – Development in Conservation Areas, IMP10 - Noise 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 IMP13 is only partially consistent but no harm is caused to the listed buildings.

5.2 The Primary Shopping Area will still be predominantly A1 taking into account the proposed change of use and the proposal would not result in an over concentration of use A2 uses which would result in harm being caused to the vitality and viability of the town centre.

5.3 The development is considered to accord with Policy 1 of the Joint Core Strategy and Policy IMP18 of the South Norfolk Local Plan as it would preserve or enhance the character or appearance of the area due to the overall design and detailing of the scheme.

5.4 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.

6. Reasons for Approval 2012/1279

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, Policy 2 – Promoting good design of the Joint Core Strategy and Policy IMP13 – Alterations to 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 policy remain partially consistent with the published National Planning Policy Framework. Policy IMP13 is only partially consistent but no harm is caused to the listed buildings.

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.

Contact Officer, Telephone Number and E-mail: Helen Bowman, 01508 533833, hbowman@s-norfolk.gov.uk
Application on land partly owned by South Norfolk Council

19. Appl. No : 2012/1247/A
Parish : REDENHALL WITH HARLESTON

Applicants Name : Musgrave Retail Partners
Site Address : Budgens Stores Ltd, Bullock Fair Close, Harleston, Norfolk, IP20 9AT
Proposal : Erection of 2 internally illuminated fascia signs and 12 non illuminated signs

Recommendation : Approve with conditions

1. Planning Policies
1.1 National Planning Policy Framework
Section 7: Requiring good design

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

1.2 South Norfolk Local Plan
IMP19: Advertisements (Part Consistent)
IMP 21: Illuminated advertisements (Part Consistent)

2. Planning History
2.1 2006/0547 Proposed erection of illuminated shop signs, window vinyls and various car park signs
Approved

3. Consultations
3.1 Town Council : Approve

3.2 District Members
   Mr Brian Riches : Can be delegated
   Mr Jeremy Savage : To be reported if appropriate

3.3 NCC Highways : No objection

3.4 Environmental Services (Protection) : No comment

3.5 Conservation Officer : No objection

3.6 Landscape Officer : No objection

3.7 Local Residents : No response

4. Assessment
4.1 The application relates to the existing Budgens Supermarket and surrounding car park area, part of which is owned by South Norfolk Council. The site is located just outside the Conservation Area.
4.2 This application proposes a rebranding of signage on the site including, new illuminated signage on the building, non illuminated panels within the window poster panels advertising offers on the existing building and non illuminated directional and information signage within the car park.

4.3 Policy IMP19 permits advertisements as long as they are well designed, in scale, appropriate to the building and its use and positioned so as to preserve or enhance the overall appearance of the building.

4.4 Policy IMP21 only permits illuminated advertisements within central business areas. On listed buildings and within conservation areas illuminated advertisements will only be granted where the general level of illumination in the area is such as to require an illuminated sign to satisfactorily identify the business and should only be illuminated with non-flashing external light source. Outside the central business area illuminated signs will only be permitted on businesses dependent on evening trade.

4.5 The assessment of this application gives due weight to the saved policies, IMP19 and IMP21 in the South Norfolk Local Plan even though they are now only partially consistent with the published National Planning Policy Framework. In respect to these policies the NPPF states that only advertisements that have an appreciable impact on a building or their surroundings should be subject to the local authority’s detailed assessment.

4.6 The replacement signs are similar to what are already on the premises and would not harm the visual amenity of the area, the adjacent conservation area or highway safety. The poster panels on the building will be provide a less cluttered way of advertising changing offers in the store.

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 IMP19 - Advertisements and IMP21- Illuminated advertisements of the South Norfolk Local Plan. The assessment of this application gives due weight to the saved policies, IMP19 and IMP21 in the South Norfolk Local Plan referred to above, because although those policies are only partially consistent with the published National Planning Policy Framework as the NPPF states that only advertisements that have an appreciable impact on a building or their surroundings should be subject to the local authority’s detailed assessment.

5.2 The development accords with Policy IMP19 of the South Norfolk Local Plan as the advertisement is well designed, in scale, appropriate to the building and its use and positioned so as to preserve or enhance the overall appearance of the building.

5.3 The development accords with Policy IMP21 of the South Norfolk Local Plan as the illuminated advertisement is Located within the defined central business area of the settlement, illuminated only with a non flashing light source on a business which depends on the evening trade.

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

**Appeals received from 11 July 2012 to 06 August 2012**

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<th>Proposals</th>
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<tbody>
<tr>
<td>2012/0323</td>
<td>HINGHAM Foxglove Cottage 10 Copper Lane</td>
<td>Business World Travel Ltd</td>
<td>Alterations to existing cottage with proposed extension</td>
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<tr>
<td>2012/0413</td>
<td>DISS Caxton House, 146C Victoria Road</td>
<td>Parson Ltd</td>
<td>Retrospective application for replacement fascia signs</td>
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<tr>
<td>2012/0485</td>
<td>DITCHINGHAM 8 Hollow Hill Road</td>
<td>Mr Rodney Brook</td>
<td>Demolition of existing double garage. New build single storey bungalow with integral garage</td>
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**Appeal decisions from 11 July 2012 to 06 August 2012**

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<tbody>
<tr>
<td>NONE</td>
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