# Development Management Committee

Members of the Development Management Committee:

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

Please note that item numbers 4 - 10 will not be heard by the Committee before 3.15 pm

**Pool of Substitutes**

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

**Pre-Committee Members' Question Time**

- 12.00pm – 12.30pm Kett Room

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 on items 1 – 3, and arrive at 3.15 pm if you intend to speak on items 4-10.

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.
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 its 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.
**AGENDA**

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

2. **To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972:** [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of 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 17 October 2012;**
   (attached – page 9)

5. **Planning Applications and Other Development Control Matters;**
   (attached – page 27)

   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>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2011/1821/F</td>
<td>WYMONDHAM</td>
<td>Former Sale Ground Site, Station Approach DEFERRED</td>
<td>30</td>
</tr>
<tr>
<td>2</td>
<td>2012/0154/F</td>
<td>WYMONDHAM</td>
<td>Land south of Postmill Close &amp; east of Norwich Road DEFERRED</td>
<td>40</td>
</tr>
<tr>
<td>3</td>
<td>2012/1385</td>
<td>WYMONDHAM</td>
<td>Land Between the A11 Spinks Lane and Norwich Road</td>
<td>66</td>
</tr>
<tr>
<td>4</td>
<td>2012/1526</td>
<td>COSTESSEY</td>
<td>Costessey Park Golf Centre Ltd Costessey Park Parklands</td>
<td>74</td>
</tr>
<tr>
<td>5</td>
<td>2012/1527/LB</td>
<td>COSTESSEY</td>
<td>Costessey Park Golf Centre Ltd Costessey Park Parklands</td>
<td>74</td>
</tr>
<tr>
<td>6</td>
<td>2012/0646</td>
<td>ALBURGH</td>
<td>Land At The Street Alburgh</td>
<td>84</td>
</tr>
<tr>
<td>7</td>
<td>2012/0720/F</td>
<td>LITTLE MELTON</td>
<td>Land to rear of 4 The Close</td>
<td>89</td>
</tr>
<tr>
<td>8</td>
<td>2012/0913</td>
<td>HETHERSETT</td>
<td>Cedar Court Norwich Road</td>
<td>97</td>
</tr>
<tr>
<td>9</td>
<td>2012/1122</td>
<td>ALBURGH</td>
<td>South Farm Alburgh</td>
<td>100</td>
</tr>
<tr>
<td>10</td>
<td>2012/1308</td>
<td>TOPCROFT</td>
<td>Puffa Meadow Rectory Road DEFERRED</td>
<td>105</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.
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>7.</td>
<td><strong>Enforcement Reports</strong>  (attached – page 109)</td>
</tr>
<tr>
<td>8.</td>
<td><strong>Planning Appeals (for information)</strong> (attached – page 117)</td>
</tr>
<tr>
<td>9.</td>
<td><strong>Date of next scheduled meeting</strong> – Wednesday 5 December 2012</td>
</tr>
</tbody>
</table>
1. GUIDELINES FOR DETERMINING THE NEED TO VISIT AN APPLICATION SITE

The following guidelines are to assist Members to assess whether a Site Panel visit is required. Site visits may be appropriate where:

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

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

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

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

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

2. PUBLIC SPEAKING: PLANNING APPLICATIONS

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

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

TIMING: In front of you there are two screens which tell you how 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

| Fire alarm | 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 |
| Mobile phones | Please switch off your mobile phone or put it into silent mode |
| Toilets | The toilets can be found on your right and left of the lobby as you enter the Council Chamber |
| Break | There will be a short comfort break after two hours if the meeting continues that long |
| Drinking water | A water dispenser is provided in the corner of the Council Chamber for your use |

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

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 |
URGENT ITEM

APPLICATIONS 2011/1821/F (FORMER SALE GROUND SITE, STATION APPROACH) AND 2012/0154/F (LAND SOUTH OF POSTMILL CLOSE AND EAST OF NORWICH ROAD)

Background

Following the deferral of consideration of these items from today’s meeting to a special meeting, to be arranged in the week commencing 19 November 2012, a matter of urgency arises requiring the resolution of Committee.

Members will be aware of the need for officers and advisors to prepare proofs of evidence for an Inquiry into the non-determination of application 2011/1821/F. It was hoped that such evidence could be based on a resolution reflecting the considered views of Committee, whether or not it accords with officer recommendations. Evidence may require to be submitted to the Planning Inspectorate as early as Tuesday, 13 November 2012, although Council legal representatives are requesting an extension to this date.

The situation may well arise that proofs would need submission to the Planning Inspectorate prior to Member consideration. It would assist clarity and fullness of information at the non-determination Inquiry if Members were to instruct officers to base their proofs on all of the reports and information, even that which has yet to be considered, even though they may ultimately not reflect the Council’s resolved case at the Inquiry. Then they may be submitted as advisory documents, the status of which will be clarified by the Council’s resolution at the Special Meeting of Development Management Committee. The Council’s case will then be revised to reflect fully Members’ resolutions

Recommendation

It is recommended that officers be instructed to prepare proofs of evidence on all reports and information prepared to date, even though ultimately they may not reflect the Council’s resolutions at its Special Meeting to consider both supermarket proposals and revise accordingly the Council’s case

Contact Officer: Tony Pierce, Head of Development Management
tpierce@s-norfolk.gov.uk
01508 533814
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Development and Environment

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

A    Advert
AD   Certificate of Alternative Development
CA   Conservation Area
CU   Change of Use
D    Reserved Matters
     (Detail following outline consent)
F    Full (details included)
H    Householder – Full application relating to residential property
C    Application to be determined by County Council

G    Proposal by Government Department
HZ   Hazardous Substance
LB   Listed Building
LE   Certificate of Lawful Existing development
LP   Certificate of Lawful Proposed development
O    Outline (details reserved for later)
RVC  Removal/Variation of Condition
SU   Proposal by Statutory Undertaker

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
GUIDANCE FOR THE CONSIDERATION OF APPLICATIONS 2011/1821 AND 2012/0154 FOR RETAIL DEVELOPMENT AT WYMONDHAM.

Members will be aware that planning applications should be assessed on their own merits and in the light of relevant planning policies and other material considerations. An exception to this may arise when applying a Sequential Approach to proposals for retail development outside town centres, such as in the case of these two applications. The NPPF sets out the Sequential Approach required as follows:

“24. Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

25. This sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.”

The Sequential Approach ensures that planning permission is only granted to sites, which are accessible and well connected to the town centre, with applications on other sites being refused.

However, the impact of retail development on the vitality and viability of town centres also has to be taken into account. On the subject of such impact the NPPF states as follows:

“26. When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

27. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.”

No retail development outside a town centre should be approved if it would have an unacceptable adverse impact on the town centre, even if it has sequential preference. It also follows that, when considering a retail application on a site which is not sequentially preferable, then the cumulative impact of the proposal, together with any sequentially preferable site development (which should be delivered first) must be taken into account when assessing impact on the town centre.

In the light of the above, when considering two or more retail applications, it is first necessary to decide if they are sequentially preferable and available sites. If they are both preferable in being accessible and well connected to the town centre, then the cumulative impact on the town centre and other planning considerations need careful consideration. If only one site is preferable and it is acceptable in all other respects. then this may guide the way in which any cumulative impact on the town centre is considered.

In order to assess these two applications properly, it is strongly recommended that the Committee first hears representations about both applications and their sites, and then decide if either is sequentially preferable for Wymondham as a whole. Only then should Members move on to debate the merits of each particular application and reach resolutions about their determination.
Practice Guidance published by Communities and Local Government provides the following definitions:

**Convenience good expenditure**

Expenditure (including VAT as applicable) on goods in COICOP categories: Food and non-alcoholic beverages, Tobacco, Alcoholic beverages (off-trade), Newspapers and periodicals, Non-durable household goods.

**Comparison goods expenditure**

Expenditure (including VAT as applicable) on goods in COICOP categories: Clothing materials and garments, Shoes and other footwear, Materials for maintenance and repair of dwellings, Furniture and furnishings; carpets and other floor coverings, Household textiles, Major household appliances, whether electric or not, Small electric household appliances, Tools and miscellaneous accessories, Glassware, tableware and household utensils, Medical goods and other pharmaceutical products, Therapeutic appliances and equipment, Bicycles, Recording media, Games, toys and hobbies; sport and camping equipment; musical instruments, Gardens, plants and flowers, Pets and related products, Books and stationery, Audio-visual, photographic and information processing equipment, Appliances for personal care, Jewellery, watches and clocks, Other personal effects.
1. **Appl. No**: 2011/1821/F  
**Parish**: WYMONDHAM

**Applicants Name**: Bride Hall Developments  
**Site Address**: Former Sale Ground Site, Station Approach, Wymondham  
**Proposal**: Redevelopment (including site clearance and demolition) and construction of retail foodstore (Class A1) with associated parking, highways improvements, transport interchange, pedestrian and cycle routes and landscaping.

**Recommendation**: Had the application not been subject to appeal against non-determination, it would have been resolved to REFUSE the application for the following reasons.

1. The site does not meet the description of a preference site that is accessible and well connected to the town centre and so would conflict with National Planning Policy Framework.
2. Cumulative retail impact together with development of the sequentially preferable site would cause harm to the vitality and viability of the Town Centre.

**Introduction**

This application is the subject of an appeal against non-determination, so the Council is no longer able to determine the application itself. Our determination of the application has been delayed by a variety of factors, including negotiation on highway matters, the need to seek specialist retail planning advice upon competing and conflicting evidence of retail impact from advisors to applicants and objectors and more recently uncertainty regarding the status of the former Focus DIY Store and its relevance to cumulative retail impact. The appeal will be considered by a Planning Inspector at a public inquiry at which the Council will need to make its position clear regarding how it would have determined the application, had it been able. This report recommends that the Council’s case at the appeal should be that it would have refused the application as explained below.

**1. Planning Policies**

**1.1 National Planning Policy Framework**

Section 1: Building a strong competitive economy  
Section 2: Ensuring the vitality of town centres  
Section 4: Promoting sustainable transport  
Section 7: Requiring good design  
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 10: Locations for major new or expanded communities in the Norwich Policy Area  
Policy 13: Main Towns  
Policy 19: The hierarchy of centres  
Policy 20: Implementation

**1.3 South Norfolk Local Plan**

ENV 15: Species protection  
IMP 2: Landscaping  
IMP 6: Visual impact of parked cars (Part Consistent)
IMP 8: Safe and free flow of traffic
IMP 9: Residential amenity
IMP 15: Setting of Listed Buildings
SHO 2: Retail development - impact test (Part Consistent)
TRA 1: Provision of pedestrian links
TRA 3: Provision of cycling facilities
TRA 17: Off site road improvements
TRA 19: Parking standards
UTL 14: Waste collection and recycling
WYM 5: Employment allocations in Wymondham

2. Planning History

2.1 2003/1713/O Redevelopment for mixed residential and commercial use
Approved 8-06-2006

2.2 2009/0835/D Reserved Matters – 64 dwellings and 750 sqm office space
Approved on Appeal

2.3 2009/0837/F Amendment to reduce buffer strip to 8 metres
Approved 1-04-2010

2.4 2011/1555/EA Screening Opinion Request for foodstore development
ES not required

3. Consultations

3.1 Wymondham Town Council: Response – No views or comments.

3.2 County Member
D. Hockaday: Note ongoing flooding and sewerage problem at rail bridge on Station Road.
District Members
L. Hornby: To be determined by Committee, possible highway issues.
R. Savage: Object
- Inadequate highways for traffic, – contrary IMP8
- Traffic lights would make congestion worse.
- Impact on Cemetery Lane unacceptable – would become a ‘rat-run’ but closure would be unacceptable.
- Noise and disturbance to residents contrary to IMP9 and 10.
- Not close enough to Town Centre to be of benefit.
- Future development in south Wymondham would add to congestion at rail bridge.
- Pre-empts the Wymondham Area Action Plan.

3.3 Wymondham Community Partnership: No response

3.4 Wymondham Heritage Group: Welcome coach parking spaces.
- Welcome riverside walk.
- Exterior design is disappointing – floating roof is incongruous.

3.5 NCC Highways: No objection subject to Travel Plan with bond secured by Sec. 106 Agreement.
Requires off-site improvements:
- Advanced stop lines to improve cycle facilities at Station Rd / Harts Farm Rd junction.
- Widening of Station Road between Harts Farm Rd and Ayton Rd junctions and increase radius on Ayton Road.
- Toucan Crossing to replace Zebra Crossing on Station Road.
- Re-align The Lizard junction with Station Road to improve visibility.
- Re-align Station Road.
- Re-align Cemetery Lane and its junction with Station Road.
- New bus stops, turning facility and stands.
- Funding for closure of Cemetery Lane.

Recommend conditions:
- Parking, servicing, loading areas to be provided.
- Construction worker parking to be agreed and provided.
- Construction traffic routing and management to be agreed and complied with.
- Wheel cleaning.
- Off-site highway improvement works.
- No works before Cemetery Lane Closure Order is promoted.
- Travel Plan submission and implementation.

3.6 Environment Agency : No objection subject to condition to agree details of surface water discharge attenuation.

3.7 Norfolk Rivers Drainage Board : Require 9m access strip clear of obstruction (negotiable).
- Drainage details to be agreed with Board.
- Note permission required for discharge and works.

3.8 Anglian Water Services Ltd : No response

3.9 Police Architectural Liaison Officer : No response

3.10 Norfolk Wildlife Trust : No objection in principle but need to mitigate impacts.
- Condition buffer zone and its management for water voles.
- Control of lighting to minimise impact on feeding bats along Tiffey corridor.

- Take account of habitat and amenity value of area.
- Manage riverside for water voles.
- Planting should be native to Norfolk.
- Riverside path would hinder creation of ‘wild strip’ – better to have interpretation boards.
- Protect feeding bats from lighting.
- Concern about flood risk and pollution.
- Support closure or traffic calming on Cemetery Lane.

3.12 Environmental Services : Need for detailed drainage scheme with management to avoid flood risk.
- No run-off to highways.
3.13 Conservation Officer: Proposal includes enhancements to public realm
- Acknowledge rationale for siting building at western edge of site to facilitate pedestrian link.
- Landscaping helps soften car park and improves on existing.
- Area of ‘Public Realm’ respects station forecourt and extends public realm to form more pedestrian friendly area.
- Elevational treatments reflect local character and gives interest to building without being a pastiche.
- Overall improved road frontages with public space responding positively to the listed buildings as well as being sympathetic to grain and scale of the area.

3.14 Planning Policy: See Appendix 4

3.15 Local Residents: Objections:
- Inadequate road network.
- Risk to pedestrians from extra traffic.
- Increased risk to existing flooding under rail bridge.
- Noise incompatible with serene character of cemetery, historical rail station and nature reserve.
- Prefer out of town sites.
- Too far from Town centre to be of benefit.
- Adverse impact on wildlife.
- Vibration damage potential from extra traffic.
- Increased risk to residents pets from extra traffic.
- Extra traffic on Cemetery Lane would endanger pedestrians, cyclists and drivers.
- Cemetery Lane should be closed.
- Pre-empt LDF process.

Support:
- Benefit local residents.
- Good competition for Waitrose.
- Welcome transport improvements.
- Improve poor appearance of the site.

Other interested parties:

3.16 Mid-Norfolk Railway: Note plans for new interchange station near site.
- Require access for cars from east end of Cemetery Lane and service vehicles from west (No objection as access has been discussed with applicant).
- Contributions via Sec. 106 Agreement requested.

3.17 Endurance Estates (potential developer at south Wymondham) : Ensure proposal is compatible with South Wymondham proposals.

3.18 NJL Consulting (acting for Co-Op): Contrary Policy WYM5 which allocates site for employment uses.
- May be detrimental to Town Centre, particularly together with other proposals.

- Supporting text to WYM5 notes the constraints on development of sensitive Tiffey Valley and Listed Buildings.
- Note 2007 retail assessment by GVA identified only modest need for extra convenience floorspace.
Development Management Committee  7 November 2012

- Unacceptable impact on Co-Op. Suggest likely 20% trade diversion not 8% as claimed.
- Note need to consider cumulative impact with other proposals.

4. Assessment

4.1 This application proposes redevelopment of the former sale-ground site on Station Road extending to approximately 3.47 Ha. The proposed retail store would have a gross floorspace of 3,554 sqm (1,858 sqm net retail). The size of the building would be 55m by 64m and have a maximum height of approximately 10m at the front canopy, but with side elevations more generally 7m high. 208 customer parking spaces are proposed plus 15 cycle and 12 motorcycle spaces together with 6 staff spaces. A service yard with separate access from Cemetery Lane is also included. Along with on and off-site highway improvements (see para. 3.4 above), the scheme would include facilities for buses and coaches with bus stops and turning facility on the re-aligned Cemetery Lane. In addition to drawings, the application is supported by a range of documents including Design and Access Statement; Planning and Retail Statement; Heritage Statement; Energy and Sustainability Statement; Statement of Community Involvement; Transport Assessment; Travel Plan; Flood Risk Assessment; Drainage Strategy; Noise Report; Habitat Survey; Arboricultural Impact, Constraints and Protection Reports; and Landscape Strategy and Masterplan.

4.2 The site is allocated for employment development in the SNLP but planning permission has also been granted for 64 dwellings and a car park on the site as noted above. In these circumstances, I do not consider that the proposed retail use, which would generate employment, could be objected to simply because it conflicts with the SNLP allocation.

4.3 As indicated in the National Planning Policy Framework (NPPF), assessment of retail applications of this nature should include fundamental issues of retail impact and the application of a sequential test as well as more common detailed planning issues. These fundamental issues are considered first.

4.4 (Note: There is repetition in parts of the Retail Impact and Sequential Test sections of the reports for both applications 2011/1821 and 2012/0154 because the issues are similar in each case)

Retail Impact

4.5 Section 2 of the NPPF makes it clear that town centres should continue to be supported and protected from out of centre development that would have a significant adverse impact on their vitality and viability. The NPPF requires that applications for retail proposals outside town centres are subject to retail impact assessment. The Joint Core Strategy (JCS) Policies 10 and 13 identify Wymondham as a location for growth. The supporting text suggests this will include moderate expansion of the town centre for convenience and comparison shopping. Policy SHO2 of SNLP echoes the requirement to consider impact on the town centre.

4.6 The application is supported by a retail statement that concludes that the proposal would not have an adverse impact on the town centre. This is largely due to the finding that main food shopping comprises only a minor proportion (0 to 10%) of the existing Town Centre stores’ turnover, so that any diversion of this trade would not have a significant adverse impact on the Centre as a whole. The main trade diversion is predicted to be from other out of centre stores in Wymondham and elsewhere. It is argued that by improving the convenience retail facilities available in Wymondham, some of the convenience shopping currently attracted away from the town (eg. to Attleborough or Norwich) would be drawn back and consequently benefit the Town overall.
4.7 In contrast, an objection letter has been received from NJL Consulting on behalf of the Co-operative Group who have a store in the Town Centre. This includes a retail impact statement claiming to show more significant adverse impact on the Town Centre from even one extra store (over 22% trade diversion). The objection consequently suggests that all new proposals should be refused.

4.8 The Council have employed retail consultants GVA to scrutinise the retail impact information submitted. A copy of their latest advice is attached as Appendix 2. This in turn refers to the ‘Wymondham Retail Strategy 2012’ document which they have prepared for the Council to inform work on the Area Action Plan (AAP). By the time of the Committee meeting, the Retail Strategy and draft AAP will have been considered by Cabinet and will, subject to approval, be published separately and made available at the meeting. The draft AAP should be treated as emerging policy that may be a consideration, but not regarded as having the full weight of approved policy, which has been tested by public consultation.

4.9 GVA advise that Wymondham Town Centre could sustain one new foodstore beyond the Primary Shopping Area. This relies on the ‘claw-back’ of available convenience spending, 60.5% of which currently ‘leaks’ to other shopping areas beyond Wymondham. Although there would be some trade diversion from the Town Centre, GVA advise that the Co-Op store is more robust than suggested by their agent and that the Centre overall would not suffer to an unacceptable extent from a single new food-store.

4.10 However, GVA advise that two new food-stores would cause unacceptable and irreversible impact on the Centre. The cumulative trade draw of two stores for both convenience and non-convenience goods (because the food-stores would also provide a choice of non-food items and provide convenient parking) would cause significant adverse impact on the vitality and viability of the Town Centre. GVA considers that the greater capacity claimed by the applicant’s agents is too optimistic and is based on unrealistic assumptions about future growth in convenience goods expenditure; underestimates the turnover of the new store; and assumes an unrealistic wide pattern of trade draw which artificially reduces the predicted impact on the Town Centre. GVA’s assessment finds that there would be higher trade draw from town centre floorspace with consequent adverse impact, threatening the financial viability of businesses including key stores such as the Co-Op. Although main food shopping may account for a minor portion of total Town Centre trade, food shopping is still the main reason for people visiting the Centre and the reduction in this function would have serious knock-on adverse impact on the vitality and viability of the Town Centre overall.

**Sequential Approach**

4.11 The NPPF requires local authorities to apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date local plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

4.13 Two other sites have been identified as available for retail development. One of these at Postmill Close, is the subject of a planning application which is also reported within this agenda. I am led to understand that an application for the other site on Ayton Road may be submitted shortly. The location of the sites is shown on the plan attached as Appendix 3. The distance of each site measured along the relevant pedestrian route from the Primary Shopping Area is as follows: Saleground Site – 460m; Postmill Close – 340m; Ayton Road – 312m.

4.14 The applicant’s agents point out that the site nearest to the Town Centre is not necessarily the sequentially preferable site. As noted above, the NPPF states that preference should be given to accessible sites that are well connected to the town centre. The agents point out that the Saleground site offers accessibility by non-car travel (being next to the rail...
station and provided with improved public transport facilities). They also suggest that the site is on a desire line from the rail station to the Town Centre. In contrast, it will be noted that GVA regard the presence of the London Road/ Harts Farm Road and the junction with Station Road (in their present form) as a barrier to shoppers contemplating visiting the Town Centre from both the Saleground and Ayton Road sites. Sites should be located to encourage car borne and other shoppers at a proposed store to extend their shopping trip to the town centre. The Saleground site, however, would require pedestrians and cyclists to negotiate considerable physical barriers at the junction at Harts Farm Road. This road was designed as a major trunk road and so is visually very separate from surrounding uses. It contains wide highway splays, inactive space and few frontages and still carries traffic levels that are higher than most urban streets. The combination of these features creates severance of the urban fabric and public realm of Wymondham and distinct separation of uses to the south from the town centre and residential areas to the north. Sites to the south are, therefore, significantly disconnected from and their accessibility to the town centre constrained.

4.15 The Council’s Policy Team have also undertaken an assessment of the three sites and their findings are summarised in a table attached as Appendix 4.

4.16 Although the Ayton Road site is marginally the closest to the Town Centre, the London Road/ Harts Farm Road is similarly a barrier to the Town Centre and the bulk of the Town to the north, so its accessibility and connection to the Centre are also compromised. Although informal contact has been made by would-be developers and it has been promoted in consultation comments for the Area Action Plan, no application for the site has been received and details of the site’s deliverability have not been fully explored. However, for the reasons set out above, neither the Saleground site or the Ayton Road site have preference and do not conform with the NPPF.

4.17 The Postmill Close site, although slightly beyond the 300m distance regarded as the outer limit for an edge of centre location, is the site preferred by GVA and the Policy Team’s analysis. The site benefits from bus services running along Norwich Road and it also has the advantage of being more accessible to the bulk of the Town which lies to the north. A shopper at the proposed store could walk easily to the town centre in a few minutes through attractive residential streets, directly connected to shops and facilities. The current application for the site has shown that a revised vehicular access is possible from Harts Farm Road which has the support of NCC Highways. Regardless of the merits of the particular application currently submitted on that site, I consider that the Postmill Close site (unlike the Saleground site) can be regarded as accessible and well connected to the Town Centre.

4.18 Taking all the above factors into account, I conclude that Postmill Close should be regarded as a preference site, whereas any site south of the London Road/Harts Farm Road junction should not, until such time as the disconnection and severance of Harts Farm Road is addressed. In these circumstances, and as there are no current proposals to remediate the separation issues of Harts Farm Road, approval of this application would be contrary to the NPPF.

Other Considerations

Highways

4.19 Although local concerns about highway capacity and safety have been raised, it will be noted that NCC Highways do not object to the application, subject to a range of conditions and Section 106 Agreement. The proposals would involve significant changes to the highway in the vicinity of the site, including re-aligning Cemetery lane and providing a turning area for buses and coaches. The proposals have been designed to be compatible with potential improvements to the Rightup Lane junction with Station Road and the constriction under the rail bridge, to facilitate possible development in the South Wymondham area. Decisions about development in south Wymondham are consequently not prejudiced by this proposal.
4.20 The closure of Cemetery Lane is regarded as desirable as part of the development. Such closure is not within the control of the developer however, and would be the subject of a separate process, the outcome of which could not be guaranteed. Funding for the promotion of the necessary Traffic Order is therefore required by the Highway Authority. Provided that appropriate conditions and legal agreement are secured, I consider that an objection on highway grounds could not be sustained.

Drainage

4.21 Although no response was received from Anglian Water, the capacity of the foul sewerage system in the locality has recently been increased (in agreement with Anglian Water) to accommodate residential development on Rightup Lane and also the 64 dwellings and 750sqm of offices approved on this site. I therefore have no reason to expect that insufficient capacity exists to serve this retail proposal in its place.

Members will be aware of the well publicised flooding problem under the rail bridge near this site. I am led to believe that a solution to the problem has been found related to the unblocking and upgrading of the surface water drain that leads from the bridge to the river Tiffey. However, the development under consideration does not discharge water in the direction of the bridge, but rather direct to the Tiffey via proposed attenuation measures. It will be noted that the Environment Agency has approved the submitted Flood Risk Assessment and do not object to the application, subject to appropriate conditions. There is consequently no reason to believe that the development would exacerbate any flooding problem.

Design and Heritage Assets

4.22 The application site is within an area proposed as an extension to the Wymondham Conservation Area although the site itself has been vacant and rather unsightly for a considerable time, even before the current hoardings were erected. The Station buildings and adjacent cottages are listed buildings so the impact of the development on their setting as well as the proposed Conservation Area must be a consideration. The site occupies a prominent location and would be a significant feature on the southern approach to the Town and particularly for those arriving by rail.

4.23 The proposed building design is clearly commercial and the sides and rear would have a simple form, with sheet cladding on a brick base. In contrast, the front (eastern) elevation has extensive glazing and timber cladding. A timber canopy feature is also proposed higher than the rest of the building above its entrance and along part of the front elevation. The entrance corner is further emphasised by flint gabion walls set in front of the building’s east and north elevations but linked by the canopy.

4.24 Given the necessary scale and form of the building, I consider that its elevational treatments are compatible with local traditional materials and honestly reflect its form and purpose. The impact of the scale of the building is reduced by setting it back from Station Road and also by the change of ground levels. This level change assists the relationship with the listed buildings which stand on higher ground so that the new building would not exceed the height of the Station buildings.

4.25 Hard and soft landscaping is proposed to provide a setting for the building and mitigate the appearance of the parking area. The layout creates a publicly accessible area in front of the Station which continues as a link through the site to Station Road, passing the front of the store. A path is also proposed parallel to the Tiffey along the north side of the site in recognition of the local ambition to create a riverside walk, linking to Tolls Meadow further to the west.

4.26 The Council’s Design Officer has been involved in negotiations resulting in amendments to the scheme and raises no objection.

4.27 The building would have a harsher appearance from the west along Cemetery Lane, due
to its plain rear elevation and proximity to that boundary. However it adjoins vacant land with the Council owned car park beyond, so its setting is perhaps less sensitive from this direction. The highway works to Cemetery Lane would increase the areas of hard surface at its eastern end. This is not entirely alien to the commercial character of the station complex however, and the benefits in terms of bus/ coach access are also significant. A not dissimilar road layout was approved as part of the previous residential scheme.

4.28 On balance, I consider that the development would enhance rather than detract from the present character and appearance of the area. I do not consider that the scheme should be refused on design or heritage impact grounds

Ecology

4.29 The majority of the site is derelict and barren. Ecological interest on the site is focussed on the northern edge adjacent to the River Tiffey. As with previous approved development, an 8m strip of land is reserved for management as a ‘wildlife corridor’ and buffer zone along the watercourse. The Norfolk Wildlife Trust does not object in principle, subject to this feature and appropriate conditions to control lighting. I note the concerns of the local Nature Group, but I consider that, with the appropriate conditions imposed, no harm to ecological interests could be shown sufficient to refuse the application on this issue.

4.30 Although other detailed issues such as residential amenity, landscaping and sustainable design features are of relevance, I consider that these could be satisfactorily addressed by the imposition of planning conditions.

5 Conclusion

5.1 I conclude that, although the proposal raises no insurmountable problems in respect of its detailed merits, it does not meet the description of an out of centre preference site and so conflicts with the NPPF. With regard to the issue of retail impact, the advice from the Council’s independent retail consultant is that only one store should be approved (on a sequential basis) and that any additional store would be likely to have an unacceptable impact on the Town Centre. It follows that the application subject of this report should be refused.

Contact Officer, Telephone Number and E-mail: Chris Trett, 01508 533794, ctrett@s-norfolk.gov.uk
2. Appl. No : 2012/0154/F  DEFERRED
Parish : WYMONDHAM

Applicants Name : Retail Development Partnership
Site Address : Land south of Postmill Close & east of Norwich Road, Wymondham, Norfolk
Proposal : Proposed development of a convenience goods superstore (GEA 3,720 sqm), car parking and services on land at Norwich Road/Postmill Close, and new access road to Harts Farm Road.

Recommendation : Approve with conditions.
1. Full permission time limit
2. Compliance with amended plans
3. Limit retail and convenience/comparison goods
4. Levels
5. Landscaping
6. Materials and surfacing
7. Boundary treatments
8. Scheme to restrict anti-social behaviour
9. Scheme to deliver sustainable design and 10% renewable energy
10. Cease car sales use
11. Contamination assessment and mitigation
12. Details of surface water drainage and implementation
13. External lighting details
14. Details of acoustic screening
15. Restricted hours for loading/unloading
16. Details of plant and equipment
17. Details of recycling facilities
18. Provision of new access
19. Maximum gradient
20. No obstruction to new access road
21. Visibility splays
22. Provision of parking and service areas
23. Cycle parking
24. Details of construction traffic parking, routing and management
25. Wheel cleaning
26. Off-site highway improvements
27. Travel Plan

Introduction

This application was subsequent to the proposal from Bride Hall Developments on the former Sale Ground site and is for determination. The prime considerations are those relating to national and local policy; retail impact and the sequential approach to development.

1. Planning Policy

1.1 National Planning Policy Framework
Section 1: Building a strong competitive economy
Section 2: Ensuring the vitality of town centres
Section 4: Promoting sustainable transport
Section 7: Requiring good design
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 10: Locations for major new or expanded communities in the Norwich Policy Area
Policy 13: Main Towns
Policy 19: The hierarchy of centres
Policy 20: Implementation

1.3 South Norfolk Local Plan

ENV 15: Species protection
IMP 2: Landscaping
IMP 6: Visual impact of parked cars (Part Consistent)
IMP 8: Safe and free flow of traffic
IMP 9: Residential amenity
IMP 15: Setting of Listed Buildings
SHO 2: Retail development - impact test (Part Consistent)
TRA 1: Provision of pedestrian links
TRA 3: Provision of cycling facilities
TRA 17: Off site road improvements
TRA 19: Parking standards
UTL 14: Waste collection and recycling
WYM 5: Employment allocations in Wymondham

2. Planning History

2.1 2006/1240/O Residential development (20 units) (Abbey Cars site) Refused 28-07-2006 (Appeal dismissed)

2.2 2011/1727/O 18 Flats (Abbey cars site) Refused Appeal lodged but not determined

2.3 2012/0146/EA Screening Opinion Request for supermarket development ES not required

2.4 2012/0155/CA Demolition of existing buildings Not determined

3. Consultations

3.1 Wymondham Town Council: Approve, subject to views of Highways Officer

3.2 District Member: Councillor Savage: Support access via Harts Farm Road

3.3 Wymondham Community Partnership: No response

3.4 NCC Highways: There is a preferable alignment for the access, but this involves land not in the applicant’s control. The submitted scheme is acceptable, however, subject to off-site measures including,
- New access road from Harts Farm Road to Postmill Close;
- New pedestrian crossing on Harts Farm Road;
- A new footway from Papillon Road to the new pedestrian crossing;

Plus, Travel Plan and bond secured by Sec. 106 Agreement, and subject to conditions:
- Access and drainage before use commences;
- Maximum gradient 1:12;
- No gates or obstruction across access unless approved;
- Visibility splays;
- Access, parking, servicing areas before use;
- Cycle parking provision;
- Construction worker parking details to be agreed and provided;
- Construction traffic management and routing to be agreed and complied with;
- Wheel cleaning facilities;
- Details of off-site highway improvements to be agreed before development starts and implemented before use commences;
- Interim Travel Plan agreed before development starts, full Travel Plan during first year of use;

3.5 Environment Agency
- Inadequate information in relation to surface water management (additional information submitted and further EA comments awaited).
- Require conditions for ground contamination investigation and remediation.
- Ensure adequate pollution measures are in place.

3.6 Anglian Water Services Ltd
- Adequate capacity in foul sewerage and treatment works exists to serve the development.
- Surface Water information not acceptable – require condition to agree details.

3.7 Environmental Services (Protection)
- Recommend conditions:
  - Contaminated land condition.
  - Surface water drainage details to be agreed.
  - Details of acoustic screening/ housing and noise attenuation.
  - No delivery/ unloading/ machinery operation 23.00 to 07.00.
  - Details of all plant to be agreed.
  - Condition external lighting

3.8 Norfolk Constabulary
- Consider measures to deter crime and anti-social behaviour including features to prevent inappropriate use of car park, avoid ‘blind spots’ to facilitate CCTV use if necessary.

3.9 Planning Policy
- See Appendix 4

3.10 Local Residents
- Original Submission.
  Objections:
  - Norwich Road access too congested, danger to pedestrians, including school children.
  - Increased noise and pollution from traffic on Norwich Road.
  - Should wait for Area Action Plan.
• Should contribute more to the Town.
• Vehicular access should be from Harts Farm Road, not Norwich Road.
• Town does not need another supermarket.
• Query what will happen to boundary hedge.
• Require noise buffer and security to residential properties.
• Maintain access to Scout and Guide HQ.
• Inadequate parking for the size of store.
• Additional litter.
• Problems arising from sale of alcohol.
• Should be on edge of town away from residents.

57 signature petition from residents of Norwich Road raising objection to additional traffic onto Norwich road with attendant safety concerns

Support
• Good use for brown-field site.
• Will benefit site which needs a to be tidied up.

Comments on amended access proposal:
• In favour of development but vehicular access should be from Harts Farm Road only.
• Concerns about potential ‘rat-run’.
• Still concerned about congestion and safety issues on Norwich Road.

Other Parties

3.11 Trustees of Central Hall : Loss of income from Central Hall car park as a result of supermarket free parking would adversely affect the financial viability of Central Hall

3.12 Wymondham Scout and Guide Hall Management Committee :
• Require continued vehicular access across site.
• Would like to explore possibility of new service connections with developer.

3.13 Fairland United Reformed Church : Local Minister occupies Manse (no.28) adjoining site. Support in principle but comments:
• Congestion on Norwich Road and junctions.
• Need to clarify boundary treatment between car park and garden.
• No recycling bins abutting garden boundary.

3.14 Co-Operative Group (operate store in town centre) – via agent NJL Consulting Object
• No supporting Development Plan basis to support proposal.
• Consider cumulative impact with other proposals.
• Turnover figure used in impact assessment for CO-Op is significantly in excess of actual turnover.
• King’s Meadow might become available in the future.
• Loss of employment land contrary JCS Policy 5.

3.15 Bride Hall Developments Ltd (applicants for application 2011/1821 on former Saleground, Station Road) – via agent DPP now AR Planning Object
• Unsuitable site and design.
• Inadequate transport assessment.
• Inadequate service yard size.
• Conflict between delivery vehicles and customers as they have to pass through parking area.
• Design sits awkwardly on site.
• Lacks road frontage so only has vehicular access which has negative impact on Conservation Area.
• Size, scale and bulk of building adversely affects Conservation Area.
• Harsh visual impact of car park with little landscaping.
• Poor relationship to residential properties, likely disturbance.
• Loss of employment development contrary JCS Policy 5.
• Lack of community involvement.

4. Assessment

4.1 The application site extends to 1.236 Ha and was formerly a coach company depot. The site is now mostly dilapidated and vacant except some parts that are still used for workshop purposes. Vehicular access to the main part of the site is currently direct from Norwich Road, although part has access onto Postmill Close. The site has residential properties adjoining to the south and west and industrial units to the east. To the north, on the opposite side of Postmill Close is a Veterinary Centre and more residential properties extending along Norwich Road.

4.2 The application proposes a building with gross floorspace of 3,720sqm of which 1,097 sqm is on a mezzanine floor for non-retail sales use. The net retail floor area is given as 2,022 sqm. The building form is mostly single storey with a pitched pantile roof slope rising from 4.5 m high eaves, concealing a flat roof. The two storey section has eaves at 7.5m rising to a maximum 8.5m. The elevation treatments are brickwork with render above and also incorporating flint sections and exposed timber trusses.

4.3 The site layout provides 200 parking spaces and a service yard sharing the same access from Postmill Close. The original submission envisaged vehicular access solely via Norwich Road. The scheme was revised to provide a vehicular link through to Harts Farm Road through a car sales site.

4.4 The application is supported by a range of plans and documents including a Planning Statement; Envirocheck; Flood Risk Assessment; Arboricultural Impact Assessment; Protected Species Survey; Transport Assessment; Heritage Assessment; Sustainability Assessment; and Retail Assessments.

4.5 The site has no allocation in the SNLP or recent history of planning permission. The previous use as a coach depot would be regarded as a ‘sui generis’ use (not within any particular Use Class) although the site includes a vehicle workshop business on Postmill Close and other parts also contain some low level workshop uses providing some employment. The proposed retail development anticipates providing 120 full-time and 100 part-time jobs (180 full-time equivalent jobs). In these circumstances I would not raise objection to the development on the grounds of loss of employment land or conflict with the SNLP.

4.6 As indicated in the National Planning Policy Framework (NPPF), assessment of retail applications of this nature should include fundamental issues of retail impact and the application of a sequential test as well as more detailed planning issues. These fundamental issues are considered first.

4.7 (Note: There is repetition in parts of the Retail Impact and Sequential Test sections of the reports for both applications 2011/1821 and 2012/0154 because the issues are similar in each case)

Retail Impact

4.8 Section 2 of the NPPF makes it clear that town centres should continue to be supported and protected from out of centre development that would have a significant adverse impact
Development Management Committee  
7 November 2012

on their vitality and viability. The NPPF requires that applications for retail proposals outside town centres are subject to retail impact assessment. The Joint Core Strategy (JCS) Policies 10 and 13 identify Wymondham as a location for growth. The supporting text suggests this will include moderate expansion of the town centre for convenience and comparison shopping. Policy SHO2 of SNLP echoes the requirement to consider impact on the town centre.

4.9 The application is supported by a retail statement and supplementary information that suggests that the proposal would not have an adverse impact on the Town Centre, even if additional convenience floorspace (such as the former Focus store) were to come forward. This is a similar conclusion as that arrived at for the planning application on the Saleground site (2011/1821) also reported on this agenda.

4.10 Contradictory evidence has been submitted by NJL Consulting on behalf of the Co-operative Group who has a store in the Town Centre. This includes a retail impact statement claiming to show more significant adverse impact on the Town Centre from even one extra store (over 22% trade diversion). The objection consequently suggests that all new proposals should be refused.

4.11 The Council have employed retail consultants GVA to scrutinise the retail impact information submitted. A copy of their latest advice is attached as Appendix 2. This in turn refers to the ‘Wymondham Retail Strategy 2012’ document which they have prepared for the Council to inform work on the Area Action Plan (AAP). By the time of the Committee meeting, the Retail Strategy and draft AAP will have been considered by Cabinet and will, subject to approval, be published separately. The draft AAP should be treated as emerging policy that may be a consideration, but not regarded as having the full weight of approved policy, which has been tested by public consultation.

4.12 GVA advise that Wymondham Town Centre could sustain one new foodstore beyond the Primary Shopping Area. This relies on the ‘claw-back’ of available convenience spending, 60.5% of which currently ‘leaks’ to other shopping areas beyond Wymondham. Although there would be some trade diversion from the Town Centre, GVA advise that the Co-Op store is far more robust than suggested by their agent and that the Centre overall would not suffer to an unacceptable extent from a single new food-store.

4.13 However, GVA advise that two new food-stores would cause unacceptable and irreversible impact on the Centre. The cumulative trade draw of two stores for both convenience and non-convenience goods (because the food-stores would also provide a choice of non-food items and convenient parking) would cause significant adverse impact on the vitality and viability of the Town Centre. GVA considers that the greater capacity claimed by the applicant’s agents is too optimistic and is based on unrealistic assumptions about future growth in convenience goods expenditure; underestimates the turnover of the new store; and assumes an unrealistic wide pattern of trade draw which artificially reduces the predicted impact on the Town Centre. GVA’s assessment finds that there would be higher trade draw from town centre floorspace with consequent adverse impact, threatening the financial viability of businesses including key stores such as the Co-Op. Although main food shopping may account for a minor portion of total Town Centre trade, food shopping is still the main reason for people visiting the Centre and the reduction in this function would have serious knock-on adverse impact on the vitality and viability of the Town Centre overall.

4.14 If permission were to be granted, then a condition restricting the amount of retail floorspace and the size of convenience and comparison goods sales areas would need to be imposed to ensure retail impact does not exceed acceptable levels.

Sequential Approach

4.15 The NPPF requires local authorities to apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date local plan. They should require applications for main town centre uses to be
located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

4.16 Notwithstanding the JCS reference to ‘moderate expansion of the Town Centre’, no sites are apparently available within or adjacent to the Primary Shopping Area for a new convenience store. As noted by GVA, the edge of centre Kings Meadow site would be sequentially preferable. However, this site is in use for sport and recreational purposes which would require replacement/relocation. Furthermore, the recent well publicised approach by Asda to the Town Council (as owners) to develop the site proved unsuccessful and contentious with some local people. In these circumstances I do not consider that this site can be regarded as ‘available’ or deliverable for the purpose of the sequential test.

4.17 Two other sites have been identified as available for retail development. One of these at the former saleground on Station Road, is the subject of a planning application which is reported earlier within this agenda (2011/1821). I am led to understand that an application for the other site on Ayton Road may be submitted shortly. The location of the sites is shown on the plan attached as Appendix 3. The distance of each site measured along the relevant pedestrian route from the Primary Shopping Area is as follows: Saleground Site – 460m; Postmill Close – 340m; Ayton Road – 312m.

4.18 The agents for the Saleground application point out that the site nearest to the Town Centre is not necessarily the sequentially preferable site. As noted above, the NPPF indicates that preference should be given to accessible sites that are well connected to the town centre. The Saleground site agents point out that the Saleground site offers accessibility by non-car travel (being next to the rail station, provided with improved public transport facilities and benefitting from off-site highway improvements). They also suggest that the site is on a desire line from the rail station to the Town Centre. In contrast, it will be noted that the Council’s consultants GVA regard the presence of the London Road/Harts Farm Road and the junction with Station Road as a barrier to shoppers contemplating visiting the Town Centre from both the Saleground and Ayton Road sites. This is echoed by agents for this application who also note that it is an up-hill walk from Station Road to the Town Centre. Sites should be located to encourage car borne and other shoppers at a proposed store to extend their shopping trip to the town centre. The Saleground site, however, would require pedestrians and cyclists to negotiate considerable physical barriers at the junction at Harts Farm Road. This road was designed as a major trunk road and so is visually very separate from surrounding uses. It contains wide highway splay s, inactive space and few frontages and still carries traffic levels that are higher than most urban streets. The combination of these features creates severance of the urban fabric and public realm of Wymondham and distinct separation of uses to the south from the town centre and residential areas to the north. Sites to the south are, therefore, significantly disconnected from and their accessibility to the town centre constrained.

4.19 The Council’s Policy Team have also undertaken an assessment of the three sites and their findings are summarised in a table attached as Appendix 4.

4.20 Although the Ayton Road site is marginally the closest to the Town Centre, the London Road/Harts Farm Road is similarly a barrier to the Town Centre and the bulk of the Town to the north, so its accessibility and connection to the Centre are compromised. Although informal contact has been made by would-be developers and it has been promoted in consultation comments for the Area Action Plan, no application for the site has been received and details of the site’s deliverability have not been fully explored. However, for the reasons set out above, neither the Saleground site nor the Ayton Road site have preference and do not conform with the NPPF.

4.21 The Postmill Close site, although slightly beyond the 300m distance regarded as the outer limit for an edge of centre location, is the site preferred by GVA and the Policy Team’s analysis. The site benefits from bus services running along Norwich Road and it also has
the advantage of being more accessible to the bulk of the Town which lies to the north. A shopper at the proposed store could walk easily to the town centre in a few minutes through attractive residential streets, directly connected to shops and facilities. The current application for the site has shown that a revised vehicular access is possible from Harts Farm Road which has the support of NCC Highways. Regardless of the merits of the particular application currently submitted on that site, I consider that the Postmill Close site (unlike the Saleground site) can be regarded as accessible and well connected to the Town Centre.

Other considerations

4.22 Much detailed information is supplied with the application, but I suggest that the most significant issues may be considered under the headings of Highways; Residential Amenity; Design and Heritage Impact; Drainage and appearance; and Sustainable design features.

Highways

4.23 The original submission proposed vehicular access exclusively via Postmill Close onto Norwich Road. This raised objection from local people and the Highway Authority. The application was subsequently amended by the inclusion of third party land to provide an additional access route linking Postmill Close to Harts Farm Road. Although exclusive vehicular access by Harts Farm Road was favoured by some local residents, the creation of a through-route between Norwich Road and Harts Farm Road (via Postmill Close) has also raised concern among some who fear creation of a ‘rat-run’.

4.24 The Highway Authority approve of the proposed link and access proposals as now presented. I also regard the link as a useful connection in the local highway network. Postmill Close contains a Health Centre, Veterinary Centre and a number of industrial units. The new highway link would provide an access route for these facilities and other local destinations as an alternative to the more congested Norwich Road. Harts Farm Road contains few accesses and is less intensively used than Norwich Road which has considerable residential frontage development as well as the school, recreation centre and a number of other businesses.

4.25 The proposals still include a direct pedestrian access to Norwich Road, as well as retaining an access to the Scout and Guide hall. It will also be noted that the development would deliver a new pedestrian crossing on Harts Farm Road and new footway from Papillon Road.

4.26 I consider the highway aspects of the development to be acceptable and consistent with SNLP policy IMP8.

Residential Amenity

4.27 I would anticipate that the greatest threats to the amenities of nearby residents from a development of this nature would be from noise and increased lighting. Details of external lighting can be controlled by condition. There will clearly be noise from traffic visiting the site, including delivery vehicles. The Service Yard is located away from most residential properties adjoining the site, except for the dwelling Brathwayte. This dwelling sits within a large garden, however, and benefits from mature vegetation on earth bunding along the sides adjoining the application site. Conditions can be imposed to control the hours of vehicular activity.

4.28 Other residential properties adjoin the proposed car parking area and a condition to confirm boundary treatments, either retained or introduced, can reasonably be imposed. Recycling facilities can also be the source of significant noise, as can items of plant such as refrigeration and extraction equipment. Again, the location and details of these can be controlled by condition.
4.30 Design and Heritage Impact

There are no listed buildings affected by the development and, although the site adjoins the Wymondham Conservation Area, this stops at the residential properties on Norwich Road. The application site is set to the rear of these properties and has only limited frontage to Norwich Road. I consider that the development will have little direct impact on the character and appearance of the Conservation Area and, given its current derelict appearance, any such impact is likely to be positive. Indirect impact from increased traffic may occur, but this should be mitigated by the vehicular access from Harts Farm Road and the attraction of retail activity back to the town will hopefully be of broader benefit to the prosperity and vitality of the area.

4.31 The building design incorporates materials consistent with local traditions and I consider its appearance to be acceptable in this location. Although the footprint of the building is large, the apparent scale is reduced by its elevational treatment and the two storey section is set towards the rear. I find the use of sloping pantiled roofs and exposed timber trusses and arcade posts along the front break up its visual mass and soften its appearance. The building will not be unduly prominent, but I consider its scale and appearance will be compatible with and complementary to its surroundings.

4.32 There is limited space for soft landscaping to soften the appearance of the car parking area, although the small frontage to Norwich Road does allow for planting areas that will enhance the street-scene and the approach to the Conservation Area. The site also benefits from a backdrop of mature vegetation associated with the property Brathwayte. Some trees will be lost to enable the development to proceed, although these are assessed as having low vitality due to lack of management and ivy cover. Proposals include replacement planting of a greater number of heavy standard trees to mitigate the impact of their loss.

4.33 Given the current poor appearance of the site and its context amongst commercial properties on Postmill Close, I consider the design of the development will be of good quality and a considerable improvement on the present situation.

4.34 Drainage

Anglian Water has confirmed that adequate capacity exists to provide foul drainage for the development. At the time of writing, however, there are still outstanding issues regarding the details of surface water drainage. The site itself is not at risk of flooding, but there are outstanding issues with regard to the details within the submitted Flood Risk Assessment and the degree of attenuation/storage required on the site to prevent overload of receiving sewers/watercourses. Negotiations are continuing with the Environment Agency, but I can see no reason why a technical solution cannot be found to sustainably manage surface water from the site. I hope to be able to update the meeting on this issue.

4.35 Sustainable Design

The application is supported by an Environmental Sustainability Statement claiming a range of advantages for the scheme such as its accessible location, potential recycling of demolition waste, use of efficient lighting and heating systems, and water conservation measures. Few precise details are given, however, and in terms of specific policy requirements for renewable energy generation, it is suggested that this would be decided at a later stage (either combined heat and power plant or air-source heat pump systems are suggested). I consider that the submitted information is not sufficient to demonstrate that opportunities to maximise sustainable design have been fully considered at this stage. I consider that a condition would need to be imposed requiring further details in respect of the construction, servicing and management of the building to ensure policy requirements are met.
5 Conclusion

5.1 I conclude that the proposed development meets the description of a preference site that is accessible and well connected to the town centre and is the only such site currently available and deliverable. This additional store alone would not have a significant adverse impact on the town centre. Subject to appropriate conditions, the proposal is consistent with national and local policies on the sequential test and retail impact considerations.

5.2 I find that the proposal is also acceptable in terms of the more detailed issues referred to above. Conditions are required to ensure the development takes place and operates in a manner that does not cause unacceptable harm and these are summarised at the head of the report.

Contact Officer, Telephone Number and E-mail: Chris Trett, 01508 533794, ctrett@s-norfolk.gov.uk
Dear Mr Trett

**FOODSTORE APPLICATIONS, WYMONDHAM**

South Norfolk District Council has instructed GVA to review two separate foodstore applications in Wymondham. This work has been informed by discussions with Planning Officers, a detailed review of the application submission material and subsequent correspondence, and the recently completed Wymondham Retail Strategy (October 2012) prepared by GVA.

Our assessment focuses on the retail policy issues arising, notably impact and the sequential approach, and follows the advice set out in the Government's Practice Guidance on Retail Need, Impact and the Sequential Approach, written by GVA. This document continues to accompany the more recent National Planning Policy Framework (NPPF).

**National Planning Policy Framework (NPPF)**

It is first important to understand the policy framework within which the applications must be considered. The NPPF was adopted in March 2012; it makes clear the Government's commitment to securing economic growth in order to create jobs and prosperity and to ensure that the planning system does everything it can to support sustainable economic growth.

The NPPF requires Local Planning Authorities (LPAs) to adopt a positive approach to decision-taking and to apply a presumption in favour of sustainable development. For decision-taking this means that applications which accord with the development plan should be approved without delay and where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless the adverse impacts of doing so would significantly outweigh the benefits of the development when assessed against the policies in the NPPF.

In terms of retail policies, the NPPF maintains the general thrust of PPS4. It advocates a 'town centres first' approach, and requires planning policies to positively promote competitive town centre environments and manage the growth of centres over the plan period.
As confirmed below, the application sites are located beyond the Primary Shopping Area, and are not 'town centre' for the purposes of retail policy as defined in the NPPF. The NPPF confirms (paragraph 24-26) that a sequential site and impact assessment is required in support of the proposals set out in the RA. Paragraph 27 directs local authorities to refuse an application where it fails to satisfy the sequential approach, or is likely to have significant adverse impact on one or more of the factors listed under Paragraph 26, including:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Proposals

Application Reference 2011/1821: 'The Station Road Site' is identified as being over 450 metres from the Primary Shopping Area and is therefore technically defined as out-of-centre. The proposals include a foodstore of 3,554 sq m gross, and a 208 space car park. There is no named operator, but we understand there is retailer interest for a site in Wymondham.

In terms of net sales floorspace, the submission material is incomplete, and if the Council were minded to grant planning consent, we recommend clarity is sought on this point. Paragraph 7.7.3 of the Planning and Retail Statement confirms that the proposed store would have a total net retail sales floorspace of 1,658 sq m and 'the vast majority of [floorspace] would be used for the purposes of convenience goods sales'. The supplementary 'Cumulative Impact Assessment' submitted in June 2012 clarifies that 15% of the proposed store will comprise comparison floorspace, but the actual net figures for convenience and comparison remains unclear. A gross floorspace of 3,554 sq m and a net floorspace of 1,658 sq m equates to a net/gross ratio of only 52%, as set out in our advice dated 26 February 2012, this figure seems low compared to modern foodstore formats achieving around 80%.

The site covers an area of approximately 1.5ha and is allocated for employment in the adopted Local Plan, and has since been promoted for residential and employment floorspace. The planning history for the site includes a series of approvals for housing and employment, and the site has since been included as a housing allocation (64 units) within the recent site allocation process. The consultants did, however, submit representations on behalf of the owner to promote the application site and the adjoining area for a mixed use development including a foodstore.

Application Reference 2012/0154: 'The Norwich Road Site' is identified as being 340 metres from the Primary Shopping Area and is therefore technically defined as out-of-centre. The proposals include a foodstore with a floorspace of 3,720 sq m gross, net convenience goods floorspace of 1,300 sq m, and comparison goods floorspace of 522 sq m net. Again, there is no named operator. The proposal equates to a net/gross ratio of 54% and, like the Station Road proposals this seems low compared to modern foodstore formats achieving around 80%.

gva.co.uk
The site covers an area of around 1.2ha with frontages and accesses to both Norwich Road and Postmill Lane. We understand that the site is currently in employment use in the form of a coach yard, but is under occupied and part vacant. The Norwich Road site was not allocated in the adopted Local Plan (2003), and has not yet been put forward for an allocation in the approved AAP Site Assessment schedule. Like Station Road, the consultants have submitted representations with the aim of securing the sites allocation for retail development to provide a new foodstore.

**Wymondham Retail Strategy, GVA, October 2012**

GVA recently completed the Wymondham Retail Strategy, October 2012. This piece of work sets out a comprehensive review of retailing needs within Wymondham town centre to inform the emerging Wymondham Area Action Plan (AAP), and establishes the extent of need for retail growth and the most appropriate strategy to achieve such growth. This letter should be read in conjunction with the Wymondham Retail Strategy which underpins our advice on the two foodstore proposals. The Strategy meets the retail requirements of the NPFF in planning for growth and change and will guide the future of retailing in Wymondham over the plan period.

The strategy identifies a qualitative need for additional convenience goods floorspace in Wymondham in the form of a foodstore based on identified leakage of trade to foodstores further afield. In terms of comparison goods, the GVA analysis concludes that there is no need for site allocations to accommodate such floorspace beyond the Primary Shopping Area and those sites already committed (1-9 Aylton Road) and vacant (Focus DIY, Fenler Close).

The evidence based document identifies no physical opportunity to extend the Primary Shopping Area to incorporate a seamlessly integrated new foodstore development, and concluded that sites for foodstores in edge and out-of-centre locations must therefore be considered. This approach is consistent with the NPFF requirements, ensuring the Council allocates sufficient sites to meet the extent of need identified. The strategy emphasises that foodstore development will be reliant on the slow-back of trade from competing destinations, and that acceptable levels of floorspace must be tested to ensure the impact on the town centre is acceptable. A cumulative impact assessment was undertaken as part of our study in order to identify the acceptable level of retail growth without having a detrimental impact on Wymondham Primary Shopping Area.

The analysis demonstrates that Wymondham Town Centre could sustain the impact of one new foodstore beyond the Primary Shopping Area, but two foodstores beyond the Primary Shopping Area would lead to an unacceptable impact on the trading performance of Wymondham Town Centre. In this context, our analysis of sites identified that the Norwich Road site was the most sequentially preferable site, and the most consistent with an edge-of-centre definition. Given the live planning application we concluded this site to be available.

The strategy added that if, for any reason, a need arises over the longer term, over and above the implementation of the Norwich Road site, the Aylton Road site would be the next preferable site in sequential terms (for foodstore development) when considering retail issues. In this context, the Station Road site is the least preferable of those considered, in sequential terms. Our commentary noted that this analysis is based on retail issues, and the Council must consider a wider matrix of planning considerations during the decision making process.

Within the framework of our evidence base and strategy for Wymondham, we recommend the Council approves the Norwich Road proposals (App Ref 2012/0154) and refuses the Station Road proposals (2011/1221).
Application Submission Material

Having advised the Council on the most robust strategy for Wymondham, we review here key elements of the retail submission material for both applications in order to understand and assess variations in methodology and outputs.

Impact

Both applicants have undertaken an impact assessment to test the impact of their foodstore proposal on Wymondham Town Centre. We have already concluded that Wymondham can accommodate one foodstore beyond the Primary Shopping Area, so despite the methodologies used, we concur with the conclusion of each applicant that their proposal – in isolation – would not have a detrimental impact on Wymondham Town Centre.

During pre-application discussions, both applicants also considered the cumulative impact of two foodstores in Wymondham beyond the Primary Shopping Area and concluded that this scenario would also not have a detrimental impact on Wymondham Town Centre. The supplementary work was submitted to the Council to be considered as part of the overall decision making process. We disagree with the view taken by both applicants in respect of cumulative impact, and set out our reasons below based on a detailed critique of their submissions and respective methodologies.

Norwich Road

In terms of our technical review it is apparent that the applicant has used over-optimistic growth rates for convenience goods expenditure, and has underestimated the turnover of the proposal by using a foodstore sales density of £10,959 per sq m net. The major foodstore operators are currently trading in excess of £12,000 per sq m net, with Asda reaching over £15,000 per sq m net. These assumptions have the effect of over-estimating the amount of expenditure available in the system and mitigating the impact of the development.

Table 13 of the cumulative impact assessment identifies where the proposed foodstore will obtain its turnover from across the catchment area, identifying the proportion of trade which will be diverted from existing stores and centres. We conclude that the assessment is flawed on the basis of unrealistic conclusions in respect of trade draw. They assume, for example, that the proposed foodstore will achieve 15% of turnover from the core Wymondham survey zone, but 26% from beyond the survey area (comprising Zones 1-5, plan attached). They assume that a second foodstore would achieve 35% of its trade from beyond the survey area, and 15% from Wymondham’s core zone. Compared to current shopping patterns the existing Waitrose store achieves 78% of turnover from the core Wymondham survey zone, and 0% from beyond the survey area.

The effect of the assumptions made is to mitigate the impact arising over a wide geographical area, and to substantially underestimate trade diversion arising from foodstores in Wymondham Town Centre.

When assessing cumulative impact, the GVA Wymondham Retail Strategy has based trade draw assumptions from new foodstore development on local factors, the geographical topography, road networks and a fine grained detailed assessment of existing shopping patterns and the trade

[Logo: gva.co.uk]
draw pattern of the existing out-of-centre Waitrose foodstore. The trade draw from each zone is
underpinned by the detailed consideration of each of these issues. The implications are a majority
trade draw from the core Wymondham survey zone and a consequent requirement for greater
market share uplift in this zone and higher trade diversion rates from town centre floorspace.

Station Road

The Stallion Road application makes similar over-estimates of expenditure growth, incorporating a
blanket 0.7% growth rate, when Experian forecast variable figures of around minus 0.3% and 0.4%
over the 2011/2011 period, followed by growth of around 0.5%. Again they under-estimate the
turnover of the proposal, incorporating a sales density of £10,375 per sq m net; as discussed above
major foodstore operators average around £12-15,000 per sq m net.

Like the Norwich Road proposals, the assumptions of trade draw are unrealistic and inconsistent
with current shopping patterns. The applicant assumes the store will obtain only 20% of turnover
from Wymondham’s core survey zone, but 30% from beyond the survey area. As set out above,
we consider these to be unrealistic assumptions based on a number of different local factors and
the current trade draw pattern of the existing out-of-centre Waitrose store. Again, the applicant
has mitigated impact over a wider geographical area, and we conclude that the applicant has
not satisfactorily demonstrated that two foodstores outside of the Primary Shopping Area would be
acceptable in impact terms.

Consistent with our evidence based study, we conclude that neither applicant has demonstrated
that the cumulative impact of two foodstores will be acceptable. We conclude that only one
foodstore would be acceptable in impact terms, and two foodstore would have a significant
impact on the performance of Wymondham Town Centre. Our reasons are set out in detail in the
Wymondham Retail Strategy but we summarise them here.

Trade diversion from the town centre would be significant and question the continued financial
viability of town centre convenience goods floorspace including Co-Op, one of the key town
centre anchor stores. Although this foodstore has a smaller influence on main food shopping
patterns than the out-of-centre foodstores, proportionately it plays a significant role in the
performance of the town centre. The evidence analysed in the Wymondham Retail Strategy
demonstrates that ‘food shopping’ is one of the main reasons for visiting Wymondham Town
Centre; it is also evident that people visit Wymondham most frequently for food shopping, and less
frequently for non-food goods and service retailers. Other businesses in the town undoubtedly
benefit from linked trips, and the erosion of a food shopping role in Wymondham would have a
detrimental impact on its vitality, instilling a gradual decline in footfall and possibly also the
number, range and quality of businesses present over time.

New modern out-of-centre foodstores would offer ease of access, plentiful and free parking and a
mix of non-food goods. Whilst we identify a need for a new foodstore in Wymondham as a
consequence of unsustainable travelling to foodstores elsewhere in the catchment – notably
Harford Bridge and Costessey – we conclude that Wymondham would detrimentally suffer from
more than one new foodstore outside the Primary Shopping Area.

In this context, we believe both applications meet the impact test for one new foodstore, but not
for two new foodstores. The decision, in retail terms, must therefore be based on the sequential
test, and we discuss this policy point below.
Sequential Approach

As clarified in the Wymondham Retail Strategy, the three key sites in order of preference, when considering retail policy issues only, include the Norwich Road site, the Aytont Road site and finally the Station Road site. The Norwich Road site is available and better linked to the Primary Shopping Area; as such it is more consistent with an edge-of-centre definition. We conclude that the Norwich Road site is the sequentially preferable site in Wymondham for a new foodstore.

The Station Road Site

The Station Road application assessed just two sites; the Wymondham Town Football Club and the Aytont Road site. The Wymondham Town Football Club is no longer available, and should therefore be dismissed. The Wymondham Retail Strategy concluded that the Aytont Road site is sequentially preferable to the Station Road site, but the applicant has argued this point.

The applicant concludes that in retail policy terms the two sites are both ‘out-of-centre’ but acknowledge that it is necessary to consider the accessibility of the site to the town centre in determining whether it is sequentially preferable. Having completed this exercise as part of the Wymondham Retail Strategy, we conclude that the Aytont Road site is in a more accessible location to the Primary Shopping Area than the Station Road site which is further in distance. The Aytont Road site is sequentially preferable to the Station Road site.

The applicant cites a number of further reasons aimed at dismissing the Aytont Road site. They conclude that i) the principle of retail would be unacceptable due to the current employment uses, ii) the site is not available due to the current planning consent, iii) the site is unsuitable due to its location on the junction of Aytont Road and Station Road, and iv) linkages with the town centre are constrained by the B1172. The Council must consider the wider planning comments raised, but in retail terms we do not consider these are sound arguments to dismiss the site, although we do acknowledge that there are questions over its availability.

The Station Road submission has not considered the Norwich Road site, the preferred sequential site in Wymondham. The Norwich Road site is considered, in retail terms, to be available and suitable for a new main foodstore. We conclude that the submission material has not met the full requirements of the sequential test, and the applicant has not effectively dismissed the full range of sequential sites in Wymondham. We conclude that the Station Road site fails the sequential test in retail terms.

The Norwich Road Site

The submission material assesses three sites: the Station Road site, the Aytont Road site, and the Wymondham Town Football Club site. We have already stated that the Wymondham Town Football Club is no longer available, and the Wymondham Retail Strategy has dismissed both the Station Road site and Aytont Road site as sequentially less preferable than the Norwich Road site. The applicant has also considered these two alternative sites on sequential grounds.

The submission material re-states the location of the Station Road site being the furthest from the Primary Shopping Area, a point we agree with. We conclude that the Station Road site has been effectively dismissed. In terms of Aytont Road, the applicant highlights the barrier of the B1172 Harts
Farm Road which separates the site from the Primary Shopping Area. We concur with the applicant that the Aytont Road site is not sequentially preferable to the Norwich Road site; the Norwich Road site is the most sequentially preferable site in Wymondham for a main foodstore.

Conclusion

We conclude that there is a need for one new foodstore in Wymondham, and that this cannot be accommodated in the Primary Shopping Area. Our assessment of impact demonstrates that two foodstores would have a detrimental effect on Wymondham Town Centre, and our review of the application submission material has not changed this viewpoint. Both applications pass the impact test when considering, in isolation, the implications of their own proposal, i.e. the impact of one foodstore.

We conclude that the Norwich Road site is the sequentially preferable site in Wymondham and for that reason, on retail grounds only, the Norwich Road application (Ref: 2012/0154) should be granted planning consent. The Stallion Road site is the least sequentially preferable site after Norwich Road and Aytont Road should be refused on sequential grounds. These conclusions are based on retail issues, and we understand that the Council must take into account a range of wider planning considerations.

If consent is granted, we advise the Council to carefully consider the wording of conditions to restrict the amount of net convenience and comparison goods floorspace. We also recommend restricting the new foodstore from including a pharmacy which currently performs a key town centre business and visitor attraction.

I trust this sets out our position clearly, but please do not hesitate to contact me should you require clarification on any matters.

Yours sincerely

CAROLINE MARGINSON
Associate
For and On Behalf of GVA Grimley Ltd
Supermarket Provision in Wymondham – Policy Response

Introduction

The National Planning Policy Framework
The National Planning Policy Framework (NPPF) was published in March 2012 and replaces previous retail planning guidance contained in Planning Policy Statement (PPS) 4: Planning for Sustainable Economic Growth (2009). Retail planning advice is contained within paragraphs 23 – 27 of the NPPF.

Ensuring the vitality of town centres
The NPPF is very much focussed on the positive promotion of competitive town centres and states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Applications for main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals the NPPF states that preference should be given to accessible sites that are well connected to the town centre.

The NPPF also states that when assessing applications for retail, leisure and office development outside town centres, which are not in accordance with an up to date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set threshold or a default threshold of 2,500 sq m. South Norfolk Local Plan policy SHO 2 sets a local threshold of 1000 sq m (net), which should be applied in this instance. Any assessment should include the impact of the proposal on centres in the catchment area of the proposal and the impact of the proposal on town centre vitality and viability up to 5 years from the time the application is made or 10 years in the case of major schemes.

If an application fails to satisfy the sequential test or is likely to have a significant adverse impact it should be refused.

Promoting sustainable transport
The NPPF recognises that transport policies have an important role to play in facilitating sustainable development. Encouragement should be given to applications which support reductions in greenhouse gases and reduce congestion. All developments that generate a significant amount of movement should be supported by a Transport Statement or Transport Assessment.

Promoting healthy communities
Of particular relevance to the Kings Head Meadow site the NPPF states that open space, sports and recreational buildings and land, including playing fields should not be built on unless as assessment has been undertaken which shows the land or buildings to be surplus to requirements, the loss resulting from the development would be replaced by equivalent or better
provision or the development is for alternative sports and recreational provision the need for which outweighs the loss.

**Evaluation of sites**
Following discussion with the Case Officer it was decided that the best approach to be taken would be to make a comparative assessment of the four potential sites in the frame. This enables a Policy recommendation to be made about a favoured site. The assessment is shown below:

<table>
<thead>
<tr>
<th>Site Issue</th>
<th>Kings Head Meadow</th>
<th>Postmill Close /Semmence Yard</th>
<th>Saleground site, Station Road</th>
<th>Ayton Road</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sequential Assessment</strong></td>
<td>Edge of centre – most sequentially preferable site</td>
<td>Edge of centre – most sequentially preferable of the available sites</td>
<td>Out of centre – least sequentially preferable of the available sites</td>
<td>Out of centre</td>
</tr>
<tr>
<td><strong>Brownfield/Greenfield</strong></td>
<td>Greenfield</td>
<td>Brownfield</td>
<td>Brownfield</td>
<td>Brownfield</td>
</tr>
<tr>
<td><strong>Accessibility</strong></td>
<td>Closest to town centre, Potential access difficulties on Norwich Road</td>
<td>No major barriers to accessing town centre, Potential access difficulties on Norwich Road, Possibility to access from Harts Farm Road, Close to main residential population of north Wymondham, potential for linked trips and access by foot rather than car</td>
<td>Close proximity to rail station B1172 road forms barrier to accessibility from town centre</td>
<td>Close proximity to rail station B1172 road forms barrier to accessibility from town centre</td>
</tr>
<tr>
<td><strong>Availability</strong></td>
<td>Town Council have indicated that site is not available in the short term. No planning application.</td>
<td>Planning application 2012/0154/F</td>
<td>Planning application 2011/1821/F</td>
<td>Put forward for LDF so potentially available – no planning application.</td>
</tr>
<tr>
<td><strong>Deliverability</strong></td>
<td>Site not deliverable in the short term</td>
<td>Site likely to be deliverable</td>
<td>Site likely to be deliverable</td>
<td>Uncertainty about deliverability in short term as units are currently in use</td>
</tr>
<tr>
<td><strong>Other considerations</strong></td>
<td>Loss of open space</td>
<td>Loss of employment site</td>
<td>Allocated in SNLP for</td>
<td>Loss of employment site</td>
</tr>
</tbody>
</table>
Results of Wymondham Area Action Plan survey
The Council are currently in the early stages of preparing an Area Action Plan for Wymondham. A public consultation took place between 23 January and 16 March 2012 and a questionnaire was sent to every household and business in the Parish of Wymondham. The questionnaire asked ‘Do you think Wymondham needs a new supermarket?’ A clear majority of respondents (72%) said yes, Wymondham did need a new supermarket.

The question also asked where the best place was for a new supermarket to be located. This question was deliberately open ended as it was considered important not to influence people’s answers. The responses received to this question indicated broad support for an out of town location over a town centre supermarket and support for the use of brownfield site over greenfield.

In terms of location there was public support for the Saleground site near the railway station, followed by re-use of the empty Focus store, then the Semmence site. There was some limited public support for Kings Head Meadow but this was outweighed by the number of people who said there should not be a supermarket on Kings Head Meadow.

One or two supermarkets
There is an issue about whether Wymondham could support more than one new supermarket. Advice from GVA is that they are not convinced that there would be the demand to support more than one new supermarket in the town. An applicant would need to provide evidence about the cumulative impact of more than one food store.

Conclusion
An assessment of the four potential supermarket sites indicates that two sites (Kings Head Meadow and Ayton Road) are not currently available and/or deliverable and therefore should not be included as part of the sequential assessment at this stage. Therefore the remaining two sites to be considered are the old Saleground site and the Semmence yard, both of which are subject to planning applications.

The Policy team would require an impact assessment for any major supermarket proposal in Wymondham and providing that any such assessment was considered to be sustainable Policy advice would be to recommend approval for the most sequentially preferable of the two sites e.g.
the Semmence Yard. This is an edge of centre rather than out of centre site and is more accessible and well connected to the town centre as it is not separated from it by the B1172, which can be viewed as a barrier to connectivity and accessibility. If the Semmence Yard site were to be approved preference would be for an access from Harts Farm Road or some kind of one way system to overcome traffic problems in Norwich Road. The Semmence Yard site is closer to the main built up area of north Wymondham than the other sites, which may encourage linked trips e.g. with the school run or visit to services and facilities in the town centre. It could also give people an opportunity to walk rather than using their cars.

If the Semmence Yard site were to be approved then the applicant for any other supermarket proposal would need to provide information about the cumulative impact of more than one supermarket in the town to argue the case for a second store.

If any application is approved a condition would also be needed to control what goods could be sold, so as not to have an unacceptable impact on the town centre.

Carole Baker  
Senior Planning Officer  
Planning Policy Team

Update

Since this note was produced there has been considerable work done on the Wymondham Area Action Plan which has some bearing on the comments.

The first point to note is that King’s Head Meadow can no longer be considered to be available and therefore is not included in this comparison.

We have also evaluated the employment and housing sites and Cabinet consider the site assessments on the 16th July. This consideration led to agreeing the preferred options for housing and employment sites.

Since the 16th July our work has focussed on other aspects of the AAP and of particular relevance is the work on retail, town centre expansion and transport (including pedestrian and cycle links from the proposed growth locations and the town). This work is ongoing, but does include evaluating options for town centre expansion (as set out in Policy 10 of the Joint Core Strategy). The nature of this expansion could well have a bearing on the suitability of the three sites we know are available. For example, it may alter the previous assessment on proximity to the town centre. In transport terms, the links from the proposed housing sites to the south of the town, including pedestrian links, are being examined. The situation mentioned in earlier comments may well figure as proposals to overcome perceived barriers.
We have also commissioned a retail study, which will assess the capacity for retail and establish whether there is justification for allocating land for retail use. The consultants commissioned are also advising us on the definition of the town centre, and its potential for expansion. This work will be reported in early October and is crucial evidence for the Council in its assessment of future need and how best to address it through site allocation and policies that frame other associated works.

So in conclusion, the above work mentioned needs to be taken into account as emerging policy.

Tim Horspole – Head of Localism and Growth


Since the previous update work has been continuing on the Wymondham Area Action Plan (AAP). The AAP Preferred Options document and Interim Sustainability Appraisal Report are being considered at Cabinet on Monday 29th October. Provided the documents are agreed at this meeting then it is our intention to go out to public consultation late 2012/early 2013.

As part of the Preferred Options document preparation we have looked at retail provision in Wymondham, in particular defining the town centre, justification for town centre expansion as stated in the Joint Core Strategy and the most sequentially preferable site for the provision of a new supermarket in the town. We have commissioned a retail study to look into these issues. At the time of writing the final study has not been signed off but the headline recommendations, which have been reflected in the AAP, include:

- No justification for changing the Primary Shopping area or extending the town centre boundary
- There is a need for an additional foodstore in Wymondham, which should be situated in the most preferable edge or out of centre location
- Of the 3 sites considered the retail study concludes that Norwich Road/Postmill Close is the most sequentially preferable site based on current physical and commercial circumstances. The B1172 Harts Farm Road is seen as barrier to development of the other sites at Ayton Road and Station Road.

Based on the recommendations of the retail study the AAP Preferred Options document to be considered at the Cabinet meeting on 29th October is proposing the following:

- The town centre should remain as defined in the 2003 adopted South Norfolk Local Plan with the Central Business Area being renamed as the town centre boundary. The AAP is not proposing any extension to the town centre based on the evidence in the retail study.
- New retail development and main town centre uses to be encouraged within the town centre boundary. A sequential approach to be applied when considering main town centre uses outside the town centre
boundary with preference given to accessible site that are well connected to the town centre for pedestrians. The AAP proposes a policy to set thresholds for sequential and impact assessments.

- A new foodstore is needed in Wymondham. The AAP document considers 3 sites (Norwich Road/Postmill Close, Ayton Road and Station Road) and a full assessment of each site is included as part of the Interim Sustainability Report. The AAP recognises that all 3 sites are out of centre and concludes that the Norwich Road/Postmill Close site is currently the most sequentially preferable site for a new supermarket because of its proximity and links to the Primary Shopping Area, its accessibility for pedestrians and cyclists and its potential to generate linked trips.

In conclusion although it is acknowledged that the AAP can carry limited weight when making planning decisions at the moment it should be taken into account as emerging policy.

Carole Baker
Senior Planning Officer
3. **Appl. No:** 2012/1385  
**Parish:** WYMONDHAM

**Applicants Name:** Persimmon Homes (Anglia) Ltd  
**Site Address:** Land Between The A11 Spinks Lane And Norwich Road  
Wymondham Norfolk

**Proposal:** Outline application for residential development with all matters reserved

**Recommendation:** Approve with conditions

1. Outline Permission Time Limit  
2. Standard outline requiring RM  
3. In accord with submitted drawings  
4. Ecology Mitigation  
5. External materials to be agreed  
6. Surface Water  
7. Details of foul water disposal  
8. In accord. with Masterplan/Design Code  
9. Archaeological work to be agreed  
10. Details of roads, footways etc.  
11. Estate roads in accordance with approved drawings  
12. Estate roads to binder course before occupation  
13. Construction Traffic (Parking)  
14. Wheel Cleaning Facilities  
15. Highway Improvements - Offsite  
16. Interim Travel Plan  
17. No development until off-site sewage improvements agree, no occupation until works implemented  
18. Full details of external lighting  
19. Construction work  
20. Retention trees and hedges  
21. Tree planting  
22. Tree protection  
23. Landscaping management plan  
24. Fire hydrants

Subject to a S106 legal agreement providing for developer contributions towards education, libraries, travel plan, off-site highway works, and an affordable housing agreement confirming the type, tenure, and mix of affordable housing, including its affordability in perpetuity.

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change  
NPPF 11: Conserving and enhancing the natural environment

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
Policy 7: Supporting Communities  
Policy 9: Strategy for growth in the Norwich Policy Area
Policy 10: Locations for major new or expanded communities in the Norwich Policy Area
Policy 20: Implementation

1.3 South Norfolk Local Plan
ENV 8: Development in the open countryside (Part Consistent)
ENV 14: Habitat protection
IMP 2: Landscaping
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
TRA 1: Provision of pedestrian links
TRA 7: Safeguarding of sites with potential for use as rail freight terminals

2. Planning History

2.1 2012/1374 Screening opinion for proposed residential development
EIA not required

3. Consultations

3.1 Town Council
- Outside the development boundary
- Concerns over highways and free flow of traffic
- Concerns over flooding

3.2 District Members
- Mr N Ward To be reported if appropriate.
- Mr R J Savage To Committee
- Mr Lee Hornby To be reported if appropriate.
- Mr J F Mooney To be reported if appropriate.
- Mr Colin Foulger To be reported if appropriate.

3.3 SNC - Flood Defence Officer
Recommend that a suitable surface water drainage condition to include future management be attached to any outline planning permission.

3.4 NCC - Planning Obligations
Request developer education contributions towards primary, secondary and 6th form provision.

3.5 Ecologist
Supports the proposed ecological mitigation within the Ecological Appraisal. Development of this site needs to contribute towards overall Green Infrastructure in the area.

3.6 Landscape Officer
A query has been raised about the need to fell an Oak tree at the edge of the site adjacent Spinks Lane. This issue will be updated verbally at committee. No objection to the remainder of the scheme.

3.7 NWT Wymondham Local Members Group
No comments received

3.8 Environmental Services (Protection)
No objection subject to appropriate conditions.
### 3.9 Highways Agency
No objection.

### 3.10 SNC - Housing Strategy Manager
The application accords with planning policy in that it will provide for 33% affordable housing.

### 3.11 NCC Historic Environment Service
Request condition requiring a programme of archaeological work to be agreed and implemented prior to the commencement of any development.

### 3.12 Anglian Water Services Ltd
To be reported.

### 3.13 Environment Agency
No objection, subject to appropriate conditions requiring accordance with the FRA.

### 3.14 NCC Highways
No objection, subject to appropriate conditions.

### 3.15 Wymondham Heritage Society
No comments received

### 3.16 Local Residents
14 letters of objection received
- Land not allocated within Area Action Plan
- Impact on local infrastructure
- Accesses onto Norwich Road will exacerbate the current capacity issues at the Tuttles Lane roundabout
- Will harm the rural character of the area
- Cumulative impact on wildlife
- Increased flood risk
- Loss of good agricultural land
- Safety of pedestrians accessing Spinks Lane

### 4. Assessment

4.1 This application proposes the development of 275 dwellings, together with access open space, landscaping and associated infrastructure. It is made in outline form only, with all detailed matters reserved. The application site comprises some 9.44 hectares of agricultural land between the Norwich Road, Spinks Lane and the A11, opposite the Waitrose store. The site is well located for access to the town centre via public transport and pedestrian / cycle way links, and a bus stop is located close to the site on Norwich Road. A location plan is attached as appendix 1.

4.2 The site is surrounded by existing development on all sides, with residential properties located along Norwich Road to the north and Spinks Lane to the east. The site is very open with the existing vegetation and trees being situated within the field boundaries.

4.3 Although in outline only, the application has been submitted with a Design and Access statement that identifies the approximate locations of the buildings, routes, open spaces, access points and scale of the proposed development. Importantly, the statement also sets out the local physical and economic context of the site.

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

- The provisions of the adopted Joint Core Strategy (JCS), which allocates Wymondham for 2200 dwellings (policy 9)
- The publication of the NPPF and its significance in respect of the acknowledged deficit in South Norfolk's housing land supply within the Norwich Policy Area (NPA). There is currently 3.28 years supply in the NPA. The recently published National Planning Policy Framework makes it clear that there is a presumption in favour of sustainable development, and that relevant policies for the supply of housing in the local plan cannot be considered up-to-date where a 5 year supply of deliverable housing sites does not exist. The 5 year supply should also have an additional buffer of 5%, or 20% where there has been a record of persistent under-delivery of housing. The 5% buffer would reduce the supply (as at 01/04/2011) to 3.13 years.

- The site is a sustainable location.

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

4.5 It will be noted from section 3 above that there has been a significant amount of objection to the proposal from local residents raising a number of issues. The Town Council has also objected to the proposal. In my opinion, the critical issues members need to address are the principle of the development having regard to:

- Key policy issues, the provision of the NPPF, the adopted JCS, and the requirement to achieve a 5-year land supply for housing and affordable housing
- The suitability of the site having regard to its sustainability, character, design approach and landscape
- Highway Impact
- Impact on ecology and trees
- Drainage

**Key Policy issues - NPPF, the adopted JCS, and 5-year land supply for housing and affordable housing**

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

4.7 It is noted that many residents feel that this site should not be considered ahead of specific sites having been allocated for development through the Local Framework Process. However, taking into account the above, it is clear that in location terms this site represents sustainable development, and that the demonstrable lack of a 5-year housing supply carries significant weight in the consideration of the application.

**Suitability of the site, having regard to character and the design approach**

4.8 Both JCS Policy 2 and Section 7 of the NPPF require high quality design and great importance is attached to the design of the built environment, with it being seen as a key aspect of sustainable development. The applicant's Design & Access statement and Masterplan has demonstrated that the site can be developed having appropriate regard to its context, and provides for open space and play areas, permeable links to the wider countryside and local facilities, sustainable drainage, as well as a good mix of housing, to include single storey dwellings and the required 33% affordable housing. A Masterplan for the site is attached as appendix 2.
4.9 The proposed development of 275 dwellings will result in an overall site density of 29 dwellings per hectare. Although this density increases after the area of the structural landscaping is taken into account, it is likely that the density will still be less than 35 dwellings per hectare. I do not consider this to be objectionable for site located so close to the town, and with good local connections. In terms of scale, the Masterplan and context appraisal has adequately demonstrated that the site is capable of accommodated dwellings up to 3-storey in height.

4.10 The Council's Design Officer has assessed the Masterplan and design approach for the scheme and has concluded that, subject to any reserved matters submitted in accordance with the Masterplan/Design & Access Statement, the development clearly has the potential to achieve a high standard of design.

4.11 Taking into account the above, it is my opinion that the development of this site would accord with Sections 6 & 7 of the NPPF and Policies 2 & 4 of the JCS in this regard.

**Highway Impact**

4.12 The applicants have indicated that suitable vehicle accesses can be achieved off Norwich Road, and that the development will also provide for a Toucan crossing as well as a footway/cycleway along its frontage. A Travel Plan will also be secured by S106 legal agreement, that will seek to reduce the traffic movements associated with the development.

4.13 The County Council as Local Highway Authority has considered the access proposals and raise no objection, subject to conditions requiring detailed drawings to be submitted at reserved matters stage. Whilst I appreciate that significant local objection on highway grounds has been received, the Council's technical consultees have found no reason to object to the development, and therefore a refusal on the grounds of highway impact could not be substantiated at appeal. The application is therefore considered to accord with saved local plan policy IMP8.

**Ecology & Trees**

4.14 The Masterplan for the development indicates that the majority of trees and hedgerows surrounding the site will be retained. Furthermore, several new bio-diverse habitats will be created, such as wetland areas and areas with significant tree, shrub and wildflower planting. The County Ecologist has agreed with the suggested mitigation within the submitted Ecological survey, which includes buffer strips to perimeter hedges, replacement hedgerow planting and bird and bat boxes placed on retained mature trees around the edge of the site. It is noted that the Landscape Officer has queried the need to fell an Oak tree on Spinks Lane. However, the applicants have now confirmed that these trees will be retained.

4.15 The County Ecologist has made reference to the potential loss of farmland habitat and has requested that this application, along with others in the Wymondham area, contribute towards Green Infrastructure elsewhere in the locality. This can be secured via a S106 legal agreement. In light of this I feel that the application accords with Section 11 of the NPPF and Policy 1 of the JCS.

**Drainage**

4.16 The application proposes a combination of attenuation lagoons, swales, permeable paving and/or rainwater harvesting to drain the surface water from the site. The surface water run-off will be restricted to current greenfield rates. This approach has been accepted by both the Environment Agency and the Council's Flood Risk Officer, who raise no objection the scheme in this regard.
4.17 With respect to foul drainage, it is acknowledged that the existing local sewerage network is either at or nearing capacity, although there is sufficient capacity at the Sewage Treatment Works to process the sewage from the development. Following discussions with Anglian Water the applicants are suggesting an option that connects to the proposed sewerage upgrade in Tuttles Lane East from Finderne Drive to the STW utilising an on site sewage pumping station. This option assumes that improvement works to the sewerage network in Tuttles Lane east will take place, and therefore any permission forthcoming on this site will need to be conditional on there being confirmation that these improvement works will have been undertaken before occupation of any dwelling. Subject to this condition, the application is considered to accord with the requirements of Section 10 of the NPPF.

5. Reasons for Approval

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

5.2 The requirements of the NPPF and the presumption in favour of sustainable development outweigh other material considerations and that the proposed development in accordance with the Masterplan and design codes submitted with the application can be accepted as a departure from local saved plan policy ENV8, which is given due weight as it remains partly consistent with the published NPPF. In all other respects, and subject to appropriate conditions, the proposed development is in accordance with the Sections 6, 7, 10 & 11 of the NPPF and relevant policies the Joint Core Strategy.

Contact Officer, Telephone Number and E-mail: Gary Hancox 01508 533841 ghancox@s-norfolk.gov.uk
4. **Appl. No**: 2012/1526  
**Parish**: COSTESSEY

Applicants Name: Mr Larry Rowe  
Site Address: Costessey Park Golf Centre Ltd Costessey Park Parklands Costessey Norwich

Proposal: 1. Conversion of Costessey Park House to two houses and two flats. 2. Conversion of barn to multi use commercial space. 3. Rebuild and conversion of stables to provide service facilities to barn and multi use commercial space. 4. Restoration of kennels for storage.

Recommendation: Approve

1. Full Planning permission time limit  
2. Approved Documents  
3. Provision of parking, service  
4. Existing Access - Improve  
5. Materials  
6. Restoration of chimneys  
7. Lime mortar  
8. Sample Panel - re-pointing  
9. No PD for Classes ABCDE & G  
10. Use class - barn  
11. Use class - Stables  
12. Use class – Kennels  
13. Phasing agreement for works

5. **Appl. No**: 2012/1527/LB  
**Parish**: COSTESSEY

Applicants Name: Mr Larry Rowe  
Site Address: Costessey Park Golf Centre Ltd Costessey Park Parklands Costessey Norwich

Proposal: 1. Conversion of Costessey Park House to two houses and two flats. 2. Conversion of barn to multi use commercial space. 3. Rebuild and conversion of stables to provide service facilities to barn and multi use commercial space. 4. Restoration of kennels for storage.

Recommendation: Approve

1. Listed Building Time Limit  
2. In accordance with the approved details

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 01: Building a strong competitive economy  
NPPF 03: Supporting a prosperous rural economy  
NPPF 07: Requiring good design  
NPPF 12: Conserving and enhancing the historic environment

1.2 **Joint Core Strategy**  
Policy 2: Promoting good design  
Policy 4: Housing delivery  
Policy 5: The Economy
1.3 South Norfolk Local Plan

HOU 10: Adaptation and re-use of existing rural buildings for residential purposes (Part Consistent)
ENV 8: Development in the open countryside (Part Consistent)
ENV 14: Habitat protection
ENV 15: Species protection
IMP 2: Landscaping
IMP 9: Residential amenity
IMP 13: Alteration of Listed Buildings (Part Consistent)
IMP 15: Setting of Listed Buildings
EMP 3: Adaptation and re-use of rural buildings for employment
EMP 4: Employment development outside the Development Limits and Village Boundaries of identified towns and villages (Non Consistent)
EMP 6: Alterations and extensions to existing business premises
HOU 10: Adaptation and re-use of existing rural buildings for residential purposes (Part Consistent)
HOU 16: Conversion/subdivision of large properties
TRA 18: Off street parking provision
IMP 8: Safe and free flow traffic

2. Planning History

2.1 2008/2376 Refurbishment of existing male and female changing facilities and new front and rear entrance screens. Main entrance to incorporate a pitched roof. Approved

2.2 2002/0970 Alteration/extension of existing outbuildings and alterations to Parkhouse to form research campus Approved

2.3 1999/0272 Change of use of buildings and erection of additional buildings for Offices, I.T. Research and Development facilities Approved

2.4 1997/1431 Change of use from residential to offices Approved

4. Consultations

3.1 Costessey Parish Council Object Conditionally

3.2 District Member: Mr T East No comments received

3.3 Conservation Officer No objection

3.4 Environmental Services (Protection) No comments received

3.5 Historic Environment Service No comments received
3.6 NCC Highways  No objection

3.7 Local Residents

The application has been subject to two letters of representation. One from a member of the public, who lives at Parklands, and the other from the Costessey Society.

The public representation raises two areas of concern:

- The potential for an increase in commercial traffic could lead to accidents/fatalities as there is current issues regarding users of the golf club leaving without stopping at the Golf Club - Parklands junction

- The development of residential properties would give weight to landowners beside Parklands and the golf club wanting to develop residential properties.

The Costessey Society raise no objection to the develop provided that the Council's Conservation Officer is involved in the application, although they do have concerns over traffic generation as they believe that there is a large number of car parking spaces provided.

4. Assessment

Site Context

4.1 Costessey Park Golf Club is situated to the south western edge of Costessey and has the River Tudd running through it from east to west. The River Tudd divides the course into two sections, with the northern area hosting six buildings. The area to the south of the River Tudd has a building on it which is the remains of Costessey Hall.

4.2 The northern area contains three buildings on its western element, these buildings serve as the golf clubhouse, pro shop and a maintenance/storage shed.

4.3 Central to the northern section of the golf course are three buildings which are Grade II listed. These are Costessey Park House, stables and barn and a row of kennels. None of the buildings are in use and all are listed on the Councils Buildings at Risk register.

4.4 Costessey Park House dates from the c17 and was originally the dower house for Costessey Old Hall. It is constructed in flint and brick and has a pantile roof with stepped gable ends. Windows are early c20 chamfered mullions with leaded lights. The original building has been much altered having been completely refurbished in the c19. Some of the external brickwork at first floor level appears to be part of the c19 work. It is not known exactly when the residential use of the house ceased but it is considered to be within the past 15 -20 years.

4.5 The stables and barn are situated to the north side of the house. They date from the late c18 and are attributed to Sir John Soane. Detailing on the buildings includes lunettes and semi-circular headed windows with brick moulded hoods. Only the brick walls of the stables survive, the roof and first floor gable end at the east elevation having been destroyed by fire some years ago. The roof of the barn is in very poor condition.

4.6 The kennels to the northwest side of the house date from the mid c19. Their detailing also includes brick hoods moulds and patterned vents. Pilasters on the front elevation divide the building into bays.

4.7 Separating the house and the stable/barn building is an area of gravel which is currently used for overflow car parking. The golf club site is accessed from the east from the Parklands/West End junctions. The nearest residential properties are to the north and north east approximately 150m away.
Proposal

4.8 The application proposes to restore the Costessey Park House, stables and barn and kennel buildings.

4.9 It is proposed that the residential use of Costessey Park House would be reinstated and that it would be converted into two flats and two houses. It is also proposed to restore the barn (260 sq m floorspace) to provide for flexible accommodation for the golf club to host events/exhibitions/conferences or possibly to cater for wedding parties. The stables with its curved link buildings are proposed to be used for office accommodation or smaller ancillary uses to the site ie beautician, hairdresser physiotherapist. The stables would create approximately 236 sq m of floorspace.

4.10 The kennels are proposed to be used for storage either for the residential properties or the businesses on site, including the golf club. Due to the storage use proposed the kennels have had little work proposed to them, the boarded up to doors would be removed and new timber doors added. No new openings have been proposed for the kennels.

4.11 The conversion of the house into four units will require a full reworking of the interior of the building with various walls and door removed from ground floor up to the attic room. There is also a central internal staircase proposed to be removed. The works would result in two flats occupying the central space and the creation of a house in each of the western and eastern wings. All of the units gain their main access from the northern elevation.

4.12 Externally the house will have the doors and windows on the eastern elevation reconfigured on the ground floor and a new door added to the southern elevation. The application also proposes to reinstate four Victorian chimney pots which have been placed in storage.

4.13 By virtue of their current state of disrepair and fire damage the barn and stables buildings are proposed to be completely overhauled. They would be linked via a new extension to the northern end of the stables building. The link building would provide internal space for circulation and toilet facilities. An external covered walkway is proposed on the southern side of the buildings with a terrace and steps/ramps for access.

4.14 The barn would have its southern elevation lean to structure reinstated with the western side glazed and the southern elevation having its windows reused. The northern elevation of the barn would have two small windows created. The barn conversion would result in a central conference area with balcony and two upper level training rooms.

4.15 The stables would have windows placed in the existing openings and doors created in the stable openings. The stable conversion would result in the building having two floors and several adaptable spaces.

4.16 All external doors and window frames are proposed to be wooden and the rainwater goods made of cast iron. The roofing materials for the barn and the link building would use slate and the stables would have a pantile roof.

4.17 The parking on the gravel area is currently informal and there is no proposal to resurface this area, the approximate number of car parking spaces available on this area is 40. The application proposes to create 20 extra car parking spaces to the east of the stables, with reinforced grass, and 11 to the south of the barn. Therefore overall there would be a car parking provision across the application site of 71 spaces. It should be noted that there would be 2 spaces allocated to each of the residential units. The development proposal also details the creation of a bin store using close boarded fencing to the east of Costessey Park House.
**Principle of development**

4.18 The application site is located within the open countryside and it is considered that the residential use associated with Costessey Park House has been abandoned by virtue of the length of time since it last functioned as a dwelling and the amount of work which would be required to bring it up to habitable standards. Therefore it is considered that the principle of establishing residential properties outside of the development limits requires to be examined.

4.19 Saved Policy ENV8 requires any new development in the open countryside to be for an economic and social activity which demands a rural location. The dwellings proposed do not comply with requirements of Saved Policy ENV8. However, NPPF 6 - Delivering a wide choice of high quality homes; provides the following guidance:

4.20 To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

4.21 For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and
- lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

4.22 These criteria are reflected within Saved Policy HOU10: Adaption and reuse of existing rural buildings for residential purposes; which also recommends the removal of permitted development rights.

4.23 The residential component of the proposal would allow for the re-use of Costessey Park Hall, which is considered to be a redundant/disused building, and also represent the optimal viable use of the former dwelling. Its conversion and sympathetic reinstatement would undoubtedly lead to an enhancement of the immediate setting.

4.24 It is acknowledged that the residential element of the development proposal does not comply with the aims of Saved Policy ENV8 however the principle of residential development is considered to be established through NPPF 6 and Saved Policy HOU10.

4.25 The use of the kennels for ancillary storage is not considered to be an issue requiring significant consideration and the re-use and continued maintenance of the listed set of kennels is welcomed. The position of the kennels adjacent the proposed residential development ensure that its potential is limited to ancillary storage for the overall site. It is not considered that there are any policy requirements or guidance that the storage use would be contrary to in terms of its establishment.

4.26 Saved Policy EMP 3 - adaption and reuse of rural buildings for employment purposes allows for the establishment of commercial activities such as those proposed providing that:

- Road access is of a sufficient standard to serve the size and scale of the development
- The proposal would conserve and enhance the intrinsic qualities of the building and its setting
- The use would not impact negatively on the vitality of the local towns and villages.
- The building(s) can be adapted without the need for major reconstruction work.
As with Costessey Park House it is considered that the sympathetic reuse of these listed buildings would enhance the quality of the setting and that they would not result in the vitality/viability of local services and shops to be detrimentally impacted upon. However, the reuse of these buildings will require extensive construction works which would not be in accordance with one of the criterion of Saved Policy EMP 3. These extensive works would allow for two buildings at risk to be re-used without the need for large extensions or a use to be introduced which would be detrimental to the Costessey village locality.

On balance the development is considered to comply with the intent of Saved Policy EMP3, furthermore NPPF 12 also directs that if development is considered to be enabling and would result in the protection of a heritage asset it could be allowed even if not strictly in accordance with other development management policies. The application does not make a clear economic case regarding enabling development however it is considered that both elements of the proposal are in some functions enabling the other to be brought forward.

Saved Policy EMP6 in the South Norfolk Local Plan allows for the extension and alterations of existing businesses premises. The policy makes no distinction between rural and urban business operations and allows for approval provided the design and size of the proposal are in keeping with the existing building and surroundings, the landscaping would not be compromised and all necessary parking, serving and circulation can be accommodated. Saved Policy EMP6 is considered consistent with the aims of NPPF section 3 - Supporting a prosperous rural economy which encourages the expansion of rural businesses provided the buildings are well designed.

The development would allow for an expansion of the rural leisure events business operated by the golf club without compromising any of the factors listed in Saved Policy EMP6.

The establishment of residential and commercial development outside of the development limits of Costessey contrary to Saved Policy ENV 8 is considered acceptable as it would introduce uses that are not in conflict with the locality and re-use abandoned/derelict listed buildings which have significant merit in being restored.

Heritage, Conservation and Design

Saved Policy IMP13 Alterations to Listed Buildings requires development to be formulated so as to ensure that the special architectural or historic interests of buildings are preserved. This policy is reinforced through the design guidance covered in NPPF - 7. Requiring good design and JCS Policy 2: Promoting Good Design, which directs that new development should take account of its siting, scale, form and character.

The application has been accompanied by a heritage statement which advises that Costessey Park House does not retain many elements which are considered to be of a high level of quality in terms of heritage conservation, this is especially the case with the internals of the house which have been modified several times by different owners. The main recommendations are to ensure that the unique roof construction is maintained, that the chimneys are reinstated and that any external alterations are carried out sympathetically to reflect the period of construction. The Councils Conservation Officer has advised that the alterations proposed would meet with these heritage objectives, furthermore it is considered that the alterations proposed would not result in any new development which would not be in keeping with the scale, character or form, of the existing buildings or locality.

The conversion of the barn and stable block is considered to be a restoration development which is of a greater extent than that of the house. Due to the fire damage incurred the stable block has been reduced to only retaining its walls and the barn is also suffering from obvious failings in its structural fabric.
The application proposals detail that in converting the barn and stables into usable commercial space that the heritage asset qualities of the buildings would be retained and restored. The distinctive windows would be retained and have timber windows installed, the raised centrepiece of the stables would be restored to return the building to its former scale, stable doors would be replaced with timber doors keeping the balance of the original design in place.

The stables are considered to be very much a distinctive style of building which was designed by Sir John Soane in his early years of practice and by virtue of the limited number of alterations made to the building in the past its successful restoration would put it amongst only a handful of other stables in the country which have been retained in their original design.

Internally and externally the barn does not hold any substantial heritage or architectural merit when considered on its own, but when considered as part of the cluster of buildings forming the application site its retention and restoration is important as it helps to add context to the stables and house.

The barn is proposed to have some alterations made which would be considered commonplace amongst barn conversions, with the main door openings glazed and windows and doors placed in existing openings. Any new openings proposed are small and are not considered to be detrimental to the appearance of the building.

The development proposal would result in the creation of a limited number of additions to the listed stable and barn buildings these additions have been proposed to be of similar scale and design principles as the existing buildings. They are not considered to be overbearing on the existing buildings and they allow for the obvious heritage assets to be retained and displayed.

It is considered that the alterations, additions and restoration works proposed will supplement and compliment the existing structures while also breathing new life into them in terms of use and function. The materials which have been proposed are also considered to be suitable and in keeping with the fabric of the set of listed structures.

Residential amenity

Saved Policy IMP9 - Residential amenity directs that development should not be approved if it would have a significant adverse impact on nearby residents through overlooking and/or overshadowing of habitable rooms, damage to the setting of existing buildings or damaging impacts on the privacy or amenity of nearby dwellings.

The creation of the residential units are not considered to be of an amount which would cause any detrimental impacts on the nearby residents in terms of noise or lighting. Nor would they create any issues associated with overlooking.

The new residential units will have the rear of their properties close to the proposed commercial elements. However, the use classes proposed are not ones which could be described as detrimental to residential amenity provided that appropriate conditions are attached to any grant of approval to restrict hours of use, as suggested by Environmental Protection Services.

Highways

The application does not propose the creation of any new vehicle or pedestrian access arrangements and the level of car parking proposed is considered sufficient to serve the uses detailed in the application in accordance with Saved Policy TRA 18 - Parking provision.
There has been no objection raised by the Highway Authority regarding the application and they have recommended two conditions. All parking, servicing and turning areas can be accommodated within the application site as required by Saved Policy EMP6.

The application has been subject to an objection raising concerns regarding the access arrangements and the potential for accidents to occur, the Highway Authority have requested that the access arrangements from the site onto Parklands be upgraded and as such through the imposition of the this condition the application is considered to comply with Saved Policy IMP8 - Safe and free flow of traffic.

Conclusion

The development proposal would allow for the sympathetic restoration and appropriate reuse of the listed buildings. The commercial uses proposed would provide for new economic opportunities which would not be of a scale that would be detrimental to residential amenity or the vitality of Costessey. The residential use allows for the most viable option in the reuse of a derelict listed former dwelling.

The proposed development would be beneficial to the visual appearance of the locality and would not have any detrimental impact on the wider landscape character.

The scale of development is considered appropriate in relation to the existing buildings and the additions to the listed stables/barn are considered to be designed to compliment these heritage assets.

Through the use of conditions it is considered that the development will not have a detrimental impact on residential amenity or highway safety.

To ensure that the all of the listed buildings are upgraded and protected a phasing condition will be placed on any grant of approval.

Reasons for Approval 2012/1526/F

The application would establish residential and commercial premises within the open countryside by utilising disused listed rural buildings in accordance with the aims and objectives of NPPF 6 - Delivering a wide choice of high quality homes and Saved Policy EMP 3 - adaption and reuse of rural buildings for employment purposes.

The development would allow for the expansion of rural business without any detrimental impact on the functionality of the highway in accordance with Saved Policies IMP8 - Safe and free flow of traffic, TRA 18 - Parking provision. and EMP6 - expansion of business premises.

The design, scale, form and materials proposed would respect the integrity of the listed status and the general appearance of locality and enhance the visual aspect of the site in accordance with the intent of NPPF - 7. Requiring good design, JCS Policy 2: Promoting Good Design and Saved Policy IMP13 Alterations to Listed Buildings.

Through the use of appropriate conditions regarding lighting, hours of use and the control of use classes the development will not have a detrimental impact on the residential amenity of neighbouring occupiers to the extent that permission should be refused. The application is therefore consider to comply with the principles of Saved Policy IMP9 - Residential amenity

6.1 The development would allow for the reuse and sympathetic restoration of listed buildings to provide for an expansion of a rural business and the creation of dwellings which represent the most viable uses for the buildings. This is in accordance with the aims and objectives of Saved Policy IMP13 Alterations to Listed Buildings.

Contact Officer, Telephone Number: Ian Reilly 01508 533674  
and E-mail: ireilly@s-norfolk.gov.uk
Other Applications

6. Appl. No : 2012/0646  
Parish : ALBURGH

Applicants Name : Saffron Housing Trust  
Site Address : Land At The Street Alburgh Norfolk  
Proposal : Four new affordable homes for rent with private gardens, open space and car parking provision.

Recommendation : Approve with conditions

1. Planning Policies

1.1 National Planning Policy Framework
   NPPF 06: Delivering a wide choice of high quality home
   NPPF 07: Requiring good design

1.2 Joint Core Strategy
   Policy 2 : Promoting good design
   Policy 17 : Small rural communities and the countryside

1.3 South Norfolk Local Plan
   IMP 8: Safe and free flow traffic
   IMP 9: Residential amenity

2. Planning History

2.1 None

5. Consultations

3.1 Parish Council  Approve

3.2 District Member  To Committee

3.3 Ecologist  No objection, subject to development being in accordance with Great Crested Newt habitat mitigation strategy.

3.4 Landscape Officer  No objection.

3.5 Housing Strategy Manager  Support
3.6 Historic Environment Service
The proposed development would appear to have no implications on the historic environment.

3.7 Environment Agency
No comments received.

3.8 NCC Highways
No objection.

3.9 Local Residents
4 letters of objection received
- Not in accordance with planning policy
- Could set a precedent
- Drainage concerns
- De-value property
- Overlooking of driveway
- Already enough Council houses in Alburgh
- Would spoil this end of the village
- Impact on Great Crested Newts
- Impact on local wildlife
- Additional traffic noise
- Will the houses really be for local people?

4. Assessment

4.1 The proposal would result in dwellings being located outside the development boundary, contrary to policy ENV8 of the South Norfolk Local Plan. However, where affordable housing is proposed to meet a specific local need, JCS Policy 17 allows a departure from the general presumption against new development in the open countryside, particularly where sites are adjacent to villages and are in sustainable locations.

4.2 The recently published National Planning Policy Framework states that in rural areas authorities should be 'responsive to local circumstances and plan housing development to reflect local needs'. Local needs affordable housing helps to sustain and enhance small villages and to promote sustainable development in rural areas, the NPPF requires 'housing to be located where it will enhance or maintain the vitality of rural communities'. In my view, the application fully accords with these aims.

4.3 JCS Policy 15 allocates Alburgh as a 'service village', and is therefore considered to have a good level of facilities, and where development of this type would normally be permitted within the village. However JCS Policy 17 allows small scale development adjacent villages where a local housing need can be demonstrated. The Housing Enabling Officer has confirmed that the proposed scheme is based on the results of regular monitoring of Alburgh-related data available from the South Norfolk Housing Register by South Norfolk Enabling Officers, and detailed discussions between Saffron Housing Trust and Alburgh Parish Council.

4.4 The scheme can provide 4 much needed new affordable homes for the village, helping to meet the needs of local single households, couples and families. Furthermore, each home will be legally protected by means of an Affordable Housing Section 106 Agreement to ensure it is made available first and foremost to households who have a local connection to Alburgh and who are in need of affordable housing; and also that the homes remain affordable in perpetuity.

4.5 Taking the above into account I feel that the proposed development accords with the requirements of JCS Policy 17 and is acceptable in principle.
The remaining issues to be considered are:

- Design, layout & impact on the character of the area;
- Highway Impact, and;
- Impact on residential amenity.

**Design, Layout & Impact on the Character of the Area**

4.7 The applicants have submitted a design and access statement, which adequately assesses the context of the site and the character of the surrounding area. The proposed mix of 1, and 2 storey dwellings reflects the scale and character of existing mix of development within the village and in particular that adjoining the site. To help create a sense of place, the buildings are tied together by the use of the same materials, utilising brick and pan tiles. A street elevation is attached as appendix 2.

4.8 The Design Architect raises no objection to the scheme, which also has the support of the Parish Council, and has benefited from substantial pre-application negotiation.

4.9 A contextual assessment of the local area has been undertaken by the applicants, and the scale, form, design and proposed building materials reflect on the appearance of many of the older properties in the village. This approach is considered appropriate. In terms of sustainability, it is proposed that the buildings are highly insulated and will have air source heat pumps providing heating and hot water, giving a 1:3 return on electricity used. The dwellings will achieve Code for Sustainable Homes level 3, and will aspire to achieve level 4 for the building fabric.

4.10 In respect of drainage, the applicants propose soakaways for surface water disposal, and a package treatment plant for foul drainage disposal, both of which would drain to improved ditches surrounding the site. Further details of the drainage proposals, included the results of percolation tests, can be required by condition.

4.11 Taking the above into account I feel that the design, siting and layout of the proposal, and its relationship with adjoining development is considered acceptable and in accordance with JCS Policy 2.

**Highway Impact**

4.12 The highway impact of this proposal has been assessed by NCC: Highways, who consider that the proposal would not give rise to significant levels of traffic, and do not raise any concerns in respect of highway safety. The application therefore accords with the requirements of saved policy IMP8 of the South Norfolk Local Plan.

**Impact on Residential Amenity**

4.13 As the proposed dwellings are not located directly adjacent any existing dwellings, the impact on residential amenity is very limited. Although overlooking of driveways is an issue raised by local residents, there will be no direct overlooking of any properties, and therefore no loss of privacy will occur. The issue of maintenance access for the hedge to the south boundary of the site has been taken on board by the applicants, and an appropriate access strip has been set aside.

4.14 Taking the above into account, I am satisfied that there will not be a significant impact on the amenities of neighbouring properties and the application accords with saved policy IMP9 of the South Norfolk Local Plan.
5. **Reason for Approval**

5.1 The proposed development of affordable housing is in a sustainable location, adjacent to a village, and provides affordable housing for a defined local need. The proposal therefore accords with Policy 17 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011). The design, siting and layout of the proposal, and its relationship with adjoining development is considered acceptable and in accordance with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011), saved policies IMP8 (Safe & Free Flow of Traffic), and IMP9 (Residential Amenity) of the South Norfolk Local Plan 2003, and sections 1 and 6 of the National Planning Policy Framework. 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.

Contact Officer, Telephone Number and E-mail:  
Gary Hancox 01508 533841  
ghancox@s-norfolk.gov.uk
Applicants Name : Mrs Mary Blake  
Site Address : Land to rear of 4 The Close, Little Melton  
Proposal : Proposed new single storey dwelling  
Recommendation : Refuse  

1 Insufficient information to demonstrate that there is adequate access to serve the property and provide the required turning area without adversely affecting adjacent trees. Contrary to Policy 2 of the JCS and Policy IMP8 of the South Norfolk Local Plan.

Introduction

This application was included in the agenda for the Development Management Committee on 15 August 2012 but was deferred following the submission of further information by the agent. Re consultations have now been undertaken and the report update to reflect these comments and the additional information.

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
3.1 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

Following submission of combined plan
No further comments to those raised above

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

Following submission of combined plan
Notes turning area within RPA of trees. Recommends condition re turning head

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.

Following submission of combined plan
Turning head places further pressure on the off site trees in the Root Protection Areas. Object to 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.

Following submission of combined plan
No further comments to those raised above

3.7 Local Residents

- 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
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 tiling 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 to the plot is 65m in length from the junction of The Close to the rear of No 5 and varies in width along its length, however the precise position of property boundaries is unclear. From the physical features on the ground, there are two pinch points along the access which reduce its width to 2.8m and 3.2m respectively. The Highway Authority has indicated that to provide service vehicle and emergency vehicle access, the track should be 3.7m in width although a restriction up to 2.75m over a short distance is acceptable.

4.13 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 the provision of this turning facility however there are concerns regarding the land available within the applicants control to provide this and the impact on trees adjacent to the site.

4.14 Concerns have also 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, including the turning facility is unlikely to impact directly on these trees.

4.15 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.

4.16 In addition, following the submission of additional details which show the proposed dwelling, turning head and trees in the context of each other, it appears that it is not possible to construct the turning head within land in the applicants control and that the provision of the turning head will require works within the root protection area of the trees, contradicting the details in the arboricultural assessment.

4.17 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 applicant has notified these properties of the application and published an advert in the press.

4.18 Notwithstanding this, while the provision of the turning head could be required by a
Grampian condition to require its implementation before other development commences, I consider that there is significant uncertainty regarding the applicant’s ability to secure this and as such the use of such a condition is inappropriate. In addition, in view of the additional information, I also consider that the construction of the turning facility is likely to adversely affect the adjacent trees.

4.19 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.

4.20 The site is in the vicinity of several ponds and concerns were raised 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.

4.21 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.

4.22 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.

4.23 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.

4.24 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 Refusal

5.1 The proposal will be served by a long access which varies in width. The Highway Authority require the provision of an emergency vehicle turning head, which would also provide a facility for service vehicles reducing the need for these to stand on School Lane. Conflicting information has been submitted to demonstrate that there is a reasonable prospect of the applicant being able to implement this turning facility and without adversely affecting trees on the adjacent land. The proposal is therefore contrary to Policy 2 of the Joint Core Strategy and Policy IMP8 of the South Norfolk Local Plan.
8. **Appl. No**: 2012/0913  
**Parish**: HETHERSETT

Applicants Name: Wash Properties Ltd  
Site Address: Cedar Court Norwich Road Hethersett Norfolk NR9 3FN  
Proposal: Change of use of ground floor office suites to 3 x 2 bedroom flats.

Recommendation: Approve with Conditions

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 03: Supporting a prosperous rural economy

1.2 Joint Core Strategy  
Policy 5: The Economy

1.3 South Norfolk Local Plan  
EMP 7: The retention of rural employment and services (Part  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity

2. **Planning History**

2.1 2004/0117/F Redevelopment of former garage site to residential flats and ground floor offices  
Approved

3. **Consultations**

3.1 Parish Council: Refuse  
- Loss of employment/office space within the village

3.2 District Member:  
Cllr Bills: To be reported if appropriate  
Cllr Dale: To be reported if appropriate

3.3 NCC Highways: No objections

3.4 Planning Policy: No comments received

3.5 Local Residents: No comments received from local residents

4. **Assessment**

4.1 The proposal is for the change of use of existing ground floor offices to flats. The existing building is within the Development Limits of Hethersett and forms part of the redevelopment site of a former garage constructed in phases. The site which is the subject of this application was constructed in 2007. The ground floor comprises of 192m2 of office space with 4 flats above. Parking space is provided to the rear of the site.

4.2 Policies in the JCS, Local Plan and requirements of the NPPF seek to ensure that proposals are for an appropriate use, are of good design and do not adversely affect the vitality and viability of the area, or have an adverse impact on the residential 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.
4.3 Policy EMP7 seeks the retention of rural employment services, and only permits the loss of rural employment premises if the building is no longer suitable for employment use, that existing or previous uses has/are having a detrimental impact on the residential amenities of neighbouring properties, and that the retention of the site for employment use has been fully explored without success.

4.4 In this instance it is evident that the use of the ground floor space is compatible with first floor residential use so there is no issue in terms of policy on this point. While it would be desirable to retain employment space within the village of Hethersett, the owner of the site has demonstrated through documentation included with the application, that both offices have been advertised widely, at an appropriate price for a considerable duration of time. The details of the premises have been sent to 69 applicants with matching requirements. While the marketing agent has accompanied a total of 5 viewings from a number of office operators, none of which resulted in any offers of lease terms. The marketing details have been assessed by the Council's Property Consultant who confirms that the property "has been properly marketed at a fair price for a reasonable period of time. The fact that it has not let is more a function of a poor market rather than the property or its price as any reasonable tenant would make an offer if they considered the asking rent too high. The price being asked compares favourably with other similar accommodation in the area namely Elm Farm Barns." From the evidence provided and the opinion of the Council's Property Consultant that the applicant has demonstrated that the site has been explored for the retention of employment without success, it is appropriate to find a suitable alternative use for the site. While I acknowledge the concern of the Parish Council, the test for the retention of the employment opportunity has been explored thoroughly by the applicant.

4.5 The application is to convert the existing office space to two, two bedroom flats and one, 2/3 bedroom flat. There remains adequate parking to the rear of the site and no objections are raised by the Highways Authority to the use of the site as residential. In terms of disturbance to the neighbouring properties, I consider that the alternative use as residential is compatible with other premises in the immediate vicinity.

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 EMP7, IMP8 and IMP9 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.

5.2 The retention of the existing offices is not financially viable. The potential to re-let the office space has been thoroughly explored without success, the most compatible use with the existing first floor flats is for the office space to be converted to residential. There is no change to the external appearance of the premises, and there is adequate parking to the rear of the site. The scheme as submitted complies with the requirements of policy EMP7.

Contact Officer, Telephone Number: Jacqui Jackson 01508 533837
and E-mail: jjackson@s-norfolk.gov.uk
9. **Appl. No**: 2012/1122  
**Parish**: ALBURGH

Applicants Name: Mr Nigel Bond  
Site Address: South Farm Alburgh Harleston IP20 0BS  
Proposal: Installation of a two micro scale wind turbines (14.97m to hub, 5.5m diameter blades, Evance R9000) or Installation of a two micro scale wind turbines (14.97m to hub, 5.6m diameter blades, HY5)

Recommendation: Refuse

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change

1.2 Joint Core Strategy  
Policy 3: Energy and water

1.3 South Norfolk Local Plan  
UTL 13: Renewable energy (Part Consistent)  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
IMP 10: Noise

2. **Planning History**

2.1 2012/1013 Installation of photovoltaic PV in ground mounted paddock area  
Approved

2.2 2011/0987 Erection of hanging sign  
Approved

2.3 2011/0986 Change of use to office and showroom  
Approved

2.4 2007/2370 Change of use from storage to a food preparation area, storage & office and retrospective planning permission for installation of 3 windows  
Approved

2.5 2007/0799 Change of use from storage to B1 use and retrospective planning permission for installation of 2 windows in the western elevation of the granary  
Withdrawn

2.6 2007/0475 Change of use of store to brewery shop selling bottled & draught beers and some locally produced foods  
Approved

2.7 2006/2372 Proposed change of use from temporary to permanent use of buildings for storage and repair of motor vehicles  
Approved

2.8 2006/0106 Conversion of dairy & storage buildings to a micro brewery  
Approved
2.9 2005/0647  Conversion of farm building to provide two workshops and storage area  Approved

2.10 2004/1910  Proposed change of use from agricultural building to storage and repair of motor vehicles  Approved

2.11 2002/1622  Change of use from agricultural building to let building for the storage of animal feeds & other non-hazardous substances  Approved

2.12 2000/1899  Change of use from dairy cubicle house to self livery stabling  Approved

2.13 1994/0610  Erection of general purpose agricultural building (Including winter cattle shelter)  Approved

2.14 1991/1604  Erection of agricultural dwelling.  Approved

3. Consultations

3.1 Parish Council  Refuse:
Effect on wildlife
Detrimental visual impact
Noise disturbance to neighbouring properties
Road safety issues
Precedent might be set

3.2 District Member  Originally requested the application to be determined by committee, however following the concerns raised is happy for the application to be refused under delegated powers

3.3 Landscape Officer  To be reported

3.4 Ministry of defence  No objections

3.5 Public Right Of Way  No objections

3.6 Conservation Officer  No objections
No harmful impact in respect of the setting of listed buildings

3.7 Environmental Services (Protection)  Refuse
Nearest property boundary to the nearest turbine is 94m and may give the potential for noise disturbance to occur
Strongly recommend that the turbines are moved further away and would object to the application in its present form.

3.8 Ecologist  Object:
• Insufficient information submitted in respect of ecology survey for Great Crested Newts and distance calculations from bat habitat feature.

3.9 Environment Agency  No comments

3.10 NCC Highways  No objections
3.11 Local Residents  
10 letters of objection and a joint letter from the residents of Piccadilly Corner with 14 signatures:
- Detrimental to the unique landscape
- Inappropriate structures to site so close to the village
- Noise disturbance and shadow flicker
- Detrimental impact of wildlife
- Visual nuisance would be detrimental to public safety
- Detrimental impact on tourism with the destruction of visual aspects of this truly beautiful area
- Request members of the planning committee visit the site
- Devalue property
- Impact on health of residents
- Could be sited elsewhere on the farm
- Detrimental impact on listed buildings
- The economy of the village benefits from visitors this would adversely impact it

4. Assessment

4.1 This application seeks consent for the erection of two wind turbines to the west of the South Farm complex. The agent has put forward two designs of turbine so that the Council can choose which one we prefer. Due to the location of the turbines the Quite Revolution is the preferred turbine due to design of the blades, which is less bulky than the Evance. Therefore the turbine will be 14.97 metres to the hub and 17.77 metres to the tip of the blades. The tower is a grey colour and the blades are white. The proposal is to provide Red House Farm with a sustainable and efficient electrical energy with an expected annual carbon saving of 8.32 tonnes and annual energy of 17.16 MWhT.

4.2 The National Planning Policy Framework, Part 10 Meeting the challenge of climate change, flooding and coastal change supports and promotes the use and supply of renewable and low carbon energy.

4.3 Policy 3 of the Joint Core Strategy sets out that development will where possible aim to maximise the use of decentralised and renewable or low carbon energy sources and sustainable construction technologies. Policy UTL 13 of the Local Plan promotes renewable energy projects provided that the benefits are not outweighed by demonstrable harm to the locality in terms of visual intrusion, noise or the safe and free flow of traffic.

4.4 There have been objections raised by local residents and the parish council as set out above. Whilst the concerns are fully appreciated, in view of the highway officers and the conservation officer raising no objections, the proposal could not be refused on highway safety or impact on listed buildings. On balance, I recommend that whilst the proposed turbines subject to this application will be visible, I do not feel the proposal would have such an adverse impact on the character of the surrounding countryside, to warrant refusal on this ground.

4.5 The environmental health officer has raised objections due to the fact that the nearest residential property Piccadilly Cottage boundary is 94 metres from turbine 1. During the day background noise levels will increase due to factors such as traffic, industrial and farming activity. The data provided suggests that the turbine noise levels could have a marginal influence on the background levels over the day period at the nearest property, however during night times the background levels will normally reduce and the data indicates that they are particularly low between midnight and 0330. It is therefore during those times the noise of the turbines will be heard over the normal background noise levels within the nearest residential property curtilage. It is therefore considered that the proposed turbines would give rise to a situation detrimental amenities of the occupiers of Piccadilly Cottage via noise disturbance, contrary to policy IMP9 Residential amenity of The South Norfolk Local Plan 2003.
5. Reasons for Refusal

5.1 The nearest residential property Piccadilly Cottage boundary is 94 metres from turbine 1. During the day background noise levels will increase due to factors such as traffic, industrial and farming activity. The data provided suggests that the turbine noise levels could have a marginal influence on the background levels over the day period at the nearest property, however during night times the background levels will normally reduce and the data indicates that they are particularly low between midnight and 0330. It is therefore during those times the noise of the turbines will be heard over the normal background noise levels within the nearest residential property curtilage. It is therefore considered that the proposed turbines would give rise to a situation detrimental amenities of the occupiers of Piccadilly Cottage via noise disturbance, contrary to the policy IMP9 Residential amenity of The South Norfolk Local Plan 2003.

5.2 In the absence of an ecological survey to ascertain if the land provides habitat for protected species such as Great Crested Newts, it is considered that insufficient information has been received by the Local Planning Authority to adequately assess their possible impacts the development would have on the habitat of protected species contrary to policies ENV14 Habitat Protection and ENV15 Species Protection of the South Norfolk Local Plan 2003.

Contact Officer, Telephone Number and E-mail: Claire Curtis 01508 533788 ccurtis@s-norfolk.gov.uk
10. **Appl. No**: 2012/1308 \hspace{1em} **DEFERRED**

**Parish**: TOPCROFT

- **Applicants Name**: Ms A Noakes
- **Site Address**: Puffa Meadow Rectory Road Topcroft Norfolk NR35 2BP
- **Proposal**: Retrospective application for change of use to permit horses, ponies, and donkeys to be kept on the site and permission to retain caravan used to store animal feed and bedding

**Recommendation**: Approve with conditions

1. In accordance with amendments
2. Removal of manure
3. No commercial use
4. Full details of external lighting

1. **Planning Policies**

1.1 National Planning Policy Framework
   - NPPF 11: Conserving and enhancing the natural environment

1.2 Joint Core Strategy
   - Policy 2: Promoting good design

1.3 South Norfolk Local Plan
   - LEI 14: Keeping of horses for recreational purposes (Part Consistent)
   - IMP 9: Residential amenity

2. **Planning History**

2.1 No relevant history

3. **Consultations**

3.1 Parish Council
   - **Revised drawings**
     - Site totally unsuitable for siting of a caravan which will became permanent and used for residential use
     - Sewage and dirty water run off has not been addressed
     - Land floods making it unsuitable for animal use in winter
     - Issue of manure storage has not been addresses
     - Shed should be used for storage rather than a caravan
     - Applicant sort to mislead planning authority by admitting buildings
     - No permission was gained for existing building on the site

   - **Original proposal**
     - Refuse
     - A caravan is not suitable for feed or bedding storage
     - Concerns regarding number of livestock and whether site is suitable for this number
     - Consider plans are incomplete as do not show existing buildings on site

3.2 District Member
   - Can be delegated

3.3 Environmental Services (Protection)
   - Support conditionally
3.4 NCC Highways  Does not wish to restrict the grant of permission

3.5 Local Residents  9 letters received
5 of which have no objection to the use of the land
All letters raise objections to the retention of the caravan

- Full support of the use
- Application misleading as does not include all development taken place on the land
- Do not approve of a caravan - Concern if land is sold on other people may keep caravans
- Caravan may be used for accommodation if needs arise or circumstances change
- Understand the caravan is being used for accommodation on an occasional basis
- Wholly opposed to caravan irrespective of intended use as granting such permission could pave the way for a larger caravan site which would be alien to our local environment and amenity
- Caravan not in keeping with rural setting - already very large metal container adjacent to caravan more than ample for food storage
- Allowing a caravan could create a precedent for any future owner of the land having a legal right to a caravan
- If permission granted should be restriction to prevent caravan from being used as accommodation at any time
- Further shed or barn would satisfy the need for further hay or feed storage rather than a caravan
- No concerns about additional storage but do not feel a caravan is necessary or appropriate for this
- Adequate buildings on site for storage
- Concerned about number of animals and fowl
- Ask for a restriction on numbers of animals kept on the land
- The number of structures on the site are slowly and irreversibly changing the character of the site from a pleasant agricultural field to an untidy, unsightly collection of random buildings and structures

4. Assessment

4.1 The application relates to an 'L' shaped piece of land, approximately 2.835 Hectares. The site is well screened from the road and in wider views by mature hedging and trees, which also run along the south and west boundaries of the adjacent site, Manor Farm, with the dwelling being, at its closest point, approximately 30 metres away.

4.2 The site is currently being used to keep livestock, horses, ponies and donkeys. In 2007 it was divided into areas by stock fencing, and 3 stables were erected, along with a small number of other small wooden structures. In addition, a metal shipping container and touring caravan were brought onto the land for storage.

4.3 Planning permission is required for the use of the land to include the keeping of livestock, horses, ponies and donkeys. The wooden structures and metal container, however, have been on the land for more than 4 years and are therefore immune from any planning enforcement action. With regards to the caravan, although it is being used in association with the permitted agricultural use of the land, it is also being used for storage in association with the horses, ponies and donkeys which, at present, do not benefit from planning permission.
4.4 The application is assessed against policies IMP9 and LEI14, where the keeping of horses for recreational purposes is permitted provided the proposal does not have an adverse effect upon the character of the landscape, wildlife habitat, highway safety and residential amenity. 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 LEI14 is only partially consistent as the NPPF is less restrictive.

4.5 The main issue with this application is the intended use of the caravan on the site and concerns have been raised that, if permitted, its current use as storage could change to accommodation. The caravan is a small touring type, in not particularly good order. At the time of my site visit, it was quite clearly being used for storage of animal feed and bedding, and not for living accommodation, although the applicant has confirmed that she has spent some nights at the site when there have been sick animals. If Members are minded to approve the application, it would not permit the caravan to be used for anything other than that in association with the use of the land, and not for residential accommodation. Any change in the use would require a further planning application. Given its siting immediately adjacent to the hedgerow along the northern boundary, I do not consider the caravan has such an adverse impact on the existing landscape to justify recommending refusal.

4.6 As part of the assessment of this application I have also visited the property immediately adjacent to the application site, Manor Farm, in order to assess the visual impact of the development from the rear garden of this dwelling, and whilst I acknowledge the concerns of the neighbour, given the distance between the dwelling and the site, and the amount of screening along the mutual boundaries, the development does not result in an adverse impact to the existing residential amenities enjoyed by the occupiers of Manor Farm.

4.7 Concerns have also been raised regarding the number of animals on the land, however, this is not a material planning consideration.

4.8 Although it is unfortunate that a retrospective application has been sought, the scale of development on the site is commensurate with the size of the plot and the keeping of the animals is neither unusual nor inappropriate in this context either. It is my opinion that the form and size of the structures are acceptable in this location too. The development accords with the above-mentioned policies and does not adversely affect the character of the landscape, wildlife habitat, highway safety or residential amenity.

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 LEI14—Keeping of horses for recreational purposes, IMP9—Residential amenity and IMP8—Safe and free flow of traffic of the South Norfolk Local Plan. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework. Policy LEI14 is only partially consistent as the NPPF is less restrictive.

5.2 The development accords with the above policies as it does not adversely affect the setting of the site, the character of the surrounding local landscape, important wildlife habitats, highway safety, or the residential amenity of the neighbouring residents to a material degree.

Contact Officer, Telephone Number and E-mail: Rachel Flaxman 01508 533960 rflaxman@s-norfolk.gov.uk
Report of The Development Control Services Manager

1. Background

1.1 It has been brought to the Council’s attention that a number of the planning conditions and the associated Section 52 agreement on planning approval 07/90/0585/CU ‘Use of building as a Blacksmiths Forge’ are being breached.

1.2 Following investigations the owners have confirmed that the following conditions are being breached:

1.3 Condition 4) There shall be no external storage of any materials, manufactured goods or other objects.

Condition 8) No preparation, manufacturing or finishing of materials or products shall take place outside.

Condition 9) The use of the premises shall be limited to 08:00 to 18.00 Monday to Friday and 08:30 to 13:00 on Saturdays. These premises shall not be used on Sundays or Bank Holidays.

The owners of the site have been invited to do one of the following; submit a planning application, a Certificate of Lawful Development or cease the unauthorised use. The owners have chosen not to do any of these options but have provided substantial evidence to support their assertion that the breaches of Planning Control have taken place for more than 10 years, therefore making the breaches exempt from enforcement action and in effect lawful.

1.4 It has been alleged there are other conditions that are being breached, namely:

Condition 2) Notwithstanding the provisions of Article 3, Schedule 2, Part 3 of the Town and Country Planning General Development Order 1987, the use hereby permitted shall be limited to a forge for the manufacture of light metal goods.

Condition 7) Space shall be made available at all times for the parking of a minimum 2 cars at the premises.

Condition 10) A noise level L90 41 dB (A) 30 minute, Leq 50 dB (A) 30 minute period shall not be exceeded at any boundary of the premises.
Condition 12) No deliveries to and from the premises shall take place outside of the permitted hours of working.

Following investigations no evidence has been found to support the assertion that these Conditions are being breached.

1.5 There is also a Section 52 legal agreement attached to the permission (which is the same as what is now known as a Section 106 agreement). It has also been alleged that the owners are in breach of the obligations in this agreement. In particular sections 4 and 5 which state:

(4) Not to erect, construct, make any addition, removal or other alteration to (whether structural, decorative or otherwise) nor to permit or suffer or cause to be permitted the land or any part thereof to be altered in any way which affects or is likely to affect its external appearance (including its curtilage) without the prior written approval of the Council under the hand of the Planning Officer.

(5) Not to permit or suffer or cause to be permitted coach parties to visit the land at any time nor to invite members of the public to the land to view the workings of the Blacksmiths Forge without the written approval of the Council under the hand of the Planning Officer.

We have no evidence there is any material breach of section 4.

Evidence provided suggests that members of the public do visit the site to view the working of the Forge. As stated above this should be agreed in writing with Planning Services. The owners of the site will be invited to do so, to regularise the situation.

2. Consultations

2.1 Parish Council: There has been no change in the operations of the Forge in the last 10 Years. Light work has always been carried out within the grounds of the Forge and materials stored outside. We cannot confirm hours of the business as none of them reside next to the Forge.

2.2 District Member: Knowledge of the site begins in 2007 so unable to comment on the use of the site for the 10 year period. Having considered the various documents submitted by the owners I have no reason to disbelieve the statements made.

2.3 Local Residents: One comment received
- Having looked at the supporting documents provided the alleged Breaches have become immaterial due to continued use.

3. Assessment

3.1 If a planning condition has been breached for more than 10 years it becomes exempt from enforcement action and is effectively lawful, regardless of the planning merits of the situation. In this instance what has to be considered is whether the evidence provided shows that on the balance of probability that conditions 4, 8 & 9 have been breached for in excess of 10 years.
3.2 The evidence provided by the applicants supports their assertion that the 3 conditions have been breached in excess of 10 years.

3.3 A consultation has been carried out inviting the local residents, the Parish Council and local member to comment on whether they have any information which supports or contradicts the assertion by the owners that the conditions have been breached for more than 10 years.

3.4 It should be noted that the Council do have the option of issuing a Discontinuance Order to revoke the original permission and could then issue a fresh permission with new or repeat conditions added. However, this can be challenged by the owners of The Forge at a public inquiry and if successful could result in compensation being paid by the Council for any losses incurred by the owners. In this instance it is not considered there is sufficient evidence to demonstrate the breaches of the conditions are having such a detrimental impact on the locality or residential amenities of nearby properties that a Discontinuance Order should be pursued. However, if in the future there is further information or evidence to demonstrate the breaches do have a detrimental impact on the locality and residential amenities of nearby properties the Discontinuance Order option will still be available for the Council to pursue.

3.5 Given the submitted information supporting the owners assertions and that we have no evidence to the contrary I consider that on the balance of probability the breaches have taken place for more than 10 years and therefore exempt from enforcement action. I therefore recommend that no further action be taken in relation to the breach of conditions 4, 8 & 9 of Planning Approval 07/90/0595/CU.

4. Recommendation

4.1 That subject to legal advice no further action be taken in relation to conditions 4, 8 & 9 of Planning Approval 07/90/0595/CU.
Development Management Committee 7 November 2012

2. Enforcement Ref : 2011/8320
Parish : COSTESSEY
Site : 12a Woodlands Road, Costessey NR5 0NA
Development : Standing of a Horsebox within residential Curtilage
Developer : Ms H Moore

1. Background

1.1 It has been brought to the attention of the Council that a horsebox vehicle is being parked within the front garden of the above property.

1.2 The two storey house is in a residential street in Costessey, the street consists of houses and bungalows.

1.3 The occupants/owners of the house have completed a Planning Contravention Notice and stated that they use the horsebox vehicle once or twice a week in connection with hobby and leisure use. The vehicle is not used in connection with any business use. The Enforcement Officer has visited the site a number of times and not seen the vehicle parked there on every occasion.

2. Planning Policies

2.1 South Norfolk Local Plan
IMP8 – Safe and Free Flow of Traffic
IMP9 – Residential Amenity

3. Consultations

3.1 Neighbours: Totally inappropriate to the property and to the road and view is blighted
Other vehicles have to park on the road
Spoils the lovely view
Devaluation of property
Parked dangerously near to electricity pole
Noise when starting up vehicle

4. Assessment

4.1 Although the standing of the horsebox vehicle within the residential curtilage of the property is considered to be a material change of use of that property it is considered that the change of use is very minor.

4.2 It could be considered that the parking of the vehicle on the property is un-neighbourly but the vehicle could be parked on the highway directly outside the property over which the Council would have no control and is likely to cause a highway problem and may affect highway safety for other road users. Parking on the highway could also affect the visual amenity of the area to a greater extent.

4.3 Other properties in the surrounding streets have works vehicles of similar sizes parked at them and the Council do not have control over them, it is of a similar size to a camper van or large caravan which are standing within the curtilage of many properties and the again Council would have no control over them.

5. Recommendation

5.1 That providing the use of the vehicle remains for hobby and leisure use only, no further action is taken on this matter.
3. Enforcement Ref : 2012/8229  
Parish : BRACON ASH  
Site : Rosemary House, Cuckoofield Lane, Bracon Ash, NR14 8EJ  
Development : Mixed Business/Residential Use of Dwelling  
Developer : Mr P Mickleburgh

1. Background

1.1 It has been brought to the attention of the Council that the above address is being used to conduct a business in connection with the restoration and repair of motor vehicles.

1.2 The site has been investigated five times since 2007 and no evidence of any business being run from the site has been found. The owner of the property has a hobby which does involve the restoration of old motor vehicles from his home address.

1.3 In 2008 an Enforcement Notice was served on the owner of the site requiring him to reduce the number of vehicles on the site to a maximum of 6. He was successfully prosecuted on 2010 for breaching the terms of that Enforcement Notice and no further breaches have been found.

1.4 The property is a detached house surrounded by a high fence on the outskirts of the village, has neighbours on one side and is at the end of a small cul-de-sac and is bordered on two sides by the highway.

2. Planning Policies

2.1 South Norfolk Local Plan  
IMP9 – Residential Amenity

3. Assessment

3.1 Although there are a number of vehicles on the site no breach of the Enforcement notice has occurred. The number of vehicles parked outside the property in the cul-de-sac, which appear to be under the control of the owner of the property, varies from none to five at any one time and the Council do not have any control over this parking.

3.2 No evidence has been found during the investigations into the site and no evidence has been offered by the complainants of any business use of the property.

4. Recommendation

4.1 That due to the lack of evidence regarding the alleged use of the site no further action is taken unless the Council is in possession of substantial evidence of such a breach.