Agenda

Date
Wednesday 19 June 2013

Time
10.00 am

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

Contact
Caroline Heasley  tel (01508) 533685
South Norfolk District Council
Swan Lane
Long Stratton Norwich
NR15 2XE
Email: democracy@s-norfolk.gov.uk
Website: www.south-norfolk.gov.uk

PLEASE NOTE that any submissions (including photos, correspondence, documents and any other lobbying material) should be received by the Council by noon the day before this meeting. We cannot guarantee that any information received after this time will be brought to the Committee’s attention.

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 to 9, and arrive at 1.30pm if you intend to speak on items 10 to 20.

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.
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 meeting of the Development Management Committee held on 22 May 2013; (attached – page 9)

5. Planning Applications and Other Development Control Matters; (attached – page 21)
   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>2013/0092/O</td>
<td>LITTLE MELTON</td>
<td>Land South Of Ringwood Close Little Melton</td>
<td>25</td>
</tr>
<tr>
<td>2</td>
<td>2012/1836/O</td>
<td>LITTLE MELTON</td>
<td>Land North Of Gibbs Close Little Melton</td>
<td>36</td>
</tr>
<tr>
<td>3</td>
<td>2013/0086/O</td>
<td>LITTLE MELTON</td>
<td>Land South East Of The Gardens Mill Road Little Melton</td>
<td>45</td>
</tr>
<tr>
<td>4</td>
<td>2011/0152/O</td>
<td>TROWSE WITH NEWTON</td>
<td>The Deal Ground And Former May Gurney Site The Street Trowse</td>
<td>56</td>
</tr>
<tr>
<td>5</td>
<td>2013/0385/F</td>
<td>DISS</td>
<td>Former Cartco Transport Yard Victoria Road Diss Norfolk</td>
<td>133</td>
</tr>
<tr>
<td>6</td>
<td>2013/0566/F</td>
<td>DISS / ROYDON</td>
<td>Land Straddling The Boundary Of Diss &amp; Roydon Between Roydon Road / Old High Road And Denmark Lane</td>
<td>141</td>
</tr>
<tr>
<td>7</td>
<td>2013/0414/F</td>
<td>DISS</td>
<td>Diss Cricket Club Rectory Meadow Diss Norfolk IP22 4HA</td>
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<td>8</td>
<td>2012/2263/F</td>
<td>SHOTESHAM</td>
<td>Land South Of Greenhill The Common Shotesham Norfolk NR15 1YD</td>
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<td>9</td>
<td>2012/2268/CA</td>
<td>WYMONDHAM</td>
<td>29 Pople Street Wymondham Norfolk NR18 0PS</td>
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<td>10</td>
<td>2013/0282/F</td>
<td>CHEDGRAVE</td>
<td>The Pits Play Area Hardley Road Chedgrave Norfolk  NR14 6NF</td>
<td>163</td>
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<tr>
<td>11</td>
<td>2013/0499/O</td>
<td>WYMONDHAM</td>
<td>Land Between 55 And 57 Norwich Common Wymondham Norfolk</td>
<td>167</td>
</tr>
<tr>
<td>12</td>
<td>2013/0522/CU</td>
<td>HADDISCOE</td>
<td>The Old Chapel Low Road Haddiscoe Norwich NR14 6PJ</td>
<td>171</td>
</tr>
<tr>
<td>Item No.</td>
<td>Planning Ref No.</td>
<td>Parish</td>
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<tr>
<td>13</td>
<td>2013/0544/H</td>
<td>CRINGLEFORD</td>
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<td>14</td>
<td>2013/0596/H</td>
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<td>2 Mill Close Poringland Norfolk NR14 7JP</td>
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<td>15</td>
<td>2013/0599/F</td>
<td>PORINGLAND</td>
<td>Land At Mill Close Poringland Norfolk</td>
<td>181</td>
</tr>
<tr>
<td>16</td>
<td>2013/0638/F</td>
<td>PORINGLAND</td>
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<td>2013/0655/O</td>
<td>CRINGLEFORD</td>
<td>Land North West And South East Of Newfound Farm Colney Lane Cringleford Norfolk</td>
<td>190</td>
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<tr>
<td>18</td>
<td>2013/0658/CU</td>
<td>TOFT MONKS</td>
<td>Former Distafruit Premises Pound Lane Toft Monks Norfolk NR34 0EX</td>
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<td>19</td>
<td>2013/0713/F</td>
<td>PORINGLAND</td>
<td>Land South Of 40 The Street Poringland Norfolk NR14 7JT</td>
<td>199</td>
</tr>
<tr>
<td>20</td>
<td>2013/0734/RVC</td>
<td>MULBARTON</td>
<td>Unit 2 The Common Mulbarton Norfolk NR14 8AE</td>
<td>203</td>
</tr>
</tbody>
</table>

6. **Sites Sub-Committee;**

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

7. **Planning Appeals (for information)**

   (attached – page 207)

8. **Date of next scheduled meeting** – Wednesday 17 July 2013
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.

Please note: In accordance with the Council’s constitution no one may make photographs, film, video or other electronic recordings of the meeting without the Chairman’s consent
## HEALTH AND SAFETY INFORMATION

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

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

<table>
<thead>
<tr>
<th>A</th>
<th>Advert</th>
<th>G</th>
<th>Proposal by Government Department</th>
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<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>
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<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>
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<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**

<table>
<thead>
<tr>
<th>S.P</th>
<th>Structure Plan</th>
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<tbody>
<tr>
<td>S.N.L.P</td>
<td>South Norfolk Local Plan</td>
</tr>
<tr>
<td>P.D</td>
<td>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).</td>
</tr>
<tr>
<td>J.C.S</td>
<td>Joint Core Strategy</td>
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<tr>
<td>N.P.P.F</td>
<td>National Planning Policy Framework</td>
</tr>
</tbody>
</table>
DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<table>
<thead>
<tr>
<th>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</th>
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</table>

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<tr>
<th>Does the interest directly:</th>
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<tbody>
<tr>
<td>1. affect yours, or your spouse / partner’s financial position?</td>
</tr>
<tr>
<td>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</td>
</tr>
<tr>
<td>3. Relate to a contract you, or your spouse / partner have with the Council</td>
</tr>
<tr>
<td>4. Affect land you or your spouse / partner own</td>
</tr>
<tr>
<td>5. Affect a company that you or your partner own, or have a shareholding in</td>
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</tbody>
</table>

If the answer is “yes” to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

<table>
<thead>
<tr>
<th>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</th>
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</thead>
</table>

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

<table>
<thead>
<tr>
<th>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</th>
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<table>
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<tr>
<th>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</th>
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</table>

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF. PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE.
What matters are being discussed at the meeting?

Do any relate to an interest I have?

A Have I declared it as a pecuniary interest?

OR

B Does it directly affect me, my partner or spouse’s financial position, in particular:
   - employment, employers or businesses;
   - companies in which they are a director or where they have a shareholding of more than £25,000 face value or more than 1% of nominal share holding
   - land or leases they own or hold
   - contracts, licenses, approvals or consents

The interest is pecuniary – disclose the interest, withdraw from the meeting by leaving the room. Do not try to improperly influence the decision.

If you have not already done so, notify the Monitoring Officer to update your declaration of interests.

The interest is related to a pecuniary interest. Disclose the interest at the meeting. You may make representations as a member of the public, but then withdraw from the room.

Does the matter indirectly affects or relates to a pecuniary interest I have declared, or a matter noted at B above?

The Interest is not pecuniary nor affects your pecuniary interests. Disclose the interest at the meeting. You may participate in the meeting and vote.

Have I declared the interest as an other interest on my declaration of interest form? OR

Does it relate to a matter highlighted at B that impacts upon my family or a close associate? OR

Does it affect an organisation I am involved with or a member of? OR

Is it a matter I have been, or have lobbied on?
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Growth and Localism

Key to letters included within application reference to identify application type – e.g. 2013/0001/A – Application for consent to display and advert

A  Advert                          G  Proposal by Government Department
AD  Certificate of Alternative Development  HZ  Hazardous Substance
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Key to abbreviations used in recommendations

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J.C.S  Joint Core Strategy
Applications referred back to Committee

Briefing Note and Introduction for the following three reports on applications 2012/1836/O, 2013/0086/O and 2013/0092/O at Little Melton.

Site Address:
- 2012/1836: Land North Of Gibbs Close Little Melton Norfolk
- 2013/0086: Land South East Of The Gardens Mill Road Little Melton Norfolk
- 2013/0092: Land South Of Ringwood Close Little Melton Norfolk

Proposal:
- 2012/1836: Outline application for residential development (20 Dwellings) and associated infrastructure works
- 2013/0086: Outline application including means of access for residential development and ancillary works
- 2013/0092: Outline application for up to 20 residential units and associated highways works with all matters reserved

Updates since 22 May 2013 Development Management Committee:
(the original report is reproduced below).

Site Panel Minutes:
The meeting was attended by: Cllrs D Blake (Chair); M Edney; F Ellis; C Gould; C Kemp; N Legg; V Bell; L Dale; and Y Bendle (for site 1 only). The Councils Senior Planning Officer (West); Norfolk County Council Highways Engineer; Chair of Little Melton Parish Council; applicants and agents for all three applications; and some members of the public were also in attendance.

Everyone met at the Village Hall car park. The panel visited the three sites in order then walked down Mill Road and visited the crossroads. The site panel ended at the cross roads. The whole site visit was carried out on foot.

At Site 1 Ringwood Close 2013/0092 noted: west boundary; View towards church; Dwellings parking and access on Ringwood Close; Vegetation on site; Location of Great Melton Road; and dwellings neighbouring site.

At junction of Ringwood Close and Mill Road noted: extent of proposed 20mph limit and country authority required for this were explained to Members.

At Site 2 Gibbs Close 2012/1836 noted: Boundaries; access; neighbouring dwellings; location of pond; and location of proposed ecological buffer.

At Site 3 The Gardens 2013/0086 noted: access - vehicle and pedestrian; surrounding dwellings; mill tower; boundaries; and location of proposed drainage. Bingham Hall explained the drainage proposal as it affects Mill Road. Parish Chair pointed out area of Mill Road floods and volume of traffic visiting the Village Hall.

Along Mill Road noted: pinch point on Mill Road.

At crossroads: Norfolk County Council Engineer explained the County Highways concerns with the cross roads junction.
Policy Background:
The consultation on the Preferred Option for 20 dwellings has now closed. 5 representations were received, briefly as follows:

- site not able to meet housing requirement, suggest alternative site off Burnthouse Lane;
- concerns about traffic and drainage;
- support from preferred site owner;
- objection from Gibbs Close land owner;
- Parish Council have suggested a split allocation across the preferred option site and the site the subject of application ref 2012/1836.

Additional response from English Heritage following closure of consultation: see updates to 2013/0092 report.


1. Policy Background.

1.1 Little Melton is classed as a Service Village in the Joint Core Strategy (JCS). The JCS allocates Little Melton 10-20 dwellings plus consideration of additional development to help deliver the smaller sites NPA allowance. During the early stages of the Site Specific Allocations a group of sites for 50 dwellings were identified based on advice received from NCC Highways to allow a comprehensive transport masterplan. This group of sites formed the basis of the Preferred Options consultation in autumn 2012.

During the consultation NCC Highways made a more detailed assessment of the options and concluded that Mill Road and the Mill Road / Burnthouse Lane crossroads can only accommodate a further 20 dwellings (see below). This limits the total scale of development off Mill Road.

The sites in Little Melton have been reconsidered and a Preferred Option for 20 dwellings has been identified (part of the Ringwood Close site), and this is currently out for consultation until 5pm on 22 May.

2. Comments from NCC Highways

2.1 Constraints on local highway network that will limit scale of development. School Lane/Burnthouse Lane junction side road visibility is substandard on both side road junctions, particularly to west where a property wall and hedge reduces drivers’ view.

2.2 In principle it is possible to improve visibility, but third party land would be required. In the absence of junction improvements, the allocation should be constrained to 20 dwellings to avoid unacceptable increases in traffic on School Lane/Burnthouse Lane junction.

2.3 Any proposal beyond a maximum of 20 dwellings should include:

1. Improved visibility to the side roads that gain access on to the priority route at School Lane/Burnthouse Road/Mill Road/Great Melton Road junction;
2. Mill Road carriageway widened to 4.8m to provide adequate passing provision;
3. 1.5m wide continuous footway on Mill Road on at least one side;
4. 20mph speed limit on Mill Road; and
5. Resolution and accommodation of surface water drainage deficiencies in Mill Road.
2.4 Approval of any of the applications will contribute to additional traffic movements that will be detrimental to pedestrian safety and flow along Mill Road and generate additional traffic movements at School Lane/Burnthouse Lane/Mill Road/Great Melton crossroad increasing potential for traffic accidents.

2.5 Unlikely to object to where the total number of dwellings is limited to 20 units and where drainage and other issues are resolved. Any development above this number should be conditional upon the provision of items 1 to 5 above.

3. Comment

3.1 All the sites are located outside the saved SNLP adopted Development Limit for Little Melton. Applications for planning permission are determined in accordance with the adopted Development Plan unless other material considerations indicate otherwise, including the presumption in favour of sustainable development where the Development Plan is out of date (including where the Plan does not identify a 5 year residential land supply as is currently the case in the Norwich Policy Area).

3.2 The Site Specific Allocations and Policies DPD Proposed Amendments to Preferred Options that is currently out to consultation has concluded that all three Little Melton sites under determination are acceptable in principle, but a preferred site for 20 dwellings in Little Melton (site 619a, the northern part of the Ringwood Close site) has been identified.

3.3 The Site Specific Allocations and Policies DPD has not reached the Pre-Submission stage, so little weight can be given to the document in the determination of the three Little Melton applications. However the assessment of the sites undertaken is a material consideration.

3.4 The cumulative impact of development in terms of highway safety is set out above in the NCC Highways comments. The constraints resulting from the poor quality of the highways and the crossroads junction do not appear to be easily remedied. The necessary widening and other improvements would require additional land from private owners. While a comprehensive improvement scheme might be possible, this would be likely to take a considerable time to achieve and in the current land supply situation it is appropriate to determine the applications as soon as possible. In the absence of the more extensive highway improvements, the highway advice is that no more than 20 additional dwellings should be approved with access via Mill Road.

3.5 Because there is not currently a 5 year land supply in the Norwich Policy Area, the refusal of any of the applications purely on the basis that the site falls outside the current adopted Development Limit would be difficult to justify.

3.6 The following three reports assess the site specific merits of each application. It is usually the case that each planning application is considered solely on its own merits and the relative merits of other sites is not a material consideration. An unusual situation has arisen in this case however, where we have three applications before us, but highway constraints suggest that no more than one of them (20 dwellings) should be approved. In these particular circumstances it is reasonable to assess the relative merits of the three sites at the same time and to choose which one (if any) is preferred for approval. The other two then fall prey to the highway capacity constraint.

3.7 Having considered the merits of each case and being restricted to a limit of 20 dwellings, marginally and on balance, 2013/0092 (Ringwood Close) is being recommended for approval by Officers. However, Members are advised to consider the merits of all three applications before deciding which (if any) should be approved.
1. **Appl. No:** 2013/0092/O  
   **Parish:** LITTLE MELTON

   **Applicant’s Name:** Mrs J Grady  
   **Site Address:** Land South Of Ringwood Close Little Melton Norfolk  
   **Proposal:** Outline application for up to 20 residential units and associated highways works with all matters reserved

   **Recommendation:** Approval with Conditions  
   1. Outline permission time limit  
   2. Reserved matters  
   3. In accordance with submitted drawings  
   4. External materials to be agreed  
   5. Slab level to be agreed  
   6. Location of existing trees on site (outline)  
   7. Boundary treatment to be agreed  
   8. Full details of external lighting  
   9. Water efficiency  
   10. Surface water drainage scheme  
   11. Contaminated land  
   12. Retention of vegetation along western boundary  
   13. Further reptile surveys  
   14. Ecological management plan  
   15. Maintenance of amenity areas/structural landscaping  
   16. Construction work  
   17. Tree protection  
   18. Fire Hydrant  
   19. Detailed plans for roads and footways  
   20. Construction of roads and footways  
   21. 20mph speed limit along Mill Road

Subject to a S106 legal agreement for:  
Affordable housing; County monitoring charge; Primary and High School provision; Library; Maintenance of biodiversity areas and Play space

**Updates since 22 May 2013 Development Management Committee:** (the original report is reproduced below).

**Site Panel:**  
Set out in Introductory Report.

**Representations:**  
Comments on the ecological submission and assessment submitted on behalf of the applicant for application ref 2012/1836 raising concerns about the impact of the proposal on ecological interests.

**Consultations:**  
Planning Policy: Additional response from English Heritage following closure of consultation on Preferred Option for 20 dwellings. Application is in outline without the benefit of much supporting information. Not possible to assess whether proposal would result in harm to the significance of the church’s setting. Application does not contain sufficient information to address this matter to the full requirements of NPPF para. 128. In the event that the LPA is minded to approve the outline application, expect to see conditions to safeguard the setting of the church. Including: boundary treatment along the west of the site; siting of dwellings and garages so that area adjacent to west boundary remains free of built form; maximum two storey height of dwellings.

**NCC Ecologist:** To be reported.
Parish Council: Submitted drainage information.

**Original Report**

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 11: Conserving and enhancing the natural environment
   - NPPF 12: Conserving and enhancing the historic environment
   - NPPF 10: Meeting the challenge of climate change, flooding and coastal change

1.2 Joint Core Strategy
   - Policy 1: Addressing climate change and protecting environmental assets
   - Policy 2: Promoting good design
   - Policy 3: Energy and water
   - Policy 4: Housing delivery
   - Policy 9: Strategy for growth in the Norwich Policy Area
   - Policy 15: Service Villages
   - Policy 17: Small rural communities and the countryside
   - Policy 20: Implementation

1.3 South Norfolk Local Plan
   - ENV 8: Development in the open countryside (Part Consistent)
   - ENV 9: Nationally and locally important archaeological remains (Part Consistent)
   - ENV 14: Habitat protection
   - ENV 15: Species protection
   - IMP 2: Landscaping
   - IMP 8: Safe and free flow traffic
   - IMP 9: Residential amenity
   - IMP 15: Setting of Listed Buildings
   - LEI 7: Open space provision in new development
   - UTL 14: Waste collection and recycling
   - TRA 1: Provision of pedestrian links
   - TRA 3: Provision of cycling facilities
   - TRA 17: Off site road improvements
   - TRA 19: Parking standards

1.4 Supplementary Planning Document
   - South Norfolk Place Making Guide 2012

2. **Planning History**

Some are part and some are all of the application site

2.1 1990/0286/O 12 Residential plots Refused
2.2 1986/0139/O 2 dwellings Refused
2.3 1983/2440/O Dwellings Withdrawn
2.4 1976/2919/O Residential Development Refused
3. Consultations

3.1 Parish Council

Original Submission:
- PC committed to minimizing scale of new development because of 2006 Parish Plan and inadequacy of roads within village.
- JCS designated 10 to 20 houses.
- Cannot understand why 68 proposed.
- Mill Road is a limiting factor.
- Highways have stated cross roads can only sustain 20 additional houses.
- PC considers Mill Road can only sustain 30 new houses in total.
- PC suggests only 15 houses on this site, only 10 before cross roads are improved.
- Submitted traffic forecasts do not accord with observed behaviour.
- Poor provision of public transport.
- High ratio of car ownership.
- Mill Road is single track in parts.
- Mill Road carries traffic to events at Village Hall, Church, Playing Field, Business Park, Hethersett.
- Events at these venues can coincide attracting 100 cars and causing traffic jams and parking problems.
- Mill Road poorly drained, prone to flooding and ice.
- Cumulative impact of development already approved at Hethersett and NRP.
- Concern about visibility, junctions, speed and volume of traffic exiting Little Melton at Rectory Lane and Green Lane.
- PC request funding from development to provide measures to discourage rat running via School lane.
- Mill Road should have 20mph speed limit.
- School, pub and shop have associated traffic problems.
- Concern about future maintenance of play areas, ecology buffers and open space.
- Should not have street lighting.
- Unacceptable burden on residents of Ringwood Close.
- Should be no provision for development on adjoining plots.
- An exit onto Great Melton Road for some houses would mitigate the effect on Mill Road and Ringwood Close.

3.2 District Member

To be reported if appropriate

3.3 Environment Agency

Original submission:
Object.
- FRA does not comply with paragraph 9 of NPPF Technical Guide.
- FRA fails to adequately consider infiltration drainage.
- Recommend condition regarding contaminated land
- Recommendations regarding sustainability

Revised proposal:
- Remove objection subject to condition regarding surface water drainage scheme
3.4 Planning Policy  
Original submission:
- JCS allocates Little Melton 10-20 dwellings plus consideration for additional development to help deliver the smaller sites in the NPA allowance.
- During the Site Specific Allocations process a group of preferred sites was identified in Little Melton partly due to highway considerations which could accommodate 50 dwellings.
- The application is one of the group of sites preferred at that stage.
- The Highways Authority have taken a more detailed look at sites during the recent Preferred Options consultation and consequently the sites in Little Melton have been reconsidered.
- The northern part of this site (site 619a) is now the only Preferred Option site for Little Melton, albeit that this decision is currently out for consultation until 5pm on 22 May 2013.
- The NPA does not have a five-year supply of housing land.

3.5 Conservation Officer  
Revised Proposal:
- Solely in relation to impact on setting of grade II* listed St Mary and All Saints Church.
- Do not feel key views of the Church or from it would be adversely affected.
- Retention of existing vegetation along western boundary will be key to maintaining existing setting.
- Can support an outline application with conditions regarding retention and enhancement of western boundary, limit ridge heights, layout to respect and enhance views of church.
- Development could add to church setting by designing in new views and enhancing the relationship.
- Do not agree with the line taken by English Heritage.

3.6 Design Officer  
Building for Life and South Norfolk Place-Making Guide evaluation scored: 10 greens, 2 ambers.

3.7 Historic Environment Service  
Original Submission:
- Potential that heritage assets with archaeological interest may be present.
- Applicant was advised at pre-application to submit an archaeological evaluation.
- Request application be withdrawn in accordance with NPPF para 135 because an archaeological evaluation has not been submitted.

Following submission of additional archaeological information:
- Lack of archaeological features identified in trial trenching.
- Do not require any further work.

Revised Proposal:
- No comments.
- Require no further archaeological work.

3.8 NCC: Ecologist  
Revised Proposal:
- Ecology report is fit for purpose.
- Great crested newts and hedgehogs may be using the site.
- Further reptile surveys are recommended and should be undertaken before the reserved matters stage.
3.9 Environmental Services (Protection)  
- Recommend conditions regarding reptile survey, ecological management plan and tree buffer to be adopted by appropriate authority.

3.10 Landscape Officer  
- Original submission:
  - No objection to principle.
  - Recommend condition regarding contaminated land investigation, lighting and construction work.

3.10 Landscape Officer  
- Revised Proposal:
  - No objection.
  - Concern regarding long term management of vegetation.
  - Request conditions regarding management of boundary vegetation, tree protection and landscape design and implementation.

3.11 Norfolk County Council Flood & Water Management  
- No comments received

3.12 NCC - Planning Obligations  
- S106 Monitoring charge of £600 plus possibly a transport monitoring charge.
- The High School is considered as full.
- Contributions will be sought towards primary and High School provision.
- Request condition requiring provision of a fire hydrant.
- Seek £60 per dwelling towards the cost of library provision.
- A commuted sum to cover future maintenance of biodiversity areas may be required.

3.13 Play And Amenities Area Officer  
- Revised Proposal:
  - Preference for payment in lieu of provision of play equipment and 400sqm minimum space plus the expected commuted sum.
  - Would be allocated to parish Council to enhance and improve play facilities at local parish play area.
  - Total in lieu of provision would be £65418
  - Requirement for open space/ green area on site.

3.14 Flood Defence Officer  
- Original Submission:
  - Recommend condition regarding surface water drainage.

3.15 Anglian Water Services Ltd  
- Original Submission:
  - Request informative re Anglian water assets
  - There is capacity for foul water drainage flows
  - Environment Agency should be consulted
  - Surface water should be to soakaway

- Revised Proposal:
  - No comment.

3.16 Housing Strategy Manager  
- Original Submission:
  - Accords with current policy requirements in terms of the number of affordable dwellings.
  - Unable to support the proposed type and tenure mix for the affordable housing.
- Request 3 x 1 bed for rent; 4 x 2 bed for rent; 1 x 3 bed for rent; and 1 x 2 bed for shared ownership.

Revised Proposal:
- 33% should be affordable.
- Equates to 7 dwellings.
- Support the mix of affordable.

3.17 NCC Highways

Original Submission:
Recommends refusal
- Restricted visibility at junction of Ringwood Close and Mill Lane
- Restricted visibility at junction School Lane Burnthouse Lane.
Therefore, scale of development in Little Melton should be limited to 20 dwellings.

Revised Proposal:
- Number of dwelling reduced to 20.
- Applicant propose planning condition to reduce speed limit to 20mph.
- Recommends permission be granted subject to conditions regarding provision of roads and footways and a 20mph speed limit on Mill Lane.
- Not in favour of a footway link to Great Melton Road.

3.18 English Heritage

Revised Proposal:
- Has potential to cause harm to setting of Grade II* listed St Mary and All Saints Church.
- Detailed application should be required.
- Some scope for development of the site.
- Concern about height and location of dwellings.
- Recommend LPA request a detailed application and refuse outline application.

3.20 Representations

1 letter raising questions.

1 letter of support making the following comments:
- Would stop rubbish dumping on field
- Would make area tidy
- Will stop thieves using it as an escape route

Letters from 9 properties objecting and making the following comments:

- Additional traffic
- Mill Road needs drastic changes to accommodate traffic
- Floods in Mill Road
- Narrow piece of road with poorly designed footpath that cars park on that has caused minor shunts
- Grass verges are currently destroyed due to narrow road
- Lack of visibility when exiting properties onto Mill Road
- Concrete kerbs should be put in along grass verges to protect verges
- Traffic could go through to Great Melton Road
- Ringwood Close too narrow for construction traffic
- Ringwood Close and Mill Road junction difficult to negotiate/lack of visibility
- Existing on street parking problems
- Nuisance, danger and delays to road users
- Traffic speed on Mill Road needs controlling
- Crossroads junction unsuitable and inadequate to support further development.
- Additional traffic near schools
- Cars mount footpath
- Access should be via Great Melton Road
- Access should not be from Great Melton Road
- Ringwood Close could be widened
- Road for new development should link up with Mill Road site
- Loss of view
- Social housing will devalue present properties
- Noise and disruption to present residents
- Improved bus service should be provided
- Concern about location of play area
- Concern about future maintenance of play area and landscaping
- Density too high. Should be no greater than that of village
- Drainage
- Concern about heights of proposed development
- Concern that development will not be in keeping with character of village
- Overlooking of garden of Orchard House Great Melton Road
- Loss of beech trees along The Brambles boundary
- Removal of woodland
- Village school already full
- Contrary to Local Plan
- Piecemeal part of a larger development
- Loss of rural amenity
- Greenfield site should not be developed
- Brownfield sites should be used
- Where is the planning gain
- Village should get mains gas
- Properties should be carbon neutral
- Properties should have solar panels
- Small plots will be a cause for social concern
- Existing sense of space should be maintained
- Contrary to JCS Policy 15
- Outside development boundary
- Loss of amenity/privacy to Ceol Mor Great Melton Road
- There should be no further removal of vegetation on the boundaries of Ceol Mor Great Melton Road
- Bungalows should be built
- Devaluation of property

4 Assessment

4.1 The site is approximately 1.7ha and is located to the south of Ringwood Close on the edge of the existing built up area. To the north of the site are the existing dwellings on Ringwood Close, to the east and west is open land. To south are dwellings and Great Melton Road with open land beyond.

4.2 The application is in outline with all matters reserved. Therefore, the matters of access, appearance, landscaping, layout and scale are all reserved matters.

4.3 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.
The main issues in this case are: the principle of development in this location; deliverability; the character and appearance of the area; highway safety; residential amenity; biodiversity; infrastructure; and servicing.

Principle of development

The general principle of residential development in this location is set out in the introductory report.

In this case the northernmost part of the site is the preferred site in the Proposed Amendment to Preferred Options document which is currently out to public consultation. However, because the Site Specific Allocations and Policies DPD has not reached the Pre-Submission stage, little weight can be given to the current choice of this site (619a) in the determination of the three Little Melton applications.

Policy 4 of the JCS expects 33% affordable housing be provided. This would equate to seven affordable dwellings. The applicant has confirmed that they are prepared to meet the affordable housing requirement and mix set out in the consultation response from Housing Strategy. This can be secured by S106 agreement.

Deliverability

The applicant states in the submitted application that the applicants have vacant possession of the land and it is available for development immediately. It is the applicant’s intention to submit a reserved matters application immediately following the grant of outline planning permission. Significant detailed design work has already been undertaken on the project. The design has been worked up in close consultation with Lovell. Private developers have approached the applicant and expressed an interest in developing the site. Outline planning permission would enhance the prospects of delivery of the site, given the increased attractiveness it provides to developers. The flexibility of outline consent will enable a preferred developer to bring forward a development which is in accordance with their own bespoke model. Lovell has undertaken development appraisals to ensure the development is viable. The proposed development site is completely viable and will be delivered within 5 years.

Character and appearance of area

The development forms a natural extension to Ringwood Close by continuing the incremental growth of the village within the existing field boundaries between Ringwood Close and Great Melton Road. A significant area of informal scrub land located to the south of the site has been retained that helps to provide a strong visual link and natural transition between the proposed development and the countryside. A number of design principles have also been established that combine traditional building forms such as large gables, pitched roofs and dormer style windows with contemporary finishes that remain sympathetic to the local vernacular. The application also provides some 'indicative parameters drawings' that show how the scale and massing of buildings could relate to the surrounding character of the site.

The Building for Life and South Norfolk Place-Making Guide evaluation scored 10 greens and 2 ambers, which is considered acceptable at this outline stage.

Heritage Assets

St Mary and All Saints Church, a grade II* listed building is located to the north-west of the site on the edge of the main built-up part of the village, with open land between the existing development and the church. The churchyard is bordered by hedges and trees that lessens the visibility from many viewpoints from the surrounding area. The application site proposes
a hedge/tree border on the west side, which will help to screen the impact of the existing housing. Therefore, the principle of development of the site for residential purposes will not cause such harm to the heritage asset to warrant refusal in his case.

Highway safety

4.12 If the speed limit in the vicinity of Ringwood Close/Mill Lane junction is reduced to 20mph then this reduces the visibility distances required at this junction. Subject to this reduction in the speed limit and the number of additional dwellings taking access off Ringwood Close being limited to 20, the intensification of use of the access should not result in hazard or inconveniences to users of the public highway.

4.13 The cumulative impact of development in Little Melton on the local highway network is covered in the introductory report.

Residential amenity

4.14 The use proposed is unlikely to impact adversely on nearby residential property. The details of the relationship between the proposed and existing properties will be dealt with at the reserved matters stage.

Biodiversity

4.15 The southern part of the site has habitat that is suitable for reptiles. Therefore, additional surveys will be required to ascertain the use of the site by any protected species and adequate mitigation provided if necessary. Given the size of the site, the number of dwelling proposed and the information already submitted with respect to biodiversity, in this case any necessary mitigation for protected species or their habitat could be achieved by condition.

Infrastructure

4.16 The Local Planning Authority is aware of concerns by a number of parties regarding the adequacy of the surface water drainage facilities in Little Melton. Surface water drainage proposals have been submitted with the application. The Environment Agency and the Council’s Flood Defence Officer have been consulted on the submitted information. The application has demonstrated that it is possible develop the site for housing whilst ensuring that there is no increased flood risk to Little Melton.

4.17 The existing policies require provision of play space for a development of this size. In this case Little Melton has an existing parish play area that could be improved to meet the needs of the residents of the proposed development. Therefore, in this case a commuted sum is sought in lieu of provision to meet the play space needs generated by the development.

4.18 Norfolk County Council has confirmed the infrastructure needs generated by the development in terms of education, library and fire hydrant provision. The fire hydrant can be secured by condition whilst the other matters can all be secured by S106 agreement.

4.19 The applicant has confirmed their agreement to provide the above matters by condition and S106 agreement as relevant.

Servicing

4.20 The provision for car and cycle parking and refuse storage will form part of the reserved matters stage, as will the requirements of Policy 3 of the Joint Core Strategy. Relevant conditions can be imposed to cover these matters.
Conclusion

4.21 The principle of additional development in Little Melton outside of the currently adopted Development Limit is set out in the introductory report. The application has demonstrated that the site is in principle suitable for a development of 20 dwellings. The location of the site would enable the existing character and pattern of development in Little Melton to be maintained.

5. Reasons for Approval

5.1 In the opinion of the local planning authority the proposal is acceptable in respect of the aims of the National Planning Policy Framework, the subject to the agreement of the reserved matters, development of the site would not unacceptably harm the character and appearance of the area. Adequate access and other infrastructure and services can be secured by condition and legal agreement. The development could be designed so as not to unacceptably harm the amenities of existing residential properties, the setting of heritage assets and the ecology of the area. In these circumstances the development is consistent with JCS policies 15 and 20 and SNLP policies ENV14, ENV15, IMP8, IMP9, IMP15 and LEI7. Joint Core Strategy and South Norfolk Local Plan 2003.

Contact Officer, Telephone Number and E-mail: Michelle Lyon 01508 533681 mlyon@s-norfolk.gov.uk
2. **App. No** : 2012/1836/O  
**Parish** : LITTLE MELTON  
Applicants Name : Timewell Properties Ltd  
Site Address : Land North Of Gibbs Close Little Melton Norfolk  
Proposal : Outline application for residential development (20 Dwellings) and associated infrastructure works  
Recommendation : Refusal  

1. Constraints on local highway network

**Updates since 22 May 2013 Development Management Committee:** (the original report is reproduced below).

Site Panel:  
Set out in Introductory Report.

Consultations:  
Parish Council: Submitted drainage information.

**Original Report**

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 04: Promoting sustainable transport  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design  
NPPF 08: Promoting healthy communities  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change  
NPPF 11: Conserving and enhancing the natural environment  
NPPF 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 15 : Service Villages  
Policy 20 : Implementation  
Policy 1 : Addressing climate change and protecting environmental assets  
Policy 2 : Promoting good design  
Policy 3: Energy and water  
Policy 4 : Housing delivery  
Policy 6 : Access and Transportation  
Policy 7 : Supporting Communities

1.3 South Norfolk Local Plan  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 9: Nationally and locally important archaeological remains (Part Consistent)  
ENV 14: Habitat protection  
ENV 15: Species protection  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
IMP 25: Outdoor lighting  
UTL 14: Waste collection and recycling  
TRA 1: Provision of pedestrian links  
TRA 3: Provision of cycling facilities
TRA 19: Parking standards  
LEI 7: Open space provision in new development

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. Planning History

2.1 1988/0144 Residential mobile home park  
Refused

3. Consultations

3.1 Parish Council
Original submission:
Object.
• Reasonable mix of housing
• Outside development boundary
• not a preferred site
• Concern that Mill Road unable to cope with cumulative traffic volume
• Street lighting out of character with remainder of village
• Concern about future development due to road structure proposed
• Concern about maintenance responsibility for buffer zone and roads
• Concern that there is a gap in the cycle path between Hethersett and NRP.
• Developer contribution should be used to provide off road cycling provision
• Disagree with TRICS figures
• Traffic on Mill Road has doubled between 2007 and 2012.
• Increased traffic in Little Melton due to developments at Wymondham and Hethersett.
• Committed to minimising new development because of Parish Plan and roads within village inadequate. Mill Road is a limiting factor.
• Should be limited to 15 houses on this site. Only 10 before the crossroads are improved.
• Poor provision of public transport. Traffic forecasts do not accord with observed behaviour.
• Mill Road carries traffic to village hall, church, playing field, business park and Hethersett.
• Events at hall, playing field and church can coincide and attract 100 cars causing a traffic jam.
• Mill Road is poorly drained, icy, prone to flooding
• Little Melton will suffer additional traffic due to development at Hethersett
• Rectory Lane and Green Lane junctions with B1108 are dangerous.
• Would like funding to discourage rat running.
• Mill Road should have 20mph speed limit.
• Request clarity regarding maintenance of play areas, ecology buffer and open space.

3.2 District Member
To be reported if appropriate
3.3 Landscape Officer

Original submission:
No objection.
- Trees to be removed are young.
- Proposed tree removal is not sufficient grounds to object.
- Layout around the two retained silver birch trees is too tight.
- Agree with submitted visual assessment
- Do not envisage significant impact on landscape character subject planting of boundaries.
- Concept is acceptable.

3.4 Environment Agency

Original submission:
- Object due to absence of surface water FRA.
- Poses low risk to controlled waters with respect to contamination.
- Will not provide detailed site specific advice or comments regarding land contamination.

Revised Plans:
- Have reviewed Flood Risk Assessment and drainage strategy sketch.
- Remove our previous objection on flood risk grounds
- Require condition regarding surface water drainage scheme

3.5 District Ecologist

Revised Indicative layout:
- Applicant will have to apply for a great crested newt licence from natural England.
- Following receipt of an amended indicative plan:
  - Wider ecological buffer is an improvement
  - Ecological Management Plan would be appropriate.
  - The indicative master plan incorporates, ecological buffer, landscaping, housing and play provision.
- Recommend conditions regarding mitigation for breeding birds, bird boxes and bat boxes, an ecological management plan and minimum ecological buffer of 15m width.

3.6 NCC- Planning Obligations

S106 Monitoring charge of £600 plus possibly a transport monitoring charge.
- The High School is considered as full.
- Contributions will be sought towards primary and High School provision.
- Request condition requiring provision of a fire hydrant.
- Seek £60 per dwelling towards the cost of library provision.
- A commuted sum to cover future maintenance of vegetation on highway land and biodiversity areas may be required.

3.7 Housing Strategy Manager

Original submission:
- Unable to support application
- Application does not state the proposed affordable housing provision
- Requirement for 7 affordable dwellings
- Not aware of any informal discussions between applicant and Housing Strategy and Enabling Team
- Affordable housing provision should be clarified prior to determination of outline application
- Seek: for affordable rent, 2x1 bed unit, 3x2bed unit and 1x3bed unit. For shared ownership 1x2bed unit.
• Query contradiction between DAS and Planning Statement submitted
• Require clarification of the Code for Sustainable Homes level that the affordable housing units will meet
• Applicant should engage with a Registered Provide at the earliest opportunity

3.8 Historic Environment Service
Do not wish to comment.

3.9 Planning Policy
Original submission:
• JCS allocates Little Melton 10-20 dwellings plus consideration for additional development to help deliver the smaller sites in the NPA allowance.
• During the Site Specific Allocations process a group of preferred sites was identified in Little Melton partly due to highway considerations which could accommodate 50 dwellings.
• The application site is not one of the group of preferred sites.
• The Highways Authority have taken a more detailed look at sites during the recent Preferred Options consultation and consequently
• the sites in Little Melton have been reconsidered. This site is not proposed for allocation, albeit that this decision is currently out for consultation until 5pm on 22 May 2013.
• The NPA does not have a five-year supply of housing land.

3.10 Flood Defence Officer
Original submission:
• Where infiltration drainage is proposed, percolation tests should be carried out to demonstrate effectiveness
• Lack of information regarding off site drainage
• Receiving drainage system should be investigated and allowances made for storage capacity
• Preferred option for surface water drainage is SuDS
• Proposal does not fully embrace objectives of true SuDS
• lack of information regarding future management
• Early engagement with Anglian Water essential

Following Revised drainage plan:
• Concur with EA comments on revised plans and request conditions as per EA comments.

3.11 Design Officer
Original Submission:
• Building for Life and South Norfolk Place-Making Guide evaluation scored: 3 greens, 7 ambers and 2 reds.

Revised Plans:
• Building for Life and South Norfolk Place-Making Guide evaluation scored: 8 greens and 4 ambers. No red.

3.12 Play And Amenities Area Officer
Preference for payment in lieu of provision of play equipment and 400sqm minimum space plus the expected commuted sum. Would be allocated to parish Council to enhance and improve play facilities at local parish play area. Total in lieu of provision would be £65418
3.13 NCC Highways

Original Submission:
- Recommends conditions regarding detailed plans and implementation of roads, footways and drainage.
  (Note objection to cumulative impact over 20 dwellings)

3.14 Norfolk County Council Flood & Water Management

No comments received

3.15 Anglian Water Services Ltd

Original Submission:
- There is capacity for foul drainage flows from site at Whittingham STW.
- The sewerage system has available capacity for these flows.
- Request surface water disposal strategy conditioned.

3.16 Representations

Letter from 5 properties objecting and making the following comments:

- Unable to park outside 7 Homecroft
- Residents of Homecroft pay to maintain road
- Road subsidence due to collapsed drains
- Increased traffic / congestion
- Extra traffic using / flow along Mill Road

Inadequate roads
- Tail back of cars emitting fumes in Gibbs Close
- Mill Road floods
- Vulnerability of pedestrians on Mill Road
- Lack of Visibility on Mill Road
- Foul drainage always a problem particularly after heavy rainfall
- Endorse comments made by PC
- Outside development boundary
- Comparatively large development for village
- Street lighting will be out of place with reminder of village
- Playspace in Gibbs Close not suitable
- Children need somewhere to play
- Concern about future development into open countryside
- Additional development could spoil essence of village
- Village has few amenities
- Cumulative impact of development
- Tree felling on site

4 Assessment

4.1 The site is approximately 1.33ha and is located to the north of Gibbs Close on the edge of the existing built up area. To the south of the site are the existing dwellings at Homecroft and Gibbs Close. To the east of the site is open countryside, with a pond adjacent to the eastern boundary of the site. To the north and west is open countryside.

4.2 The application is in outline including the matter of access. The matters of appearance, landscaping, layout and scale are all reserved.

4.3 The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework.
4.4 The main issues in this case are: the principle of development in this location; deliverability; character and appearance of the area; highway safety; residential amenity; biodiversity; infrastructure; and servicing;

**Principle of development**

4.5 The general principle of residential development in this location is set out in the introductory report.

4.6 The application site is not a preferred site in the Proposed Amendment to Preferred Options document which is currently out to public consultation. However, because the Site Specific Allocations and Policies DPD has not reached the Pre-Submission stage, little weight can be given to the current choice not to allocate this site in the determination of the three Little Melton applications.

4.7 Policy 4 of the JCS expects 33% affordable housing to be provided. This would equate to seven affordable dwellings. The applicant has confirmed that they are prepared to meet the affordable housing requirement and mix set out in the consultation response from Housing Strategy. This can be secured by S106 agreement.

**Deliverability**

4.8 The applicant states in the submitted application that the site is within a single ownership, is unencumbered in all respects and that they consider the site can be built and ready for occupation within 5 years.

**Character and appearance of area**

4.9 The design principles put forward at this stage show an opportunity to provide a scheme that responds to its local context by retaining and reinforcing existing features and creation of a strong landscape structure. The location of the site will result in built form intruding into the landscape to some extent. However, the requirement to make provision for biodiversity interests will necessitate an area of open space or vegetated space around the edge of part of the site. This arrangement will help to provide a visual link to the countryside and reinforce existing connections by creating a rural edge to the development where the site meets the countryside. This will provide a transition between the urban and rural interface and will allow sufficient landscape mitigation for views towards the site from adjacent countryside and break up the appearance of the built form.

4.10 The Building for Life evaluation scored 8 greens and 4 ambers. The reason for the slightly high number of ambers relates to a lack of details submitted at this stage. However, the application is in outline and the additional details will need to be submitted and fully considered at the reserved matters stage. Therefore, the Building For Life is acceptable at this outline stage.

**Highway safety**

4.11 Subject to the number of additional dwellings taking access of Mill Lane being limited to 20 dwellings, the additional traffic generated development of the site for residential use should not result in a hazard or inconvenience to users of the public highway.

4.12 The cumulative impact of development in Little Melton on the local highway network is covered in the introductory report. Note objection to more than 20 in total.
Residential amenity

4.13 The use proposed is unlikely to impact adversely on nearby residential property. The details of the relationship between the proposed and existing properties can be dealt with at the reserved matters stage.

Biodiversity

4.14 Due to the proximity of the site to existing ponds, it is very likely that the site is used as terrestrial habitat by great crested newts. The indicative layout proposes an ecological buffer around part of the site to provide a habitat corridor for wildlife.

4.15 The indicative site layout submitted demonstrates that it will be possible to accommodate the proposed dwellings and associated infrastructure and servicing on the site whilst still allowing sufficient space to provide adequate mitigation for biodiversity interests.

Infrastructure

4.16 The Local Planning Authority is aware of concerns by a number of parties regarding the adequacy of the surface water drainage facilities in Little Melton. Surface water drainage proposals have been submitted with the application. The Environment Agency and the Council’s Flood Defence Officer have been consulted on the submitted information. The application has demonstrated that it is possible develop the site for housing whilst ensuring that there is no increased flood risk to Little Melton.

4.17 The existing policies require provision of play space for a development of this size. In this case Little Melton has an existing parish play area that could be improved to meet the needs of the residents of the proposed development. Therefore, in this case a commuted sum is sought in lie of provision to meet the play space needs generated by the development.

4.18 Norfolk County Council has confirmed the infrastructure needs generated by the development in terms of education, library and fire hydrant provision. The fire hydrant can be secured by condition whilst the other matters can all be secured by S106 agreement.

4.19 The applicant has confirmed their agreement to provide the above matters by condition and S106 agreement as relevant.

Servicing

4.20 The provision for car and cycle parking and refuse storage will form part of the reserved matters stage, as will the requirements of Policy 3 of the Joint Core Strategy. Relevant conditions can be imposed to cover these matters.

Conclusion

4.21 The principle of additional development in Little Melton outside of the currently adopted Development Limit is set out in the introductory report. The application has demonstrated that the site is in principle suitable for a development of 20 dwellings. However, the application is recommended for refusal due to the highway implications of cumulative development as set out in the introductory report.
5. **Reasons for Refusal**

5.1 There are constraints on the local highway network. Specifically the School Lane/Burnthouse Lane junction side road visibility is substandard on both side road junctions. The proposal would result in unacceptable increases in traffic on the School Lane / Burnthouse Lane junction. The proposal would contribute to additional traffic movements that would be detrimental to pedestrian safety and the flow of traffic along Mill Road. Therefore, the proposal would cause a hazard and inconvenience to users of the public highway and is contrary to (Saved) Policy IMP8 of the adopted South Norfolk Local Plan 2003.

Contact Officer, Telephone Number and E-mail: Michelle Lyon 01508 533681 mlyon@s-norfolk.gov.uk
3. **Appl. No**: 2013/0086/O  
**Parish**: LITTLE MELTON  
Applicants Name: Mr I Clark  
Site Address: Land South East Of The Gardens Mill Road Little Melton Norfolk  
Proposal: Outline application including means of access for residential development and ancillary works  
Recommendation: Refusal  
1. Constraints on local highway network  
2. Insufficient information to demonstrate will not cause flood risk

**Updates since 22 May 2013 Development Management Committee**: (the original report is reproduced below).

Site Panel:  
Set out in Introductory Report.

Representations:  
Comments on the ecological submission and assessment submitted on behalf of the applicant for application ref 2012/1836 raising concerns about the impact of the proposal on ecological interests.

Consultations:  
NCC Ecologist: To be reported.

NCC Highways:  
No confidence in drainage facility adjacent to site entrance.  
Storage does not come into effect until existing drainage provision ceases to function.  
Recommend against utilization of existing highway drainage facility in Mill Road unless it is improved.  
To date unable to identify works to alleviate existing problems.  
Concern re draining surface water from estate roads to attenuation ditches and ponds within site.  
Highway Authority would be expected to adopt roads on development and therefore the resultant drainage.  
On site drainage unsatisfactory since they would involve the Highway Authority maintaining extensive lengths of ditches and ponds which do not provide a conclusive solution to the problem.  
Recommend refusal.  
If alternative public body were willing to adopt and maintain drainage features willing to reconsider recommendation.

Parish Council: Submitted drainage information.

Recommendation:  
Additional reason for refusal.  
2. Insufficient information has been submitted to demonstrate that the site will not cause an increased risk of flooding contrary to Policy 1 of the Joint Core Strategy and the National Planning Policy Framework.

**Original Report**

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
NPPF 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 4: Housing delivery
Policy 9: Strategy for growth in the Norwich Policy Area
Policy 15: Service Villages
Policy 17: Small rural communities and the countryside
Policy 20: Implementation

1.3 South Norfolk Local Plan
ENV 8: Development in the open countryside (Part Consistent)
ENV 9: Nationally and locally important archaeological remains (Part Consistent)
ENV 14: Habitat protection
ENV 15: Species protection
IMP 2: Landscaping
IMP 6: Visual impact of parked cars (Part Consistent)
IMP 9: Residential amenity
LEI 7: Open space provision in new development
UTL 14: Waste collection and recycling
TRA 1: Provision of pedestrian links
TRA 3: Provision of cycling facilities
TRA 17: Off site road improvements
TRA 19: Parking standards

1.4 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

All or part of site

2.1 2001/0125 Erection of stable and field shelter Approved
2.2 1999/0213 Dwelling and garage Withdrawn
2.3 1998/1790/O 3 dwellings Approved
2.4 1988/3648/O Residential development and access Refused

3. Consultations

3.1 Parish Council Original Submission:
- PC committed to minimizing scale of new development because of 2006 Parish Plan and inadequacy of roads within village.
- JCS designated 10 to 20 houses.
- Cannot understand why 68 proposed.
- Mill Road is a limiting factor.
- Highways have stated cross roads can only sustain 20 additional houses.
- PC consider Mill Road can only sustain 30 new houses in total.
- Submitted traffic forecasts do not accord with observed behaviour.
- Poor provision of public transport.
High ratio of car ownership.
Mill Road is single track in parts.
Mill Road carries traffic to events at Village Hall, Church, Playing Field, Business Park, Hethersett.
Events at these venues can coincide attracting 100 cars and causing traffic jams and parking problems.
Mill Road poorly drained, prone to flooding and ice.
Cumulative impact of development already approved at Hethersett and NRP.
Concern about visibility, junctions, speed and volume of traffic exiting Little Melton at Rectory Land and Green Lane.
PC request funding from development to provide measures to discourage rat running via School lane.
Mill Road should have 20mph speed limit.
School, pub and shop have associated traffic problems.
Concern about future maintenance of play areas, ecology buffers and open space.
Should not have street lighting.
Drainage inadequate. Existing drainage problems.
Concern about future maintenance of drainage proposals.
Creation of staggered junction with Gibbs Close will lead to accidents.
Existing on street parking problems in vicinity of Gibbs Close junction.
Infilling the open space on Mill Road with a junction leading to an estate will have a detrimental effect on the rural character of the village.

3.2 District Member
To be reported if appropriate

3.3 Flood Defence Officer
Original Submission:
- Site currently has poor drainage.
- The existing piped and ditch system for surface water drainage is in poor condition with inadequate capacity for additional flows.
- Connection to this system is likely to increase flood risk to the proposed development and elsewhere.
- Further investigation of the downstream ditch network should be undertaken.
- Proper assessment of the system is required and demonstration that any additional flows will not increase flood risk.
- Recommend Anglian Water be approached regarding adoption and future maintenance of the proposed surface water drainage features.
- Recommend condition regarding future ownership and management of drainage features.
- Consideration should be given to existing flooding issues on site and on Mill Road.
- Request conditions to address above concerns

Second Revised Drainage Submission
- No objection to roof drainage from all dwellings except one and the highway drainage discharging to SuDs.
- Request details of future maintenance and management for parts of SuDs.
- Recommend condition regarding future management.
- There are concerns about the integrity of the downstream systems. Responsibilities rest with riparian owners. Provided discharge from the site is no greater than the Greenfield run-off rate concerns are beyond remit of this development.
- Developer should consider vulnerability of blockages within the downstream watercourse and any potential increase in flood risk to site.
- Surface water flows should not put a burden on the highway drainage.
- Highway drainage in Mill Road is compromised by levels in the downstream watercourse at the Allotment Gardens and Great Melton Road.
- The road drainage will be subject to Highway Authority approval.
- Recommend conditions regarding SuDS with controlled discharge no greater than 1 l/sec, adoption and management of on-site drainage, highway drainage should consider the impact on the receiving watercourse and be subject to Highway Authority approval.

3.4 Norfolk County Council Flood & Water Management

No comments received

3.5 NCC- Planning Obligations

S106 Monitoring charge of £600 plus possibly a transport monitoring charge.
The High School is considered as full.
Contributions will be sought towards primary and High School provision.
Request condition requiring provision of a fire hydrant.
Seek £60 per dwelling towards the cost of library provision.
A commuted sum to cover future maintenance of biodiversity areas may be required.

3.6 Environment Agency

Original Submission:

Object.
- Within Flood Zone 1.
- No considered to be at risk of flooding from river or sea.
- Proposed use is a ‘more vulnerable’ use
- Needs to pass Sequential Test and be accompanied by a FRA.
- LPA needs to apply the Sequential Test.
- The Exception test is not required.
- FRA not compliant with paragraph 9 of Technical Guidance to NPPF.
- Additional information on surface water drainage required.
- Lead Local Flood Authority should be consulted.
- appropriate Code/BREEAM assessment should be submitted.
- Resource efficiency should be considered.
- Opportunities for net gains for nature should be considered.
- Should be designed to minimise energy demand.
First Revised Drainage Proposal:
Object

- Lack of information regarding capacity of ditch network, permission for works, future responsibilities, rate of water runoff, attenuation.
- Need to be satisfied that development will not be affected by existing water that stands on site.
- Condition regarding future maintenance essential.
- Future run off rate should be restricted to current runoff.

Second Revised Drainage Proposal:

- No objection subject to SNC being satisfied with ongoing drainage network to south of site and that highways sewer provider confirms acceptance of inflow.
- Recommend conditions requiring surface water drainage scheme.
- Should reduce some of the existing flooding issues at Mill Road junction.

3.7 NCC Highways

Original Submission:
- Recommends refusal
- Lack of full details regarding surface water drainage
- Inadequate visibility at the site access.
- Visibility is substandard at junction of School Land Burnthouse lane. Therefore, scale of development in Little Melton constrained to 20 dwellings.

Following Revised Plan:
- Withdraw reason for refusal regarding visibility splay.
- Recommends refusal.
- Lack of full details regarding surface water drainage
- Visibility is substandard at junction of School Road/Burnthouse Lane. Therefore, scale of development in Little Melton constrained to 20 dwellings.

Second Revised Drainage Proposal:
- To be reported.

3.8 Landscape Officer

No objection.
- Concern regarding long term management of vegetation.
- Request conditions regarding management of boundary vegetation, tree protection and landscape design and implementation.

3.9 District Ecologist

Original Submission:
- Recommend conditions regarding section 7.3 of ecology report; planting scheme; ecological management; design of sustainable drainage system and lighting scheme.

3.10 Housing Strategy Manager

Original Submission:
- 7 affordable dwellings are required.
- Proposal is for 6 affordable dwellings
- Affordable housing provision is 1 dwelling short
No objection to bungalows
Mix of type and tenure required: 3 x 1 bed for rent; 1 x 3 bed for rent; and 1 x 2 bed for shared ownership.

Revised submission
Support

3.11 Planning Policy

Original Submission:
- JCS allocates Little Melton 10-20 dwellings plus consideration for additional development to help deliver the smaller sites in the NPA allowance.
- During the Site Specific Allocations process a group of preferred sites was identified in Little Melton partly due to highway considerations which could accommodate 50 dwellings
- The application site is one of the group of sites preferred at that stage.
- The Highways Authority have taken a more detailed look at sites during the recent Preferred Options consultation and consequently the sites in Little Melton have been reconsidered.
  This site is not proposed for allocation, albeit that this decision is currently out for consultation until 5pm on 22 May 2013.
- The NPA does not have a five-year supply of housing land.

Revision Submission:

3.12 Play And Amenities

Area Officer

Preference for payment in lieu of provision of play equipment and 400sqm minimum space plus the expected commuted sum.
- Would be allocated to Parish Council to enhance and improve play facilities at local parish play area.
- Total in lieu of provision would be £65,418
- Requirement for open space/ green area on site.

3.13 Design Officer

Original Submission:
- Building for Life and South Norfolk Place-Making Guide evaluation scored 6 green, 5 amber and 1 red.

Revision Submission:
- Building for Life and South Norfolk Place-Making Guide evaluation scored 9 greens and 3 ambers.

3.14 Anglian Water Services Ltd

No assets owned by Anglian Water within site
- There is capacity for foul drainage flows at waste water treatment works.
- Foul sewerage network has capacity for flows
- Request condition regarding surface water disposal.

3.15 Historic Environment Service

Original Submission:
- Potential that heritage assets with archaeological interest may be present.
- Request application be withdrawn in accordance with NPPF para 135 because an archaeological evaluation has not been submitted.
- Provided brief for archaeological work.

Following completion and submission of the geophysical survey:
- No further work required on site prior to development.
3.16 Environmental Services (Protection) No objection in principle.

- Request conditions regarding ground contamination investigation, external lighting and construction work.
- Request further information at detailed stage regarding heat pumps.

3.17 Representations One letter raising questions.

Letter from 12 properties objecting and making the following comments:

- Insufficient road capacity to cope with additional vehicle movements
- Road safety
- Mill Road not suitable for traffic
- Previous applications for building on the site were refused due to highways
- Restricted width of Mill Road
- Creating additional cross roads on Mill Road would be dangerous/hazard
- Mill Road floods between the Allotments and Ringwood Close
- Increase in traffic/Additional traffic
- Mill Road needs drastic changes to accommodate traffic
- Mill Road/Burnthouse lane/Scholl lane Junction is a death trap due to
  - Narrow piece of road with poorly designed footpath that cars park on that has caused minor shunts
  - Grass verges are currently destroyed due to narrow road
  - Entrance to Gibbs Close is used as a car park
  - Lack of visibility when exiting properties onto Mill Road
  - Concrete kerbs should be put in along grass verges to protect verges
  - Traffic could go through to Great Melton Road
  - Drainage on allotments cannot cope
  - Current traffic speeds along road
  - Used as rat run from :Heathersett
  - Roads need resurfacing
  - Existing on street parking problems
  - Speed limits and routing signs ignored
  - Heavy lorries use Mill Road to access business park
  - Cars drive over the footpath
  - Access should be from Great Melton Road
  - New road for this development should join up with Ringwood Close
  - Contrary to Local Plan
  - Piecemeal part of a larger development
  - Flooding
  - Education provision
  - Loss of rural amenity
  - Destruction of trees
  - Site always water logged/standing water
  - Bungalows only to fit in with Ringwood Close
  - Loss of sunlight to existing bungalows
  - noise and dirt from work
  - Concern about flooding on the site and in Mill Road
  - lack of visibility and difficulty turning corner
  - Local amenities/services are already under pressure
  - Existing trees on border of site should be preserved
  - Was rejected for planning years ago because of drainage problems
  - Overlooking/loss of privacy to existing bungalows
- Empty houses should be used
- Villages should not be turned into towns
- Few amenities
- Impact on barn owls and amphibians
- Flooding
- Loss of rural character
- Question need for additional housing
- Loss of privacy
- Will spoil village
- Locals views overridden by developers interests
- Greenfield site should not be developed
- Brownfield sites should be sued
- Where is the planning gain for the village
- Request mains gas for village
- Dwellings should be carbon neutral
- Should have solar panels
- Density of development should be not greater than existing village
- Size of plots is cause for social concern
- Existing sense of space should be preserved
- Concerns regarding maintenance of drainage features
- Concerns over maintenance of boundary features.
- Loss of view
- Devaluation of properties
- Bungalows should be built to the rear of existing bungalows

4 **Assessment**

4.1 The site is approximately 1.3ha and is located on the southern edge of the built up area of Little Melton and would be accessed form the south side of Mill Road. To the south of the site is bordered by a combination of existing dwellings and open land. To the north-east and west boundaries are existing dwellings. To the south-west is an area open land between the site and existing dwellings. To the south-east is open land between the site and the allotments.

4.2 The application is in outline including the matter of access. The matters of appearance, landscaping, layout and scale are reserved.

4.3 The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework.

4.4 The main issues in this case are: the principle of development in this location; deliverability; the character and appearance of the area; highway safety; residential amenity; biodiversity; infrastructure; and servicing;

**Principle of development**

4.5 The general principle of residential development in this location is set out in the introductory report.

4.6 The application site was one of the preferred sites in the consultation carried out last year. However, the site is not a preferred site in the Proposed Amendment to Preferred Options document which is currently out to public consultation.
4.7 Policy 4 of the JCS expects 33% affordable housing be provided. This would equate to seven affordable dwellings. The applicant has confirmed that they are prepared to meet the affordable housing requirement and mix set out in the consultation response from Housing Strategy. This can be secured by S106 agreement.

Deliverability

4.8 The applicant has submitted a letter from Abel Homes stating that they have reached an agreement in principle for purchase of the site subject to planning permission being granted, that they expect to be able to make an immediate start once the planning application processes is complete, its their policy to build out and finish developments as quickly as reasonably practical.

Character and appearance of area

4.9 The applicant has undertaken an assessment of the site context and its setting that identifies the general character of Little Melton and a description of the site boundaries. The proposal aims to respect the existing site boundaries and provide additional planting and a landscape buffer along the south-western edge of the site, which could help to integrate the site into the landscape to provide a transition between the countryside and the urban edge. However, a development in this location would infill an existing area of open land within the village that currently contributes to the landscape character of Little Melton and the setting of the Mill House Tower.

4.10 The Building for Life evaluation scored 9 greens and 3 ambers, which is considered acceptable at this outline stage.

Highway safety

4.11 Subject to a visibility splay of 43m x 2.4m x 43m at the vehicular entrance to the site from Mill Road and subject to the number of additional dwellings taking access off Mill Road being limited to 20, then the additional traffic generated by this development should not result in a hazard or inconvenience to users of the public highway.

4.12 The issue of highway drainage is considered below under the sub-section Infrastructure.

4.13 The cumulative impact of development in Little Melton on the local highway network is covered in the introductory report.

Residential amenity

4.14 The use proposed is unlikely to impact adversely on nearby residential property. The details of the relationship between the proposed and existing properties can be dealt with at the reserved matters stage.

Biodiversity

4.15 Most of the sites ecological value is in the trees and hedges in the field margins. The proposal demonstrates that this vegetation could be retained. The SuDs scheme may help to increase biodiversity at the site. There are ponds within the vicinity of the site that are used by great crested newts. Although, these ponds are separated from the site by existing development, there is a chance that great crested newts could be on the site. Subject to the submitted mitigation proposals being followed and the conditions recommended by the District Ecologist, development of the site could safeguard protected species and enhance the biodiversity value of the site.
Infrastructure

4.16 The Local Planning Authority is aware of concerns by a number of parties regarding the adequacy of the surface water drainage facilities in Little Melton. Surface water drainage proposals have been submitted with the application. The Environment Agency and the Councils Flood Defence Officer have been consulted on the submitted information. The Environment Agency has no objection subject to SNC being satisfied with off site drainage provision. With the exception of Highways drainage issues, the Councils Flood Defence Officer has outlined the off site drainage concerns, and recommended conditions. A response from Norfolk County Council Highways regarding the revised drainage proposals is awaited.

4.17 The existing policies require provision of play space for a development of this size. In this case Little Melton has an existing parish play area that could be improved to meet the needs of the residents of the proposed development. Therefore, in this case a commuted sum is sought in lieu of provision to meet the play space needs generated by the development.

4.18 Norfolk County Council has confirmed the infrastructure needs generated by the development in terms of education, library and fire hydrant provision. The fire hydrant can be secured by condition whilst the other matters can all be secured by S106 agreement.

4.19 The applicant has confirmed their agreement to provide the above matters by condition and S106 agreement as relevant.

Servicing

4.20 The provision for car and cycle parking and refuse storage will form part of the reserved matters stage, as will the requirements of Policy 3 of the Joint Core Strategy. Relevant conditions are proposed to cover these matters.

Conclusion

4.21 The principle of additional development in Little Melton outside of the currently adopted Development Limit is set out in the introductory report. Subject to outstanding drainage issues being resolved the application has demonstrated that the site is in principle suitable for a development of 20 dwellings. However, the application is recommended for refusal due to the highway implications of cumulative development as set out in the introductory report.

5. Reasons for Refusal

5.1 There are constraints on the local highway network. Specifically the School Lane/Burnthouse Lane junction side road visibility is substandard on both side road junctions. The proposal would result in unacceptable increases in traffic on the School Lane / Burnthouse Lane junction. The proposal would contribute to additional traffic movements that would be detrimental to pedestrian safety and the flow of traffic along Mill Road. Therefore, the proposal would cause a hazard and inconvenience to users of the public highway. Therefore, the proposal would cause a hazard and inconvenience to users of the public highway and is contrary to (Saved) Policy IMP8 of the adopted South Norfolk Local Plan 2003.

Contact Officer, Telephone Number and E-mail: Michelle Lyon 01508 533681 mlyon@s-norfolk.gov.uk
Major applications or applications raising issues of significant precedent

Parish : TROWSE WITH NEWTON

Applicants Name : Serruys Property Company Ltd
Site Address : The Deal Ground And Former May Gurney Site The Street Trowse
Proposal : Outline planning application (full details of access) for a mixed development consisting of a maximum of 670 dwellings; a local centre comprising commercial uses (A1/A2/A3): a restaurant/dining quarter and public house (A3/A4); demolition of buildings on the May Gurney site (excluding the former public house); an access bridge over the River Yare; new access road; car parking; flood risk management measures; landscape measures inc earthworks to form new swales and other biodiversity enhancements including the re-use of the Grade II Listed brick Kiln for use by bats.

Recommendation : Approval with conditions (for South Norfolk part of development)

1 Spine road (access) – non-standard 10 years full time limit
2 With the exception of off-site highways works, the spine road shall be in accordance with the plans and details submitted
3 Full technical details of the spine road, Yare bridge associated footways/cycleways/foul and surface water drainage/implementation
4 No development until Highway Improvements offsite submitted and agreed.
5 Details of landscape treatment of spine road to be agreed
6 Arboricultural Implications Assessment/ Method Statement submitted and approved
7 Non-standard outline time limit for the remainder of the site
8 Reserved matters to relate to layout, appearance, landscaping and scale.
9 Reserves matters to be in line with the parameters set out in the outline application plan Amount, Massing and Accommodation and the design concept described in the Design and Access Statement in respect of the quantum, transport strategy, biodiversity mitigation and enhancement measures, approximate layout, height, parameters, routes and open spaces within the site

- Notwithstanding illustrative materials submitted with the application reserve matters shall exclude 8 storey block (Marsh).
- Reserved matters shall include a scheme for moorings on the R. Wensum frontage (including de-masting facilities)
- Notwithstanding the illustrative materials - set back from River Yare and Wensum to be in accordance with parameters plan.
- Notwithstanding the illustrative materials landscape details shall include a comprehensive landscape scheme /boundary treatment that shall seek to mitigate the visual and environmental impacts of the adjacent minerals site and railhead.

11 Submission of an Environmental Action Plan. The development shall be undertaken in accordance with the approved mitigation measures
12 Prior to submission of any reserve matters applications relating to blocks facing/adjacent to River Yare/Wensum – submission of design code/approval in writing
13 Phasing plan to be agreed covering the whole site, including all areas of green infrastructure
14 Timetable for the provision of green infrastructure
15 Management plan submitted and all open spaces including details of management responsibilities
16 Reserve Matters shall include Energy, Water and Construction Strategy – to meet JCS requirements
17 Precise details ground levels/changes/slab levels.
18 10% of dwellings to be designed to lifetime homes standard
19 Restrictions small local centre – no more total 9 units/total gross floor area 1265sqm/unit size limit <500sqm/mix of uses PD restrictions
20 Restriction dining quarter – total gross space <1000sqm/mix/unit size max.
21 PD/hours restrictions
22 No development until scheme for the undergrounding of the overhead power cables and removal of overhead line has been agreed in consultation with LPA
23 No occupation of the May Gurney dwellings until over head cables/infrastructure have been removed
24 Details of design, construction and surfacing of roadways/footpaths and cycleways and phased delivery to be agreed
25 Provision of parking, cycle and bin storage to be agreed
26 Traffic Regulations Orders to support parking and access arrangements to be promoted before occupation of any dwelling
27 Details of external lighting to be agreed
28 Conditions regarding management of construction traffic on and off site Construction and Environmental Management Plan (including timing of works) be submitted and agreed
29 Provision and implementation of travel Plan
30 Foul water strategy to be submitted and approved/no occupation until work implemented
31 The development shall be constructed with a minimum finished floor level of 2.4mAOD, as detailed in the approved Flood Risk Assessment
32 In accordance with Flood Risk Assessment, details of a safe emergency exit route to be submitted and approved - implemented prior to first occupation
33 Scheme for provision and implementation of compensatory flood storage works – constructed and completed prior to first occupation
34 Modelling of proposed bridges and culverts – constructed and completed prior to first occupation
35 Full surface water drainage scheme for the site submitted and approved prior to commencement of each phase
36 Full details of flood resilient construction measures submitted and approved
37 Flood warning and evacuation plan (including details of a safe emergency exit route) to be submitted and approved – implementation prior to first occupation
38 Contaminated land survey to be submitted and agreed
39 Contaminated land during construction
40 Further archaeological surveys to be undertaken prior to commencement of development
41 Provision of fire hydrants
42 Scheme for the provision of bus facilities to be agreed
43 Provision of emergency access route prior to first occupation of dwellings on the Deal Ground
Subject to the completion of a S106 legal agreement to secure the provision of affordable housing, and contributions to transport and education.

No permission shall be issued until an access agreement has been signed. This agreement requires the Deal Ground owners, the Utilities site owners (to the north of the Deal Ground) and the City Council (as owners of the Wensum river bed) to grant reciprocal access/step in rights - so to allow the comprehensive development of both sites.

Introduction

Norwich and the surrounding area extending into Broadland and South Norfolk is identified as a major growth location within the East of England. South Norfolk Council, Broadland Council, Norwich City Council and Norfolk County Council working together as the Greater Norwich Development Partnership (GNDP) have adopted a strategy for growth that is centred in and around Norwich, seeking to utilise Brownfield sites wherever possible. The Deal Ground and May Gurney sites are of major strategic importance in delivering this growth and are considered key sites for the successful delivery of the Joint Core Strategy (JCS).

South Norfolk District Council has worked closely with Norwich City Council, the Broads Authority, and Norfolk County Council since at least 2009 to shape the delivery of sustainable and comprehensive regeneration of both the Deal Ground and Utilities sites to support housing and employment growth in the wider Norwich area. This has informed the formulation of JCS Policy 12 and the identification of both sites as priorities for regeneration.

Applications for the redevelopment of the site within administrative boundary of Norwich City Council were approved by members of the Norwich City Planning Applications Committee on the 16th May 2013. A copy of the officer’s report to committee is attached as appendix 3. This application relates to the part of the site located within South Norfolk Council’s area for which it is the local planning authority. (See description in section 4 of this report.)

1. Planning Policies

1.1 National Planning Policy Framework
NPPF 01: Building a strong competitive economy
NPPF 04: Promoting sustainable transport
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
NPPF 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 4 : Housing delivery
Policy 5 : The Economy
Policy 6 : Access and Transportation
Policy 7 : Supporting Communities
Policy 8 : Culture, leisure and entertainment
Policy 9 : Strategy for growth in the Norwich Policy Area
Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes
Policy 19 : The hierarchy of centres
1.3 South Norfolk Local Plan
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
IMP 10: Noise
EMP 7: The retention of rural employment and services
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes

1.4 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Relevant Planning History

2.1 2010/0343 Extension of time for permission 2006/1242 Approved
2.2 2009/0617 Reserved matters submission for the erection of office accommodation to replace existing, and associated structures. Approved
2.3 2006/1242 Redevelopment of the site into business park and associated hard/soft landscaping Approved

3. Consultations

3.1 Parish Council
Refuse
The principle of development that enhances the surrounding area both in terms of visual impact and quality of life is supported, however they raise the following concerns:

- Revised planning policy for the site yet to be agreed
- Lack of consideration of the impact on the community and character of Trowse
- Flood risk
- Is the development sustainable?
- Residential amenity and impact of adjacent land uses
- Access and highway safety
- Impact on local services and surrounding areas
- Retail element of the proposal would threaten existing local services
- Landscape impact

3.2 District Member
Mr T Lewis
Raises the following concerns:

- Flood risk – still believes that the flooding risk has not been properly identified.
- Pedestrian access to Norwich – the pedestrian routes are in many places dangerous.
- Parking is inadequate.
- The lack of on-site provision for schooling remains a major impediment to the application.
- Power line undergrounding – the potential additional terminal towers needed would bring additional impact to Whittleingham Country Park and residents in White Horse Lane. This would be a retrograde step.
3.3 Ecologist
No objection subject to mitigation measures, mainly in connection with the CWS within the Deal Ground area of the site. An ecological management plan should be submitted to and approved in writing.

3.4 Environment Agency
No objection subject to the imposition of conditions relating to minimum finished floor level; details of a safe exit route; provision of compensatory flood storage works; further details of bridges and culverts; detailed SUDS scheme and conditions relating to contamination and pollution control.

3.5 Anglian Water Services Ltd
No objection subject to a condition requiring the submission of an appropriate drainage strategy. The local treatment works has capacity to cater for foul flows from the development.

3.6 Environmental Services (Protection)
No objection, subject to conditions dealing with external lighting and foul water disposal.

3.7 NCC Highways
No objection, subject to appropriate conditions

3.8 NCC Minerals & Waste
No objection to the development of the May Gurney site, although does object to the development of the Deal Ground on the basis that it has the potential to prejudice the continued operation of a safeguarded mineral site.

3.9 Yare Valley Society
Raise a number of concerns
- Relationship with County Wildlife Site
- Over-development of the countryside landscape and the river valleys

3.10 English Heritage
No objection.

3.11 NCC- Planning Obligations
The potential allocation of two housing sites in Trowse could bring forward a further 250 dwellings in the area. With this level of development combined with the Deal Ground site (South Norfolk part) some 83 primary age children are likely to be generated. Not all these children could be accommodated at their catchment school in Trowse even if out of area children are excluded. The County Council has raised concerns to the emerging housing allocations in Trowse (October 2012).

Development from the Norwich part of the Deal Ground would generate a further 89 primary age children.

It would be sensible for children arising from the both Deal Ground sites to have their local primary school in Trowse.
On this basis the County Council now considers the best education solution for the area is a new 315 place (1.5 Form Entry) expandable to 420 place (2 form entry) primary school, which would in effect move and expand the existing school in the village to a new site to accommodate:

1. The existing children in the village;
2. The children arising from the above applications; and
3. Any children likely to come forward from the potential South Norfolk allocations in Trowse.

The location of a school site would ideally be in Trowse and would cost around £5.2 million. In respect of the South Norfolk element of the application, the County Council will be seeking a contribution of £313,650.

3.12 NCC Historic Environmental Services
No objection subject to the imposition of conditions relating to further archaeological investigations.

3.13 Whitlingham Trust
Raise a number of concerns
- Scale of development prejudices the prime objective of providing for quiet enjoyment for local residents and visitors
- Impact of increased visitor pressure with no commitment to providing resources
- Visual impact detracting from the open rural character of the western end of the park
- Urbanisation of river corridor

3.14 UK Power Networks
Comment that discussions have taken place with the applicant regarding the diversion or placement underground of the two double circuit 132kv lines that cross the May Gurney and Deal Ground sites and a preferred option has been identified. Subject to securing first and third party land consents, obtaining the appropriate planning consent and reaching an agreement with the applicant on the matter of the ‘diversion of costs’ and ‘engineering complexities’ it is an option that could be achieved.

3.15 Representations
48 letters of objection received raising the following concerns
- Increase in traffic impact on the local highway network
- Access through May Gurney is inappropriate and dangerous
- Insufficient parking
- Infrastructure will not be able to cope
- Detrimental impact on the village identity of Trowse
- Design of the types of buildings proposed is not in-keeping with those in Trowse
- Detrimental impact on the County Wildlife Site
- Unacceptable development within a flood risk area
- Local school will not be able to cope
- Retail element of proposal not needed

4 Assessment

Location and context

4.1 The proposed development site is cross–boundary, including land known as the Deal Ground (mostly within Norwich City) and land operated by May Gurney, which is within the
The administrative boundary of South Norfolk District Council. A location plan is attached as Appendix 1. The Deal Ground, primarily a brown field site was originally part of the Colman’s site (linked by a tunnel) and where deal soft wood was used to manufacture barrels and crates for the transportation of products. The site has no direct road frontage, being bounded to the north by the River Wensum, to the west by an aggregate plant and rail head and to the east by a County Wildlife site and the River Yare. Access to the Deal Ground is via a private road that exits on to Bracondale, to the immediate east of the railway bridge. This provides access to the aggregate plant operated by Lafarge, Trowse Anglian Water pumping station, a small number of residential properties and the Carrow Yacht Club. A small peninsula of land containing the yacht club is also within the boundary of South Norfolk Council.

4.2 The northern section of the Deal Ground comprises areas of hardstanding, consisting of the foundations of previously demolished industrial buildings, access roads and car parking areas. Beyond this the land comprises a range of semi-natural habitats of dry rank grassland and trees of varying maturity. The application extends into the northern and western sections of the Carrow Abbey Marshes County Wildlife Site.

4.3 The May Gurney site lies to the south of the Deal Ground and the intervening River Yare. The site fronts on to The Street from where vehicular access is gained, and predominately comprises a combination of buildings, hard-standing and marginal areas of scrub and scattered trees. This part of the development site lies entirely within South Norfolk and is wholly within Flood Zone 2 (medium risk). This site has consent for business employment use, although it is not allocated within the emerging local plan for any particular use. It is however within the current and proposed development boundary of Trowse.

4.4 Beyond the site boundaries and to the west of the site is the Lafarge stone coating operation served by a freight railhead leading from the main Norwich to London rail line. To the north, on the opposite bank of the River Wensum, immediate adjacent land uses are primarily industrial including the Utilities site (former power station), Crown Point rail depot, Laurence Scott Engineering and a former gas storage facility. Beyond are the residential areas of Thorpe, rising to Thorpe Ridge Conservation Area beyond.

4.5 To the south and east of the site is grazing land and Whitlingham Lane serving residential properties, Norwich Ski Club and Whitlingham Country Park. The village of Trowse lies to the south of the site.

The proposal

Although members are required only to determine development within South Norfolk (i.e. May Gurney and the small area of the NE corner of the site) it is important to consider the development within the context of the comprehensive scheme for the wider site. The application seeks outline approval for a mixed development comprising up to 670 dwellings and a range of commercial uses. Approval for the matter of access (main access spine road) is sought in full with all other matters being reserved. The proposals include the following elements.

- Access; the existing access from The Street, serving the May Gurney Site, will provide primary access to the whole site. In order to facilitate access to the Deal Ground, a new vehicle/pedestrian/cycle bridge is proposed across the River Yare. A new spine road is proposed on a north-south alignment. The existing private access road serving the Deal Ground, exiting on to Bracondale, is proposed to serve as a secondary emergency access only.

- Up to 670 dwellings across the whole site. Supporting documents submitted with the application, illustrates the broad distribution of housing numbers across the site and the two local authority areas. Most of the dwellings are proposed on the Deal Ground with 60 – 80 dwellings on the May Gurney site.
A small local centre to serve the needs of the development comprising A1/A2/A3 uses, with nine individual units between 71 – 200sqm (total area 1265sqm). Although the local centre is illustrated within the May Gurney site, approval of its precise location is not sought at this stage.

A specialist dining quarter, including a public house, is proposed as part of the Wensum Riverside proposals. The supporting documents submitted with the application indicate A3/A4 uses, six individual units between 105 – 400sqm (total area 1210sqm).

A pedestrian/cycle bridge (currently being considered by the Broads Authority under application ref: 12/00996/O) linking the Deal Ground site to northern side of the Wensum and to the city beyond.

The application is supported by a considerable amount of supporting documentation setting out and justifying the development approach. The development includes four distinct areas:

- Area 1 – May Gurney site: Predominantly two storey housing/possible location of small local centre.
- Area 2 – Marsh Reach: middle section of the site, comprising 2/3 storey houses integrated into a marsh landscape
- Area 3 – Linear section of the site adjacent to the western boundary: comprising managed car parking areas, landscaping and space for ancillary service buildings.
- Area 4 – Wensum Riverside: Northern section of the site adjacent to the river Wensum / River Yare – High density residential development 2-8 storey: including terraced houses/apartments/duplexes, court yard parking, specialist dining quarter.

A comprehensive landscape strategy is proposed including formal and informal open space/recreational space and play areas. These include a multifunctional riverside walkway adjacent to the River Wensum, the restoration and future management of the Carrow Abbey County Wildlife site, and the renovation and adaption of the Listed Brick Kiln to serve as a bat hibernaculum.

In connection with flood alleviation measures, ground level changes are proposed across parts of the site. All of the access road and western parts of the Deal Ground are shown as being raised. In addition areas to the north and west of the County Wildlife Site are shown as being lowered to provide extended flood storage, marsh habitat and flow paths for flood water across the site. A Masterplan for the site is attached as appendix 2.

The application has been submitted with an Environmental Statement and as such the proposal is EIA development. The Environmental Statement (ES) details the noise/vibration, transport, flood risk, archaeology, ecology, socio-economic, landscape and air quality impacts of the development. In relation to each technical area the ES considers the impact of the development both at construction and operational stage, the likely effects, mitigation measures and residual impacts. During the course of the application a number of addendums to the ES have been received as well as other additional information to respond to representations and comments of consultees.

Policy Background

The redevelopment and regeneration the Deal Ground and May Gurney sites are identified as priority within JCS Policy 12.
4.12 Collectively, the sites comprise approximately 15 hectares of vacant Brownfield land with the capacity to accommodate strategic levels of employment and housing growth. Both sites are separated by and front the River Wensum, vehicular access being constrained by intervening water courses and rail lines. Development of both sites is therefore conditional on improved access through the provision of new bridge infrastructure and a key objective is to ensure that development unlocks the potential for the comprehensive regeneration of both sites.

4.13 The NPPF includes a presumption in favour of sustainable development, and sets out core planning principles including promotion of mixed use development, encouraging the effective use of land by re-using brownfield land, and promoting sustainable transport. Its primary objective is to deliver economic and housing growth. This focus on the planning system making development happen, requires Local Planning Authorities to consider viability and market signals when making decisions on policy and planning applications. The NPPF in this regard states that sites allocated for employment purposes should not be protected long term where there is no reasonable prospect of a site being used for that purpose.

4.14 South Norfolk Local plan policy EMP7 seeks to retain employment sites outside of market towns and it applies to the May Gurney site. However, in this case, given the close proximity to employment sites in Norwich, and the fact the existing employment use on the site is not protected by any site-specific policy allocation, the presumption in favour of sustainable development on brownfield land carries significant weight in spite of this policy conflict.

4.15 Furthermore, policy EMP7 is only considered to be partly compliant with the NPPF, which takes precedence in this case.

4.16 The area of SNC land adjacent to Carrow Yacht club is clearly more related to Norwich and the Deal Ground, and, although outside of the development limits of Trowse, is a brownfield site where redevelopment can be supported in principle.

4.17 Due regard must also be given to the environmental impacts of the development, and in particular the indirect impacts on Trowse village.

Norwich City Council Applications 12/0875/O and 12/00996/O

4.18 The above applications, which deal with the remainder of the development site, as well as providing for the River Wensum pedestrian and cycle bridge, were resolved for delegated approval by members of Norwich City Council's Planning Applications Committee on the 16th May 2013. A copy of the officer’s report to committee is attached as appendix 3.

Main issues for consideration

4.19 Taking into account the context of the wider regeneration of the Deal Ground site (already resolved to be approved by Norwich City Council), the main issue for consideration by South Norfolk Council is the principle of the development of 60-80 dwellings on the May Gurney site, and the principle of multi-storey residential development of the other South Norfolk Council land adjacent Carrow Yacht Club, and the impact of the development in terms of:

- Drainage and flooding
- Design concept
- Highways and access
- Other Environmental issues
- Overhead power lines
- Socio-economic impacts
Affordable housing, viability and deliverability

Drainage and flooding

4.20 It is acknowledged that both elements of the scheme within South Norfolk are within Flood Zone 2 (medium probability), and that parts of the May Gurney site have flooded in the past. However, a Flood Risk Assessment (FRA) submitted as part of the EIA for the application has assessed the flood risk to the site and has demonstrated that the proposed development will be safe without increasing flood risk elsewhere, and importantly, will reduce flood risk overall as required by paragraph 10 of the NPPF.

4.21 The finished floor levels of the residential and commercial development within the site will be above the 1 in 100 year flood incident level, and as all dwellings will be either multi-storey houses or apartments, there will be higher refuge in the event of a 1 in 1000 year flood event. The road access to all properties and the secondary emergency access have been designed to remain dry in the event of a flood.

4.22 Having taken into account the FRA, the Environment Agency does not object to the development, provided that the local planning authority is satisfied with submitted emergency evacuation plan. This can be required by condition.

4.23 Section 10 of the NPPF requires all development to be guided to areas of low probability of flooding, this being Flood Zone 1 (i.e. all areas outside Zones 2 & 3), unless it can be demonstrated that no other more suitable and available sites exist. The Council is therefore required to undertake a sequential test to establish if other sites at less risk from flooding are available.

4.24 The May Gurney site falls within the current and proposed development limits of Trowse and has the benefit of planning permission for business/employment use. Although the site is not allocated for housing as part of the local plan site specifics process, regard has to be given to the fact that the site forms part of a wider area of land that has priority for regeneration and that it would accommodate the main access to a larger site. Taking these points into account, there are no other sites within the Norwich Policy Area which are in a lower flood risk zone and which can accommodate the same levels of housing. For these reasons the scheme passes the sequential test.

Design concept

4.25 The planning application has been accompanied by a comprehensive Design and Access Statement which details the design process. The design approach has been informed by a detailed appraisal of the site, the setting, the constraints and consideration of opportunities that the site presents. The constraints associated with the site are significant, and include flood risk, the presence of a County Wildlife Site, limited accessibility and the brownfield nature of the site. The design strategy for the development is founded on identifying sustainable and innovative solutions to these constraints.

4.26 The Design and Access Statement establishes an overarching Vision for the site

- To create a unique, ecologically rich, waterside development and a transition between the city of Norwich, Trowse and the Broads
- The regeneration of the Deal Ground and May Gurney sites will be an exemplar sustainable and flood resilient development, potentially a showcase of national and international importance
- It will bring regeneration to the to the east of Norwich through the creation of a new urban village
4.27 The Design and Access Statement sets out in detail the design principles behind delivering this vision. The design concept and masterplan that emerge are well evidenced and provides an integrated response to the challenges of the site and proposes a landscape-led development with a strong urban connection. Key to the development concept are the following guiding principles:

- To create a landscape led development, in which the boundaries between dwellings are blurred and forming a transitional urban area as a feathered edge to the City:
- To locate the development in the areas of least flood risk and create a visual buffer to the railway
- Extend the marsh between development to create a multi-functional landscape that can provide flood storage, ecological enhancement and semi-public space
- To create a series of new neighbourhoods each with its own unique identity – May Gurney, Marsh Reach and Wensum Riverside character areas.
- To promote modal shift and sustainable travel through the provision of high quality pedestrian/cycle and transport links, through a car club and through restricting car parking within the site.
- To create a development that seeks to adapt and mitigate to climate change

4.28 The vision, design principles and design concept provide a sound basis for guiding the high quality sustainable development of this site. The broad urban design approach to achieving high quality design, particularly in respect of an integrated approach to sustainability and managed flood risk, is considered consistent with the core development principles set out in Policy 2 of the JCS and the NPPF.

4.29 In respect of the May Gurney element of the proposal, although a development of between 60 to 80 dwellings will create a relatively high density development (30 – 40 dwellings per hectare), it is limited to 2-storey in height, and with the commitment to high quality design set out in the design approach, an appropriate high quality design is achievable.

4.30 The landscape impact of this development is a significant consideration in the assessment of this proposal. Albeit outline, the application seeks to establish the broad quantum, distribution and height of development. Buildings in the South Norfolk area of the Wensum Riverside zone are shown up to 8 storeys in height. The possible adverse visual impact of high density/high rise development in this urban fringe location is a focus of a number of objections to this application.

4.31 The design approach in the Wensum Riverside zone is more urban, particularly in terms of scale, and is centred on providing a high quality waterfront development. Building heights in this part of the site are shown as, ranging in height from 5 to 8 storey along the River Wensum and dropping down to three storey adjacent to the River Yare. Whilst buildings of this height are not a feature within the wider South Norfolk landscape, the South Norfolk element of this Wensum area of the site is disjointed (both physically and visually) from the May Gurney land and the village of Trowse, and has a context that relates more to the city centre where there is an opportunity to create development that provides for a positive presence within a riverside setting.

4.32 In terms of energy efficiency and renewable energy, the proposal incorporates a range of sustainable measures to reduce the environmental footprint of the development. These include; solar orientation, solar thermal, green roofs, low car dependency, resilient construction and where appropriate the use of timber frame construction. JCS policy 3
requires developments of this scale to provide at least 10% of the expected energy requirements from decentralised and renewable or low carbon technology, and supporting documentation commits to the JCS 3 requirements and a variety of technologies have been considered including solar thermal and photovoltaic panels, biomass heating and ground source heat pumps.

4.33 I consider that the design approach to this site has significant merit, and provides the opportunity for a high quality and sustainable development to be submitted at the reserved matters stage.

Highways and access

4.34 The main access to the site will be from The Street through the May Gurney site via a traffic signal controlled junction. NCC Highways have accepted the principle of this, and also state that the signal control aspect of the access is not a requirement for the development to be acceptable in highway terms. A bus service and footway will serve the site, which is considered adequate for the scale of development proposed. A Transport Assessment and associated Travel Plan have been submitted with the application and these provide an analysis of the travel and transport implications associated with the development. The impact of additional traffic associated with the scale of developed proposed is a focus of a number of objections given concerns over the existing local highway network including Martineau Way, Martineau roundabout, Bracondale and King Street.

4.35 The Transport Assessment has examined the existing and projected functioning of the local highway network, having regard to the without-development scenario and implementation of the extant business park permission for the May Gurney site, compared with the impact of the proposed development. Both the Transport Assessment and the response from County Council Highways acknowledge the constraints imposed by the local highway network and that existing peak traffic demand exceeds the available capacity at critical junctions resulting in congestion and significant queuing and delay.

4.36 The design concept set out in the Design and Access Statement is centred on the creation of sustainable ‘smart growth’, an approach that seeks to concentrate development in locations and in a manner that promotes a modal shift, from reliance on the car, to cycling and walking being the preferred means of travel.

4.37 A pedestrian and cycle bridge over the River Wensum is proposed (Norwich City application ref: 12/00996/O) and has been identified by County Highways as critical infrastructure necessary to support development of this site.

4.38 In terms of car parking, a ratio of 85% is proposed across the wider site (ie a total of 570 spaces to serve the 670 dwellings.) However, within the May Gurney site NCC Highways agree that the level of parking should be increased so that it accords with South Norfolk Council adopted standards.

4.39 Norfolk County Council as Highway Authority has confirmed that the local road network will be made busier by the development but consider that adverse impact will be avoided by the car suppression measures proposed, the quality of the pedestrian and cycle links being provided and establishment of the TMA which will promote sustainable travel behaviour. NCC Highways do not object to this application, subject to appropriate conditions, and have indicated that the problems associated with the local network will play a role in discouraging car travel – the transport strategy for the site seeks to create pedestrian and cycle linkages to the city that are more direct and quicker than car travel at peak times.

4.40 This approach to managing the pattern of growth to make the fullest possible use of public transport, walking and cycling and focusing significant development in locations which are or can be made sustainable is fully compliant with the NPPF and the JCS.
The implementation of the transport strategy will be secured through planning conditions and a Section 106 legal agreement, which will also ensure that no development will come forward on the Deal Ground until the pedestrian and cycle bridge over the River Wensum has been completed. Subject to these obligations and conditions, the application is considered to accord with saved policy IMP8 of the South Norfolk Local Plan 2003.

Other Environmental issues

Contamination – both sites within South Norfolk have historically been used commercially, however various investigations over a number of years have indicated generally low levels of contamination, with the exception of some metal contaminants. The Council’s Environmental Health Officer has liaised with Norwich City Council, and has agreed to conditions being imposed requiring further site investigations that will fully safeguard the water environment and public health. Subject to the imposition of these conditions on any approval the application accords the requirements of section 11 of the NPPF.

Noise – the wider noise implications of the Deal Ground site are dealt with in the Norwich City Council report to committee attached as Appendix 3, which include both construction noise and existing noise impact from the adjacent land uses, including the railhead and the LaFarge aggregate plant. However, both South Norfolk sites are not significantly affected by these uses, and neither NCC Minerals & Waste nor SNC Environmental Services have raised concerns in this regard. Whilst construction noise could have a negative effect on existing sensitive receptors (including existing local residents), the effect will only be temporary and can by limited through appropriate mitigation measures, such as the use of noise attenuating barriers and hoarding. These design elements will be required to be submitted for approval as reserved matters.

Air Quality – although there are a number of potential sources of air pollution and odour, mainly from the neighbouring minerals and railhead operations, the Council’s EHO is content that there are no air quality issues within the South Norfolk area resulting from the development. Again, subject to the imposition of these conditions on any approval the application accords the requirements of section 11 of the NPPF.

Ecology and landscaping – there are a number of ecological considerations in relation to the larger site, particularly in respect of the County Wildlife Site to the north of the May Gurney site, and the Rivers Yare and Wensum forming part of the Broads, a wetland area of national and international importance. However, these receptors are outside the South Norfolk areas where development would not directly affect them. Pars.161 – 177 of the report attached as Appendix 3 explains in detail the ecological considerations and proposed mitigation.

Overhead Power Lines

Both the Deal Ground and May Gurney sites are traversed by two dual circuit 132,000 Volt overhead power transmission lines, as well as several 33,000 Volt and 11,000 Volt underground cables. These circuits supply power to the eastern part of the city of Norwich as well as much of the broads and the rural area to the northeast. The electricity network in England and Wales is owned by the National Grid Company plc and electricity Distribution Network Operators, in this case UK Power Networks.

The proposed development on the May Gurney site is directly beneath the power lines and UK Power Networks have advised that it may not be possible to construct with the lines in situ. As the network operator does not own the land, it cannot prevent development close to or under overhead lines, although clearly safe electrical clearances must be maintained. Taking this into account, the cables must be undergrounded to make the site viable for the development proposed. The applicant has commenced discussions with UK Power...
Networks regarding the undergrounding of electricity cables although a precise scheme has yet to be determined or agreed. However, UK Power Networks have advised that subject to necessary first and third party land consents and agreement in relation to division of costs, the overhead cables could potentially be removed from the site.

Socio-economic Impacts (including Education)

4.48 The Environmental Statement submitted with the application includes reference to socio-economic impact of the development particularly in relation to the potential direct and indirect impacts on employment, local spending and public amenity impacts.

4.49 The development will have a long term benefit of bringing forward 670 new homes and making a substantial contribution to meeting the general and affordable housing needs of the Norwich area identified in the JSC Policy 12, as well as contributing towards the 5-year land supply within both South Norfolk and Norwich City’s parts of the Norwich Policy Area. (The delivery of the May Gurney element of the proposal (60 – 80 dwellings) is anticipated within the next 5 years.) The location of the site and the proposed pedestrian/cycle and public transport connections allows future residents the choice to access services beyond those locally available and therefore the overall detrimental impact on existing services is predicted by NCC: Highways to be minimal.

4.50 Norfolk County Council has considered the education needs arising from the development and comment that Trowse Primary School (the closest existing school to the site) has no existing or predicted spare capacity and Norfolk County Council have identified the need to expand provision. They also point out that the closest city primary school is Lakenham, and the walking route is neither direct nor attractive, given the need to cross Bracondale or Martineau Way.

4.51 Taking the above into account, in relation to this application they are seeking developer contributions towards the provision of a new 315 place (expandable to 420 place) primary school within the village of Trowse. A site has been identified close to the existing school; however this is dependent on other applications for other housing development being successful. The fallback position should this site not come forward for development is that the education needs arising from the development would have to be catered for at the existing schools in Norwich.

4.52 A number of representations have been received expressing concerns about the impact of the development on the function, appearance and character of the village of Trowse. Clearly there will be an increase in traffic from the development, some of which may well impact on Trowse village, however the emphasis on creating a sustainable community that looks towards Norwich will help to minimise this impact. Furthermore, this approach will also help the development to be seen as connected to Norwich, rather than Trowse village. The additional activity the development would create may also have indirect benefits to local businesses, facilities, and local community groups etc.

Affordable Housing, Viability and Deliverability

4.53 A development of the scale proposed would normally generate a requirement for significant developer contributions, mainly towards improved education facilities and open space/play area enhancement. JCS Policy 4 also requires 33% of the dwellings to be affordable. Open/play space enhancements are in this instance being provided on-site, and along with the provision of a pedestrian/footbridge over the Wensum, bring significant benefits.

4.54 The applicants have, through the submission of a commercially confidential open book Viability Appraisal, been able to demonstrate that the provision of the full amount of contributions required across the whole site (totalling in excess of £1.9 million) would render the site unviable and undeliverable, with a profit of well below 10%. In cases like
this, JCS Policy 4 allows for the proportion of affordable housing sought to be reduced where it can be demonstrated that site characteristics, together with infrastructure provision (including contributions) would render the site unviable. This approach is also supported in the NPPF.

4.55 In the interests of trying to deliver a priority regeneration site (referred to in JCS Policy 12), officers are seeking reduced levels of obligations as follows:

- Serviced land for 27 units of affordable housing within the May Gurney site (with shared nomination rights between SNC and Norwich City)
- £302,744 towards education provision
- £154,000 towards sustainable travel
- Deferred ‘top up’ payments – these would be payable in the event of the viability of the site improving during the course of the development.

4.56 The significantly reduced delivery of affordable housing (4% of the total number dwellings proposed) is disappointing. However, as a proportion of the delivery of housing within the South Norfolk District, 27 affordable dwellings are proposed within the May Gurney land, and this represents approx. 22% of the total number of dwellings proposed. A shared nomination right with Norwich City brings the percentage down to 11%. Although still well below the policy requirement, there is clear evidence to suggest that requiring the full level of affordable housing would render the development of the site unviable.

4.57 The significantly reduced level of affordable housing being provided needs to be balanced against the significant benefits of regenerating a Brownfield site within the Norwich Policy Area. It should also be noted that a S106 legal agreement will contain a ‘claw-back clause’ to ensure that any uplift in property value provides a contribution towards more affordable housing provision. Any uplift will be split between South Norfolk and Norwich.

Conclusions

4.58 The development of this site represents a significant opportunity to bring forward a strategic location identified in JCS Policy 12. On balance I consider that the creation of an ‘urban village’ is sustainable development that is compliant with the NPPF and one that makes a substantial contribution towards general housing provision with the Norwich Policy Area.

4.59 Although there are clear site constraints for the wider site, in terms of access, flood risk, adjoining industrial uses, landscape and ecology, the development approach contains an integrated response to these constraints, and seeks to manage and mitigate environmental impacts to an acceptable level. Within South Norfolk, there are fewer constraints, and therefore the benefits of the development weigh more heavily when balanced against the dis-benefits.

4.60 The development of the May Gurney site, and the area of land in the Deal Ground within South Norfolk will provide approx. 120 dwellings on brownfield land, contributing towards the 5-year land supply, and removing some of the pressure to allow further development on greenfield sites.

5 Reasons for Approval

5.1 The development of this site will bring forward a strategic location identified in JCS Policy 12. On balance I consider that the scheme represents sustainable development that is compliant with the NPPF and one that makes a substantial contribution towards general housing provision with the Norwich Policy Area. The development approach successfully mitigates for its environmental impacts, and is considered acceptable in terms of highway
safety, impact on existing residential amenity and flood risk, and accords with Local Plan policies IMP8 and IMP9 and Section 10 of the NPPF.

5.2 Taking into account the above, the development can be accepted as a departure from JCS Policy 4 in respect of affordable housing provision, and Local Plan policy EMP7 in respect of employment site retention.

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## Deal Ground - Proposed Development Areas

<table>
<thead>
<tr>
<th>Area</th>
<th>Development Areas</th>
<th>Types of Development</th>
<th>Quantity</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>May Gurney</td>
<td>Residential</td>
<td>60-80 Dwellings</td>
<td>2 Storey</td>
</tr>
<tr>
<td>2.</td>
<td>Landscape Buffer</td>
<td>Car Parking &amp; Service Buildings</td>
<td>No dwellings (auxiliary buildings only i.e. bed-sits)</td>
<td>1 Storey</td>
</tr>
<tr>
<td>3.</td>
<td>Marsh Reach</td>
<td>Residential</td>
<td>180-200 Dwellings</td>
<td>2-3 Storey</td>
</tr>
<tr>
<td>4.</td>
<td>Wenasum Riverside</td>
<td>Residential</td>
<td>400-400 Dwellings</td>
<td>2-8 Storey</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restaurants (Class A3)</td>
<td>Up to 6 commercial units</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public House (Class A4)</td>
<td>totaling 1210 sqm</td>
<td></td>
</tr>
</tbody>
</table>

1, 3 or 4 May Gurney

Marsh Reach or Wenasum Riverside

Local centre, serving the needs of the development comprising a range of units within Use Classes A1, A2 and A3

Up to 6 commercial units totaling 1265 sqm

**Total**

Maximum of 670 dwellings over the whole site.
INTRODUCTION

1. This report includes consideration of two planning applications:

2. 12/00875/O proposes the mixed use development of the Deal Ground. This application proposal although validated in March 2012 was substantially submitted in February 2011 under the reference 10/02172/O. Since first submission the proposal has been subject to various alterations and further documents and
supporting material have been submitted to both respond and or address issues raised. The development is cross-boundary, elements within the city will be determined by the City Council, elements within Trowse will be determined by South Norfolk Council (see plan).

3. 12/00996/O proposes a bridge over the River Wensum to provide a pedestrian, cycle and emergency access bridge over the R Wensum. This application is also cross-boundary, elements of the bridge spanning the river will be determined by the Broads Authority, whilst the remainder of the structure is within the city and will be determined by Norwich City Council.

The Site
Location and Context

4. The proposed development site is cross-boundary, including land known as the Deal Ground mostly within Norwich City and land operated by May Gurney, within the administrative boundary of South Norfolk Council (see plan 1). The Deal Ground, primarily a brown field site, was originally part of the Colman’s site (linked by a tunnel) and where deal soft wood was used to manufacture barrels and crates for the transportation of products. The site has no direct road frontage, being bounded to the north by the River Wensum, to the west by an asphalt plant and rail head and to the east by a County Wildlife site and the River Yare. Access to the Deal Ground is via a private road that exits on to Bracondale, to the immediate east of the railway bridge. This provides access to the aggregate plant operated by Lafarge, Trowse Anglian Water pumping station, a small number of residential properties and the Carrow Yacht Club.

5. The northern section of the Deal Ground comprises areas of hardstanding, consisting of the foundations of previously demolished industrial buildings, access roads and car parking areas. Beyond this the land comprises a range of semi-natural habitats of dry rank grassland and trees of varying maturity. The application extends into the extreme western and southern sections of the Carrow Abbey Marshes County Wildlife Site (see plan 1) – notified on the basis of mosaic tall fen and herb vegetation and the presence of the Desmoulin’s Whorl snail.

6. The May Gurney site lies to the south of the Deal Ground and the intervening River Yare. The site fronts on to The Street from where vehicular access is gained. The site predominately comprises a combination of buildings and hard-standing and marginal areas of scrub and scattered trees. This part of the development site lies entirely within South Norfolk along with a small section to the north-east of the Deal Ground adjacent to the Carrow Yacht club boundary.

7. Beyond the site boundaries and to the west of the site is the Lafarge stone coating operation served by a freight railhead leading from the main Norwich to London rail line. To the north, on the opposite bank of the River Wensum, immediate adjacent land uses are primarily industrial including; the Utilities site (former power station), Crown Point rail depot, Laurence Scott Engineering and a former gas storage facility. Beyond are the residential areas of Thorpe, rising to Thorpe Ridge conservation area beyond.
8. To the south and east of the site is grazing land and Whitlingham Lane serving residential properties, Norwich Ski Club and Whitlingham Country Park. The village of Trowse lies to the south of the site.

Constraints

9. The site is low lying and given its location at the confluence of the rivers Yare and Wensum is at risk of flooding. Flood risk varies across the site with changes in ground level but only a small area to the west of the Deal Ground is at low flood risk. Most of the Deal Ground is within flood zone 2 (medium probability of flooding) or zone 3a (high probability). Those parts of the site which extend into the western and southern sections of the County Wildlife site are within zone 3b, the functional floodplain.

10. Within the Deal Ground there is a former brick kiln, a designated Grade II Listed Building currently on the at risk register.

11. The Trowse railhead is the only railhead in Norfolk delivering crushed rock for use in the construction industry to the county. The railhead and the co-located asphalt plant are identified as safeguarded mineral infrastructure in the adopted Norfolk Core Strategy and Minerals and Waste Development Management DPD.

12. The Carrow Abbey Marshes County Wildlife Site (CWS) lies directly to the east of the site. The CWS is in private ownership of the applicant with no formal public access. The trees within the CWS are covered by a group Tree Preservation Order. In addition the application site lies immediately adjacent to the Broads, an internationally important wetland area and Whittingham County Park.

13. The CWS is located within a larger Urban Green space which is also part of the River Valley local plan designation.

14. High voltage electricity cables are routed across the site supported by three pairs of high towers.

15. A small area of the application site lies within the outer consultation zone of the safeguarded gas storage facility on the Utilities site. This remains a designated Hazardous Installation.

Relevant Planning History

16. Broads Authority – BA/2011/0254/FUL : Erection of 2 No. floating pontoons on river, access ramps and fixed landing points on the North bank to the rear of Norwich City Football club and South bank at Deal Ground to enable temporary passenger and cycle ferry service. Approved 21/10/2011

17. South Norfolk (May Gurney site) - 2010/0343: Extension of time for permission 2006/1242/O. Approved 10/12/2010

Equality and Diversity Issues

19. On the basis of the outline submission there are not considered to be any equality or diversity issues which would require detailed assessment at this stage, however a lifetime homes condition is suggested, this requirement goes beyond the requirements of building regulations.

The Proposals

20. The application seeks outline approval for a mixed development comprising up to 670 dwellings and a range of commercial uses. Approval for the matter of access (main access spine road) is sought in full with all other matters being reserved. The application details the whole cross-boundary development, elements within the Deal Ground will be determined by Norwich City Council. The site access, development of the May Gurney site and a small north-eastern part of the Deal Ground will be determined by South Norfolk Council. The proposals include the following elements:

21. Access: The existing access from The Street, serving the May Gurney Site, will provide primary access to the whole site. In order to facilitate access to the Deal Ground, a new vehicle/pedestrian/cycle bridge is proposed across the River Yare. A new spine road is proposed on a north-south alignment. The existing private access road serving the Deal Ground, exiting on to Bracondale, is proposed to serve as a secondary emergency access only.

22. Up to 670 dwellings are proposed across the whole site. Supporting documents submitted with the application, illustrate the broad distribution of housing numbers across the site and the two local authority areas. Most of the dwellings are proposed on the Deal Ground — approximately 600 dwellings with 60 – 80 dwellings on the May Gurney site.

23. A small local centre is proposed to serve the needs of the development. The supporting documents submitted with the application indicate a local centre comprising A1/A2/A3 uses, nine individual units between 71 – 200 sqm (total area 1265 sqm). The local centre is illustrated within the May Gurney site but precise location is not sought at this stage.

24. A specialist dining quarter, including a public house, is proposed as part of the Wensum Riverside proposals. The supporting documents submitted with the application indicate A3/A4 uses, six individual units between 105 – 400 sqm (total amended area - less than 1000 sqm).

25. The application is supported by a considerable amount of supporting documentation setting out and justifying the development approach. The development includes four distinct areas (see plan 2):

Area 1 – May Gurney site: Predominantly two storey housing/possible location of small local centre.

Area 2 – Marsh Reach: middle section of the site, comprising 2/3 storey houses integrated into a marsh landscape

Area 3 – Linear section of the site adjacent to the western boundary: comprising
managed car parking areas, landscaping and space for ancillary service buildings.

Area 4 – Wensum Riverside: Northern section of the site adjacent to the River Wensum/River Yare – High density residential development 2-8 storey; including terraced houses/apartments/duplexes, court yard parking, specialist dining quarter.

26. A comprehensive landscape strategy is proposed including formal and informal open space/recreational space and play areas. These include a multifunctional riverside walkway adjacent to the R. Wensum. The proposal also includes the restoration and future management of the Carrow Abbey County Wildlife site.

27. The renovation and adaptation of the Listed Brick Kiln to serve as a bat hibernaculum is proposed.

28. In connection with flood alleviation measures, ground level changes are proposed across parts of the site. All of the access road and western parts of the Deal Ground are shown as being raised. In addition areas to the north and west of the County Wildlife Site are showed as being lowered to provide extended flood storage, marsh habitat and flow paths for flood water across the site.

29. The application has been submitted with an Environmental Statement and as such the proposal is EIA development. The Environmental Statement (ES) details the noise/vibration, transport, flood risk, archaeology, ecology, socio-economic, landscape and air quality impacts of the development. In relation to each technical area the ES considers the impact of the development both at construction and operational stage, the likely effects, mitigation measures and residual impacts. During the course of the application a number of addendums to the ES have been received as well as other additional information to respond to representations and comments of consultees.

30. The bridge application seeks outline approval for a new foot, cycle bridge and emergency access crossing over the River Wensum, airdraft to soffit height of 4.3m. This section of the River Wensum, is part of the navigable network administered by the Broads Authority to whom an identical application has also been submitted.

31. The outline proposals show an opening bridge with a soffit height of a minimum of 14’ above mean high water located towards the western end of the Deal river frontage. The overall span of the bridge would be approximately 50m and the central section of approximately 17.4m would open. This would give an opening section across one third of the river’s width at this point. Supports within the river channel would be required but these would be outside of the opening section. No final details of design have been included, but it is suggested that in order to achieve the opening arrangement the bridge would be of either a double bascule or sliding type. The bridge deck would be approximately 4.1m wide and would accommodate pedestrians and cyclists.

32. The application includes a route linking the bridge to the closest adopted highway. The application site therefore extends from Hardy Road, including land to the west and south of the existing Laurence Scott Electromotors building and land beneath and to the east of Trowse Railway bridge which would form the northern landing point of the bridge.
Representations Received

33. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 37 letters of representation from individuals have been received citing the issues as summarised in the table below.

<table>
<thead>
<tr>
<th>Issues Raised : Deal Ground 12/00875/O</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contrary to adopted Replacement Local Plan Policy EMP9 – designating the Deal Ground for employment development with a small number of houses. Scale of housing is excessive.</td>
<td>Para. 72 - 79</td>
</tr>
<tr>
<td>Transportation Impact Increase in Traffic – impact on road infrastructure already at over capacity at peak times e.g. Bracondale, County Hall roundabout, Martineau Lane, Riverside, King Street. Impact on Whitlingham Lane Single point of access insufficient to serve development Lack of parking will result in overspill problems in Trowse Submitted Transport Assessment – contains inaccuracies and inconsistencies Impact of traffic on highway / pedestrian safety</td>
<td>Para 117 - 125</td>
</tr>
<tr>
<td>Height of development Excessive height unacceptable – inappropriate for river gateway and the transitional zone between Broads and the City. Urbanisation of river corridor Impact on and loss of natural habitats Encroachment of development into marsh habitat unacceptable. Wildlife area should be retained. Impact of noise and urban activity on these natural habitats will be damaging. How will domestic and ecological spaces</td>
<td>Para. 117 -125 Para. 161 – 177</td>
</tr>
<tr>
<td>Development Management Committee 19 June 2013</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>co-exist?</strong></td>
<td></td>
</tr>
<tr>
<td>Impact of dust on CWS and Broads ESA has not been properly assessed</td>
<td></td>
</tr>
<tr>
<td>Impact on Whittingham Country Park – request for S106 Contribution towards additional management costs</td>
<td></td>
</tr>
<tr>
<td><strong>Unacceptable development in flood risk area</strong></td>
<td></td>
</tr>
<tr>
<td>Unsustainable for the future</td>
<td></td>
</tr>
<tr>
<td>Site frequently floods</td>
<td></td>
</tr>
<tr>
<td>Risk of flooding has not been fully assessed – impact of tidal surges and climate change</td>
<td></td>
</tr>
<tr>
<td>Impact on Trowse</td>
<td></td>
</tr>
<tr>
<td><strong>Residential development incompatible with adjacent land uses</strong></td>
<td></td>
</tr>
<tr>
<td>Noise associated with adjacent mineral and industrial operations has not been fully and properly assessed. (Lafarge/rail head/Carrow Works)</td>
<td></td>
</tr>
<tr>
<td>Development during construction and operational stages could have significant adverse impacts on these adjoining commercial operations.</td>
<td></td>
</tr>
<tr>
<td><strong>Impact on Trowse and Thorpe Hamlet</strong></td>
<td></td>
</tr>
<tr>
<td>Visual and noise impact during construction.</td>
<td></td>
</tr>
<tr>
<td>Impact on views from and the character of these areas and Conservation Areas</td>
<td></td>
</tr>
<tr>
<td>Impact on community, local school and medical services.</td>
<td></td>
</tr>
<tr>
<td><strong>Wider Landscape Impact</strong></td>
<td></td>
</tr>
<tr>
<td>Visible from Trowse, Whittingham Country Park, Thorpe and the A47.</td>
<td></td>
</tr>
<tr>
<td>Impact on Norwich Southern Bypass Landscape Protection Zone and the Yare</td>
<td></td>
</tr>
</tbody>
</table>

Para. 172

Para. 224-226

Para. 92-94 & para. 146-154

Para. 127 - 139

Para. 128

Para. 115

Para. 183 & 184, 186 - 188

Para. 81-82, 106-116
Valley.

<table>
<thead>
<tr>
<th>Scale of Commercial uses</th>
<th>Para. 83-91</th>
</tr>
</thead>
<tbody>
<tr>
<td>Need for sequential/impact tests</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bridge link across the R Wensum essential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Essential for safe pedestrian and cycle access to city centre. Connect2 project.</td>
</tr>
<tr>
<td>Bridge connection to Whitlingham Country park should also be provided.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Conflict with overhead power cables</th>
<th>Para. 199-208</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of marina</td>
<td></td>
</tr>
<tr>
<td>Missed opportunity</td>
<td></td>
</tr>
</tbody>
</table>

Original plans included a proposed marina which was subsequently deleted. The applicant has indicated the provision of moorings along the River Wensum frontage and a possible slipway.

34. In addition representations from the following have been received:

35. David L Walker Limited (on behalf of Lafarge Aggregates Limited) several letters including noise report. Raise a number of detailed objections to the application in relation to planning policy, noise, dust, traffic, landscape/visual impacts and site layout. Seven letters from companies supporting the asphalt depot and objection to the scale of residential development proposed.

36. RWE npower (on behalf of Utilities Site owners): Support the application although raise timing issues regarding an access agreement.

37. EJW Planning (on behalf of ATB Laurence Scott): Support the principle of redevelopment of the Deal Ground but raise safety concerns about the connection of northern pedestrian/cycle access to Hardy Road.

38. Harvey & Co (on behalf of Britvic Soft Drinks Ltd and Unilever UK Ltd): raise concerns over impact of manufacturing operations on residential development; highways; risk of contamination of ground water/aquifer.

39. Nathanial Lichfield & Partners (on behalf of capital Shopping Centres Plc): raise concerns over the proposed small local centre and dining quarter and failure to meet national and local planning policies in relation to sequential/impact assessment.

40. Cllr Lesley Grahame (on behalf of Thorpe Hamlet Councillors): Recognise the need for housing and support the principle of building on brownfield sites. Concerns over provision of sustainable transport links in the city; future parking demands; provision of bridge should be conditioned; school provision and quality of the development going forward.

41. Thorpe Hamlet Labour Party: Submit the results of a survey of the views of local...
people on the proposals. Responses include:

- support the principle of developing derelict land and welcome new jobs/homes/new bridge and environmental improvements.
- Concerns regarding: flood risk/drainage/traffic/densities/need to protect wildlife. Support for the provision of a new school in the area and improved GP and community facilities.

42. South Norfolk District Councillor (including Trowse ward): objections and comments in relation to: flooding, pedestrian access to Norwich, parking, schooling, power lines, form of development, noise and the Wensum bridge.

Consultation Responses: 12/00875/O

43. Anglia Water: In relation to the development they confirm capacity at the Sewage Treatment Works but the capacity constraints in the foul sewerage network. Conditions recommended in relation to foul drainage strategy and surface water disposal.

44. Broads Authority: Strong objection to the increase in visitor pressure on Whittingham Country Park, where facilities are inadequate to cater for current visitor numbers. Consider the development should make a contribution to mitigate its off site impact. Express concern over the scale and design of the proposed development and have strong reservations about the desirability of constructing 8 storey buildings. Consider a graded approach would be preferable and more detail is required in order to assess whether the quality of design is appropriate. Observe the adverse impact on the bio-diversity value of the river corridor, associated habitats and the wider Broads. In relation to the navigation impact, they consider the loss of the marina from the original proposals to be a missed opportunity and that it should be reinstated. They raise concerns about the existing plans which make no recreation provision but they are aware that the applicant has indicated his intention to include on-line moorings and a slip way, which would be welcomed.

45. Broads Society: make comments in relation to the absence of small scale employment zone and query the reservation of land for a rail freight depot.

46. Carrow Yacht Club: No objection – right of way across the site, suitable for a crane, must be maintained.

47. CABE Design Council: reviewed earlier scheme (10/02172/O) and made comments regarding the design approach – Supported the scheme in principle, raised matters of detail regarding the design of the bus square, visualisations, extension of Marsh Reach area and relationship between public, communal and private space. Commented that planning permission should not be granted without the provision of new bridge connection across the River Wensum.

48. English Heritage: Raised design issues regarding the May Gurney site. Within Deal Ground highlight potential archaeological interest and the need for further investigation. Requested further long views of the River Wensum blocks. Comment that the proposed use of the brick kiln is appropriate and recommend a condition requiring remedial repairs in the early phases.

49. Environment Agency - No objection subject to the imposition of conditions relating to minimum finished floor level; details of a safe exit route; provision of compensatory flood storage works; further details of bridges and culverts; detailed
SUDS scheme and conditions relating to contamination and pollution control.

50. **Natural England**: Welcome the creation of green space, enhancement measures, the inclusion of swales and ponds and the restoration of the brick kiln as bay roost (subject to some tree screening). Recommend that river corridors should seek to retain function as networks of natural habitats corridors. In relation to loss of CWS habitat they comment that mitigation needs to be both effective and deliverable and that the proposed creation of new habitat will depend on a high degree of management which may not be achieved. They comment that off site mitigation should also be explored. Further comments made about the need to ensure adequate sewage treatment facilities are in place and water resources should be secured.

51. **Network Rail**: Make detailed comments regarding construction and landscaping matters close to Network Rail infrastructure. Comment that developers should undertake their own investigations to establish any noise levels and vibration likely to originate from the railway and design mitigation accordingly.

52. **Norfolk Constabulary**: Consider that the scale of development requires financial contributions towards delivering Police services to address community safety, tackle the fear of crime and seek to achieve a reduction in crime.

53. Raise concerns regarding the location and design of parking areas, footpath provision and level of surveillance to such areas including play areas.

54. **Norfolk Fire and Rescue Services**: Need for the provision of fire hydrants

55. **Norfolk Wildlife Trust**: No objection in principal to the application and broadly support the proposals for biodiversity mitigation and compensation. Support the broad proposals within the proposed management framework for the Carrow Abbey Marsh County Site. Consider further clarification necessary regarding the managing the interface between the CWS and that buffering/fencing will be needed to minimise disturbance. Comments also made about the loss of fen habitat and that as well as the proposed translocation the potential for restoration of fen elsewhere on site should be explored. Value of the river corridors also highlighted.

56. **Norfolk County Council (Highways)**: No objection subject to the Transport Strategy being implemented, imposition of conditions and S106 Obligation securing the funding and long terms operation of a Transport Management Association

57. **Norfolk County Council (Historic Environment Services)**: No objection subject to the imposition of planning conditions relating to further archaeological investigations.

58. **Norfolk County Council (Minerals)**: Object to the outline application consider that it is likely to prejudice the continued operation of a safeguarded mineral operation at Trowse and the location of the residential units would create conflict between these incompatible uses and unacceptable impacts on the residents of the proposed development, contrary to the national and adopted county council policy. Maintain the view that redevelopment of the Deal Ground is welcomed in principle, but that the current proposal is too heavily biased towards residential development and that a more balanced mix would provide the basis for a more suitable scheme, which is less likely to lead to conflict. Consider that this is a complex proposal and it would not be appropriate for this development to be determined without the
inclusion of further detailed matters including layout, scale, and appearance and landscaping.

59. Thorpe St. Andrew Town Council: No objection – considered S106 funds could provide a ferry crossing between Whittingham Country Park and Thorpe Marshes to enable development of walks and pedestrian access to the two sites.

60. Trowse Parish Council: Recommend refusal of this application. Support the principal of development which enhances the surrounding area both in terms of visual impact and quality of life and consider that a mixed development could provide such an opportunity. Raise a number of concerns in relation to the application: revised planning policy for this site yet to be agreed; lack of account of the impact on the community and character of Trowse; development in flood risk area, residential amenity and impact of adjacent land uses; access and highway safety; impact of local services and surrounding areas; landscape impact.

61. Norfolk County Council (Planning Obligations): Seek commuted payments towards education and library provision as well as a monitoring charge and the provision of fire hydrants.

62. Norwich Fringe Project: Concern over the major impact on Carrow Abbey Marshes and future possible disturbance. Ideal option would be for the marshland habitat to be protected. Access should be restricted to limit disturbance. Future management needs to involve the residents and be an integrated part of the housing development. Raise general concerns about the impact of the development on local infrastructure; landscape and river corridor.

63. Norwich Rivers Heritage Group: Consider height of the development on Wensum Riverside as totally unacceptable and inappropriate for the river gateway. Lacks direct connection to Whittingham which would provide access from the city centre to the park.

64. UK Power Networks – Comment that discussions have taken place with the applicant regarding the diversion or placement underground of the two double circuit 132kV lines that cross the May Gurney and Deal Ground sites and a preferred option has been identified. Subject to securing first and third party land consents, obtaining the appropriate planning consent and reaching an agreement with the applicant on the matter of the ‘division of costs’ and ‘engineering complexities’ it is an option that could be achieved.

65. Whittingham Trust: Raise a number of concerns regarding: scale of development prejudices prime objective of providing for quiet enjoyment for local residents and visitors; impact of increased visitor pressure no commitment to providing resources; visual impact detracting from the open rural character of the western end of the park; urbanisation of river corridor.

66. Yare Valley Society: Raise a number of concerns: relationship with County Wildlife Site, over development of the countryside landscape and the river valleys.

Representations and Consultation Responses:12/00996/O
Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below
<table>
<thead>
<tr>
<th>Issues/comments raised</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use of Hardy Road by pedestrian and cyclists raises safety concerns given the heavy</td>
<td>Para 196</td>
</tr>
<tr>
<td>industrial use of Gothic Works.</td>
<td></td>
</tr>
<tr>
<td>Support - Extends the SUSTRANS route and improves access to Whittingham Country park</td>
<td></td>
</tr>
</tbody>
</table>

67. Carrow Yacht Club: No objection – right of way across the site, suitable for a crane, must be maintained.

68. Environment Agency: No objection subject to the imposition of conditions relating to contamination investigations and remediation.

69. Norfolk County Council (Highways Authority): No objection subject to imposition of conditions relating construction traffic management and routing.


71. Norfolk & Suffolk Boating Association: Essential that the bridge is an opening structure and 4.3m should be stated as at mean high water springs. Consider further information should be provided in relation to: method of opening; maintenance/operational responsibilities; whether open on demand; provision of dolphins or pontoons.

**ASSESSMENT OF PLANNING CONSIDERATIONS**

**Relevant Planning Policies**

**National Planning Policy Framework:**
- Statement 1 – Building a strong, competitive economy
- Statement 2 – Ensuring the vitality of town centres
- Statement 4 – Promoting sustainable transport
- Statement 6 – Delivering a wide choice of high quality homes
- Statement 7 – Requiring good design
- Statement 8 – Promoting healthy communities
- Statement 10 – Meeting the challenge of climate change, flooding and coastal change
- Statement 11 – Conserving and enhancing the natural environment
- Statement 12 – Conserving and enhancing the historic environment
- Statement 13 – Facilitating the sustainable use of minerals

**Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011**
- Policy 1 Addressing climate change and protecting environmental assets
- Policy 2 Promoting good design
- Policy 3 Energy and Water
- Policy 4 Housing delivery
- Policy 5 The economy
- Policy 6 Access and transportation
- Policy 7 Supporting communities
Policy 8 Culture, leisure and entertainment
Policy 9 Strategy for growth in the Norwich Policy Area
Policy 12 The remainder of the Norwich urban area, including the fringe parishes
Policy 19 The hierarchy of centres

Relevant policies of the North Norfolk Core Strategy Minerals and Waste
Development Management Policies DPD 2011
CS 16 - Safeguarding mineral and waste sites and mineral resources

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004
NE 1 Protection of environmental assets from inappropriate development
NE 3 Tree protection, control of cutting and lopping
NE 8 Management of features of wildlife importance and biodiversity
NE 9 Comprehensive landscaping scheme and tree planting
HE 4 Other locations of archaeological interest
HE 9 Listed Buildings and development affecting them
HE 12 High quality of design in new development
EP 1 Contaminated land and former landfill sites
EP 3 Health and Safety consultations
EP 5 Air Pollution emissions and sensitive uses
EP 16 Water conservation and sustainable drainage systems
EP 18 Energy Efficiency in development
EP 22 High standard of amenity for residential occupiers
EP 6 Air Quality Management Areas
EMP 9 Allocation Policy for Deal Ground – mix of uses
EMP 14 Allocation policy for Former Utilities site
TVA 3 River related tourism and moorings
SHO 3 Criteria for assessment of retail proposals
SHO 12 Development in or adjacent to District or Local Centre
SHO 13 Allocation and policy for new District Centre proposal
SHO 15 Change of use within District and Local Centres
SHO 22 Food and drink uses in centres
HO 4 Accessible housing
HO 6 Development Requirements for Housing Proposals
HO 13 Proposals for new housing development on other sites
SR 1 Minimum standards for provision of open space
SR 2 Provision within each sector of the city
SR 3 Development resulting in loss of open space
SR 4 Provision of open space to serve new development
SR 7 Provision of children’s equipped play
SR 11 Riverside Walks provided through development
SR 12 Green Links
TRA 5 Approach to the design for vehicle movement and special needs
TRA 3 Norwich Area Transport Strategy
TRA 6 Parking standards – maxima
TRA 7 Cycle parking standards
TRA 8 Service provision
TRA 9 Car free housing and car clubs
TRA 10 Contribution be developers for work required for access to the site
TRA 11 Contributions for transport improvements in the wider area
TRA 12 Travel Plans relating to development proposals
TRA 14 Enhancement of the pedestrian environment and safe pedestrian routes
Supplementary Planning Documents and Guidance
Green Links and Riverside Walks SPD 2006
Open Space and Play Provision Adopted June 2006
Transport Contributions Draft for Consultation 2006
Accessibility and Special Needs Housing SPD Adopted 2006
Trees and Development Adopted September 2007

Other Material Considerations
Emerging policies of the forthcoming new Local Plan (submission document for examination, April 2013):


DM1 Achieving and delivering sustainable development
DM2 Ensuring satisfactory living and working conditions
DM3* Delivering high quality design
DM4 Providing for renewable and low carbon energy
DM5* Planning effectively for flood resilience
DM6 Protecting and enhancing the natural environment
DM7 Trees and development
DM8 Planning effectively for open space and recreation
DM9 Safeguarding Norwich’s heritage
DM11* Protecting against environmental hazards
DM12 Ensuring well-planned housing development
DM13 Communal development and multiple occupation
DM16 Employment and business development
DM17 Supporting small business
DM18 Promoting and supporting centres
DM20 Protecting and supporting city centre shopping
DM21 Protecting and supporting district and local centres
DM22 Planning for and safeguarding community facilities
DM23 Supporting and managing the evening and late night economy
DM28 Encouraging sustainable travel
DM29 Managing car parking demand in the city centre
DM30* Access and highway safety
DM31 Car parking and servicing
DM32 Encouraging car free and low car housing
DM33 Planning obligations and development viability

Norwich local plan – Site allocations and site specific policies development plan documents – Pre-submission policies (April 2013)

R10*: The Deal Ground
R11: Utilities site, Cremorne Lane
R12: Kerrison Road/Hardy Road, Gothic Works

* These policies are currently subject to objections or issues being raised at pre-submission stage and so only minimal weight has been applied in its content.

Pre-application advice note 2009 (revised 2010) Ground and Utilities Site
The Localism Act 2011 – s143 Local Finance Considerations
Procedural Matters Relating to the Development Plan and the NPPF
The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

Principle of Development
Policy Considerations
72. Norwich City Council is committed to the regeneration of the east Norwich area and has been working for a number of years to address the barriers to development on both the Deal Ground and Utilities sites. Collectively the sites comprise land with the capacity to accommodate strategic levels of employment and housing growth. Both sites are separated by and front the River Wensum, vehicular access being constrained by intervening water courses and rail lines. Development of both sites is therefore conditional on improved access through the provision of new bridge infrastructure.

73. The Deal site was initially allocated in 1995 in the City of Norwich Local Plan and is currently included in the City of Norwich Replacement Local Plan 2004 as a site for mainly employment use, with a small amount of housing in the northern part (Policy EMP9). In 2007, in recognition of the strategic importance of the Deal and Utilities sites, this council commissioned research into options for development (Buro Happold Study 2007), and a number of further CLG funded studies (2008). These assessments of development potential, viability, site constraints and the infrastructure investment required to overcome them, have demonstrated that an employment led scheme, as allocated under EMP9 in the adopted Local Plan (2004), is unlikely to be viable.

74. The City Council worked with the Broads Authority, South Norfolk District Council and Norfolk County Council to produce a pre-application advice note (initially published in 2009, and revised in 2010). The pre-application advice note is officer-level guidance, produced to assist developers preparing planning applications on both the Deal Ground and Utilities site. The overall objective of City Council and its partners in the pre-application advice note is the delivery of sustainable and comprehensive regeneration of both the Deal Ground and Utilities sites to support housing and employment growth in the wider Norwich. These shared objectives informed JCS Policy 12 and the identification of both sites as priorities for regeneration.

75. Since preparation of the advice note and JCS adoption, the National Planning Policy Framework (NPPF) has been published (March 2012) which includes a presumption in favour of sustainable development. The NPPF sets out core planning principles including promotion of mixed use development, encouraging the effective use of land by re-using brownfield land, and promoting sustainable transport. The primary objective of the NPPF is to deliver economic and housing growth. This focus on the planning system making development happen, requires
Local Planning Authorities to consider viability and market signals when making decisions on policy and planning applications. The NPPF in this regards states that sites allocated for employment purposes should not be protected long term where there is no reasonable prospect of a site being used for that purpose.

76. The scale of residential development proposed as part of this application does not comply with Policy EMP9 of the City of Norwich Local Plan. However, the local plan is only part of the development plan for Norwich, now updated in part by the JCS, and by the National Planning Policy Framework. Therefore in considering a departure from EMP9 relevant considerations are the updated evidence base regarding this site, the NPPF and the agenda for growth and possible broad economic, social and economic benefits of the proposed development.

77. The City Council is currently at an advanced stage in the preparation of its Site allocations and site specific policies development plan document (DPD) which was submitted for independent examination in April 2013. The draft DPD includes policy R10 which allocates the Deal Ground for major residential-led mixed use development. Taking account of para. 216 of the NPPF, weight can be given to Deal Ground policy R10 as the plan as recently been submitted and is in compliance with the NPPF. However, the fact that there are outstanding objections to the policy does limit the degree of weight that can be given to the submitted policy.

78. Although for the reasons given above at paragraph 77, relatively limited weight may be placed on the emerging Site Allocations DPD, it should be noted that the planning application proposals are generally consistent with this version of the plan. Proposed policy R10 allocates the Deal Ground for a major residential-led mixed use development – providing for a mix of uses including housing (in the region of 600 dwellings), small scale local employment, local shops and services and local community facilities. The scale of development proposed is consistent with Policy R10, and represents the second largest housing site in the draft DPD. Given this general consistency and the inclusion of the site in the JCS, as a priority for regeneration, the application, in terms of development mix is not considered prejudicial to the emerging allocations plan.

79. The current application was submitted in February 2011 and proposals have been in the public domain and available for comment for a considerable period of time. The applicant has submitted significant evidence and number of documents in support of the proposal and has an expectation that a decision can now be made without any further delay. The determination of this application, in advance of the examination of the Site Allocations DPD may be regarded as premature. However, it would not be justified to refuse planning permission on this basis, given the history of this application and site, the wider planning policy context which favours sustainable development and the scope to deliver economic and housing growth. The proposed development includes a significant number of new dwellings and is of a scale to make a substantial contribution to the delivery of housing in the city over the emerging plan period. The alternative of no development would result in a significant deficit of housing in Norwich and a failure to meeting housing targets within the JCS. The sustainability of the proposals is considered in detail in the remainder of the report.
Other Principle Policy Matters
80. The entire site is within a consultation area defined by Norfolk County Council around mineral infrastructure safeguarded under Policy CS16 of the adopted Norfolk Minerals and Waste Core Strategy. The safeguarded infrastructure, includes the rail head and the co-located asphalt plant and is discussed in detail in para. 127 - 139.

Yare Valley Character Area
81. The proposals involve land designated as ‘River Valley’, subject to Replacement Local Policy NE1 and emerging Development management policies DPD DM6. These policies seek to protect the green corridor associated with the river valley as an important natural environmental resource. The policy approach recognises the broad benefits associated with river corridors providing visual amenity, recreational resource, natural habitats and providing a green urban edge to the city. In this context development will only be permitted where it would not damage the environmental quality or character of the area and where it is for: agriculture or forestry, outdoor sport and recreation; or where it involves the limited extension of an existing building.

82. Development proposed within the River Valley area includes the southern end of the main access spine road and parts of the Wensum Riverside development including both residential blocks and recreational open space. Apart from the latter, these development types are not permitted by existing or emerging development plan policy within the River Valley designation. In considering whether a departure from adopted development plan policy is justified there needs to be due regard to other policy considerations, core strategic objectives and the extent to which development would damage the environmental quality, biodiversity and character of the area. These matters are considered later in the report.

Small Local centre
83. The proposals include provision of a small local centre, comprising up to nine A1/A2 and A3 uses, individual units ranging between 71 – 200 sqm (total amended area 1000 sqm). Supporting documentation indicates that the new provision is designed to be of a scale to serve the needs of the development and to reduce car dependency amongst future residents. A Retail and Leisure Impact Assessment has been submitted with the application and representations have been received challenging the extent to which this complies with national and local requirements to undertake a sequential assessment and to consider impact.

84. The NPPF, JSC Policy 19 and the shopping policies in the Replacement Local Plan, in particular SH03/12 and emerging Local Plan Policy DM18/21 set out the policy context for new retail proposals. These policies are centred on ensuring that retail development is located in a manner that accords with the existing hierarchy of centres and in a manner that supports their function, vitality and viability.

85. The Retail and Leisure Impact Assessment confirms that the site is outside of any defined centre and that there are no local centres within 800m of the site. The assessment examines outlying centres and considers them all beyond a reasonable walking distance for top up shopping needs. Part of the Riverside Retail Area lies within the 800m catchment, this contains a number of national multiples, potentially attractive to a sub regional catchment. The assessment indicates that
there were no vacant or available units within the centre to accommodate the retail uses proposed on the site.

86. Having regard to the scale and function of the proposed retail units it is considered that an appropriate range of sequentially preferable locations have been considered. In addition provided that the size and distribution of units is restricted the impact of the new small local centre would be low. JSC Policy 19 acknowledges the role that new local centres may play in serving new major growth areas and emerging Policy R10 allows scope on the Deal Ground for local retail provision to serve the immediate needs of the future residential population of the site. It is considered that given the scale of housing proposed and the vision to create a sustainable urban village, the provision of small scale retailing of the type proposed is considered justified and would have no significant detrimental impact on the vitality and viability of existing centres elsewhere subject to conditions relating to size and mix of units. In terms of providing a local focus, a number of possible locations within the development would be suitable for a small centre. It should be noted that the master plan currently illustrates the local centre on the May Gurney site and as such a decision on this element will be made by South Norfolk Council.

Dining Quarter
87. A specialist dining quarter, including a public house, is proposed as part of the Wensum Riverside proposals. The supporting documents indicate A3/A4 uses occupying up to 5 individual units between 105 – 400sqm (total area less than 1000sqm). Supporting documentation indicates that this specialist commercial development is intended to capture potential trade from river users and is designed to attract a specific sector of the leisure/tourist market. Unlike the local centre uses, this specialist commercial quarter is predicated on attracting customers from a wider than local catchment.

88. National and local existing/emerging policies require such hospitality uses to be subject to a sequential assessment, with the aim of directing such uses to appropriate centres, in particular the city centre. The proposed site is outside of any defined centre and although a small local centre is proposed, it is intended that the dining quarter will operate as a discrete entity. The Retail and Leisure Impact Assessment states that there are no sequentially preferable sites given the intended focus of this development of attracting custom from river users and those using the riverside walk and cycleway.

89. The Pre-application advice note for this site highlights the objective of future development acting as a ‘gateway’ between the Broads and the City and being well connected with the urban area in a manner that promotes access by walking and cycling. Draft Policy R10 formalises these requirements and in addition refers to establishing a strong river frontage, along with the scope for moorings and development of water based leisure and recreation. It is envisaged that the regeneration of the Deal Ground and the Utilities site will create a vibrant urban extension of the city and provide a new positive link to the Broads. The proposed riverside dining quarter has the potential to facilitate this role and provide a destination for users of the river and riverside walkway, as well as future residents of the site. The principle of a specialist quarter is therefore considered acceptable given its potential to reinforce a strong sense of place, support the growth of new business, the mixed use nature of the development and the broader regeneration objectives for this site and the east Norwich area.
90. The application at present does not include a scheme for the provision of boat moorings along the Wensum site frontage. Given the proposed dining quarter and wider benefits of promoting the recreational use of the river, in the event of planning approval a condition would be imposed requiring the submission, agreement and provision of a mooring scheme.

91. It is considered justified to restrict the scale of the dining quarter to maximum area below 1000sqm gross internal floor space, a size unlikely to have an impact on the role of other centres or generate excessive traffic levels. No dedicated parking is proposed for the dining quarter with the aim of promoting sustainable access via the riverside walkway links.

Development in flood risk area
92. The National Planning Policy Framework requires that inappropriate development in areas at risk of flooding should be avoided by directing that new development away from areas at highest risk. Only a small section of the application site is at low flood risk, the majority falling within zones classified at medium or high probability of flooding. Most of the County Wildlife site and the proposed location of the new Yare bridge is within the functional floodplain.

93. In these circumstances the National Planning Policy Framework requires consideration of whether the proposed development could be directed to another sequentially preferable site at lower risk of flooding. In accordance with this approach the ‘sequential test’ has been applied to the proposed development. Having regard to the strategic scale of the proposal it is considered there are no other available sites within the city limits that could accommodate such a scale of development, in particular the housing numbers proposed. In addition this former industrial site has been identified as a regeneration priority for a number of years and to not allow future development would jeopardise the delivering of wider sustainability benefits associated with economic growth of the east Norwich area.

94. In accordance with para. 102 of the NPPF the development has been further subject to the Exceptions Test and consideration of whether the development provides wider sustainability benefits to the community that outweigh flood risk, whether the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall. It is considered that the proposed development passes the exceptions test and detailed consideration of these matters is set out elsewhere in the report (para. 146 - 154). It should be noted that the Environment Agency have raised no objection to this application on the basis that the sequential/exceptions tests have been passed and given the comprehensive flood management and mitigation measures proposed.

95. On the basis of the above it is considered that the principle of developing in a flood risk area has been established and is justified in accordance with the NPPF, JCS Policy 1.

Alternatives
96. Alternatives in this case are considered to be limited. The alternative of no development would result in a significant deficit of housing in Norwich and a failure to meeting housing targets within the JCS. Within Norwich there are no other sites or even a collection of identified sites which could provide for a similar housing numbers and which are not already allocated. In addition there is evidence that an
alternative employment led redevelopment of this site is unlikely to be viable as studies have indicated that site development costs will be very similar regardless of type of scheme.

97. The site is considered a brown field site in need of major physical regeneration and integral to unlocking the development potential of the Utilities site. Alternatives would fail to deliver comparable strategic economic benefits to east Norwich.

Design

Design Concept

98. The planning application has been accompanied by a comprehensive Design and Access Statement which details the design process. The design approach has been informed by a detailed appraisal of the site, the setting, the constraints and consideration of opportunities that the site presents. The constraints associated with the site are significant; flood risk, the presence of a County Wildlife Site, limited accessibility and an industrial backdrop. The development strategy is founded on identifying sustainable and innovative solutions to these constraints.

99. The Design and Access Statement establishes an overarching Vision for the site

- To create a unique, ecologically rich, waterside development and a transition between the city of Norwich, Trowse and the Broads

- The regeneration of the Deal Ground and May Gurney sites will be an exemplar sustainable and flood resilient development, potentially a showcase of national and international importance

- It will bring regeneration to the to the east of Norwich through the creation of a new urban village

100. The Design and Access Statement sets out in detail the design principles behind delivering this vision. The design concept and masterplan (see plan 3 + 4) that emerge are well evidenced and commendable. The masterplan strives to provide an integrated response to the challenges of the site and proposes a landscape-led development with a strong urban connection. Key to the development concept are the following guiding principles:

- To create a landscape-led development, in which the boundaries between dwellings are blurred and forming a transitional urban area as a feathered edge to the City;

- To locate the development in the areas of least flood risk and create a visual buffer to the railway

- Extend the marsh between development to create a multi-functional landscape than can provide flood storage, ecological enhancement and semi-public space

- To create a series of new neighbourhoods each with its own unique identity – May Gurney, Marsh Reach and Wensum Riverside character areas.

- To promote modal shift and sustainable travel through the provision of high quality pedestrian/cycle and transport links, through a car club and through
restricting car parking within the site.

- To create a development that seeks to adapt and mitigate to climate change

101. The Vision, Design Principles and Design Concept are considered commendable and a sound basis for guiding the high quality sustainable development of this site. The design approach has been broadly supported by the City’s design and landscape specialists as well as CABE who reviewed proposals for the site in 2011. CABE at the time commented that the landscape based approach was ‘founded on a strong methodology and an intelligent design, taking advantage of the site’s riverside setting’. The broad design approach is considered entirely consistent with the core development principles set out in Pre-application advice note, the JCS, current and emerging local plan policies and the NPPF. Notwithstanding this broad support some of the details of the approach have raised comment and these are considered elsewhere in the report.

Quantum and distribution of development

102. The development approach seeks to create an urban rather than suburban environment. The proposed development areas, May Gurney, Marsh Reach and Wensum Riverside will have distinct characters and will be linked via a network of external green spaces. Housing density will vary between the areas, increasing from south to north and the transition from 2-storey housing to three storey town houses to multi-storey apartment blocks.

103. Housing and car parking areas will be separate, car parking spaces being provided in communal designated areas rather than in front of people’s homes and on-streets. The proposed landscape strategy is designed to provide a network of external spaces throughout the development and bring together private, public and communal open space. Private amenity space will be limited but this is compensated for by the landscape-led scheme which seeks to provide local and central open spaces for social interaction, pedestrian and cycle routes through the open space network and green play friendly streets. The approach facilitates a high density scheme and the scope to create a strong and distinctive sense of place.

104. The Wensum Riverside area includes a central area of public open space which will link the proposed Wensum riverside walk with the Carrow Abbey CWS. This central open space comprises ‘River Park’ and an immediately adjacent ‘Flood Park’ which are designed to be multi-functional, providing landscaped amenity areas with seating, children’s play, space for water and wildlife habitat creation. These areas would be publically accessible, although access to the County Wildlife would be restricted.

105. It should be noted that the Norfolk Constabulary have raised security concerns about certain aspects of the design particularly in relation to the approach to parking and footpath provision. However, as will become apparent in the remainder of the report, the proposed development strategy is an integrated response to a number of on-site constraints and guiding planning principles and the approach to parking and desire to promote cycling and walking is central to this. However, safety is an important matter and will be taken into account in assessing the detailed layout at reserved matters stage.
Scale and Landscape Impact

106. From a landscape perspective the proposal will result in the regeneration of a vacant semi-derelict industrial site with a high density housing led development. The character of the surrounding area is highly varied and this is acknowledged in the accompanying Landscape and Visual Impact Assessment (VIA). To be expected in an urban fringe area, the VIA identifies a complex grouping of landscape and townscape characters. These character areas include those associated with commercial, industrial and derelict industrial sites along with those landscapes associated with the Broads river corridor, Whittingham Country Park and the Yare Valley.

107. In terms of visual impact the VIA suggests:

- that due to the topography in the neighbourhood, the high tree coverage to the east and the existing built form of the Norwich Fringe to the west, the visibility to the site will be relatively local.
- at a local level, the proposed development will potentially have an adverse impact on the visual amenity from certain vantage points and that the impact on views from the River Wensum and Yare and the edge of the Country Park is considered major and long term.
- that actual impact from these locations will be dependent on the quality of the final detailed design and that the opportunity exists to create a vibrant new gateway to the city.
- in relation to more long distance views, including from Norwich Castle and Thorpe Ridge conservation area, the site becomes a recessive element of the landscape.

108. The landscape impact of this development is a significant consideration in the assessment of this proposal. Albeit outline, the application seeks to establish the broad quantum, distribution and height of development and buildings in the Wensum Riverside zone are shown up to 8 storeys. The possible adverse visual impact of high density/high rise development in this urban fringe location is a focus of a number of objections and concerns expressed about the proposed scheme, in particular from the Broads Authority, Whittingham Trust and Trowse Parish Council and residents of Trowse.

109. Policy 2 of the Joint Core Strategy and existing and emerging local plan policies require development proposals respect the local distinctiveness and the setting of settlements including the urban/rural transition. The character of the Yare and Wensum valleys is recognised alongside with the need for new development to reinforce and complement the character and townscape of the city. Objections to the application consider the proposals excessively urban and question the degree to which the proposed high storey buildings respect the local distinctiveness of this site, the edge of city location and proximity to the Broads/Whittingham Country Park.

110. Recognising the varied landscape setting of the site, the design approach includes a single development concept comprising distinct character areas. The overarching vision is a landscape led development, in which the boundaries between dwellings are blurred and form a transitional urban area. The design approach towards the centre of the site, described as Marsh Reach, is one of integrating low rise development into the surrounding marsh landscape (see plan 5). Dwellings in this location will share modest communal amenity areas that blend into natural swale areas and the connecting County Wildlife site. In landscape
terms this integration will successfully mitigate the impact of development particularly when viewed across the marshes from Whittingham Lane.

111. In contrast the design approach in the Wensum Riverside zone is more urban, centred on providing a high quality waterfront development (see plan 6). Building heights in this part of the site are shown as, ranging in height from 5 to 6 storey along the River Wensum and dropping down to three storey adjacent to the River Yare. Spaces between the buildings provide informal and formal open space, including a linear landscaped riverside walkway and River and Flood Parks. In this location, the development will be prominent from both rivers and from parts of Whittingham Country Park.

112. The design approach that includes the stepping up of building height from north to south is considered justified in both a landscape and urban context. However, the scale of development across the width of the Wensum River frontage has generated a broad range of opinion. Central to those expressing concerns is the transitional location of the site and the present role that Trowse swing bridge plays in acting as a gateway between this urban fringe zone and the city itself. The Broads Authority have commented that the proposed development in this location will be both visible and an abrupt contrast from the mainland boathouse development to the east. The proposed design approach recognises this 'abruptness', by seeking to create a bold new gateway both into the city and out of the city into the countryside. The approach therefore seeks to combine 'port heritage' scale of building with a strong landscape setting. The master plan indicates buildings in this location arranged in a broken form, allowing views through the site and for landscape to play an integral role in the urban design. CABE who reviewed the proposals in 2011 supported the broad design approach and inclusion of 6 storey buildings in the Wensum Riverside area and commented that the additional height provides a positive presence along the riverside.

113. An alternative design approach and one advocated by some, would be to limit the height at the east end of the site giving a more graduated interface between city and countryside. In appraising the validity of the design approach advocated compared to this alternative, there are a number of key considerations:

- The approach needs to be considered in the context of plans for the wider regeneration and transformation of east Norwich. The Utilities Site is considered a regeneration priority and redevelopment is being actively promoted. The emerging Site Allocations DPD allocates the site for a mix of uses including housing (approx. 100), employment and power generation. As such in this location, significant future development is planned on both sides of the River Wensum and a new 'river gateway' is envisaged.
- The 'Vision' for the development, as described in para.99, is the creation of a new 'urban village'. A guiding design principle is the creation of a 'village' that will feel part and be connected to the city. This sense of connection is identified as an essential element in supporting the sustainability of the development - encouraging future residents to adopt urban patterns of behaviour by choosing to undertake most journeys by walking, cycling or by public transport.
- The physical constraints of the Deal Ground result in abnormal development costs and a restricted developable area. Delivery therefore relies on a quantum of development that will be economically viable. Viability is considered later in this report but it should be noted that creating development value on this site
relies on achieving densities/economies of scale and this dictates a design approach that includes multi-storey building.

114. With these considerations in mind it is considered that the broad design approach to Wensum Riverside is justified. The creation of a bold gateway is a valid design approach and one which provides the scope for a strong architectural statement. It is acknowledged that the success of such an approach will rely on the reserve matters stage securing consistent high quality design of buildings and of the public and private spaces between them.

115. In reaching this view, account has been taken of the impact of the development on the historic environment, including long views from Norwich Castle and Thorpe Ridge and on the character and appearance of Trowse Millgate and Trowse conservation areas. Despite the proposed height, over long distances, the development is recessive given the wide angle of views and intervening features. The effect is that the new development will not significantly alter the character of these conservation areas. In relation to the Trowse Millgate conservation area, this abuts the May Gurney site and the southern extent of the Deal Ground. The scale of development proposed in these locations will not detract from the character appearance of this conservation area, which historically has had links to the city given the sewage works, the railway and the marshalling yards. The May Gurney site also abuts the boundary of Trowse conservation area, developed by Colman’s in the late nineteenth century as a ‘model’ village for their employees. Similarly two storey development would not detract from this conservation area. Development on the Deal Ground would be focused to the north of the site and separated from the conservation area by the River Yare, its tributary ditches and the meadow on the north side of Whittingham Lane. This separation minimises direct impacts.

116. On this basis it is considered that the masterplan and the parameters that relate to scale provide a sound framework for development of the site. The design approach which seeks to respond to the fringe location by advocating a landscape led but strong urban form is considered appropriate. Although it is acknowledged the visual change will be significant it is not considered that it will be adverse. The scope exists for the change to be positive and for a development to be created with a strong sense of place and identity.

Transport and Access

Transport Assessment and Impact

117. A Transport Assessment and Travel Plan have been submitted with the application and provide an analysis of the travel and transport implications associated with the development. The impact of additional traffic associated with the scale of development proposed is a focus of a number of objections given concerns over the existing local highway network including Martineau Way, Martineau roundabout, Bracondale and King Street.

118. The Transport Assessment has examined the existing and projected functioning of the local highway network, having regard to the without-development scenario and implementation of the extant business park permission for the May Gurney site, compared with the impact of the proposed development. Both the Transport Assessment and the response from County Council Highways acknowledge the constraints imposed by the local highway network and that existing peak traffic demand exceeds the available capacity at critical junctions resulting in congestion.
and significant queuing and delay.

119. These limitations were highlighted at the pre-application stage when the Highway Authority agreed the scoping of the Transport Assessment and have been a significant factor influencing the design concept. The design concept set out in the Design and Access Statement is centred on the creation of sustainable 'smart growth', an approach that seeks to concentrate development in locations and in a manner that promotes a modal shift, from reliance on the car, to cycling and walking being the preferred means of travel. The transport strategy therefore includes a range of measures to promote walking and cycling along with measures to suppress car ownership, by limiting parking spaces on the site and charging for use. Despite the site's edge of city location the provision of a new river crossing will facilitate good access from this site to a full range of key services and facilities, including public transport hubs and employment. A pedestrian and cycle bridge over the River Wensum, will provide a strong urban connection (application ref: 12/00996/O) and has been identified by County Highways as critical infrastructure necessary to support development of this site. The design approach seeks to reinforce this urban connection and 'urban village' concept, through a high density scheme, high quality pedestrian environment and the provision of on-site local shopping and dining facilities.

120. In terms of car parking, a ratio of 85% is proposed i.e. a total of 570 spaces to serve the 670 dwellings. These spaces would be organised in communal designated areas and would not be owned by households but leased at a charge from a ‘Transport Management Association’ (TMA), a management body that would be established to manage the parking and fund delivery of Travel Plan initiatives. Currently the Travel Plan is at draft stage but would be likely to include a comprehensive package of measures including funded car club/bike schemes and access to public transport concessions. On site parking facilities include free secure and waterproof cycle parking for each unit either within the property, within dedicated and secured areas or within back gardens – in all cases it is intended that cycle parking will be closer to a property than car parking provision.

121. Public transport services would be accessible on The Street and at Carrow Road and there may be scope to extend existing service routes into the site. It should be noted that linked to the Broadland Housing Association Development (north bank of River Wensum) there are plans to extend the no. 25 service route.

122. The Transport Assessment concludes that the change between the ‘without’ and ‘with development’ scenarios on the local road network is insignificant and that any change that does occur can be accommodated by ‘peak spreading’. This is in effect the spreading or extension of the congested conditions over a longer time period. Norfolk County Council Highway Authority have confirmed that the local road network will be made busier by the development but consider that adverse impact will be avoided by the car suppression measures proposed, the quality of the pedestrian and cycle links being provided and establishment of the TMA which will promote sustainable travel behaviour. Neither the County nor the City Highway engineer have raised an objection to the application on highway safety grounds and have indeed indicated that the problems associated with the local network will play a role in discouraging car travel – the transport strategy for the site seeks to create pedestrian and cycle linkages to the city that are more direct and quicker than car travel at peak times.
123. In order to secure the effective and timely implementation of the Transport Strategy the Highway Authority have recommended the imposition of a number of planning conditions and are seeking car club contributions and the funded establishment of the Transport Management Association via a S106 Obligation. In particular they have advised that in order to achieve modal shift from the start, there must be pedestrian and cycle bridge access over the River Wensum, prior to first occupation of any dwellings on the Deal Ground.

124. This approach to managing patterns of growth to make the fullest possible use of public transport, walking and cycling and focusing significant development in locations which are or can be made sustainable is fully compliant with the NPPF, the JCS and existing and emerging Local Plan policies.

125. It should also be noted that the proposed access arrangements including the provision of the Wensum bridge have wider public benefits of: extending the riverside walkway network improving accessibility between the city, Trowse and Whittingham Country Park and allowing the safer re-routing of National Cycle Route 1.

Environmental Issues

Site Contamination

126. Given the historic commercial use of this site and the objective of redevelopment, there have been various investigations into contamination carried out over a number of years. These investigations have indicated generally low levels of contamination but elevated levels of some metal contaminants were found in various locations. The Environment Statement therefore recommends that further site investigations are undertaken to establish the extent of remediation required. The Council’s Environmental Health Officer and the Environment Agency have reviewed the information submitted and have recommended the imposition of conditions in relation contamination in order to fully safeguard the water environment and public health.

Noise

127. The noise reports submitted with the application have assessed the likely effects of noise and vibration from the proposed development on existing and proposed receptor properties during both the construction and operational phases. In addition the assessments have considered the impact of noise generated from adjacent land uses on the amenity of future occupiers of the site.

128. In relation to the impact of the proposed development, noise associated with the construction programme has been considered including from: ground works (including piling) and construction itself. The assessments indicate that there will very likely be a negative effect on local residents from construction noise at the site and mitigation is proposed that would minimise the significance of the likely effects. Proposed mitigation includes: defined construction site operating hours, careful location of plant away from sensitive receptors, careful selection of construction plant having regard to noise generation and possible use of temporary barriers or soundings during construction to provide additional noise attenuation. With this mitigation in place it is predicted that construction noise will have a moderate to major negative effect on the closest receptor properties although the effect will be temporary and will occur during construction hours only.
129. Operational noise from the development once constructed is completed, is likely to be predominantly from road traffic and it is indicated that the predicted flows associated with the development will have a negligible effect on traffic noise levels on local roads around the site.

130. In relation to the impact of noise from adjacent land uses there are a number of potential sources. Noise sources include the aggregate plant adjacent to the site, the operation of the co-located railhead, the main Norwich – London rail line, including the passage of trains over Trowse swing bridge, Carrow Works to the west and the engineering works to the north of the R. Wensum.

131. Norfolk County Council have advised that the Trowse railhead is the only railhead in Norfolk delivering crushed rock, which is a vital component of asphalt products for road buildings. Norfolk produces no hard rock suitable for coated roadstone and therefore all supplies have to be brought into the county, almost entirely by rail. The railhead also brings in recycled materials which are used as secondary aggregate in the production of asphalt. The associated asphalt plant, operated by Lafarge, is the largest of four in the county and is long established with permissions dating back to the 1966. The operation of the railhead and the discharging of aggregate are unrestricted by planning conditions. There is the potential for trains to arrive at any of time of the day but currently deliveries take place in the afternoon and early evening. Unloading can take up to 4 hours and involves the shunting of wagons and the discharging of the aggregate into a sunken hopper. The aggregate is transferred from this hopper to storage bays via an external conveyor system.

132. The operation of the asphalt plant has been subject to a recent planning application C/4/2010/4003 and is subject to numerous planning conditions. These include hours of operation restrictions (05.00-17.00 hours Monday to Saturdays) as well boundary noise level limitations. These noise limits vary across the site but at the highest allow for noise levels up to 75 dB (LA eq 12 hours) and 78 dB (LA eq 1 hour). Noise associated with the asphalt plant operations include; the coating plant (motors/pumps/fans and compressors), lorry noise and noise from the use of a loading shovel.

133. The importance of railheads and coated stone plants to economic growth is explicitly recognised in the National Planning Policy Framework through the safeguarding statement set out in para 143. Entirely consistent with the NPPF, Norfolk Minerals and Waste Core Strategy and Development Management Polices DPD 2011 safeguards the Trowse railhead and the co-located asphalt plant. Both the asphalt plant operators and the County Council Minerals section have objected to this application and to the proposed allocation of this site. They raise serious concerns regarding the mix of development proposed and the compatibility of the scale of residential development with the Trowse operations given the risk of noise pollution, the likelihood of complaints from future residents and the possible imposition of operational constraints. To constrain the potential future use of this safeguarded site would be contrary to Policy CS16 of the Norfolk Minerals and Waste Core Strategy and the NPPF para. 143 and 144 which seek to avoid such impacts.

134. A key consideration in the assessment of this application is, given this safeguarded minerals infrastructure, whether the proposed scale and extent of residential development is acceptable. This acceptability is dependent on future
residents having reasonable and acceptable levels of amenity and not being subject to a level of noise disturbance that may result in justifiable noise complaints. Acceptability is also dependent on the existing minerals operators being able to develop in continuance of their business without being at risk of unreasonable restrictions being imposed because of changes in nearby land uses. It should be noted that the County Council has advised that this aggregate plant is very likely to be the main source of the majority of the asphalt required for the planned development set out in the Joint Core Strategy.

135. Although layout is a reserved matter the submitted details indicate the broad distribution and scale of development. Development in the Marsh Reach area would be most susceptible to noise emitting from the safeguarded site. The Design and Access Statement and accompanying drawings illustrate 2/3-storey dwellings to the east of the proposed spine road within approximately 38m of the boundary with the minerals site. These plans also illustrated a multi-storey apartment block to the west of the spine road in the vicinity of the rail sidings/discharge hopper. Following discussions, the most recently submitted plan entitled 'Amount, massing and accommodation', indicates this building removed. In addition to the north of the site within the Wensum Riverside area, development would be in close proximity to other existing noise sources, in particular Carrow Works and the Trowse Swing bridge, over which trains pass in to the late evening/early hours of the morning.

136. These matters have been carefully considered by the Council's Environmental Protection Officer who over the course of the application has required additional noise assessments to be undertaken in order to ensure that noise and vibration associated with the aggregate site, other adjacent industrial sites and the rail line and bridge is fully appraised. The minerals operator and the County Council have been critical of these assessments, challenging both the assumptions made and the assessment criteria. However, despite these criticisms the Council's Environmental Protection Officer is satisfied that the approach taken by the applicant's Noise Consultant is robust.

137. The Noise Assessment recommends a range of mitigation measures which vary according to the proximity of development to noise sources. The recommendations have regard to all noise sources. In addition they are based on noise in excess of existing levels recorded emitting from the safeguarded site and on a possible worst case scenario of noise levels reaching maximums allowed by boundary noise conditions (C4/2010/4003) and the possible overnight operation of the railhead. Mitigation includes high performance glazing, mechanical and trickle ventilation specifications and recommendations regarding the internal layout of dwellings. The Council's Environmental Protection Officer is broadly in agreement with these recommendations although has advised that they should be extended in some locations to allow for possible changes of ground level and reduced performance of boundary treatments. She has also recommended that it will be important at reserved matters stage to ensure that in sensitive locations, fenestration, internal layout of rooms and positioning of private amenity spaces, are designed to maximise amenity levels. These measures in combination with landscaping and boundary treatments providing both visual and noise attenuation, will substantially mitigate adverse noise impact.

138. On this basis the Council's Environmental Protection Officer has advised that it would be possible to protect residents on the site from unacceptable noise disturbance and existing operators from future noise complaints. In the event of this
application being approved it is recommended that planning conditions are imposed to ensure at reserve matters stage: the layout does not include residential development to the west of the spine road (area 2); restrictions of the future changes of use of any proposed building in area 2; site layout within the Marsh Reach/Wensum Riverside areas and the appearance, internal room layout, and glazing and ventilation specifications shall be informed by the need to mitigate the impact of noise from adjacent sources (in particular the aggregate plant/rail head/swing bridge) in order to ensure satisfactory levels of amenity for future residents; landscape details shall include a comprehensive landscape scheme that shall seek to mitigate the visual and environmental impacts of the adjacent minerals site and railhead.

139. On this basis the proposals would comply with the NPPF, existing and emerging local plan policies related to noise (EP22, EMP9, DM2, DM11) and not prejudice the safeguarded site protected by Policy CS16 of the Norfolk Minerals and Waste Core Strategy.

Air Quality

140. The application has been accompanied by an Air Quality Assessment. This considers existing air quality, suitability of this location for residential development and impact of construction and the operation of development on air quality.

141. In terms of the existing environment there are number of existing sources of potential air pollution and odour. Sources are largely associated with the adjoining minerals operation and relate to particulate emissions and odour emitting from the bitumen plant slack and dust associated with the storage and movement of aggregate. In addition located to the south-west of the site there are sewage overflow tanks operated by Anglian Water.

142. In terms of the suitability of this environment to residential development the Council’s Environmental Protection Officer is satisfied that there will be no issues with air pollution or odour which would affect future residents that can not be overcome with good working practices and preventative maintenance regimes. The minerals operations site is subject to a Local Authority Pollution Prevention Control (LAPPC) Permit the purpose of which is to minimise emissions to air. The stack and associated filtration systems are subject to formal inspections by this Council’s Environmental Protection team. In addition within the scope of the permit is a ring main water dust suppression system located in the southern yard. This, along with the design of storage bays and the conveyor minimises the risks of wind whip and dust lifting into the air. In the northern yard there is no in situ water suppression in place but earth bunding proposed by the operator will significantly minimise emissions beyond the site boundary. In addition the Anglian water sewage overflow tanks are used only infrequently, when there is a fault at the Whittingham WWTW and the risk of regular unacceptable odour from this facility is therefore low.

143. The Council’s Environmental Protection Officer has recommended landscape planting along the western boundary of the site to further minimise the likelihood of any nuisance from odour or dust.

144. In addition the Council’s Environmental Protection Officer has recommended the need for planning conditions requiring the prior approval of construction methodology statements in order to ensure that dust pollution during the development is managed to a minimal level, by the adoption of good and effective
work practices. Air quality impacts resulting from the operation of the development are predicted to be negligible. In reaching this conclusion account has been taken of the Air Quality Management Area including the Bracondale/King Street area.

145. In relation to air quality the development is therefore considered to comply with relevant policies of the NPPF and Policy EP5 the Replacement Local plan and the emerging Policy (EP22, DM2, DM11) of the draft Development management policies DPD.

Flood Risk
146. As referred to in para 92 - 94 the site is at risk of flooding and consequently the application has been accompanied by a Flood Risk Assessment. Flood risk is a significant constraint to development and as previously cited the NPPF requires very careful consideration of flooding matters before applications are approved.

147. In relation to the application of the sequential and exceptions tests. Both the Deal Ground and the Utilities site are identified in the JSC as priority sites for major physical regeneration. Both sites present significant challenges, lack of access combined with other constraints impose considerable costs that render most types of development unviable. A residential led scheme for the Deal Ground, including an element of commercial development, offers the best prospect for the regeneration of the site and delivers scope for unlocking access to the Utilities site. The two sites taken together are of strategic importance to the economic growth of east Norwich and offer the scope to accommodate around 20% of the city’s future housing need identified in the JSC. The NPPF allows consideration of these matters along with other community benefits when applying the exceptions test to development in flood risk areas. Additional considerations in this case include: provision of new pedestrian and cycle bridge crossing facilitating sustainable access into and out of the city; the improved /safer routing of the national cycle route 1 and the opportunity for enhancement and long term management of the Carrow Abbey County Wildlife site. The NPPF allows these benefits to be considered and weighed against the flood risk associated with a proposed development.

148. The proposed masterplan has been informed by consideration of the variation in flood risk across the site and the vulnerability of different types of development to flood risk. No development is proposed in flood zone 3b, the functional floodplain, other than the new access bridge over the River Yare. Essential infrastructure, such as bridges, are considered appropriate land uses within zone 3b (table 3 NPPF). Development in this highest risk area is therefore minimised and additionally the proposals include the extension of the functional flood3b zone, through the lowering of current land levels, to provide increased flood storage.

149. The residential and commercial aspects of the development are shown on land within flood zone 3a and flood zone 2 (both of which allow for the addition of climate change). The proposals include a wide range of measures designed to keep people and property safe. A design flood of 1 in 100 year flood level (including climate change) has been used to establish safe finished floor level of the development and extreme 1 in 100 year flood event have been used to inform other flood mitigation measures.

150. All of the main access road and the main areas for housing will be raised above the design flood level - finished floor levels varying between 2.4m AOD and
4.0m AOD. In a 1:100 flood event none of the buildings or proposed parking areas would be flooded and all foundations would be designed to allow ground water to permeate through or around the substructure. Flood resilient construction is proposed within all the buildings up to a level of 3.1m AOD (extreme 1:1000 year flood level).

151. The EA does not require finished floor levels to be set relative to extreme 1:1000 year events but safety is considered. Residential properties above the 3.1m AOD would remain dry and those below all have two storeys and access to a higher refuge. The main north-south spine road would remain dry and safe and minor roads including the emergency access road would be passable and a very low hazard. One area to the north of the Deal Ground and also the May Gurney site would require early evacuation during extreme events as later these locations would become unsafe.

152. These flood protection measures involve land levels in the western part of the Deal Ground being part raised and part excavated. In the north of the Deal ground land levels will be maintained and buildings elevated above design flood level. Areas of ‘cut’ (lowering) are proposed between the blocks of development indicated in the Marsh Reach section of the site and to the north. These areas will serve as multi-functional open spaces and allow for the storage and movement of water when required. The proposed changes in land levels result in an overall net gain in compensatory flood storage. This will reduce the risk of flooding within the flood plain and accords with NPPF which advocates reducing flood risk through new development.

153. The Flood Risk Assessment also considers surface water management and SUDs. The proposed SUDs scheme is designed to manage run off associated with the increase in impermeable surfaces on the site and takes account of the superficial geology and the high water table. The proposed approach relies on underground storage facilities, with additional filter strips and non-permeable swales, to channel and direct surface water into the adjacent water courses. This approach includes a pumping system to regulate discharge according to volumes and rates of flow.

154. The Environment Agency has considered the application in the context of the National Planning Framework and raised no objection to the proposals subject to the imposition of planning conditions. Suggested conditions include measures to address possible contamination of the water environment (including the underlying aquifer) during the construction phase. Therefore the considerations set out in Para 102 of the NPPF in relation to the Exception Test are satisfied and on the basis of the above, the development will be safe for its lifetime and will not result in increased flooding elsewhere.

Archaeology/Heritage

155. The application has been accompanied by an archaeological desk-based assessment and the results of an archaeological window sampling exercise. No undesignated remains are known from within the study site although there are records from the surrounding 500m buffer zone that attest to human occupation of the area from the Palaeolithic through to the modern day. The topographical location of the site, situated on the flood plain of the Rivers Yare and Wensum makes it an unlikely location for any past settlement activity. It is likely that the site has been used for seasonal grazing of livestock for much of its history. Site is
considered to have a generally low potential for significant buried archaeological
monuments predating the modern period although there is a slightly higher potential
for isolated artefacts of prehistoric date and this was confirmed by the borehole
analysis.

156. The application contains a proposal to convert a grade II listed bottle Kiln into a
bat hibernaculum. The Kiln is on the Council’s Buildings at Risk Register and the
proposal would have the benefit of securing necessary remedial work to the
structure and an appropriate future use.

Energy Efficiency and Renewable Energy
157. The proposal incorporates a range of sustainable measures to reduce the
environmental footprint of the development. These include; solar orientation, solar
thermal, green roofs, low car dependency, resilient construction and where
appropriate the use of timber frame construction.

158. JCS policy 3 requires developments of this scale to provide at least 10% of the
expected energy requirements from decentralised and renewable or low carbon
technology, to demonstrate if it viable or practical to exceed this minimum
percentage and to demonstrate that the scheme has seized any opportunities to
make the most of any local economies of scale to maximise provision.

159. Supporting documentation commits to the JCS 3 requirements and a varieties of
technologies have been considered including solar thermal and photovoltaic
panels, biomass heating and ground source heat pumps. Given the scale of
proposed development and the proximity of the Utilities site, the opportunity exists
for a combined linked heat and power plant. Given the scope to achieve such
economies of scale it is considered appropriate to condition the detailed energy and
renewable strategy for consideration at reserved matters stage.

160. Water conservation measures in line with JCS3 requirements will also be
conditioned.

Trees and Landscaping
Ecological Impact
161. There are a number of significant ecological considerations in relation to this
site. Firstly the River Wensum which abuts the northern boundary of the site along
with most land to the east of the River Yare, is within the Broads, a wetland area of
national and international importance. Land to the east of the Yare forms
Whittingham Country Park, managed by the Whittingham Trust. Under the
Environmental Impact Assessment Regulations 2011, the whole of the Broads is
identified as a ‘sensitive area’ and all development within it has to be screened for
EIA. In terms of statutory ecological designations the Broads Special Area of
Conservation (SAC) and the River Wensum (SAC) are located 4km (downstream)
and 5.5km (upstream) respectively.

162. Secondly, part of the application site extends onto Carrow Abbey Marsh, a
County Wildlife Site, a non- statutory nature conservation designation. Carrow
Abbey Marsh CWS covers approximately 10.4 ha and supports a mosaic of tall fen
and herb vegetation, notable for a population of Desmoulin’s Whorl Snail. The CWS
is in private ownership, currently unmanaged and therefore in a state of decline.
Approximately 2.8ha of the CWS will be directly affected by the development.

163. It should be noted that the application site includes land that extends beyond that proposed to be allocated in the draft Site Allocation DPD. This additional land principally includes land within the CWS.

164. The National Planning Policy Framework requires development to minimise impacts on biodiversity and provide, where possible net gains. The importance of ecological networks including international, national and locally designated sites for biodiversity is recognised along with the objective of protecting such natural assets. Policy 1 of the Joint Core Strategy is consistent with this approach and requires that development should minimise the fragmentation of habitats and seek to conserve and enhance existing environmental assets of acknowledged regional or local significance but where harm is unavoidable it requires appropriate mitigation or replacement with the objective of achieving long-term maintenance or enhancement of the local biodiversity baseline. Local plan Policy NE7 and emerging Policy DM6 both seek to safeguard the nature conservation interests of sites and only allow development where there are overriding benefits, effective mitigation is provided and where harm is caused biodiversity off-setting is provided.

In addition to reaching planning decisions Local Planning Authorities must have regard to duties placed on them and have regard to the Conservation of Habitat and Species Regulations 2010, Wildlife and Countryside Act 1981 and the Natural Environment and Rural Communities Act 2008.

165. The Environment Statement assesses the likely ecological impacts arising from the proposed development both during the construction and operational phases. Surveys undertaken identified that the fen supports a mosaic of vegetation communities, with the majority of the fen best described a species poor tall-herb fen, dominated by sedge or grass species, of a high quality. A strong population of the notable species Green Figwort was present. Entropic flood plain fen is a UK BAP habitat and considered of moderate to high ecological importance at a county level. The site was recorded as supporting a diverse faunal assemblage of particular value for breeding bird and invertebrate populations and for its value as a foraging habitat for bats. Recorded species include: Soprano Pipistrelle bat (European Protected Species, The Conservation of Habitats and Species Regulations 2010) Cetti’s Warbler (Schedule 1, Wildlife and Countryside Act) and several UK BAP species including Common Bullfinch, Song Thrush, Mouse Moth and Dark Brocade Moth.

166. The biodiversity value of the CWS is centred on the fen habitat. In terms of the area of the CWS directly affected by the proposals 0.1ha of that land is classified as a fen. The majority of the CWS affected consists of scrub/trees, tall ruderal vegetation and invasive species including Japanese Knotweed. These areas are considered of low ecological value at a local level. The ecological strategy for the site includes a number of enhancement and mitigation measures.

167. Firstly the proposals include the creation of new swale areas amounting to 0.12ha, in the Marsh Reach part of the site. These areas, created by the lowering of existing land levels will function along with the existing fen as part of the flood plain. It is proposed that the 0.1ha of fen affected by the development will be translocated to these new wetland areas. These newly created habitats have the potential to be of medium ecological value.
168. Secondly the Ecology strategy includes the long term management of 9.8ha of land to meet nature conservation objectives. Management will seek to arrest and reverse the decline of the retained CWS site and ensure that the fen, the ditches and the wet woodland are managed in a way that optimises their ecological value. These management techniques will be extended to cover the areas of newly created habitat. These works will be funded by the developer and maintained and funded long term by a new residents management company. Management will include, restricted public access, grazing of the fen, rotational clearance of ditches, coppicing of woodland, and controlled management of scrub areas to benefit particular species (ie Cetti’s Warbler).

169. Thirdly, mitigation is proposed in relation to specific species eg bats, grass snakes and the Desmoulins Whorl Snail. A single bat was found roosting in a tree in the vicinity of the proposed main access road. In compensation for the loss of this roost, bat boxes are proposed on trees with good roosting potential and it is also proposed to provide enhancement by renovating the existing listed brick kiln on the site to offer a potential roosting environment. In addition where justified translocation of certain species (ie grass snake) and habitat manipulation is proposed to safeguard populations.

170. Given the proposed development will involve the felling of a tree identified as potentially supporting a single of roosting Soprana Pipistrelle bat, a European Protected Species, the LPA has a duty to take into account the three derogation tests contained within Article 16 the Habitats Directive 1992 at the application stage. These tests that include; Imperative Reasons of Overriding Public Interest, No satisfactory Alternative and Favourable Conservation Status of the species must be maintained, are considered to be met.

171. In addition to the area proposed to be managed for nature conservation purposes, multifunctional open green spaces are proposed within the development. These include a public park and play area, linear Riverside open spaces/walkways, boundary planting and tree planting associated with the road and parking areas.

172. Lastly the strategy recognises that during the construction phase the CWS and water courses may be subject to the impacts of hydrological and water quality changes, possible pollution events, dust and disturbance resulting from the provision of services. Although these impacts are likely to be temporary in their duration, it is recommended that control and monitoring measures are put in place. These would include a number of specific measures and include those recommended by relevant Environment Agency Pollution Prevention Guidelines. These will seek to minimise the risk of contamination, sediment or other leachates from reaching sensitive areas.

173. In relation to ecological impacts the Environment Statement concludes that overall, residual effects following mitigation are positive at the local/county level and of minor to moderate significance. In addition the mitigation and enhancements proposed seek to ensure that the proposals will lead to a net gain for biodiversity.

174. The consultation responses received from nature conversation bodies, including Natural England, in common with the Council Natural Areas Officer, generally support the original and imaginative landscape-led scheme and the treatment of the CWS and the connecting open spaces. Comments do however highlight a number of areas of concern.
175. Firstly, the importance of the rivers as significant natural environmental features is highlighted along with the need to avoid the urbanisation of these corridors. This is considered to be of particular importance given the location of the site on the fringes of the city, immediately adjacent to Whittingham Park. Detailed hard and soft landscaping is not a matter for determination at this stage but illustrative material is suggestive of an approach that provides for soft planted river edges and the naturalised landscaping of the linear open spaces created along both the Wensum and Yare. It is considered important to ensure that these design parameters influence reserved matters applications going forward, to secure final schemes that allow for multifunctional use but optimise biodiversity value. The success of such a design approach to some extent will be limited by the degree of set back of built development and concerns have been expressed that as illustrated certain blocks are shown excessively close to the river edge – in particular that of the Yare. Excessive height and proximity of development has the scope to result in overshadowing, disturbance and light pollution which could reduce the effectiveness of any landscaping measures provided. It is therefore considered appropriate at outline stage to fix set back from the river edge as a key parameter.

176. Secondly, concerns have been raised regarding the likely success of the long term nature conservation management that is proposed and whether it alone, without any off site compensation, is sufficient mitigation/enhancement for the loss of the physical extent/composition of the CWS. Natural England, Broads Authority and Norfolk Wildlife Trust have raised concerns on this basis. It should be noted that Natural England have not raised concerns over wider impacts on the Broads ecosystem. In relation to JCS 1 and emerging DM 6 off site compensation/off-setting would be justified if it was not possible on site to achieve long-term maintenance or enhancement of the local biodiversity baseline.

177. The CWS is currently unmanaged and in decline, the introduction of long term management will allow the natural succession of the fen to woodland to be arrested and deliver significant ecological benefit. It is accepted that the success of this will rely on: the developer funding of effective and early remedial works to the site; implementation of the package of mitigation and enhancement measures proposed; effective protection of the CWS during the construction phase; and effective and funded management in the long term. The success of the latter and the long term ecological functioning of the CWS will be largely dependent on securing a management regime which manages the interface of the development with the CWS. The use of livestock for grazing, along with the characteristics of the fen flora and associated fauna, necessitates controls that limit public access and that of domestic pets. A draft management plan for the site indicated a fence would be provided to form a physical barrier but this is considered insufficient by the council’s Natural Areas Officer given the close physical proximity and the predatory behaviour of domestic cats. It is considered that a more defensible and effective measure would be a wet ditch/moat, which combined with buffer planting, would provide both protection and biodiversity value. In the event of planning approval, it is recommended that planning conditions be imposed to agree the full details of an Environment Action Plan for the site. This would require the prior agreement of: all remediation, mitigation and enhancements informed by up dated ecological baseline surveys; phasing plans; protection/safeguarding and management regimes during the construction and operational phases. These measures should ensure long-term maintenance and enhancement of the local biodiversity baseline in accordance with JSC policy 1, existing and emerging local plan policies and the
Health Impact

178. JCS policy 7 requires the consideration of health impacts in relation to new development. It is considered that the proposed development approach will promote healthy lifestyles by positively encouraging walking and cycling as the primary means of travel within and from the site. High quality pedestrian and cycle routes and connections will be provided and the Transport Management Association will promote healthy travel choices by offering incentives. The public open space available on and close to the site and the ease of access to the countryside will allow for active leisure. The broad layout of the site will create communal space and the opportunities for social interaction. The design approach which seeks to embed the development in to the marsh landscape, provides the scope for a high quality living environment, attractive countryside views and a sense of connection with nature.

179. Noise and air quality impacts are addressed in other sections of the report.

180. In accordance with HOU5 it is proposed to seek at reserve matters stage the inclusion of lifetime homes as part of the accommodation mix. Such homes allow from the outset or through simple and cost effective adaptation, design solutions that meet the existing and changing needs of diverse households.

Socio-economic Impact

181. The Environmental Statement includes reference to socio-economic impact of the development particularly in relation to the potential direct and indirect impacts on employment, local spending and public amenity impacts.

182. The construction phase is predicted to deliver significant beneficial economic impacts associated with a construction project of an estimated capital cost in excess of £111 million. The construction phase alone is predicted to create in the region of 148FTE jobs in the construction sector over a period of 8 – 10 years. Post construction job creation associated with the local centre/dining quarter and in the maintenance and servicing of the wider site has the capacity to deliver in the region of 168 FTE jobs. In addition it is also envisaged that the associated provision of public moorings, riverside dining quarter and improved pedestrian/cycle connectivity between the city and the Broads will deliver long term tourism benefits.

183. In terms of social impacts the development will have the significant long term benefit of bringing forward 870 new homes and making a substantial contribution to meeting the general and housing needs of Norwich identified in the JSC Policy 12. The growth in population associated with this scale of growth of around 1450 people creates additional demand for local services ie health/dental services. Capacity of such services tends to vary across the city and there is the risk that additional demand can create adverse local pressures on provision. However, the location of the site and the proposed pedestrian/cycle and public transport connections allows future residents the choice to access services beyond those locally available and therefore the overall impact is predicted to be minimal.

184. Norfolk County Council have considered the education needs arising from the development and highlighted a shortfall in the required number of primary school places. The closest existing school to the Deal Ground is in South Norfolk, Trowse Primary School. Normally the education needs arising from development within
Norwich are addressed through schools within the city boundary. However, in this case where development is cross boundary and where the aim is to create a cohesive community, it is considered that a single, local destination school should be identified. In addition the closest city primary school is Lakenham, and the walking route is neither direct nor attractive, given the need to cross Bracondale or Martineau Lane. Such locational constraints may result in parents preferring to drive their children to school, potentially undermining the Transport Strategy for the development. Trowse Primary School has no existing or predicted spare capacity and Norfolk County Council have identified the need to expand provision. On this basis they are seeking a pro-rata developer contribution to the provision of a new 315 place expandable to 420 place primary school within the village of Trowse.

185. The development includes the provision of green infrastructure and local shopping amenities that will promote the concept of the development as an urban village. The linkage of the development to the riverside walkway network, the proximity to Whittingham Country Park, provision of on site amenity and play space and the sense of integration with nature conservation areas, are considered to offer significant benefits in terms of health and well being.

186. A number of representations have expressed concerns about the impact of this development on the function, appearance and character of the village of Trowse. The village is situated 2km south-east of Norwich and is within the administrative boundary of South Norfolk, with areas round Whittingham Lane falling also within the Broads. Most of the village is covered by a conservation area designation and it owes it character to its development by Colman’s in the late nineteenth century as a ‘model’ village for their employees. Despite its close proximity to Norwich and the A47, Trowse retains its village character and enjoys local amenities including a public house, local primary school and village store. Representations refer to the impact of the development on this village community given the scale, proximity and associated traffic.

187. The proposed development will inevitably have some impact on Trowse. However, the vision for the Deal Ground development is to create a place that will function as an urban village in its own right. The emphasis is on providing a sustainable community with its own local shops and amenity areas, not a development that tries to directly relate or act as an extension to Trowse. As a development it looks to the city – and proposed links are designed to promote a strong urban connection. The bulk of the development is on the island created by the railway/R.Wensum/R.Yare and this location will continue to promote a sense of separation. Although traffic in Trowse will increase, particularly along The Street, significant efforts have been made to suppress the level of traffic generated by the development.

188. This additional traffic and activity may decrease the sense of isolation of the village but the proximity of Trowse to the city boundary makes this difficult to negate. This additional activity is also likely to bring direct benefits to established businesses within the Trowse, local activities and community groups. For these reasons it is not considered that the development would have negative effect.

**Wensum Bridge (12/00996/O)**

189. The bridge is proposed to the western end of the Deal Ground approximately 70m to the east of Trowse rail bridge. The application description includes reference to the bridge providing a pedestrian, cycle and emergency access.
function. A bridge in this location has been identified as key infrastructure in unlocking the development potential of both the Deal and Utilities sites and in providing wider public benefit, by significantly improving cycle and pedestrian access in the south-east of the city.

190. In relation to the Deal Ground and as already described in para. 119 the bridge is considered key to the proposed development functioning as an extension to the urban environment, rather than a suburban car dependent housing estate. The bridge will provide a physical and psychological link to the city and is seen as integral to the transport strategy for the site, encouraging and allowing future residents to adopt urban patterns of behaviour i.e. choosing walking and cycling as the primary means of travel. The Deal Ground proposals include two emergency access routes (from The Street/Bracondale) and therefore the development does not require emergency vehicle access from the north/across the river.

191. The Utilities Site, a site of 6.9 hectares, is largely inaccessible to the public, the only access roads being Hardy Road, (which passed under a very low rail bridge next to the river), and Cremorne Lane, which crosses the railway on a single track bridge and level crossing. The draft Site Allocation DPD in line with JCS Policy 12 allocates the Utilities site for mixed use development, including reference to housing, employment and power generation from renewable sources. Future development of this site is conditional on access issues being resolved and draft Policy R11 requires the provision of a bridge over the Wensum to provide vehicular/pedestrian and cycle access.

192. The JCS and the draft Site Allocation DPD seek to deliver the comprehensive regeneration of both of these sites and an overarching core objective is to facilitate the unlocking of both sites rather than prejudicial piecemeal development. For this reason draft policy R10 in connection with the Deal Ground requires the provision of a Wensum river bridge that provides for emergency vehicular use.

193. The bridge application is outline with all matters reserved, but does include a Design and Access Statement and indicative illustrative drawings. These depict a cycle and pedestrian bridge with a straight approach ramp leading from the Deal Ground and a straight ramp set at a 90 degree angle on the Utilities site. Although the width of the bridge (3.7m) potentially allows emergency vehicular access, the ramp access on the Utilities site would not be suitable. A key consideration is therefore whether this bridge proposal would jeopardise delivery of the Utilities site and whether it is justified for vehicle access to be a specific requirement at this stage.

194. In considering this matter regard needs to be had of the current Deal Ground application and the scale of infrastructure being provided which would also serve future development of the Utilities site. This infrastructure includes a fixed road bridge over the Yare and a spine road leading from The Street to a proposed bus square. The details allow for a road link between the bus square and the proposed landing position of a bridge over the Wensum bridge. An Access Agreement is currently being negotiated between the Deal Ground, Utilities site and river owners (Norwich City Council) to grant reciprocal access rights. In the event of both sites being developed over the plan period it is anticipated that a single bridge will be provided to serve the needs of both developments. Such an approach would see both developments contributing to the provision of mutually required and necessary infrastructure. However at this present time, there are no formal development
proposals for the Utilities site and there is clear evidence that it would not be viable for the Deal Ground development to fund and deliver the entire infrastructure package for both sites. In this context a pedestrian and cycle bridge to facilitate delivery of development on the Deal Ground is considered acceptable and would not be prejudicial, provided that there is scope for replacement/alteration of the bridge in the event of Utilities site being developed at a later date. This is provided for in the access agreement. However, it would clearly be preferable for the most appropriate form of bridge to be provided from the outset. This would minimise expense and both the disruption and waste caused by removal.

195. Turning to more detailed matters, the bridge structure will be seen in the context of the adjacent Trowse railway bridge, the industrial setting of the Utilities Site as well as the rural setting of the broads. The application includes only indicative design details at this stage but these illustrate the scope for the visual impact of the structure to be successfully managed.

196. As submitted the bridge application indicates a northern connecting pedestrian and cycle route to Hardy Road, currently the closest adopted highway. This route would require access across the privately owned Gothic Works site. Given the industrial use of this land, the operators have raised safety concerns. The preferable and more direct route would be to connect to the riverside walk, which has the benefit of planning permission between Carrow Bridge and the western boundary of the Gothic Works site. The City Council is currently involved in discussions regarding a scheme which would connect this route with the Utilities Site. This riverside route will provide a preferable connection and avoid possible conflict associated with the Hardy Road option.

197. Given the navigation function of the River Wensum the Broads Authority have highlighted the need to secure the future operation of the bridge. In order for the bridge not to act as a permanent impediment to navigation, opening arrangements for the bridge must be secured at this outline stage. The agent advises that in respect of opening arrangements the applicants are proposing to adhere to those of the Trowse Bridge, which are set out in an act of parliament. The Broads Authority require this to be secured through a legal agreement. They also require at this outline stage that provision is made both upstream and downstream for moorings to provide facilities for de-masting. The current bridge application does not include or provide these moorings but it should be noted that the Deal Ground application includes river frontage that could provide both upstream and downstream de-masting facilities.

198. On the basis of the above the proposed bridge is considered acceptable. As well as providing key infrastructure to serve the Deal Ground the bridge will provide wider public benefit by significantly improving cycle and pedestrian access in the south-east of the city. The bridge provides the opportunity to link to the river walkway network providing an attractive safe link in to and out of the city, a route to Whittingham Country Park and the countryside beyond and a safer route for the National Cycle Route No.1. Such connectivity has broad sustainability benefits, promoting green travel patterns, healthy active lifestyles and improving quality of life by facilitating access to green open spaces and the countryside. In addition, improving access to local recreational opportunities reduces visitor pressure on more sensitive locations including parts of the Broads. For all of these reasons providing improved access in this part of the city has been a key objective for a number of years and a feature of Norwich Connect2 schemes and Sustrans funding.
applications.

**Overhead Power lines**

199. The Deal Ground and May Gurney sites are traversed by two dual circuit 132,000 Volt overhead power transmission lines, as well as several 33,000 Volt and 11,000 Volt underground cables. These circuits supply power to the eastern part of the city of Norwich as well as much of the Broads and the rural area to the northeast. The electricity network in England and Wales is owned by the National Grid Company plc and electricity Distribution Network Operators, in this case UK Power Networks.

200. Within the application site the overhead cables are supported by five pylons (1 within May Gurney and 4 within the County Wildlife Site). These structures and connecting power lines are on land owned by the applicant and it is understood that there is no licence or wayleave in place giving the network operators formal rights.

201. The proposed development on the May Gurney site is directly beneath the power lines and UK Power Networks have advised that it may not be possible to construct with the lines in situ. On the Deal Ground the electricity infrastructure is predominantly to the east of the proposed development, with the exception of the southern extremity of the Wensum Riverside zone. Since the network operator does not own the land, it cannot prevent development close to or under overhead lines, although safe electrical clearances must be maintained.

202. The applicant has commenced discussions with UK Power Networks regarding the underground of electricity cables where they pass over the site. These discussions are on going and a precise scheme has yet to be determined or agreed. However, UK Power Networks have advised that subject to necessary first and third party land consents and agreement in relation to division of costs, the overhead cables could be removed from most/all of the site.

203. A current preferred option being discussed would involve the erection of two new terminal towers within County Wildlife site and on land adjacent to St Andrews Church, Trowse and to underground the 132kV lines between these points. The underground route would predominantly follow the line of the proposed access roads but would also involve a northern section of the County Wildlife Site. Four existing pylons within the Deal Ground would be removed along with one within May Gurney and two existing pylons adjacent to St Andrews Church.

204. The works described above would not require formal planning permission since electricity operators have extensive permitted development rights. Neither would the work require consent under section 37 of the Electricity Act 1989. However, given that the development would be a consequence of the comprehensive development of the Deal Ground and May Gurney sites the Environment Statement has been updated to include consideration of these operations.

205. A scheme is likely to include four broad operations: accessing the pylons; undergrounding cables; dismantling the existing pylons/building terminal pylons and removing the cables. These operations have the potential to cause possible ecological effects, including pollution/disturbance/injury/killing/habitat loss or damage. The ecology report concludes that the possible impact of these works could be satisfactorily mitigated through the creation and implementation of a Construction Environmental Management Plan this would be informed by updated faunal and habitat survey prior to the commencement of work and would promote
good working practice and construction safeguards to minimise adverse effects on the CWS.

206. The existing pylons are approximately 26m in height and are prominent features within a flat marshland landscape. Removal of the pylons and an approximate 750m stretch of overhead high-voltage cables from the site would have a positive impact, and views, particularly from across the marsh from Whittingham Lane would be enhanced. Although the extent of visual benefit would be dependent on the final agreed scheme and whether new terminal towers will be required, the removal of these existing features would assist in optimising the quality of the landscaping setting of the new development and levels of visual amenity.

207. These benefits need to be balanced against the potential temporary impacts associated with the alterations to the electricity infrastructure itself. Although it is considered preferable that any future scheme should avoid or minimise disturbance of the CSW it is considered that it would be possible to minimise effects through comprehensive environmental construction measures and through post construction remediation and mitigation.

208. Under section 38 of the Electricity Act 1989, network operators have a duty in formulating proposals for new development to ‘have regard to the desirability of preserving natural beauty, of conserving flora, fauna and ... shall do what [it] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna’. UK Power Networks has advised prior to the works ecological surveys are carried out and used to inform the design and implementation of proposals.

Foul Drainage

209. There are capacity issues both at the Whittingham Waste Water Treatment Works (WwTW) and in the foul drainage network being the Yare Valley Sewer. Anglian Water have advised that at present the WwTW has capacity for the development however with the extent of the development to the South of Norwich upgrades are likely in the long term at the treatment works to cope with development.

210. In relation to the foul sewerage network Anglian Water have advised that the existing network is seriously constrained and that the Yare Valley Sewer serving the south of Norwich is currently under review. The cumulative impact of developments in the south of the city including the development of the Deal Ground requires additional sewerage network capacity in order to avoid unacceptable downstream flooding. Anglian Water have requested a pre-commencement planning condition for a suitable scheme to be agreed.

211. It is understood that the main Yare Valley sewer passes under the Carrow Abbey County Wildlife Site. At this present time it is envisaged a scheme is likely to include on site sewage storage which would allow the regulation of sewage flows to the existing main sewer – i.e. sewage being stored at times of heavy rainfall when the sewer is highly charged and risk of flooding is greatest. Such storage facilities tend to be located within the boundaries of the development and the recommended planning condition would allow control to be exercised and if required for mitigation to be secured.
Local Finance Considerations
212. Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. In this case this would be through the potential generation of S106 monies (although it should be noted that these are considered to be mitigating the impacts of the development in question), council tax and grant money from the New Homes Bonus. The completion of the development would lead to significant grant income for the councils. Where this is spent and the extent to which the spending of monies would be linked to this development of the Deal Ground area is currently unknown. This is a material planning consideration but in the instance of this application it is not as significant as the development plan and other material considerations detailed earlier in this report are considered to be of far greater weight.

Development viability, deliverability and affordable housing
213. Development of the scale proposed triggers the need for a wide range of planning policy requirements to be met. The delivery of affordable housing is a core planning objective and JCS Policy 4 requires that on sites of this scale 33% of the new dwellings provided should be affordable. This requirement not only seeks to address the growing need for affordable homes in the city but also to deliver balanced, mixed communities. Other requirements for housing development are set out in Policy HOU6 and emerging Policy DM33, include essential infrastructure including possible contributions to green, social and transport infrastructure.

214. Policy compliant requirements for the whole cross boundary development include:

Affordable housing: 221 dwellings
County Council education requirements: £1,782,850
County Council library requirements: £40, 200

Site specific requirements:
Sustainable travel measures
Car club - £54,000
Transport Management Association – £100,000 (min).

215. In addition to the above, the development triggers a requirement for payments towards both transport improvements and play/open space enhancements (Policy HOU6). However, these contributions are not sought in this instance given the requirement of this development to deliver a Wensum pedestrian/cycle crossing which has broad sustainable travel benefit and the package of on-site recreational and ecological enhancements being provided.

216. A commercially confidential open book Viability Appraisal submitted with this application sets out the estimated development costs and projected values. On the basis of these figures and current market conditions it is not viable for this development to provide affordable housing or other contributions at the level that policy requires. Development of the Deal Ground would not be viable or deliverable if all these contributions were to be sought as profit would drop well below 10%.

217. Where it has been agreed that the development in question is unviable with the full package of planning obligations, the planning obligations will be prioritised on
the basis of the Council's Prioritisation Framework. This prioritises site specific critical requirements over other essential policy requirements. Site critical requirements include on and off highway works and key items of infrastructure such as bridges and riverside walks. The Framework requires these to be provided and as such the full cost of these items must be included. In relation to essential policy requirements the Prioritisation Framework states where these are not met, development should not normally be granted unless there are exceptional benefits in terms of regeneration.

218. It is accepted that the Deal Ground is highly constrained and indeed evidence suggests that the costs associated with overcoming these constraints render the current employment – led designation unviable. The proposed development, in terms of scale/mix of uses and master planning, seeks to overcome these barriers but in doing so projected development costs are abnormally high.

219. Where the costs of bringing a site forward are abnormally high it is accepted that the scope for development to deliver the normal package of developer contribution is compromised. In the case of the Deal Ground, this has to be considered in context of the broad social, economic and environment benefits of the development:

- Redevelopment of a predominantly vacant brown field site
- Strategically significant and critical to the City being able to deliver JCS housing targets
- key to unlocking development potential on the Utilities site;
- key to providing high quality sustainable transport links between Trowse and the City Centre;
- Part of a priority area for regeneration specifically referred to in JCS12.

220. In the interests of delivering a priority regeneration site and not subjecting development to an unacceptable scale of obligations and policy burdens, officers are in the process of negotiating a S106 Obligation that will seek to secure:

1) Initial viable contributions under the following headings
   - Affordable housing: serviced land for 27 units of affordable housing on the May Gurney Site (shared nomination rights)
   - Education: £302,744 (primary provision)
   - Sustainable Travel: £154,000(min)
2) Deferred 'top up' payments
   Paid in the event of viability improving over the course of the development. In the event of top up payments being triggered the proceeds would be used for the delivery of affordable housing (off site, with option for an element of shared equity on site) and for education. The top up payments would be capped at the level current policy would require and be divided on a pro-rata basis between Norwich City, South Norfolk Council and Norfolk County Council according to the contribution deficit.

221. These levels of obligations reflect the challenge of bringing forward this site in current market conditions and there would be no certainty going forward whether any 'top up payment' would be triggered. This will be determined by future trends in development costs and values. In relation to predicted costs, these may be subject to variation in the event of development proceeding on the Utilities Site. In relation to development value, these will be largely determined by trends in property values in the future, the quality of the scheme and the extent to which the Vision for the
development is achieved. There is certainly the scope to create a unique and distinctive extension to the city with a strong landscape connection. This quality of place and the scope to optimise values will be strengthened by the removal of the existing electricity pylons and overhead cables. These variables, contribute to the complexity of the site and to some uncertainty regarding the speed and rate at which the site would be delivered. However, they also offer the possibility of viability improving over the course of the development and the prospect of ‘top up payments’ being triggered.

222. At this current time however, it has to be assumed that there is a very real prospect for the Deal Ground development to include only market housing and this would contrary to the objective of creating mixed, balanced communities. However, there is clear evidence that requiring affordable housing above the current level proposed would render development unviable, with the outcome of the site remaining undeveloped for potentially a considerable period of time. Although the lack of affordable housing is a significant matter, the broad benefits of regenerating this site are considerable. In addition although the tenure mix may be limited, the development will deliver a broad range of dwelling sizes as well as life time homes, in a form which will create a strong sense of community and belonging.

Other S106 matters

223. Norfolk Constabulary have indicated that they are currently obtaining information/guidance from each of the District Commanders and Local Service Inspectors regarding the policing impact of the development. They have indicated that they are likely to require financial contributions towards delivering police services although no such request has been received. JCS policies 7 and 20 refer to the need to provide police facilities and infrastructure to support new development. However, the policies do not detail the specific funding source for new infrastructure and there is no supporting supplementary planning document relating to these policies to expand or support the provision of developer contributions to police facilities. In this case no specific infrastructure or facilities which would be necessary as a result of the development have been identified either on or off site.

224. Both Whittingham Trust and the Broads Authority have indicated that the proposed development is likely to create a demand for recreational space and that this is likely to be met in the immediate area by Whittingham Country Park. They indicate that Whittingham Country Park is a facility of significant size, however it serves a wide catchment and currently operates at capacity, with facilities such as toilets and catering provision proving inadequate at times of peak visitor numbers. It is suggested that any significant increase in visitor numbers will exacerbate this shortfall and that the proposed development should mitigate this off site impact.

225. The proposed development would be integrated into a green open space setting and some of this would provide a formal recreation and play function (flood park and riverside area). The provision of the Wensum bridge allows easy access from the site to walking and cycling routes. It is likely and indeed seen as beneficial, for residents to look to the adjacent countryside for leisure pursuits and Whittingham Country Park would be a local and attractive destination. The extent and impact of this use is however difficult to quantify and there is no substantive evidence that the impact would be adverse and require mitigation. Although there may be an argument that it would be appropriate for the development to contribute to the management of the Country Park, this could not be justified on the basis of existing
deficiencies in facilities – as this would not satisfy the tests for developer contributions.

226. In order to meet the tests of necessary to make the development acceptable; directly related to the development; and fairly and reasonably related in scale and kind to the development it is considered that the relevant infrastructure or facilities required directly as a result of the development would need to be identified and costed. In the absence of such information and in the case of policing, a clear policy basis for a commuted sum, it is not considered that such requests would meet the relevant tests, nor in this case be viable.

Regeneration of East Norwich
227. JSC policy 12 identifies east Norwich, city centre to Deal and Utilities, as a priority for major physical regeneration. The Deal Ground and Utilities site are key sites to realising the broad economic, social and environment benefits foreseen for this part of the city. Both sites are identified as development sites in the emerging Site Allocation DPD with the expectation that development will come forward over the emerging plan period. Delivering is considered a priority, given the capacity of the sites to accommodate a mix of development including around 20% of the city’s housing target. The development proposals for the Deal Ground represent substantial progress towards beginning this process, given the quantum of development proposed and the substantial road and bridge infrastructure which will serve the site and extend to the south side of the R. Wensum.

228. As previously referred to, both the Deal Ground and Utilities site are currently highly constrained by existing road access arrangements. In order for both sites to be fully developed in a manner that optimises flexibility and viability both require barriers to access to be removed. In this regard a bridge over the R. Wensum has been identified as infrastructure key to the deliver of development of both sites. In providing such a bridge the landowners either side of the river will require the consent of the other, both to land a bridge and for access in perpetuity for users of their respective developments to pass over the other party’s land. Norwich City Council as owner of the river bed is also a relevant land owner and has been working with the adjoining owners in agreeing a formal access agreement which provides reciprocal access rights for all parties. Given the complexity of both brownfield sites, uncertainty over the formulation of proposals and the timing of future development, the access agreement also provides reciprocal step in rights. These rights seeks to ensure that neither development is prejudiced or held up by the other by allowing all parties to construct infrastructure on the other parties land if this has not been provided by the time it is needed to serve their own development.

229. A letter of representation has been received from the owners of the Utilities Site supporting the Deal Ground application but indicating that the access agreement should be signed by relevant parties prior to the issuing of a planning approval. In making this comment that they are aware that a pedestrian and cycle bridge has been identified as necessary for development of the Deal Ground and that their consent will be required for development to substantially proceed. However, they believe that without the access agreement and reciprocal having being established, the timing of this consent would be dependent solely on the intention and development decisions of the Deal Ground owners/house builders. In this context, if development of the Deal Ground was for any reasons to be delayed, this would
prejudice the earlier delivery of their development by depriving them of the right to step in and provide the necessary infrastructure to unlock access to the Utilities Site.

230. Commercial arrangements between landowners are not relevant to the consideration of the merits of a planning proposal (apart from possibly in the calculation of top up payments). However, in relation to the regeneration of these two sites there are significant material planning advantages to enabling the preferable bridge infrastructure to be in place from the start to: minimise the risk of sterilisation of the Utilities site; minimise development costs/assisting viability and minimising the waste and disruption associated with a replacement bridge being provided. However, it is not considered reasonable to seek to prevent redevelopment of the Deal Ground in the longer term if proposals to redevelop the Utilities Site, which need a road bridge, cannot be brought forward. In these circumstances it is considered both appropriate and reasonable to require an access agreement to be signed providing for; reciprocal access rights and rights to provide infrastructure over each parties’ land; a period of not less than 5 years and no more than 7 years in which an opportunity is given to progress redevelopment of the Utilities site along with the detailed design work, approval and delivery of a road access bridge. This may marginally delay the build out of the Deal Ground site but as a lead in period of a number of years is likely, to carry out preparatory works and build out the May Gurney site, it is not considered significant.

Conclusions

231. The Deal Ground comprises an extensive area of disused industrial land and has been identified for many years as a strategic priority for re-development. The site along with the adjoining May Gurney and Utilities site provide the potential for the major physical regeneration of east Norwich by bringing forward mixed development and enhanced green linkages and this is identified as a key objective in JCS 12. Although the proposals depart from Policy EMP9, the application is considered compliant with the NPPF by providing for a sustainable mix and scale of development which will facilitate this regeneration and make a substantial contribution to accommodating a strategic level of housing growth.

232. It is recognised that the site has significant constraints in terms of access, flood risk, noise environment, landscape and ecology. However, it is considered that the proposed development represents a comprehensive and integrated response to these constraints which manages and mitigates environmental impacts to an acceptable level.

233. The vision of creating an ‘urban village’, well connected with the city but integrated into a natural landscape provides the scope for a distinctive and sustainable development. The small local centre and dining quarter will provide local employment and assist the creation of a mixed vibrant development, but be of a scale to not result in an adverse impact elsewhere. The proposed transport strategy is considered a robust response to mitigating the transport impact of the development through actively promoting sustainable travel. The success of this approach will rely on the early provision of the Wensum Bridge and the effective and long term performance of the Transport Management Association.

234. Although the site is at risk of flooding the substantial regeneration benefits associated with this development, which could not be achieved elsewhere, and the
ability to make it safe, justify the development. Managing flood risk has informed the entire design concept with the result that property and people will be safe and that over all flood risk would be reduced in this location through the creation of a net gain in flood storage.

235. The landscape-led approach provides the opportunity for the creation of a high quality, distinctive residential environment with a strong sense of place. Although development will be high in density, there are opportunities for good amenity levels accruing from the sense of landscape integration and views across the marshes to Whittingham. It is recognised that noise associated with the adjacent asphalt plant, rail head and bridge has the potential to have a negative impact on parts of the site. However, it is possible to mitigate this impact at reserve matter stages through careful design, which seeks to use building orientation, insulation and landscaping to create psychological separation and reduced noise levels. On this basis the broad distribution and quantum of development is considered justified and not prejudicial to the adjacent safeguarded minerals site.

236. The design approach responds to the rural fringe location by creating a multi-storey urban form within a strong landscape setting. Although it is acknowledged the visual change will be significant it is not considered that it will be adverse. The development will form part of a new gateway to the city created through the regeneration of east Norwich. The height of development, the loss of open space and the local impact on the Yare Valley character area have been balanced against the wide social and economic benefits associated with the regeneration of a brown field site.

237. Most of the development is proposed on land with low biodiversity value but there are direct impacts on the existing Carrow Abbey CWS, a entropic flood plain fen and a UK BAP habitat of moderate to high ecological importance at a county level. The development strategy minimises direct impact on the fen habitat and includes mitigation and enhancements. Long term management will be introduced to arrest the current decline of the fen habitat and reverse the natural succession of the habitat to woodland. The ecological approach proposed to the CWS and wider site will result in a net gain in the biodiversity baseline.

238. The proposed bridge over the river Wensum is essential infrastructure for the sustainable development of the Deal Ground. The river crossing provides a direct and attractive pedestrian and cycle route towards the rail way station and the city centre. The provision of this route provides the opportunity to encourage sustainable travel and allows large scale development in this part of the city which otherwise would not be acceptable. In addition the bridge provides the opportunity to deliver wider public benefits by significantly improving cycle and pedestrian access in the south-east of the city and for the safer re-routing of the National Cycle Route No.1.

239. Taking the above matters in to account and the environmental information submitted it is considered that on balance given the need to provide housing and subject to conditions and the content of the S106 Obligation the proposals are considered to be acceptable.
Recommendations

Recommendation 12/00875/O
To approve Application No 12/00875/O and grant planning permission, subject to:

1) South Norfolk Council approving those elements within their administrative boundary
2) The completion of a S106 Obligation to include the provision of affordable housing and contributions to transport and education
3) The signing of an access agreement

and subject to the conditions below.

1) Spine road – non-standard 10 years full time limit
2) With the exception of off-site highways works, the spine road shall be in accordance with the plans and details submitted
3) Full technical details of the spine road, Yare bridge associated footways/cycleways/foul and surface water drainage/implementation
4) No development until Highway Improvements offsite submitted and agreed.
5) Details of landscape treatment of spine road
6) Arboricultural Implications Assessment/ Method Statement submitted and approved
7) Non-standard outline time limit for the remainder of the site
8) Reserved matters to relate to layout, appearance, landscaping and scale.
9) Reserve matter to be in line with the parameters set out in the outline application plan Amount, Massing and Accommodation and the design concept described in the Design and Access Statement in respect of the quantum, transport strategy, biodiversity mitigation and enhancement measures, approximate layout, height parameters, routes and open spaces within the site
   • Notwithstanding illustrative materials submitted with the application reserve matters shall exclude 8 storey block (Marsh).
   • Reserve matters shall include a scheme for moorings on the R. Wensum frontage (including de-masting facilities)
   • Notwithstanding the illustrative materials submitted with the application the detailed site layout within the Marsh Reach/Wensum Riversides areas and the appearance, internal room layout, and glazing and ventilation specifications shall be informed by the need to mitigate the impact of noise from adjacent sources (in particular the aggregate plant/rail head + bridge) in order to ensure satisfactory levels of amenity for future residents
   • Notwithstanding the illustrative materials - set back from River Yare and Wensum to be in accordance with parameters plan.
   • Notwithstanding the illustrative materials landscape details shall include a comprehensive landscape scheme /boundary treatment that shall seek to mitigate the visual and environmental impacts of the adjacent minerals site and railroad.
10) Submission of an Environmental Action Plan. The development shall be undertaken in accordance with the approved mitigation measures
11) Prior to submission of any reserve matters applications relating to blocks facing/adjacent to River Yare/Wensum – submission of design code/approval in writing
12) Phasing plan to be agreed covering the whole site, including all areas of green infrastructure
13) Timetable for the provision of green infrastructure
14) Management plan submitted and all open spaces including details of management
15) Reserve Matters shall include Energy, Water and Construction Strategy – to meet JCS requirements.

16) Precise details ground levels/changes/slab levels.

17) 10% of dwellings to be designed to lifetime homes standard.

18) Restrictions small local centre – no more total 9 units/total gross floor area
1265sqm/unit size limit <500sqm/mix of uses PD restrictions

19) Restriction dining quarter – total gross space <1000sqm/mix/unit size max.

PD/hours restrictions

20) No development until scheme for the undergrounding of the overhead power cables and removal of overhead line has been agreed in consultation with LPA.

21) No occupation of the May Gurney dwellings until overhead cables/infrastructure have been removed (SNC condition).

22) No commencement of dwellings on the Deal Ground until consent and full access arrangements are in place with all necessary landowners to facilitate public pedestrian and cycle access into perpetuity from The Street over the new Wensum Bridge to either the adopted highway or to the formal Riverside Walk network on the northern side of river.

23) No occupation of any dwelling on the Deal Ground until Yare and Wensum bridges are in place available for use and linked to adopted highway or formal Riverside Walk network.

24) Details of design, construction and surfacing of roadways/footpaths and cycleways and phased delivery.

25) Provision of parking, cycle and bin storage.

26) Traffic regulations orders to support parking and access arrangements.

27) External lighting of details.

28) Conditions regarding management of construction traffic on and off site.

29) Construction and Environmental Management Plan (including timing of works) be submitted and agreed.

30) Provision and implementation of travel plan.

31) Foul water strategy to be submitted and approved/no occupation until work implemented.

32) The development shall be constructed with a minimum finished floor level of 2.4m AOD, as detailed in the approved Flood Risk Assessment.

33) Details of a safe exit route – submitted and approved, implemented prior to first occupation.

34) Scheme for provision and implementation of compensatory flood storage works – constructed and completed prior to first occupation.

35) Modelling of proposed bridges and culverts – constructed and completed prior to first occupation.

36) Full surface water drainage scheme for the site submitted and approved/phased provision.

37) Full details of flood resilient construction measures submitted and approved.

38) Flood warning and evacuation plan submitted and approved – implementation prior to first occupation.

39) Conditions regarding contamination and pollution.

40) Archaeology conditions.

41) Provision of fire hydrants.

42) Condition removing PD rights relating to conversion of any buildings to residential within the landscape buffer area.

43) Scheme/provision of bus facilities.

44) Condition in relation to brick kiln – remedial work/detailed scheme including setting...
Reasons for approval: The environmental information submitted with the application has been taken into account in the determination of the application and the decision has been made with particular regard to the policies referred to in this report, including the National Planning Framework and other material considerations.

The Deal Ground comprises an extensive area of disused industrial land and has been identified for many years as a strategic priority for re-development. The site along with the adjoining May Gurney and Utilities site provide the potential for the major physical regeneration of east Norwich by bringing forward mixed development and enhanced green linkages and this is identified as a key objective in JCS 12. Although the proposals depart from Policy EMP9, the application is considered compliant with the NPPF by providing for a sustainable mix and scale of development which will facilitate this regeneration and make a substantial contribution to accommodating a strategic level of housing growth.

It is recognised that the site has significant constraints in terms of access, flood risk, noise environment, landscape and ecology. However, it is considered that the proposed development represents a comprehensive and integrated response to these constraints which manages and mitigates environmental impacts to an acceptable level.

The vision of creating an ‘urban village’, well connected with the city but integrated into a natural landscape provides the scope for a distinctive and sustainable development. The small local centre and dining quarter will provide local employment and assist the creation of a mixed vibrant development, but be of a scale to not result in an adverse impact elsewhere. The proposed transport strategy is considered a robust response to mitigating the transport impact of the development through actively promoting sustainable travel. The success of this approach will rely on the early provision of the Wensum Bridge and the effective and long term performance of the Transport Management Association.

Although the site is at risk of flooding the substantial regeneration benefits associated with this development, which could not be achieved elsewhere, and the ability to make it safe, justify the development. Managing flood risk has informed the entire design concept with the result that property and people will be safe and that over all flood risk would be reduced in this location through the creation of a net gain in flood storage.

The landscape-led approach provides the opportunity for the creation of a high quality, distinctive residential environment with a strong sense of place. Although development will be high in density there are opportunities for good amenity levels accruing from the sense of landscape integration and views across the marshes to Whittingham. It is recognised that noise associated with the adjacent asphalt plant, rail head and bridge has the potential to have a negative impact on parts of the site. However it is possible to mitigate this impact at reserve matter stages through careful design, which seeks to use building orientation, insulation and landscaping to create psychological separation and reduced noise levels. On this basis the broad distribution and quantum of development is considered justified and not prejudicial to the adjacent safeguarded minerals site.

The design approach responds to the rural fringe location by creating a multi-storey urban form within a strong landscape setting. Although it is acknowledged the visual change will be significant it is not considered that it will be adverse. The development
will form part of a new gateway to the city created through the regeneration of east Norwich. The height of development, the loss of open space and the local impact on the Yare Valley character area have been balanced against the wide social and economic benefits associated with the regeneration of a brown field site.

Most of the development is proposed on land with low biodiversity value but there are direct impacts on the existing Carrow Abbey CWS, a entropic flood plain fen and a UK BAP habitat of moderate to high ecological importance at a county level. The development strategy minimises direct impact on the fen habitat and includes mitigation and enhancements. Long term management will be introduced to arrest the current decline of the fen habitat and reverse the natural succession of the habitat to woodland. The ecological approach proposed to the CWS and wider site will result in a net gain in the biodiversity baseline.

Taking the above matters into account and the environmental information submitted it is considered that on balance given the need to provide housing and subject to conditions and the content of the S106 Obligation the proposals are considered to be acceptable.

Article 31 (1) (cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Framework as well as the environmental information submitted, the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments to the Environmental Statement the application has been approved subject to appropriate conditions and for the reasons outlined above.

Recommendation Application 12/00996/O

To approve Application No 12/00996/O and grant planning permission, subject to:

a. Broads Authority approving those elements within their administrative boundary
b. To give delegated authority to the Head of Planning Services to agree either a planning obligation or conditions to align with any decision of the Broads Authority in relation to opening and mooring arrangements.

And subject to the following conditions, unless modified by clause 2) above:

1. Non-standard reserve matter time conditions
2. Reserve matters to include all matters /including technical construction of structure and mooring provision.
3. Bridge provides for public access for pedestrian and cycle traffic into perpetuity (may not required if included within legal agreement)
4. Scheme for future management of the structure
5. Conditions regarding groundwater and land contamination
6. Conditions regarding construction including traffic management

Reasons for Approval:

The proposed bridge over the river Wensum is essential infrastructure for the
sustainable development of the Deal Ground. The river crossing provides a direct and attractive pedestrian and cycle route towards the rail way station and the city centre. The provision of this route provides the opportunity to encourage sustainable travel and allows large scale development in this part of the city which otherwise would not be acceptable. In addition the bridge provides the opportunity to deliver wider public benefits by significantly improving cycle and pedestrian access in the south-east of the city and for the safer re-routing of the National Cycle Route No.1. Proposal is considered to be in accordance with the NPPF and other policies referred to in this report.

Article 31 (1) (cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and has been approved subject to appropriate conditions and for the reasons outlined above.
Deal Ground - Proposed Development Areas

<table>
<thead>
<tr>
<th>Area</th>
<th>Development Areas</th>
<th>Types of Development</th>
<th>Quantity</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>May Gurney</td>
<td>Residential</td>
<td>60-80 Dwellings</td>
<td>2 Storey</td>
</tr>
<tr>
<td>2</td>
<td>Landscape Buffer</td>
<td>Car Parking &amp; Service Buildings</td>
<td>No dwellings (Ancillary buildings only, i.e. bn-s with) 1 Storey</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Marsh Reach</td>
<td>Residential</td>
<td>160-200 Dwellings</td>
<td>2-3 Storey</td>
</tr>
<tr>
<td>4</td>
<td>Wansum Riverside</td>
<td>Residential</td>
<td>400-450 Dwellings, Up to 5 commercial units, total 1210 sqm</td>
<td>2-8 Storey</td>
</tr>
<tr>
<td>1, 3 or 4</td>
<td>May Gurney, Marsh Reach or Wansum Riverside</td>
<td>Local centre, serving the needs of the development comprising a range of units within Use Classes A1, A2 and A3</td>
<td>Up to 9 commercial units, total 1285 sqm</td>
<td></td>
</tr>
</tbody>
</table>

Total
Maximum of 670 dwellings over the whole site.
These images are to indicate massing and layout only. This is an outline planning application and the images do not represent architectural propositions.
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5. **Appl. No**: 2013/0385/F  
**Parish**: DISS

Applicants Name: Castleoak Care Developments  
Site Address: Former Cartco Transport Yard Victoria Road Diss Norfolk  
Proposal: Construction of a care home and ancillary works including the demolition of existing buildings.

Recommendation: Approval with conditions

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 01: Building a strong competitive economy  
NPPF 03: Supporting a prosperous rural economy  
NPPF 07: Requiring good design

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 7: Supporting Communities

1.3 South Norfolk Local Plan  
ENV 3: River valleys  
ENV 8: Development in the open countryside (Part Consistent)  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. **Planning History**

2.1 2011/1492: Residential development Withdrawn  
2.2 2009/2005: Residential development Approved  
2.3 2009/0949: Residential development Refused  
2.4 2005/1223: Proposed erection of replacement porch and signage Approved
Development Management Committee  19 June 2013

2.5 2005/0992 Change of use from vehicle hire and sales to class B1 office use with car parking  Approved

2.6 2002/0878 Erection of security fencing and gatehouse to site  Refused

2.7 2001/1760 Change of use of garage/store to two floor office accommodation  Approved

2.8 2000/0405 Erection of workshop/store with first floor office  Approved

2.9 2000/0197 Change of use from store/workshop to ground floor offices with alterations to suit  Approved

2.10 1999/0171 Erection of steel framed building for storage warehousing/ office and ancillary facilities  Approved

2.11 1998/0093 Change of use of site frontage from customer parking to vehicle sales (10 maximum)  Approved

2.12 1997/1452 Erection of two storey extension to office and lean to extension to workshop  Approved

2.13 1996/1416 Change of use from HGV haulage/maintenance depot to car hire storage/maintenance and garaging  Approved

3. Consultations

3.1 Town Council  Approve

• The principle of development of the site as a care home is supported.
• Still concern with the potential for over development of the site that will result in inadequate parking.
• It is requested that waiting restrictions be included as part of the off-site highway works.

3.2 District Members:
Cllr G Walden  Can be delegated decision if approved. Fully support the application.

Cllr K Kiddie  Can be a delegated decision – this is an important and highly visible site at the entrance to Diss. Requires sensitive treatment in terms of design. Flooding also needs to be considered.

Cllr T Palmer  To be reported if appropriate

3.3 Environment Agency  No objection.

3.4 Environmental Services (Protection)  No comments received

3.5 Anglian Water Services Ltd  No objection.
Development Management Committee 19 June 2013

3.6 Design Officer Support.

3.7 NCC Highways No objection subject to appropriate conditions.

3.8 Waveney Valley Internal Drainage Board No comments received

3.9 Representations None received.

4 Assessment

4.1 This 0.7-hectare site straddles the development boundary at the eastern entrance to the town. The current commercial use of the site, and its previous use as a lorry park, has resulted in the majority of the site being hard surfaced. The existing buildings are contained in part of the site within the development boundary and comprise a commercial shed and a two-storey office block. The majority of the site was last used as a transport depot in the late 1990’s, although since this time it appears to have been in use in connection with the overnight parking of vehicles and storage. In 2010, the applicant’s obligation to use part of the site as a lorry park was discharged. Outline planning permission for residential development of the site was also granted in 2010.

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

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

4.4 The site is not within a Conservation Area, and no known heritage assets will be affected by the proposal.

4.5 The application proposes a two-storey 60-bed residential care home, along with associated landscaping, parking and servicing. Access to the site would be via an improved access at its existing location, which includes the provision of a right-hand turn lane. The applicants have indicated that the care home would generate approx. 80 full-time equivalent jobs.

4.6 Members will not that the site currently has outline permission for residential development. This application was allowed as a departure from normal planning policy as it was felt that the redevelopment of a site partly outside the development boundary and already hard-surfed, would not harm the character and appearance of the area. The principle of the redevelopment of the site has already been established and is a strong material consideration. JCS Policy 7 supports the provision of care and health facilities, and the applicants have also produced a Care Needs Assessment Report that clearly shows a need for this type of facility. On this basis, I consider the principle of a care home on this site acceptable.

4.7 The remaining issues for consideration are

- Design and layout
- Drainage and flood risk
- Highway impact
- Impact on the amenity of local residents.
Design and layout

4.8 The layout of the scheme is largely based on a requirement and philosophy to create a home that allows for resident privacy, group living and independent use of its facilities. The building has two identical wings (15 beds each) with a centrally located lounge and dining facilities. The siting of the building centrally in the site and kinked to follow the line of the river, allows for safe and pleasant landscape gardens to the rear of the site, facing out towards the river, and this is considered to be an important component of the standard of living in the care home. This then allows for the space to the front of the building to be given over to visitor and staff parking, along with access for servicing. The overall approach to the design and layout of the building is to create a home that offers a domestic family scale environment that will be familiar to its residents and one that enables the staff to provide appropriate levels of care. (A site layout and example elevations are attached as appendix 2 to this report.)

4.9 A good degree of pre-application discussion and community consultation has resulted in a scale of design that reflects its context and is in-keeping with the majority of existing development in the area. Although the length of the building is long, linear nature of this has been reduced by angling the building away from the road, and through subtle variation of roof heights. This, along with gabled elements and variation in materials, also helps to breakdown the overall mass of the building.

4.10 In terms of landscaping, all except 3 trees will be retained to the rear of the site, and all of the edges of the site will benefit from enhanced landscaping. As the site is currently almost entirely hard-suraced, there will be a clear benefit to wildlife and the environment from the development. Being situated adjacent to the upper reaches of the river Waveney, it is important to consider the ecology of the area. The applicants acknowledge that the river and its margins have the potential to harbour Water Vole and Otter, and therefore worthy of protection. Comments from the Ecologist are awaited at the time of writing this report, however it is likely that a condition requiring habitat protection and/or small scale mitigation will be required.

4.11 Generally, the building has responded well to its context and topography, and follows the guidance contained within the South Norfolk Place Making Guide. The applicant has also adequately demonstrated its commitment to sustainability in terms of design, construction and operation.

4.12 In respect of design and layout, the application is considered to accord with JCS Policy 2, the requirements of the South Norfolk Place Making Guide, and the relevant sections of the NPPF.

Drainage and flood risk

4.13 It is acknowledged that part of the site is within Flood Zone 2 (medium risk), and to be in line with the requirements of the NPPF, appropriate flood mitigation measures need to be in place. To meet these requirements, the proposed building incorporates finished floor levels above the 1 in 1000 year flood level, and the area of land to the rear of the site will be re-profiled placing the development within Flood Zone 1. This is a similar approach to that already approved on the site under permission 2009/2005. Although the surface water run-off from the site will be restricted to existing Brownfield levels, there will be an overall reduction in the discharge rate and runoff, due to the net loss of hard surface area on the site. The Environment Agency raises no objection to this approach, which is considered to accord with the requirements of the NPPF.

4.14 In respect of foul drainage, Anglian Water has confirmed that there is available capacity in the network and the local treatment works to accommodate foul flows from the development.
Highway Impact

4.15 The existing access off Victoria Road will be improved and formalised to serve the care home and the existing offices. A right hand-turn lane will also be incorporated, along with the required ‘keep clear’ area. The existing footway provision on Victoria Road will be extended up to the site boundary to provide suitable pedestrian access to the site. A total of 28 parking spaces are to be provided, which accords with the County Council maximum parking standards, and is also based on national traffic data for Care Homes taking into account that there will also be a Travel Plan for employees. No objections to the scheme have been received from NCC: Highways, which is considered to accord with local plan policy IMP8.

Impact on residential amenity

4.16 There are residential properties and a public house to the west of the site, however the building at this end of the site will be a service wing, and therefore there will be no overlooking of existing properties from bedroom windows. Service vehicles will not access the area of the site directly to the rear of the neighbouring properties, and therefore the impact on general amenity will be kept to a minimum. I am satisfied that the amenity impact of this proposal will be no more that the residential development already approved on the site. The scheme therefore accords with local plan policy IMP9.

5. Reasons for Approval

5.1 The site is in a sustainable location and is considered appropriate for use as a Care Home in accordance with JCS Policy 7. The requirements of the NPPF and the presumption in favour of sustainable development outweigh the fact that the site is part outside the development boundary and the development can be accepted as a departure from local plan saved policy ENV8.

5.2 The design and layout of the scheme is considered appropriate for its context, and will not cause significant harm to the amenities of neighbouring properties and accords with JCS Policy 2 and saved local plan policies IMP2, IMP8 and IMP9, which are given due weight as they remain wholly/partly consistent with the published NPPF. The proposal responds to the need for an elderly care facility in accordance with JCS Policy 7, and will create local employment in accordance with JCS Policy 5 and sections 1 and 3 of the NPPF.

Contact Officer, Telephone Number and E-mail: Gary Hancox 01508 533841 ghancox@s-norfolk.gov.uk
6. **Appl. No**: 2013/0566/F  
**Parish**: DISS / ROYDON

**Applicants Name**: Persimmon Homes Ltd  
**Site Address**: Land Straddling The Boundary Of Diss & Roydon Between Roydon Road / Old High Road And Denmark Lane  
**Proposal**: Full Application- Construction of 85 dwellings, public open space, vehicular access and associated infrastructure (part amendment to approved scheme 2007/0555/F)

**Recommendation**: Approval with conditions

1. 3-year time limit for implementation  
2. Materials  
3. In accordance with amended plans  
4. Highway details  
5. Works in accordance with highway details  
6. Roads to binder course before occupation  
7. Garages to have minimum dimensions of 7 x 3 metres  
8. Levels – comparative to adjoining development  
9. Surface water drainage  
10. Landscaping details – in accordance with submitted landscape strategy  
11. Tree protection  
12. Landscape management  
13. Contaminated land survey  
14. Contamination during construction

Subject to the completion of a S106 legal agreement providing for contributions towards libraries (taking account of some monies already paid by adjoining developer), education and an affordable housing agreement confirming the type and 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

1.2 Joint Core Strategy  
**Policy 2**: Promoting good design  
**Policy 4**: Housing delivery  
**Policy 20**: Implementation

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

1.4 Supplementary Planning Document  
**South Norfolk Place Making Guide**
## Planning History

### 2.1 2012/0748
- Amendment to approved scheme 2007/0555/F for 114 dwellings, 29 of which constructed. 12 units removed from scheme and 45 approved dwellings replaced with 33 new house types.  
- Refused

### 2.2 2007/0555
- Erection of 114 dwellings consisting of 12 detached open market 18 flats and 84 2/3 bed affordable houses  
- Approved

## Consultations

### 3.1 Diss Town Council
- Approve, however raise the following concerns:  
  - 8 accesses onto Roydon Road is considered excessive  
  - open space is car park dominated  
  - would question if there is enough visitor parking.

### 3.2 Roydon Parish Council
- Approve, provided that the S106 agreements are maintained and honoured.

### 3.3 District Members
- Cllr T Palmer: To committee - public interest, strategic nature of the site.  
- Cllr G Walden: To committee - local concern.  
- Cllr D Goldson: To committee - long history to the development, strong local interest.

### 3.4 Anglian Water Services Ltd
- No objection.

### 3.5 SNC Design Officer
- Comments on amended plans to be reported.

### 3.6 SNC: Environmental Services
- No objection, subject to appropriate conditions that deal with potential contaminated land.

### 3.7 NCC Highways
- No objection to the principle of development. However, request minor changes to the internal estate road layout.

### 3.8 SNC: Housing Strategy Manager
- No objection.

### 3.9 Environment Agency
- To be reported.

### 3.10 Public Rights Of Way
- Comments on amended plans awaited.

### 3.11 NCC: Historic Environment Service
- No objection.

### 3.12 NCC- Planning Obligations
- Request financial contributions towards primary, secondary and 6th form provision totalling £639,084, and library contributions.
3.13 Representations

3 letters of support received
- Suitable use of available land

4 letters of objection received
- Overlooking existing gardens
- Will ditch issues be resolved
- Buildings too close to existing housing
- Too many properties on available land
- Dwellings will look out of place
- Disappointed that eco-theme will not be carried forward

4 Assessment

Background

4.1 The development site lies at the western edge of Diss, and straddling the administrative boundaries of Diss and Roydon. All of the site is outside the development boundary of Diss, but adjacent to the built up edge of the town, sandwiched between Roydon Road/Old High Road to the north, and Denmark Lane to the south. The site is directly bounded to the east and north by residential development, and to the west and beyond the road to the south, by agricultural land. (A site location plan is attached as appendix 1.) The site is approx. 2.7 hectares.

4.2 Planning permission was granted in September 2009 for 114 dwellings comprising mainly affordable homes, and was granted under the then exceptions policy as housing for local needs. The breakdown of houses approved is set out in the S106 Agreement as follows:
- 87 homes for discounted market sale (DMS) (the price of each property fixed for first and subsequent sales at a percentage of its open market value),
- 15 homes for Social Rent,
- 12 homes for open market sale to provide cross-subsidy for the affordable housing.

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

4.4 The Long Meadow development is being undertaken by Linford Czero Limited (Czero). The intention was to construct affordable homes for local people to level 4 of the Code for Sustainable Homes using innovative construction methods. The construction method chosen was Hemcrete (a hemp-based product).

The Current Position

4.5 Czero have completed 29 homes:
- 14 for discounted market sale – 13 are sold and occupied, with a buyer interested in the 14th.

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

4.7 To date, Czero have paid £97,840 in contributions towards bus services, libraries, Diss walking & cycling strategy, and the provision of a bus stop. Education contributions of approx. £550,000 are due to be paid upon occupation of the 29th dwelling on site.
The Proposal

4.8 Persimmon homes now propose to develop 85 dwellings on the remainder of the site, comprising 57 market houses and 28 affordable houses (33%). The market housing comprises a mix of 2, 3, 4 houses and 12 bungalows. The affordable housing comprises a mix of 1, 2, 3, and 4 bed houses. The density of the development is 31 dwellings per hectare.

4.9 The scheme is policy compliant in terms of affordable housing provision (33%), however the application is contrary to normal planning policy, being wholly outside (albeit adjacent to) the development boundary of Diss. The fact that the site already has planning consent for residential development, and that the proposal represents an opportunity to complete a stalled development, are important material considerations in this case.

Principle of development

4.10 Although the principle of development on the site was established through the granting of planning permission in 2009, this permission was for a scheme mainly comprising affordable housing allowed as an exception to normal planning policy, and based on a known housing need in the area.

4.11 Despite lengthy negotiation culminating in the submission of a revised planning application by Czero in 2012 (subsequently refused at planning committee), it has not been possible to agree a viable affordable housing-led scheme that also contributes the required planning obligations in full. The market-led scheme on offer by Persimmon is viable and deliverable in the current climate, and will contribute the required amount of planning obligations for the complete development of 114 dwellings by way of a varied section 106 legal agreement, which allows for the education contribution to be paid in two instalments. NCC: Children’s Services have confirmed that the revised amount of education contributions to be paid is £639,084.

4.12 Taking the above into account I believe that the principle of a market-led development of the site can be accepted as a departure from normal planning policy. As the previous planning permission was granted under the affordable housing exceptions policy, any permission forthcoming should be subject to the affordable housing having a local connection cascade. (This being contrary to normal practice in settlements with a population of 3000 or more.)

4.13 The remaining issues to be considered are:

- Design & layout
- Highway impact
- Impact on the amenities of neighbouring properties

Design & Layout

4.14 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 seen as a key aspect of sustainable development. The design and access statement submitted with the application explains how the scheme has been influenced by a contextual and character appraisal of the site and surrounding area. A site layout and example street scenes are attached as appendix 2 to this report.

4.15 The design of the scheme (as amended) takes account of the already implemented planning permission, and seeks to improve on it through creating a softer more fluid layout. It also seeks to integrate the 29 dwellings already built utilising appropriate designs and materials. The massing and scale of the development follows the general form of the
surrounding buildings and is generally 2-storey in height. However, towards the southern boundary and fronting onto Denmark Lane, single storey bungalows are used to provide a softer edge to the development.

4.16 There has been a conscious effort to increase the amount of in-curtilage parking, and where groups of parking space are proposed to the fronts of terraced properties, these incorporate a degree of landscape screening to soften their impact. The central open space feature is maintained along with the footpath link (public right of way) running east west across the site. This helps to provide for clear and legible routes around the site.

4.17 The amended scheme has been assessed by the Council’s Design Officer who feels that it is generally in accordance with the criteria set out in ‘Building for Life’, and has followed the advice contained within the South Norfolk Place Making Guide. Comments on final amended plans are awaited, however subject to their being no new significant issues raised, the application accords with JCS Policy 2 and section 7 of the NPPF.

Highway Impact

4.18 The vehicular access to the site has already been constructed and currently serves the existing 29 dwellings. The remainder of the road/footway layout has been designed taking into account the requirements of NCC: Highways, and parking has been provided in accordance with their parking standards. NCC: Highway comments on amended plans (dealing with minor technical issues) are awaited, however I am content that the scheme accords with requirements of saved local plan policy IMP8 (Safe & Free Flow of Traffic).

Impact on Neighbouring Amenity

4.19 The existing properties to the east of the site are most directly affected by the development, and generally along this boundary adequate window to window separation distances have been achieved. Additional planting along this boundary will also help to minimise impact. To ensure that finished floor levels of the proposed housing to the eastern boundary are of a similar level to those of the existing neighbouring properties, I also consider it necessary for further section and levels drawings to be submitted by condition.

4.20 Taking into account the above, I am satisfied that the development accords with the requirements of saved local plan policy IMP9 (Residential Amenity).

5 Reasons for approval

5.1 The proposed development is in a sustainable location and its design and layout and its relationship with adjoining development is considered acceptable and in accordance with Policy 2 of the Joint Core Strategy, saved policies IMP8 and IMP9 of the South Norfolk Local Plan, and sections 1 and 6 of the NPPF. Although the site is outside the development boundary of Diss, the proposed scheme will enable the completion of an existing stalled development project and contribute the full amount of required planning obligations. Taken together with the existing implemented permission, 57 affordable dwellings will be provided, some 50% of the 114 dwellings originally permitted in 2009, and generally, the scheme will still provide for a good mix of housing.

5.2 The proposal can be accepted as a departure from saved local plan policy ENV8 (Open Countryside), which is given due weight as it remains partly consistent with the NPPF.

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

7. **Appl. No**: 2013/0414/F  
**Parish**: DISS

Applicants Name: Mr Martin Fairweather  
Site Address: Diss Cricket Club Rectory Meadow Diss Norfolk IP22 4HA  
Proposal: To erect a two bay cricket practise net facility

Recommendation: Approval with Conditions  
1. Full planning permission time limit  
2. In accordance with amendments

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 07: Requiring good design  
NPPF 08: Promoting healthy communities

1.2 Joint Core Strategy  
Policy 2 Promoting good design  
Policy 8 Culture, leisure and entertainment

1.3 South Norfolk Local Plan  
IMP 9: Residential amenity  
IMP 10: Noise  
IMP 18: Development in Conservation Areas

2. **Planning History**

2.1 2006/0618: Retention of posts and netting to protect adjoining properties on southern boundary Approved

3. **Consultations**

3.1 Town Council: The Town Council own the land and the applicant is the council’s tenants therefore the Council decided it was not appropriate to formally comment, however they support the principle of relocating the practice nets.

3.2 District Members  
**Cllr Walden**: Revised drawings  
- Think this is a better site for the nets and hopefully will receive approval.  
- Do not consider the objections by local residents to be valid with these new proposals.  
- I am a Hon President of the Cricket Club

**Original proposal**  
- Can be delegated  
- I am a Vice President of Diss Cricket Club

**Cllr Kiddie**: Original proposal  
- Can be delegated

**Cllr Palmer**: To be reported if appropriate

3.3 Conservation Officer: No objection
3.4 Public Rights Of Way  No objection
3.5 Environmental Services (protection)  No objection
3.6 Representations  Revised drawings
   2 letters of objection received:
   • View across Rectory Meadow will be seriously impaired by the 4m high nets.
   • Current siting of nets screened partly by the Club House and against background of trees. They will stand out like a sore thumb in the proposed position
   • Revised siting will bring nets close to 1-6 Rectory Meadow occupied by pensioners who deserve a peaceful retirement.
   • Noise from the nets during evenings and weekends will be a major problem
   • Nets have been in similar position before and the racket could be heard from Skelton Road

Original drawings
   4 letters of objection received:
   • Too near to us for noise and view
   • Installation of large nets will seriously degrade the appearance of the Meadow which is in the conservation area
   • Will have a major impact on the outlook across the Meadow
   • Siting of nets is shown in the Deed of Transfer from Norfolk County Council to Diss Town Council should be public access land during daylight hours. The fencing off of some 2700 square feet for exclusive use by the Cricket Club is in direct breech of the Deed of Transfer.

4 Assessment
4.1 The proposal seeks to erect new cricket nets surrounded by a 2.4m high wire mesh, security fencing. Rectory Meadow, the application site, is situated within the Diss Conservation area and is surrounded by modern dwellings to the north, south and east, and, the school to the west. The re-siting of the nets is sought as the existing cricket nets are sited in the south east corner of the site, under two large Horse Chestnut trees which drop onto the batting wicket and prevent the sun from drying out the floor matting when wet.

4.2 The cricket net facility siting shown on the original submitted plans was, to the northeast of the existing pavilion, with the closest dwelling, 34a Skelton Road approximately 22 metres away. However, following neighbour concerns, the siting was revised to be to the east of, and closer to the pavilion, at the closest point, approximately 28 metres from the terrace bungalows fronting Rectory Meadow.

4.3 This application has been assessed against policies IMP9, IMP10 and IMP18. Policies in the NPPF, JCS and SNLP seek to ensure that proposals are of a good design and do not adversely affect the existing amenities of the locality and support the provision of leisure facilities. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent with the published National Planning Policy Framework.

4.4 The main issue raised by this application is the impact the proposal will have on the existing amenities of the occupiers of the neighbouring dwellings.
4.5 The local residents have raised concerns with regards to the negative impact on their existing view. Whilst I appreciate the concern raised, as Members are aware, this would not be a planning reason to refuse the application.

4.6 With regards to the noise concerns, Environmental Services has commented that there is no record of receiving noise complaints concerning the existing cricket practise net facility, or receiving noise complaints concerning the same use elsewhere. In their view, there would appear to be the potential to cause a limited amount of disturbance to the residents of the area, however, this would not be of such a significant level as to create such a detrimental impact on the amenities of the nearby residential properties to warrant refusal.

4.7 The proposal is acceptable as this is a historic cricket ground, used for many years, with the existing net facilities on the site, and whilst there maybe an increase in noise levels, this would not warrant a refusal.

4.8 The design and siting of the cricket net facility will not adversely impact on any important views of the conservation area.

4.9 In view of the above I recommend that the application be approved as it supports an existing leisure facility, it will not adversely affect the character or appearance of the conservation area; and the amenities of nearby residential to a material degree.

5 Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 2-Promoting good design, Policy 8-Culture, leisure and entertainment, IMP9-Residential amenity, IMP10-Noise and IMP18-Development in conservation areas 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 and part consistent with the published National Policy Framework.

5.2 The development is considered to accord with the above policies, as it supports an existing leisure facility; it has been designed to ensure that it will not have an adverse impact on views within the conservation area, and that the amenities of nearby residents will not be adversely affected to a material degree.

Contact Officer, Telephone Number and E-mail: Rachel Flaxman 01508 533960 rflaxman@s-norfolk.gov.uk
8. Appl. No : 2012/2263/F  
Parish : SHOTESHAM

Applicants Name : Mr D Jewell  
Site Address : Land South Of Greenhill The Common Shotesham Norfolk NR15 1YD

Proposal : Proposed new dwelling  
Recommendation : Refusal

1. Contrary to ENV8, Policy 2, NPPF and Place Making Guide  
2. Not justified by policy ENV8  
3. Design insufficient quality does not enhance immediate setting or sensitive to characteristic of the local area  
4. Contrary to principle of good design in Place Making Guide

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 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 16: Other villages

1.3 South Norfolk Local Plan  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 13: Sites of regional and local nature conservation interest and geological/geomorphological value (Part Consistent)  
ENV 3: River valleys  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
ENV 14: Habitat protection  
ENV 15: Species protection

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. Planning History

2.1 2010/1414/F  
Code 6 level sustainable underground dwelling, underground garaging and landscape proposal (resubmission of 2009/1774/F)  
Approved

2.2 2009/1774  
Erection of two 3 bedroom properties including garaging and landscape proposals  
Refused

2.3 1997/0841  
Conversion of stables to dwelling  
Refused

2.4 1997/0196  
Conversion of stables to dwelling  
Refused  
Appeal dismissed
<table>
<thead>
<tr>
<th>Case Number</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.5 1986/0865</td>
<td>Erection of 3 dwellings and garages</td>
<td>Refused</td>
</tr>
<tr>
<td>2.6 1986/0864</td>
<td>Erection of 4 dwellings and garages</td>
<td>Refused</td>
</tr>
<tr>
<td>2.7 1982/1826</td>
<td>Regularise planning permission for stable block</td>
<td>Approved</td>
</tr>
<tr>
<td>2.8 1976/0551</td>
<td>Site for 2 dwellings</td>
<td>Refused</td>
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</tbody>
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3. Consultations

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
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<tbody>
<tr>
<td>Parish Council</td>
<td>Approve</td>
</tr>
<tr>
<td></td>
<td>- The Council were fully in support with expression such as 'exciting/time</td>
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<td></td>
<td>to think differently/sits well with minimum disturbance/good to have a</td>
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<td>twenty first century building in the village</td>
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<tr>
<td>District Member</td>
<td>To be determined by committee if recommended for refusal</td>
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<td></td>
<td>- Outstanding design</td>
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<td>- Complementary to the landscape and skyline in which it is set with no</td>
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<td></td>
<td>negative visual impact</td>
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<td></td>
<td>- Of top level build quality having the support of Shotesham Parish</td>
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<td></td>
<td>Council and the village</td>
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<td>- I feel it is important that the Committee get the opportunity to</td>
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<td>consider this application which is sustainable and probably an exclusive</td>
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<td>design for South Norfolk.</td>
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<tr>
<td>NCC Highways</td>
<td>Support with conditions</td>
</tr>
<tr>
<td>Natural England</td>
<td>No objection</td>
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<td></td>
<td>- Application site is in close proximity to Shotesham Common SSSI</td>
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<td>- However given the nature and scale of the proposal satisfied that the</td>
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<td>SSSI would be adversely affected</td>
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<td></td>
<td>- Consideration should also be given to protected species, local wildlife</td>
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<td>sites, the local landscape and biodiversity enhancements</td>
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<tr>
<td>Norfolk Wildlife Trust</td>
<td>No comments received</td>
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<tr>
<td>Environmental Services</td>
<td>No objection</td>
</tr>
<tr>
<td>(Protection)</td>
<td></td>
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<tr>
<td>Flood Defence Officer</td>
<td>Advisory support</td>
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<tr>
<td>Design Officer</td>
<td>Refuse</td>
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<td></td>
<td>- Design and scale of dwelling more sympathetic than previous approval</td>
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<td>- Achieving code level 6 is to be commended</td>
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<td></td>
<td>- Information submitted in terms of the setting of the site and how it</td>
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<td>has been design to take into consideration the Place Making Guide</td>
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</table>
• Will be a degree of harm to the river valley and The Common with the introduction of development which will change the open character of the site and its rural appearance by altering the existing topography of the valley side and introducing a domestic structure into the landscape.
• The scheme would significantly enhance its immediate setting and that an isolated dwelling in this location would also be damaging to the rural character of the site and its surroundings.
• Design is not of sufficient exceptional architectural quality to satisfy the special requirements of the NPPF paragraph 55.
• There are also elements of the design, such as the principle of cutting a building into the valley side and the damage to the site’s rural setting that fail to comply with the principles of good design set out in the South Norfolk Place-Making Guide SPD, which promotes well-designed proposals that protect and enhance the quality of the built and natural environment.

3.9 Ecologist
• No protected species surveys are required
• Believe no significant effect on the neighbouring SSSI
• Suggested informative and retention of hedge and planting of native trees as enhancement

3.10 Representations Six letters of support
• Impressive with highly sensitive design of the is very environmentally sustainable dwelling
• Asset to village
• Will encourage others to build similar dwellings
• The grandest of grand designs
• SNC should be at the forefront of this state of the art sustainable development
• Design exciting and forward thinking
• Refreshing to be designed with disable access being a major consideration which is important in rural area
• Design incorporates an eco-friendly carbon footprint whilst making a minimal impact of the environment and its surrounding.

4 Assessment

4.1 The site is located within the village of Shotesham which under the SNLP does not have a development limit or village boundary but under policy 16 of the JCS has been identified as having a development boundary. This site however it outside the preferred boundary option for Shotesham.

4.2 Shotesham itself is an attractive and varied village, the main part of which lies on one side of the valley of Shotesham Beck, a tributary of the River Tas. A significant part of the village is within a Conservation Area, but the application site is outside the boundary. The Common adjacent to the site is allocated as a Site of Special Scientific Interest (SSSI).

4.3 The site itself is a ‘paddock’ laid to grassland with some areas of scrubland, within the ownership of Greenhill, a bungalow, to the north west of the site. A stable block is located within the site itself, close to the north west boundary and is proposed to be demolished as part of the proposal to erect one new dwelling. The existing access to the stable block is to be utilised for the new dwelling. The site is defined by its topography on a shallow valley side, facing south west and enclosed to the north east by an existing mature high field maple and hawthorn hedge. The site slopes down to the road, which runs along the valley bottom, separating the valley side from the valley bottom in a traditional way. There is a
change in levels of approximately 12-13 metres from the road level to the upper boundary in two distinct degrees of slope.

4.4 Permission was granted in 2010 for a code level 6 sustainable underground dwelling on the site (application number 2010/1414). This decision was contrary to recommendation but Members considered the design of the building was ground breaking sustainable development and an innovative dwelling, given that Code level 6 (or above) is to be achieved, would not have a detrimental impact on the visual character of the valley setting given its design and relationship with the form of landscape together with the overall landscape plan proposed.

4.5 This application is for a new dwelling on the site which is a reduced in scale from the previous approved dwelling. The dwelling is set into the slope of the site with only two partially glazed elevations on the South and West elevations being visible. In amending the design, further consideration and research has been undertaken into the engineering and construction of the dwelling and an assessment has also been done demonstrating how a code level 6 could be achieved.

4.6 The application provides information about the setting of the site that refers to Shotesham Conservation Area and the setting of the village in the context of the river valley and the SSSI. The proposal demonstrates how the scheme has taken into account the South Norfolk Place-Making Guide SPD by providing details about how the scheme has responded to the visual character of the valley and skyline by designing a house that has a scale that is sensitive to its rural location by building it into the landscape to minimise the impact of the house from the most frequent vantage points along The Common and distance views from Hallow Lane and Hawes Green. The only visible elevations being two partially glazed elevations that are aligned south and west to help maximise natural sunlight and solar gain. An Arboricultural Assessment and landscaping proposal has also provided that shows how soft landscaping helps to enhance the form and setting of the site by proposing planting and features that are characteristic to the area and that achieves a number of ecological enhancements to the site and area.

4.7 In terms of sustainability, the form of the house follows the function of a passive house design by working with the site conditions to achieve a Code Level 6 Sustainable Home, which is highly commended. A pre-assessment of the house has been undertaken that indicates how the projected Code could be achieved, although there is no guarantee that this can actually be reached beyond the planning stage.

4.8 In terms of policy, although Shotesham does now have a proposed development boundary, the proposed site is outside the preferred option put forward under Policy 16 of the JCS. Therefore, any new dwellings would be contrary to policy ENV8 of the South Norfolk Local Plan (SNLP). No evidence has been put forward to support the proposal under this policy. Since the last application Planning Policy Statement 7 has been superseded by the National Planning Policy Framework (NPPF). Paragraph 55 of the NPPF states that local planning authorities should avoid allowing new isolated homes in the countryside; it does however give provision for new dwellings to be allowed if they are of exceptional quality or because of the innovative nature of the design. Such a design should:
   - Be truly outstanding or innovative, helping to raise standards of design more generally in rural area
   - Reflect the highest standards in architecture
   - Significantly enhance its immediate setting; and
   - Be sensitive to the defining characteristics of the local area

4.9 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/partially consistent with the published National Planning Policy Framework. Policy ENV8 is consistent in relation to residential development.
4.10 The design of the building has a much reduced scale to the previous scheme that sits more sympathetically in the existing landform than the previous proposal. The details provided show how the building could help to reduce the impact on the setting of the river valley and The Common by introducing a design approach that responds to the existing contours of the valley side by minimising the amount of visible elevations to the west and south. This previous consent is a material consideration in determining this application.

4.11 Whilst the proposal goes some way to demonstrating how the new development could minimise the visual impact on the character of the valley, it is still felt that any development in this location will have a degree of harm on the setting of the river valley by changing the open character of the site and its rural appearance by altering the existing topography of the valley side and introducing a domestic structure into the landscape. Importantly, I do not feel that the scheme would significantly enhance it immediate setting and that an isolated dwelling in this location would also be damaging to the rural character of the site and its surroundings.

4.12 Despite some positive benefits of the overall scheme in terms of its commitment to achieving a carbon neutral Code Level 6 dwelling, it is felt that the design is not of sufficient exceptional architectural quality to satisfy the special requirements of the NPPF paragraph 55, the South Norfolk Local Plan Policy, which seek to protect the countryside from unnecessary development. There are also elements of the design, such as the principle of cutting a building into the valley side and the damage to the site’s rural setting that fail to comply with the principles of good design set out in the South Norfolk Place-Making Guide SPD, which promotes well-designed proposals that protect and enhance the quality of the built and natural environment.

4.13 It is also important to note form the planning history mentioned above, at paragraph 2, there have been two previous unsuccessful planning applications, also dismissed on appeal, in 1986, relating to this site. At this time local plan policies did allow for ‘infill development’, which is not the case under current policy, however the Council at the time and endorsed by the Planning Inspector considered that the development of this valley side was unacceptable and in particular made reference to the views across the valley and the proximity of the open common (at this time the Common was not a designated SSSI) would be harmful to the character of the rural appearance of the valley. Even though the proposed dwelling responds to the topography of the site and is designed to a high contemporary standard of design and eco-rating the dwelling will still be prominent in the landscape.

4.14 Sufficient ecological information has now been submitted with the application and Natural England raise no objection respect to the impact on the nearby SSSI. The proposed landscaping would enhance the ecological value of the site.

4.15 The views of local residents and the Parish Council are noted as is the approved permission on the site, which is a material consideration which can be taken into account and be given due weight. However in this instance the quality of the design is not considered sufficient and the proposal does not enhance the immediate setting or is sensitive enough to the defining characteristic of the local area to comply with the requirements of paragraph 55 of the NPPF, which is a policy change since the previous application was approved.
5. Reasons for Refusal

5.1 The proposal is contrary to the provisions of the policy ENV8 in the South Norfolk Local Plan, Policy 2 - Promoting good design of the Joint Core Strategy for Broadland, Norwich and South Norfolk and paragraph 55 of the National Planning Policy Framework and the South Norfolk Place Making Guide. 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/ partially consistent with the published National Planning Policy Framework. Policy ENV8 is consistent in relation to residential development.

5.2 The proposed dwelling is outside the preferred boundary option for Shotesham, under policy 16 of the JCS and is contray to policy ENV8 of the SNLP. The proposed dwelling is not required in connection with agriculture, forestry, organised recreation/tourist facilities, the expansion of existing institutions or is affordable housing.

5.3 The design is not of sufficiently exceptional architectural quality to comply with the requirements of paragraph 55 of the National Planning Policy Framework. The proposed dwelling will have a degree of harm on the setting of the river valley by changing the open character of the site and its rural appearance by altering the existing topography of the valley side and introducing a domestic structure into the landscape it will not enhance the immediate setting of the site and is not sufficiently sensitive enough to the defining characteristic of the local area to comply with the requirements of paragraph 55 of the National Planning Policy Framework.

5.4 Elements of the design, such as the principle of cutting a building into the valley side and the damage to the site’s rural setting do not comply with the principles of good design set out in the South Norfolk Place-Making Guide which promotes well-designed proposals that protect and enhance the quality of the built and natural environment.

Contact Officer, Telephone Number and E-mail: Helen Bowman 01508 533833 hbowman@s-norfolk.gov.uk
9. **Appl. No**: 2012/2268/CA  
**Parish**: WYMONDHAM

Applicants Name: Mr Derek Cross  
Site Address: 29 Pople Street Wymondham Norfolk NR18 0PS  
Proposal: Demolition of an external wall prior to February 2013.

Recommendation: Approval with no Conditions

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 07: Requiring good design  
NPPF 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

1.3 South Norfolk Local Plan  
IMP 16: Demolition in Conservation Areas  
IMP 17: Alterations and extensions in Conservation Areas (Part Consistent)

2. **Planning History**

2.1 2013/0323  
Erection of replacement brick screen wall  
Approved

3. **Consultations**

3.1 Parish Council  
Should be refused.  
- Wall should be re-instated.

3.2 District Member  
Object.  
- Current situation is unsightly.  
- Important wall is re-built and not replaced with a wooden fence.  
- The street name plate affixed to the wall has disappeared and has not been re-erected.

3.3 Conservation Officer  
- The appearance of the conservation area is harmed by the current situation.  
- Encourage some form of screening, could be a wall or timber fence.  
- No objection to loss of wall provided some alternative screen can be erected.  
- A new wall would be the ideal situation.  
- Loss of wall contrary to NPPF para.134.

3.4 Representations  
Letters of objection have been received from 5 properties making the following comments:  
- Area has become unsightly.  
- Detriment to area  
- Eyesore  
- Lack of justification for removal of wall  
- Wall should be replaced with a like for like brick wall.  
- Should not be replaced with a fence.  
- Fence would be out of character with conservation area.
- Replacement wall needs to be height of original.
- Wheelie bins are an eyesore and fall over
- Danger to pedestrians
- Damage to parked vehicles from wheelie bins
- Loss of road name sign
- Concern about attracting anti-social behaviour.
- Fire risk
- Has affected neighbours amenity.

4 Assessment

4.1 The application is seeking conservation area consent for the demolition of a boundary wall, The wall was demolished prior to the application being made.

4.2 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 The main issue in this case is the impact of the loss of the wall on the significance of Wymondham Conservation Area.

4.4 The wall formed part of a development for 5 dwelling that was approved in 1984. The stood at the entrance to a close that consists of bungalows, two storey dwellings and flats. The wheelie bins for the flats are stored on the development side of the wall. The applicant has stated that the wall was demolished due to the loss of structural integrity.

4.5 The fabric of the wall was not of historic merit. However, the wall positively contributed to the street scene. The wall marked the entrance to the close, provided a boundary to 29 Pople Street and screened the wheelie bins for the flats. Therefore, whilst the loss of the fabric does not harm the significance of the conservation area, the loss of a brick boundary treatment along the walls alignment harms the significance of the conservation area.

4.6 Planning permission was granted for a replacement wall in May 2013 under ref 2013/0323. Therefore, it is appropriate to approve the demolition of the former wall.

5 Reasons for Approval

5.1 In the opinion of the local planning authority the proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policies 1 and 2 of the Joint Core Strategy and Policies IMP16 and IMP17 of the South Norfolk Local Plan and the National Planning Policy Framework. The fabric of the wall was not of historic merit and planning permission has been granted for a replacement wall under ref 2013/0323.

Contact Officer, Telephone Number   Michelle Lyon 01508 533681
and E-mail:   mlyon@s-norfolk.gov.uk
10. **Appl. No** : 2013/0282/F  
**Parish** : CHEDGRAVE

Applicants Name : Chedgrave Parish Council  
Site Address : The Pits Play Area Hardley Road Chedgrave Norfolk  NR14 6NF  
Proposal : Improvements including re grading and surfacing of existing access and hard standing, re-grading and stabilisation of bank including installation of gabion retaining walls, formation of new path, grass stage area, seats and general landscape improvements

Recommendation : Approval with Conditions

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 08: Promoting healthy communities  
NPPF 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 2 : Promoting good design

1.3 South Norfolk Local Plan  
IMP 18: Development in Conservation Areas.  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
IMP 10: Noise  
LEI 2: Village halls and small scale leisure facilities

2. **Consultations**

2.1 Parish Council  
(Applicant)  
Approve  
It will improve the area for community use

2.2 District Member  
To be determined by committee  
- Some confusion within the village as to what is being proposed for the gabion  
- Issue of independence of the ownership which is in Chedgrave Parish Council

2.3 Environmental Services (Protection)  
No objections

2.4 Landscape Officer  
Support with conditions

2.5 Conservation Officer  
No objections
Development Management Committee 19 June 2013

2.6 Representations

2 Letters of support
- Enhance and improve the area
- Re-planting of trees and landscaping required
- Bank along Hardley Road side needs to be stabilised and improved to make safe
- Proposed grass stage area, new footpaths and seating will allow residents to enjoy this area for years to come
- Happy to support the improved access and hardstanding

5 Letters of objection
- The Pits represents a very attractive natural area, which has sympathetically evolved over the years
- The treatment of exposed rock filled gabion units to retain the bank is inappropriate in this setting, 'hard and harsh' and not very pleasing to the eye
- Totally disagree with the Conservation Officers comments
- Impact on the Grade I listed church
- Prefer bank to be left as it is
- Do not want a stage area, this is a family play area in a quite village - not a concert or party venue
- Concern re noise and disturbance
- At the Parish Council meeting suggested that 'Greenfix-Geoweb-seeded blankets' well-tried and tested method of bank stabilisation and planting is used

3. Assessment

3.1 This application seeks consent for the improvement including re-grading and surfacing of the existing access and hardstanding, re-grading and stabilisation of bank including installation of gabion retaining walls, formation of new path, grass stage verge, seats and general landscape improvements at The Pits Play Area, Hardley Road, Chedgrave.

3.2 The site is situated within Chedgrave conservation area, within the Grade 1 All Saints Church located to the south. Residential properties are located to the west, southeast and north. Formerly gravel workings The Pit has been developed over a number of years by the Parish Council to provide a play area basically equipped for the use of local residents and children. The site comprises an open area with existing children’s play equipment with the land rising steeply in the form of a bank to the highway to the north and to the churchyard to the south.

3.3 This application has been assessed against policies IMP8, IMP9, IMP18 and LEI2. Policies in the NPPF, JCS and SNLP seek to ensure that proposals are of a good design and do not adversely affect the existing amenities of the locality and support the provision and improvement of leisure and community facilities. 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.

3.4 The main issue raised by this proposal is the use of gabions as retaining walls.

3.5 The proposal seeks to re-grade the bank fronting the Hardley Road, utilizing field flint filled gabions with Helix Hedra planting. Improve and re-grade the existing access, surfacing and creating a reinforced concrete apron. Installation of a grass stage area, seating, footpath and general landscaping. The main concern raised by local residents is the use of the gabions to retain the bank would be inappropriate in this setting, 'hard and harsh' and not very pleasing to the eye. It has been suggested that 'Greenfix-Geoweb-seeded blankets' a well-tried and tested method of bank stabilisation and planting is use. However the Parish Council wish the application to be determined with the use of the gabions. The
conservation officer has raised no objections to the proposal and comments that the scheme will not impact on any of the important views of the Church, its setting and wider conservation area. The proposal is considered acceptable and accords with policy.

3.6 In respect of the other concerns raised regarding noise and disturbance, The Pits is an existing play area and therefore I do not consider that the proposal would give rise to a situation so detrimental to the amenities of nearby residents as to warrant refusal on this ground.

3.7 In view of the above, I recommend that the application be approved as it supports and improves an existing leisure and community facility, it will not adversely affect the character or appearance of the conservation area; and the amenities of nearby residential to a material degree.

5 Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 2-Promoting good design, Policy 8-Culture, leisure and entertainment, IMP9-Residential amenity, IMP10-Noise and IMP18-Development in conservation areas 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 and part consistent with the published National Policy Framework.

5.2 The development is considered to accord with the above policies, as it supports and improves an existing leisure and community facility; it has been designed to ensure that it will not have an adverse impact on views within the conservation area, and that the amenities of nearby residents will not be adversely affected to a material degree.

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

11. **Appl. No**: 2013/0499/O  
**Parish**: WYMONDHAM

Applicants Name: Mrs E Smith & Mrs L Beer
Site Address: Land Between 55 And 57 Norwich Common Wymondham Norfolk
Proposal: Erection of 2 two storey detached dwellings

Recommendation: Approval with Conditions

1 Outline Permission Time Limit  
2 Requiring approval of reserved matters  
3 In accordance with submitted drawings  
4 Slab level to be agreed  
5 External materials to be agreed  
6 Water efficiency  
7 Contaminated Land  
8 Drainage, parking and turning

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 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
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 13: Main Towns  
Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan  
ENV 2: Areas of open land which maintain a physical separation between settlements within the Norwich Area (Part Consistent)  
ENV 8: Development in the open countryside (Part Consistent)  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
UTL 14: Waste collection and recycling  
TRA 1: Provision of pedestrian links  
TRA 3: Provision of cycling facilities  
TRA 19: Parking standards

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. **Planning History**

2.1 2010/1512  
Erection of 2 two storey detached dwellings and formation of vehicular accesses  
Refused and dismissed at appeal

3. **Consultations**

3.1 Wymondham Town Council  
Should be approved.
3.2 District Member  To be reported if appropriate

3.3 Environmental Services (Protection)  Recommend condition regarding contaminated land.

3.4 Flood Defence Officer  
  - Surface water drainage advice.
  - Advice regarding means of foul drainage.

3.5 Planning Policy  
  - Outside Development Limit for Wymondham
  - Site was submitted for consideration as part of emerging AAP
  - Site considered not suitable allocation in AAP due to narrow elongated plot.
  - Due to allocations around the site in the AAP the development boundary has been extended.
  - Site within development boundary in AAP.
  - Public consultation on development boundary ended in March 2013.
  - No significant objections were received.
  - A housing site at Norwich Common is under construction.
  - Recommend approval.
  - Reserved maters application will need to consider policies from JCS.

3.6 NCC Highways  No objection to principle.
  - Means of access for plot 2 conflicts with existing highway drainage
  - Recommend central combined access to serve both plots or revised access for plot 2.
  - Request conditions regarding access, drainage, parking and turning.

3.7 Representations  One letter of support making the following comments:
  - No objection.
  - Sensitive enhancement.
  - Benefit to have overgrown plot returned to use.
  - There has been an infestation of Japanese Knotweed before many years.
  - The infestation should be cleared as part of the development of the site.

4 Assessment

4.1 The application is in outline with all matters reserved and seeks planning permission for 2No two storey dwellings. The site is approximately 0.23ha and located on the north side of Norwich Common. The site is located between two pairs of semi-detached houses. Opposite and to the rear of the site is open land.

4.2 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 The main issues in this case are: the principle of development in this location; residential amenity; the character and appearance of the area; and highway safety.

Principle of development

4.4 The site is located outside the currently adopted Development Limits designated in the Development Plan. The site is within the Norwich Policy Area (NPA) identified in the JCS.
Within the NPA the requirements of paragraph 47 of the NPPF are not met because there is not a 5 year housing land supply. The JCS has identified Wymondham as a location for 2,200 dwellings. Wymondham is the subject of an emerging Area Action Plan (AAP) that will designate the locations for the dwellings identified in the JCS. The Requirements of the NPPF and the emerging policy for Wymondham are material considerations.

4.5 In the current 2003 Local Plan the site is within an area designated to maintain the physical separation between settlements. However, in the emerging Wymondham AAP the site itself is designated as being within the proposed development limit and is outside the area proposed as a Strategic Gap.

Residential amenity

4.6 The site is of sufficient size to accommodate two dwellings whilst safeguarding the residential amenity of the occupiers of neighbouring dwellings. The relationship between the proposed dwellings and neighbouring development will be assessed at the reserved matters stage.

Character and appearance of the area

4.7 Planning application ref 2010/1512 was refused on the grounds the site was outside the adopted Development Limit, within the area that maintains the gap between settlements and a lack of ecological information. At appeal the Inspector concluded that the appeal should be dismissed on the grounds of harm to the character and appearance of the countryside. Since this decision there have been the changes in circumstances to that area, set out above.

4.8 Development of the site would infill existing gaps between ribbon development along Norwich Common. Two additional houses in this location could be designed in a manner that would be in keeping with the scale, density and spacing of existing neighbouring development. Therefore, the proposal should not have an adverse impact on the street scene. The detailed design of the proposed development will be considered at the reserved matters stage.

Highway safety

4.9 Subject to the details of access into the site, additional traffic being generated in this location should not result in a hazard or inconvenience to users of the public highway. The matter of access has been withdrawn from the application and is therefore a reserved matter.

5 Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and the National Planning Policy Framework in particular is considered to be in accordance with Policies 1, 2 and 3 of the Joint Core Strategy. The site is located in an area where the requirements of paragraph 47 of the NPPF are not met. The site is of sufficient size to accommodate two dwellings whilst safeguarding the residential amenity of the occupiers of neighbouring dwellings. Two additional houses in this location could be designed in a manner that would be in keeping with the scale, density and spacing of existing neighbouring development. Therefore, the proposal should not have an adverse impact on the street scene. Subject to the details of the access/s into the site, additional traffic being generated in this location should not result in a hazard or inconvenience to users of the public highway.

Contact Officer, Telephone Number  Michelle Lyon 01508 533681
and E-mail: mlyon@s-norfolk.gov.uk
Parish : HADDISCOE

Applicants Name : Ms Sarah Boulter & Mr Mark Boulter  
Site Address : The Old Chapel  Low Road Haddiscoe Norwich NR14 6PJ  
Proposal : Change of use from agricultural land to garden to include replacing existing shed at the front of property with a new shed to garden

Recommendation : Approval with Conditions

1. Planning Policies

1.1 Joint Core Strategy  
Policy 2 : Promoting good design

1.2 South Norfolk Local Plan  
IMP 9: Residential amenity  
ENV 21: Protection of land for agriculture

2. Planning History

2.1 2003/1170 Proposed installation of solar water collectors to provide water for energy needs of dwelling  
2.2 1997/1464 Conversion of Methodist Chapel to dwelling  
2.3 1997/0197 Renewal of permission 07/92/0047/F - conversion of Methodist Chapel to one dwelling  
2.4 1992/0047 Conversion of Methodist Chapel to one dwelling.  

3. Consultations

3.1 Parish Council  
No comments received.

3.2 District Member  
Having discussed the application with both applicant and objector and visited the site he requires the application to be determined by committee to assess impact on residential amenity.

3.3 Representations  
Objection letters received from the occupier of the adjoining dwelling Kingfisher View:
- The new shed is twice the size of original shed at the front.
- The siting of the shed will block out light and sunshine from two south facing windows that enjoy sunlight virtually all day, it should be repositioned to the other side of the garden.
- Concerns regarding noise and dust pollution if the shed is used for woodworking instead of just storage.
- Shed will interfere with ancient rights to light.
- Plans inaccurate and misleading, windows in wrong place.
- It will not be possible to erect shed in location shown and at levels shown due to trees and levels.
4 Assessment

4.1 This proposal seeks consent for the change of use of land from agricultural land to garden together with the erection of a garden shed on part of a field behind the applicants house, The old Chapel. The field is situated within the current development limits for the parish of Haddiscoe but also within flood zones 2 and 3. The Old Chapel was converted to a dwelling in the late 1990s situated in a modest plot fronting the highway to the north east, a rural country lane on the edge of the village. To the north west of the field beyond a ditch and a 1.8 metre high close boarded panel fence is a bungalow with two obscure glazed bathroom windows facing the site, one dwelling adjacent to the south but otherwise open fields.

4.2 The proposal is assessed against policy 2 of the JCS and policies IMP9 and ENV21 which, amongst other things, seek to protect the residential amenities of neighbouring occupiers and the loss of high quality agricultural land. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent with the published National Planning Policy Framework.

4.3 The field had not been used for agricultural purposes for many years and as a result had reverted to grassland. Only a small area adjacent to the Old Chapel is the subject of this application and with neighbouring gardens either side, as a result the proposal respects the local distinctiveness of the area and accords with policy 2 and ENV21.

4.4 The main issues in this case is the impact of the shed on the amenities of the adjacent residential property.

4.5 The occupiers of the neighbouring property to the north west have objected to the proposal. They are concerned with the size and siting of the shed stating that it will be adjacent to their south facing windows, blocking the light which they currently enjoy virtually all day. They have suggested that the shed should be repositioned to the other side of the garden or two smaller sheds erected. They further maintain that the drawings are misleading or incorrect and that the shed will be higher than shown in the drawings. They have taken photographs of a cardboard replica of the side elevation, positioned where they believed the shed would be sited, however this was done in the absence of the applicants so was positioned too far to the south west.

4.6 The shed will be approximately 2.3 metres to the ridge, 1.9 to the eaves, it is being custom made with the ridge offset to minimise any impact upon the neighbours windows. The ground is lower on the applicants side of the fence than the neighbouring property. Elevation scale drawings of the shed with the fence behind have been submitted showing that the base of the shed will be built in line with the bottom of the 1.8 metre high fence and sited 1.3 metres from the fence. Shadow drawings have been prepared demonstrating that the shadow created by the shed will fall on the fence and not on the building or windows of the bungalow behind. Since preparing the shadow drawings, the applicants have submitted a further site plan, re-siting the shed an additional 60 centimetres away from the boundary reducing the potential for impact even further.

4.7 The proposal is considered acceptable and I recommend the application be approved, as the shed will not have an adverse impact upon the residential amenity of the neighbouring occupiers and accords with policy IMP 9. The residential amenity of the neighbouring occupiers can be further protected by removing the permitted development rights for any additional outbuildings on the new garden curtilage within the consent for change of use.
5 Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 2 - Promoting good design; of the Joint Core Strategy and IMP 9 - Residential amenity and ENV 21 - Protection of land for agriculture; of the South Norfolk Local Plan. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent with the published National Planning Policy Framework.

5.2 The development is considered to accord with the above mentioned policies as the change of use of the land and erection of the shed will respect the local distinctiveness of Low Road, whilst ensuring the amenities of nearby residents will not be adversely affected to a material degree.

Contact Officer, Telephone Number and E-mail: Helen Cox 01508 533832 hcox@s-norfolk.gov.uk
Parish : CRINGLEFORD
Applicants Name : Mr P Arthurs
Site Address : 35 Intwood Road Cringleford Norwich NR4 6XD
Proposal : New unheated outbuilding in garden for use as hobby room & home gym

Recommendation : Approval with Conditions

1. Planning Policies
1.1 National Planning Policy Framework
NPPF 07: Requiring good design
1.2 Joint Core Strategy
Policy 2 : Promoting good design
1.3 South Norfolk Local Plan
IMP 9: Residential amenity

2. Planning History
2.1 2003/2405 Two storey and single storey extensions to dwelling

3. Consultations
3.1 Parish Council Refuse
   - Building is intrusive too close to the neighbouring boundary of the bungalows at the rear. It will have a great visual impact on the neighbouring property.
3.2 District Member No comments received
3.3 Representations 2 letters of objection
   - Loss of view
   - Devaluation of property

4. Assessment
4.1 The proposal is for the construction of a large building to the rear of the garden of No 35 Intwood Lane Cringleford. The main property is a detached two storey dwelling with a long rear garden the area of the proposed building is lower than the remainder of the garden. Close board fencing measuring 1.8 metres in height already forms the rear boundary of the site. A 1.8 metre close board fence forms the boundary of No 33, and a fence of the similar height but with top part (approximately 0.5 metre) being of trellis style forms the side boundary of No37. The building is to be used as a hobby room and indoor gym.

4.2 Policies in the JCS, Local Plan and requirements of the NPPF seek to ensure that proposals are of an appropriate design and do not adversely affect the residential amenities or privacy of neighbouring properties. 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 Objections have been received from the Parish Council and two neighbouring properties to the rear of the site. Nos 7A (a new dwelling allowed under appeal in 2009) and No 6 Oakfield Close. Both properties and the Parish Council raise issue with the loss of privacy and the visual impact of the building.

4.4 The ridge height of the building measures 4 metres. If the building were to be more than 2 metres from the boundaries the building would be Permitted Development. However, the building is located approximately 1.2 metres from the rear boundary. An existing building which is to be retained is sited along the side boundary of No 37, therefore it is not possible to re-site the proposed building in order to comply with Permitted Development Rights.

4.5 The rear boundary benefits from a 1.8 metre close board fence. A Beech hedge is on the neighbour’s side of this fence which provides additional screening. However, as the hedge is outside the applicant’s ownership it cannot be controlled by condition. No windows are proposed in the rear elevation of the proposed building, therefore there would be no loss of privacy to the neighbours to the rear of the site. Although the building will certainly be visible from properties at the rear of the site, due to the distance from the proposed building to the actual dwellings of the objectors Nos 7a and No 6 Oakfield Close, the proposed building will not result in such harm to the privacy or amenities of these properties to justify refusal.

4.6 The area of garden proposed for the building is at a lower level than the remainder of the site. This applies to the gardens adjacent to the site (Nos 33 and 37 Intwood Road) the gardens of which also slope down towards the rear of the site. However, given the distance from the proposed building to the main dwellings and the immediate private area of the gardens of the neighbouring properties, the building will not result in any significant harm to the residential amenities of the neighbouring properties. No objections have been received from the neighbours to either side of the proposed building. The scheme as submitted for the proposed use will not result in significant harm to any of the neighbouring properties in terms of loss of light, amenities or privacy, therefore the scheme accords with the above policies.

5 Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 2 of the Joint Core Strategy and 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 scale, siting and use of the building has minimal impact on the residential amenities or privacy of neighbouring properties. The design is acceptable for the proposed use for the building and therefore accords with policy.

Contact Officer, Telephone Number and E-mail: Jacqui Jackson 01508 533837 jjackson@s-norfolk.gov.uk
14. **Appl. No**: 2013/0596/H  
**Parish**: PORINGLAND

Applicants Name: Mr Michael Sadd  
Site Address: 2 Mill Close Poringland Norfolk NR14 7JP  
Proposal: Refurbishment and extension of existing house following planning application 2013/0121/H

Recommendation: Approval with Conditions

1. **Planning Policies**

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

1.2 South Norfolk Local Plan  
HOU 19: Extensions to existing dwellings

2. **Planning History**

2.1 2013/0121 Refurbishment and extension of existing house  
Refused

2.2 2013/0106 Four new dwellings, two affordable dwellings and one change of use (from commercial to residential) and land remediation and stabilisation works  
Withdrawn

2.3 2013/0107 Four new dwellings and land remediation and stabilisation works  
Refused

3. **Consultations**

3.1 Parish Council: Approve

3.2 District Members  
Cllr Neal: To be determined by committee  
Due to number of local residents concerns

Cllr Overton: To be reported if appropriate

3.3 Representations:  
1 letter of support  
1 letter of no comment  
5 letter of objection:  
- Flooding  
- Extra traffic  
- Disturbance and noise  
- Light pollution  
- Squeezed onto a small plot  
- Four bed house should have 3 car parking spaces at least
4 Assessment

4.1 This application seeks planning permission for the refurbishment and extensions to Mill House, Mill Close, Poringland. The proposal is 1 of 3 applications for the development of the land at Mill Close.

4.2 Mill House is a detached two storey property with a symmetrical frontage and simple in design. This application follows the refusal of the previous scheme which incorporates a two storey linked extension to plot 1 (which formed part of application 2013/0107) which was out of keeping with the character of the existing dwelling. The present proposal has been negotiated and proposes a single storey garage to the northwest elevation and a single storey dinning to the southeast. The design, size and scale of which is acceptable and will be in keeping with the distinctive character of the existing dwelling in accordance with HOU19 of SNLP and Policy 2 of the JCS.

4.3 Whilst I appreciate the concerns raised, the plot is of a size that can accommodate the proposed additions and the proposal would not give rise to a situation detrimental to the amenities of the neighbouring residential properties in terms of noise, disturbance and light pollution are to warrant refusal on this ground.

4.4 The proposal is acceptable and I recommend that the application be approved.

5 Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policies IMP9 Residential amenity and HOU19 Extensions to existing dwellings 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 Policy Framework.

5.2 The development is considered to accord with the above policies as it has been designed to ensure that the parking and access to the dwelling will be maintained, and that the existing amenities of nearby residents will not be adversely affected to a material degree, and it respects the character and appearance of the dwelling.

Contact Officer, Telephone Number and E-mail: Claire Curtis 01508 533788 ccurtis@s-norfolk.gov.uk
15. **Appl. No**: 2013/0599/F  
**Parish**: PORINGLAND  

Applicants Name: Mr Michael Sadd  
Site Address: Land At Mill Close Poringland Norfolk  
Proposal: Four new dwellings and land remediation and stabilisation works following planning application 2013/0107/F  

Recommendation: Approval with Conditions

1. Full Planning permission time limit  
2. In accord with submitted drawings  
3. External materials to be agreed  
4. Surface water drainage to accord with submitted details  
5. Contaminated land - submit scheme  
6. New Water Efficiency  
7. No PD for Classes ABCDE & G  
8. Windows to be obscure glazed  
9. Slab level and stabilization works/retaining walls to be agreed  
10. Retention trees and hedges  
11. Boundary treatment to be agreed  
12. Landscaping scheme to be submitted  
13. Access Gates - Configuration  
14. Visibility splay dimension in condition  
15. Provision of parking, service  
16. No PD for fence, wall, gates etc

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 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 14: Key Service Centres  
Policy 3: Energy and water

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

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. **Planning History**

2.1 2013/0121 Refurbishment and extension of existing house  
Refused

2.2 2013/0106 Four new dwellings, two affordable dwellings and one change of use (from commercial to residential) and land remediation and stabilisation works  
Withdrawn
2.3 2013/0107 Four new dwellings and land remediation and stabilisation works Refused

2.4 1976/0515 Erection of 8 bungalows with gardens Refused

2.5 FH/12888 Erection of a bungalow and garage Refused

2.6 FH/11602 Conversion to dwelling of telephone exchange Withdrawn

3. Consultations

3.1 Parish Council Approve
Subject to no adverse impact upon neighbouring properties including the lakes

3.2 District Members:
Cllr Neal
To be determined by committee
• Due to a number of local residents objections

Cllr Overton To be reported if appropriate

3.3 Environmental Services (Protection) Support with conditions

3.4 NCC Highways Support with conditions

3.5 Ecologist No comments received

3.6 Landscape Officer To be reported

3.7 Norfolk Fire Service Station Master Support with conditions
Provision of a fire hydrant

3.8 The Flood defence Officer Support with conditions

3.9 Representations 9 letters of objection
• Urge that a site visit is carried out by members
• Inappropriate design, layout, form and character
• Detrimental impact on village amenities/services
• Adverse impact on trees and wildlife
• Contamination of land from previous use
• Highway safety, lack of access and parking
• Already a significant amount of current and planned development in Poringland
• Additional traffic on Stoke Road
• Ground stability and drainage
• Already suffered subsidence
• Devaluation of properties
• Overloaded utilities
• Noise disturbance from car noise and building traffic noise
• Loss of privacy
• Surface water drainage
• Comments made by Anglian Water to David Wilsons Homes 250 houses is relevant to this application
• How can houses be acceptable when bungalows turned down
Joint letter of objection from 20 properties
1 letter of support from Poringland Conservation and Fishing Lakes Association

4 Assessment

4.1 This application seeks full planning consent for the erection of four dwellings, land remediation and stabilisation works, at Mill Close, Poringland. The site is located off Stoke Road, to the rear of the properties that face that road. On the site is the existing two storey Mill House and its associated outbuilding/stable block. To the west is 3 Mill Close a bungalow set at a higher level due to significant level changes on the site and to the east the telephone exchange.

4.2 The site falls within the development boundary for the village of Poringland and is identified as a Key Service Centre under the JCS and as such there is a principle in favour of residential development and the proposal is considered to accord with policy 14.

4.3 The previous submitted scheme was refused due to the individual plot layout being too cramped due to the dwelling sizes in relation to its plot and in some cases the required private amenity space would have only been provided by side or frontage areas which would have needed to be screened via walls or fencing creating an enclosed style of development. The individual design of the dwellings in particular plot 1 and plot 2, their size, scale, and massing, did not represent a high quality of design and it did not respond positively to the character of the existing development.

4.4 Following the refusal, negotiations took place with the applicants and this application is a result of those. The design approach has now taken its lead from the existing property Mill House and the stable block. The layout has been revised to enable each dwelling to have its private space to its rear and no longer requires excessive amounts of walls and fence screening. The first floor windows on plots 1 and 2 which face towards the properties on Stoke Road are en suits that can be obscure glazed. The design and layout of the development represents a high quality of design and accords with Policy 2 of the Joint Core Strategy together with advice in Section 7 of the National Planning Policy Framework and design principle 3.8 of the South Norfolk Place-Making Guide.

4.5 There are known problems with flooding and drainage issues in this area and surface water drainage details have been submitted with the application and the flood defence officer has raised no objections to the proposal.

4.6 A number of concerns have been raised as set out above and whilst I fully appreciate the concerns raised, in the absence of any objections raised by the highway officer, the environmental health officer and the flood defence officer I do not consider the proposal can be refused on highway safety grounds, contaminated land or flooding issues. The fact that other residential developments have been approved, are proposed or planned would not be a planning reason to refuse this proposal. The location of the dwellings and their design have minimised the potential for overlooking, with the imposition of the proposed conditions in terms of obscure glazing to the ensuite windows and permitted development rights being removed, the proposal would not give rise to a situation so detrimental to the amenities of the neighbouring properties as to warrant refusal on this ground. The impact on utilities would again not be a reason to refuse the application.

4.7 The proposal is acceptable and I recommend that the application be approved as the layout of the site and form of the dwellings are appropriate for the area and it will not have a significant adverse effect on the amenity of neighbouring properties or highway safety.
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 accordance with Policy 2 Promoting good design; Policy 3: Energy and water and Policy 14 Key Service Centres of the Joint Core Strategy; and IMP8 Safe and free flow of traffic and IMP9 Residential amenity of the South Norfolk Local Plan as the layout of the site and form of the dwellings are appropriate for the area and it will not have a significant adverse effect on the amenity of neighbouring properties or highway safety

Contact Officer, Telephone Number Claire Curtis 01508 533788
and E-mail: ccurtis@s-norfolk.gov.uk
16. Appl. No : 2013/0638/F
Parish : PORINGLAND

Applicants Name : Mr Michael Sadd
Site Address : 4 Mill Close Poringland Norfolk NR14 7JP
Proposal : Change of use from commercial to residential

Recommendation : Approval with Conditions

- 1 Full Planning permission time limit
- 2 In accord with submitted drawings
- 3 External materials to be agreed
- 4 Surface water drainage
- 5 Reporting of unexpected contamination
- 6 No PD for Classes ABCDE & G
- 7 Slab level and stabilization works/retaining walls to be agreed
- 8 Boundary treatment to be agreed
- 9 No PD for fences, walls etc
- 10 Provision of parking, service

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 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 14 : Key Service Centres
Policy 3: Energy and water

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

2. Planning History

2.1 2013/0121 Refurbishment and extension of existing house Refused

2.2 2013/0106 Four new dwellings, two affordable dwellings and one change of use (from commercial to residential) and land remediation and stabilisation works Withdrawn

2.3 2013/0107 Four new dwellings and land remediation and stabilisation works Refused

2.4 1976/0515 Erection of 8 bungalows with gardens Refused

2.5 FH/12888 Erection of a bungalow and garage Refused

2.6 FH/11602 Conversion to dwelling of telephone exchange Withdrawn
3. **Consultations**

3.1 **Parish Council**
   Approve
   Subject to no adverse impact upon neighbouring properties including the lakes

3.2 **District Members:**
   - **Cllr Neal**
     To be determined by committee
     - Due to a number of local residents objections
   - **Cllr Overton**
     To be reported if appropriate

3.3 **Environmental Services (Protection)**
   Support with conditions

3.4 **NCC Highways**
   Support with conditions

3.5 **Ecologist**
   No comments received

3.6 **The Flood Defence Officer**
   Support with conditions

3.7 **CNC Building Control**
   No comments received

3.8 **Landscape Officer**
   To be reported

3.9 **Representations**
   6 letters of objection
   - Urge that a site visit is carried out by members
   - Inappropriate design, layout, form and character
   - Detrimental impact on village amenities/services
   - Adverse impact on trees and wildlife
   - Contamination of land from previous use
   - Highway safety, lack of access and parking
   - Already a significant amount of current and planned development in Poringland
   - Additional traffic on Stoke Road
   - Ground stability and drainage
   - Already suffered subsidence
   - Devaluation of properties
   - Overloaded utilities
   - Noise disturbance from car noise and building traffic noise
   - Loss of privacy
   - Surface water drainage
   - Comments made by Anglian Water to David Wilsons Homes 250 houses is relevant to this application
   - How can houses be acceptable when bungalows turned down

Joint letter of objection from 20 properties
1 letter of support from Poringland Conservation and Fishing Lakes Association
1 letter of no comment
4 Assessment

4.1 This application seeks full planning consent for the conversion of an existing stable block to residential including an extension, land remediation and stabilisation works, at Mill Close, Poringland. The site is located off Stoke Road, to the rear of the properties that face that road. On the site is the existing two storey Mill House and its associated outbuilding/stable block. To the west is 3 Mill Close a bungalow set at a higher level due to significant level changes on the site and to the east the telephone exchange.

4.2 The site falls within the development boundary for the village of Poringland and is identified as a Key Service Centre under the JCS and as such there is a principle in favour of residential development and the proposal is considered to accord with policy 14.

4.3 The existing stable block is located to the south of the site set below the land level to the west, the present slope is unstable and part of the proposal involves the stabilization of this slope. The conversion incorporated an extension to east and to the northwest part of the building will provide a store for Mill House. The design of the conversion is acceptable and sympathetic to the character and appearance of the existing building. The proposal accords with Policy 2 of the JCS.

4.4 There are known problems with flooding and drainage issues in this area and surface water drainage details have been submitted with the application and the flood defence officer has raised no objections to the proposal.

4.5 A number of concerns have been raised by residents, as set out above. In the absence, however, of any objections raised by the highway officer, the environmental health officer and the flood defence officer, I do not consider the proposal can be refused on highway safety grounds, contaminated land or flooding issues. The fact that other residential developments have been approved, are proposed or planned would not be a planning reason to refuse this proposal. Given the location of the conversation and the fact it is single storey, the proposal will not give rise to a situation so detrimental to the amenities of the neighbouring properties as to warrant refusal on this ground. The impact on utilities would again not be a reason to refuse the application.

4.6 The proposal is acceptable and I recommend that the application be approved as the layout of the site and design of the conversion is appropriate for the area and it will not have a significant adverse effect on the amenity of neighbouring properties or highway safety.

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 accordance with Policy 2 Promoting good design; Policy 3: Energy and water and Policy 14 Key Service Centres of the Joint Core Strategy; and IMP8 Safe and free flow of traffic and IMP9 Residential amenity of the South Norfolk Local Plan as the layout of the site and design of the conversion is appropriate for the area and it will not have a significant adverse effect on the amenity of neighbouring properties or highway safety.

Contact Officer, Telephone Number Claire Curtis 01508 533788
and E-mail: ccurtis@s-norfolk.gov.uk
17. **Appl. No**: 2013/0655/O  
**Parish**: CRINGLEFORD

**Applicants Name**: JE, AGH & GE Smith  
**Site Address**: Land North West And South East Of Newfound Farm Colney Lane  
Cringleford Norfolk  
**Proposal**: Residential development on two plots for 5 two storey dwellings

**Recommendation**: Approval with Conditions

1. Outline Permission Time Limit  
2. Requiring approval of all reserved matters  
3. In accordance with submitted drawings  
4. Slab level to be agreed  
5. External Materials to be agreed  
6. Water efficiency  
7. Visibility splay  
8. Visibility, access, parking and turning

Subject to a S106 legal agreement for:  
Affordable housing

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design  
IMP 2: Landscaping

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 9: Strategy for growth in the Norwich Policy Area  
Policy 10: Locations for major new or expanded communities in the Norwich Policy Area  
Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan  
ENV 2: Areas of open land which maintain a physical separation between settlements within the Norwich Area (Part Consistent)  
ENV 6: Areas which contribute to maintaining the landscape setting  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 3: River valleys  
ENV 9: Nationally and locally important archaeological remains (Part Consistent)  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
UTL 14: Waste collection and recycling  
TRA 19: Parking standards

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. **Planning History**

2.1 No recent planning history
3. **Consultations**

3.1 **Cringeford Parish Council**

- Should be refused.
- Outside Development Boundary in Cringeford Neighbourhood Development Plan
- Enclosed copy of Cringeford Neighbourhood Development Plan Proposals Map

3.2 **District Member**

- Should be determined by Development Management Committee.
- In view of various pressures resulting from recent government policy and emerging local planning policy.
- Should be considered in light of other applications in general area.

3.3 **NCC Highways**

- No objection to principle.
- Access arrangements to original submission are not satisfactory.
- Amended access arrangement required
- Recommend conditions regarding visibility, access, parking and turning.

3.4 **Planning Policy**

- Outside existing development boundary
- Cringeford Parish are preparing a Neighbourhood Plan (NP)
- Cringeford is not covered by the emerging Site Specifics Allocations and Policies DPD
- The NP proposes a large housing allocation to the rear of Newfound Farm
- The NP proposed development boundary excludes the application site
- The NP includes policies relating to the setting of Newfound Farm
- The NP boundary and policies on Newfound farm are yet to be the subject to public consultation. They are at pre-submission stage and carry limited weight.
- Development would be a departure from adopted and emerging policy.
- Site within NPA where there is a shortfall in 5 year housing land supply. This is a material consideration.

3.5 **Historic Environment Service**

- No comments received

3.6 **Housing Strategy Manager**

- Welcome dwellings suitable for disabled persons.
- Increasing need for dwellings suitable for disabled persons.
- Specified standard for two storey dwellings
- JCS Policy 4 requires 2 affordable homes on a site area of 0.404ha.
- Given higher construction costs of wheelchair-standard properties, one affordable home would be acceptable.
- Freehold to be conveyed to a housing association.

3.7 **Representations**

- Letters from 5 properties making the following comments:
  - Outside Development Boundary in Cringeford Neighbourhood Plan
  - Should not be eligible for erection of dwellings in addition to planned housing
· Principles to protect the nature and character of area should be adopted as per Neighbourhood Development Plan Policy.
· Should be restricted to single storey
· Materials should integrate into character of complex and balance existing barns.
· Trees were removed in February 2013
· Increase in traffic using drive
· Currently difficult to exit properties due to increase in traffic from Roundhouse Way development
· Right of access to 3 Newfound Curt will be detrimentally affected
· Concern about means of foul drainage
· Existing residents should not be overlooked
· Sites currently an eyesore
· Impact on view from University grounds
· Other new builds nearby will have mains sewage and gas

4 Assessment

4.1 The application has been amended and is now in outline with all matters reserved. The proposal seeks planning permission for 5 two storey dwellings. The application site comprises two separate parcels of land located either side of the existing cluster of dwellings at Newfound Farm. The proposal is for two dwellings on the site to the east of Newfound Farm and three dwellings on the site to the west of Newfound Farm.

4.2 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 The main issues in this case are: Principle of development in this location; character and appearance of area; highway safety; and residential amenity.

Principle of development

4.4 The sites are located outside the currently adopted Development Limits designated in the Development Plan. However, the sites are located in the Norwich Policy Area (NPA) identified in the JCS. Within the NPA the requirements of paragraph 47 of the NPPF are not met because there is not a 5 year housing land supply. The JCS has identified Cringleford as a location for 1,200 dwellings. Cringleford is the subject of an emerging Neighbourhood Plan (NP) that will designate the locations for the dwellings identified in the JCS. The requirements of the NPPF and the emerging Cringleford NP are material considerations.

4.5 In the current 2003 Local Plan the sites are designated as outside Development Limits, within the Norwich Southern Bypass Landscape Protection Zone and partly within Strategic Gap. In the emerging Cringleford NP the sites are designated as woodland which is outside the proposed Development Boundary and southern bypass landscape protection zone. The sites are adjacent to the Development Boundary proposed in the emerging NP.

4.6 Although the site is outside the proposed Development Boundary in the emerging NP this has not been the subject of public consultation. The site is located in an area that is likely to accommodate additional housing and is located between the hospital and new housing that is under construction. Therefore, it would be difficult to make a case that the site is in an unsustainable location. The site is not currently wooded. In this case the requirements of the adopted policy set out in the NPPF carries greater weight than emerging NP policy.

4.7 Policy 4 of the JCS expects 30% affordable housing to be provided. This would equate to two affordable dwellings. However, the applicant is proposing houses suitable for disabled persons which have higher construction costs. In this case due to the site area and the
increasing need for the type of dwellings proposed, one affordable home that meets the criteria specified by Housing Strategy is considered sufficient to meet the requirements of Policy 4 of the JCS.

Character and appearance of area

4.8 The indicative site layout submitted does not have sufficient regard for the existing character or appearance of the area or the form of existing neighbouring residential development.

4.9 Policy GEN3 of the emerging NP seeks to protect the setting of Newfound Farm including the house and converted outbuildings. Newfound Farm is within the proposed Development Boundary in the emerging NP.

4.10 The detailed design and layout are matters that would be dealt with at the reserved matters stage. The sites are of sufficient size to accommodate the number of dwellings proposed whilst safeguarding the setting of the existing neighbouring development.

Highway safety

4.11 As originally submitted the application included means of access. However, following the comments of NCC Highways regarding the access layout, the applicant has chosen to withdraw access from the application. The matter of access forms a reserved matter and a detailed layout will be considered at that stage. NCC Highways have no objection to the principle of development in this location. Subject to the details of the access to the site meeting current highways standards, the additional traffic generated by the proposal should not result in a hazard or inconvenience to users of the public highway.

Residential amenity

4.12 The sites are of sufficient size to accommodate the proposed number of dwellings whilst safeguarding the residential amenity of the occupiers of neighbouring dwellings. The relationship between the proposed dwellings and neighbouring development will be assessed at the reserved matters stage.

5. Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and the National Planning Policy Framework and in particular is considered to be in accordance with Policies 1, 2 and 3 of the Joint Core Strategy. The sites are located in an area where the requirements of paragraph 47 of the NPPF are not met. The sites are of sufficient size to accommodate the proposed number of dwellings whilst safeguarding the residential amenity of the occupiers of neighbouring dwellings. Additional houses in this location could be designed in a manner that would respect the setting of existing neighbouring development. Therefore, the proposal should not have an adverse impact on the street scene. Subject to the details of access into the site, additional traffic being generated in this location should not result in a hazard or inconvenience to users of the public highway.

Contact Officer, Telephone Number and E-mail: Michelle Lyon 01508 533681 mlyon@s-norfolk.gov.uk
18. **Appl. No:** 2013/0658/CU  
**Parish:** TOFT MONKS  
**Applicants Name:** Mr Jake Fiennes  
**Site Address:** Former Distafruit Premises Pound Lane Toft Monks Norfolk NR34 0EX  
**Proposal:** Change of use to from winter flora restricted storage (via a section 106 agreement) to agricultural (retrospective application)  

**Recommendation:** Approval with no conditions

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 03: Supporting a prosperous rural economy  
NPPF 11: Conserving and enhancing the natural environment

1.2 South Norfolk Local Plan  
EMP 5: Agricultural development  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
IMP 10: Noise

2. **Planning History**

2.1 2003/0821 Resubmission following refusal of application E07/03/0313/F - Retention of one additional portakabins (2 to 3) until Oct' 2003 for seasonal agricultural workers accommodation  
**Refused**

2.2 2003/0313 Variation of approved permission E07/01/0983 to increase number of portakabins from 2 to 5 for seasonal agricultural workers accommodation  
**Refused**

2.3 2001/0983 Retention of use of land for the temp. standing of portakabins for agricultural workers accommodation  
**Approved**

2.4 1994/0484 Use existing building for agricultural storage; packing, handling and distribution of fresh/dried flowers from land at Toft Monks, Broome, Weston, Beccles & Gillingham  
**Approved**

2.5 1994/0076 Retention of housings for chill room compressor equipment and air conditioning unit  
**Approved**

2.6 1992/0109 Use of existing building and erection of new building for agricultural storage, packing, handling and distribution of fresh produce-agricultural land at Toft Monks, Burgh Castle, Blundeston.  
**Approved**

3. **Consultations**

3.1 Parish Council  
- We do not have an objection to the actual application but do have concerns about the omission of the S106 agreement  
- Important S106 agreement is kept in place and enforced  
- Restriction are necessary with the site as there are close neighbouring properties
- Additional heavy traffic will be detrimental effect on our roadways which are not wider enough for traffic wider than a single car.
- We have constant trouble with our banks being eroded away by lorries and agricultural vehicles and trailers.

3.2 District Member  To be reported if appropriate

3.3 NCC Highways  No Objection

3.4 Environmental Services (Protection)  No Objection
- Residential properties within the vicinity of the site
- No noise and odour complaints have been received
- Use has already commenced
- Most of other agricultural building in District do not have restrictive condition and we do not have a significant number of complaints from these
- Need to consider whether conditions would meet requirements of planning circulars

3.5 Representations  Seven letters of objection
- No objection to application if S106 retained
- When works are repairing plant it is really noisy, lights and fork lift trunks movement from 6am.
- Issue with loading from outside area potato boxes are piled high health and safety concerns
- Heavy good vehicles parked overnight and loaded throughout the day
- Heavy good vehicles make use of road making dog walking and horse riding difficult.
- Problems with tractors going at excessive speeds at harvest and planting time which are dangerous to residents would increase without limitations of S106
- Problems with mud on road
- Concern about potential hours of use and number of employees
- Problems with previous companies that have used building since it was erected (without planning permission ) in 1990
- Articulated lorries got stuck leaving the site
- Flood flight effects the night sky for astrometry
- Shape and size of building act for an amplifier for sound
- Lorries parked all night with refrigeration units
- Importation of lettuces from Spain to be packed in 2003
- Loading externally with fork lift trunks
- Lorries leaving and arriving between 22:00 and 06:00
- Noisy Eastern Europeans housed on site to undertake industrial work
- Up to 4 lorries parked on forecourt detrimental to highway safety
- Damage to road verges
- Use of concrete pad for grading potatoes very noisy
- S106 says loading shall be within the building
- Loading within the building would prevent noise and light pollution
- Works should be moved elsewhere in the Raveningham Estate away from residents
- Traffic should use A143 rather than passing residential properties should be added to S106
4  

4.1 The application relates to the former Distrufruit premises on Pound Lane Toft Monks. The building is situated just off the A143, there are residential properties located within the vicinity of the site. Members will note from the planning history that the site has been subject to a number of applications in the past. The current authorised use of the site is “Use existing building for agricultural storage; packing, handling and distribution of fresh/dried flowers from land at Toft Monks, Broome, Weston, Beccles & Gillingham”. This includes conditions on noise levels generated on the site at specific times, prevents the overnight parking of vehicles with refrigeration units in operation, no additional floodlighting and all loading and unloading of vehicles shall occur within the existing building. There is also a S106 agreement which is attached to the permission which does not allow the handling packing or distribution of produce imported from outside the UK, only a maximum of 15% annual turnover of flowers can be processed from sites in UK other than the sites in Toft Monks, Broome, Weston, Beccles & Gillingham specified in the S106 agreement. It also allows for the lettuces grown in the UK by other producers to be packed handled and distributed during April.

4.2 The building is currently used by the Raveningham Estates for the storage of potatoes prior to them being sold. This is an agricultural process, if there was not a S106 agreement attached to the permission then consent would not be required to revert back to agriculture. This application proposed to rectify the current situation to allow the building to be used for agriculture. Given the rural location of the building then there is no policy objection to being used for agriculture.

4.3 A number of objections have been received regarding noise disturbance, light pollution and traffic movements relating to the site. As with many agricultural buildings they have a tendency to be intensively used for relatively short periods of time and remain unused for much of the year. When imposing conditions on planning permissions or requiring a S106 agreement the requirement must be reasonable and necessary for the specific use. Given the nature of agriculture and the need to work long hours during harvest periods the Council does not tend to restrict hours of use, traffic movement etc. for agricultural buildings unless there are overriding circumstances, many of the agricultural buildings within the District are much closer to residential properties and have no restrictions. The sites previous uses were more industrial in nature and meant that it was reasonable to impose restrictions. Environmental Services and the Highway Officer have raised no objection to the application. Although it is acknowledged there may be potential for noise and disturbance when the building is intensively used, in this instance given the agricultural use it is considered that it would be unreasonable to impose restrictive conditions or a S106 agreement on the site.

5  

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with policies EMP5 - Agriculture, IMP8 - Safe and free flow of traffic, IMP9 - Residential amenity and IMP10 - Noise of the South Norfolk Local Plan.

5.2 The use of the building for agricultural purposes would not have a significant adverse impact on the amenity of local residents and or highway safety and given its rural location it is not considered reasonable to place restrictive conditions on the use of the building.

Contact Officer, Telephone Number and E-mail: Helen Bowman 01508 533833 hbowman@s-norfolk.gov.uk
19. **Appl. No**: 2013/0713/F  
**Parish**: PORINGLAND

Applicants Name: Mr Andrew Crotch  
Site Address: Land South Of 40 The Street Poringland Norfolk NR14 7JT  
Proposal: Conversion of barn into two dwellings and garages

Recommendation: Approval with Conditions

1. Full Planning permission time limit  
2. In accordance with amendments  
3. External materials to be agreed  
4. Existing Access, Widen or Improve  
5. Provision of parking, service  
6. Emergency turning area to be provided  
7. Slab level to be agreed  
8. No PD for Classes ABCDE & G  
9. Surface water drainage  
10. New Water Efficiency  
11. Tree protection for oak tree on frontage  
12. Boundary treatment to be agreed  
13. Reporting of unexpected contamination  
14. Ecology

Subject to amended plan showing upgrade of existing access and satisfactory surface water drainage details

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 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 14: Key Service Centres

1.3 South Norfolk Local Plan  
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
ENV 15: Species protection

2. **Planning History**

2.1 2013/0833 Demolition of existing garage and erection of new extension and alterations to dwelling (no. 38) Not yet determined

2.2 2013/0839 Proposed double garage (No 40) Not yet determined

2.3 2013/0790 Removal of condition 1 of planning permission FH 11122 - removal of the agricultural occupancy (no 40) Not yet determined
2.4 2013/0789 Single detached dwelling and garage Not yet determined
2.5 2012/0674 Replacement of existing prefab dwelling by detached house and garage (no. 36) Approved
2.6 2012/0673 Erection of two single storey dwellings and double garages Approved

3. Consultations
3.1 Parish Council To be reported
3.2 District Members Cllr L Neal
   Cllr J Overton
   To be determined by committee only if officers are minded to approve
   • Access concerns state of entrance road - poor visibility
   • Access for service vehicles refuse trucks, concerned that bins will have to be left out on main road for collection
   To be reported if appropriate
3.3 NCC Highways Support with conditions
   • Existing drive has a narrow surface width and will not allow two vehicles to pass. Will need to be improved to provide a surface width of 4.5 metres for first 10 metres and the remainder of the drive should be a minimum of 3.7 metres in order to comply with emergency vehicle regulations
   • Amended plan showing this is recommended
   • Emergency vehicle turning area will need to be provided prior to first occupation
3.4 Representations No response

4 Assessment
4.1 This application is for the conversion of the existing barn to the south of 40 The Street. It is intended the dwellings would be accessed using the existing track. There are two bungalows already accessed off this track and permission was been granted for two new dwellings to the rear of the site, adjacent to the Norfolk Homes site which is currently under construction (application number 2012/0673). Permission has also been granted for a replacement dwelling at number 36 (application number 2012/0674). There is also a current application to erect a new dwelling to the rear of 42 The Street (application number 2013/0789). Remove the agricultural occupancy condition and erect a garage on number 40 (application numbers 2013/0790 and 2013/0839) extend number (application number 2013/0833).

4.2 The site is within the development limit for Poringland, which is identified in the Joint Core Strategy (JCS) as a Key Service Centre where there is a presumption in favour of development subject to it being achievable within the constraints of the site. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent with the published National Planning Policy Framework.
4.3 This part of Poringland has a mixed style of development, the proposed conversion is sympathetic to the agricultural character of the building. The main building is in reasonable structural condition, but the rear extensions are in a poor state of repair and it is proposed to demolish these and erect new extensions as the building is within the development limit, the amount of rebuilt is not an issue. The proposed development has been designed so that it would not adversely affect surrounding properties.

4.7 Concern has been raised by the District Member regarding the suitability of the existing access in terms of visibility and also whether service vehicles would be able to access the site. The Highway Officer has raised no objection to the proposal in terms of visibility; he has however requested that the access track to the site is upgraded and widened. A turning area for emergency vehicles is proposed as part of the application. It would be possible to achieve access by refuse vehicles with the turning area.

4.8 It is intended to condition a tree survey and protection measures for the Oak tree on the frontage which was done for the approved dwellings. A satisfactory ecology report has been submitted with the application.

4.9 Surface water drainage details have been requested as the site is within Poringland which suffers from surface water drainage issues the recommendation is subject to satisfactory scheme being submitted.

5 Reasons for Approval

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 1 - Addressing climate change and protecting environmental assets, Policy 2 - Promoting good design, Policy 3 - Energy and water and Policy 16 - Key Service centres of the Joint Core Strategy HOU4 - Residential development within the defined development limits of the Norwich Policy Area Settlements, IMP8 - Safe and free flow of traffic and IMP9 - Residential amenity of the South Norfolk Local Plan. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent with the published National Planning Policy Framework.

5.2 The development accords with the above policies as it will provide two additional dwellings from the converting an existing building within the development limit for Poringland which is in keeping with the form, character and appearance of the locality and does not adversely affect highway safety or the amenity of surrounding properties to a material degree.

Contact Officer, Telephone Number and E-mail: Helen Bowman 01508 533833 hbowman@s-norfolk.gov.uk
20. **Appl. No**: 2013/0734/RVC  
**Parish**: MULBARTON  
Applicants Name: Mr Zheng Ding Xu  
Site Address: Unit 2 The Common Mulbarton Norfolk NR14 8AE  
Proposal: Variation of Condition 3 of permission 2010/1863/CU - to allow opening on Sundays 4.30pm to 10pm  
Recommendation: Refusal

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  
SHO 11: Class A3 uses - control over hours of operation  
IMP 9: Residential amenity

2. **Planning History**

2.1 2011/0507 Variation of condition 3 of permission 2010/1863/CU - to allow opening on 6 days a week including Sundays, 4pm to 11pm, with no trading on Tuesdays Refused

2.2 2010/1863 Change of use to A5 Hot Food Take-Away use Approved

3. **Consultations**

3.1 Parish Council No views or comments to make  
3.2 District Member Can be delegated  
3.4 NCC Highways No objections  
3.5 Environmental Services (Protection) Not objection to Sunday Opening - however suggest compromise of finish time between 7 - 9 pm to allow a balance between commercial premises and the neighbouring properties.

3.6 **Representations**  
3 letter of objection received  
- Noise and disturbance at times when the other commercial premises do not operate giving some peace to use gardens at the weekends.  
- Additional noise on a Sunday evening causing disruption for residents sleeping.

4. **Assessment**
4.1 The proposal is to vary the condition to allow Sunday trading from the take-away premises which was originally granted Change of Use permission in 2010. The unit forms one of a terrace of commercial units which operate a variety of activities, including a garage. The site is within the Development Limits of Mulbarton but is outside the Conservation Area.

4.2 The original application received in 2010 required opening 7 days a week from 16.00 hours to 23.00 hours including Sundays. However, the scheme was assessed against policy SHO11 which seeks to control the trading hours of hot food take-away having regard to consistency with the opening hours of other established uses within the vicinity, the character of the surrounding area, the prevailing levels of background noise, including traffic noise, and the particular nature of the proposal. In areas outside central business area policy permits opening hours Monday to Saturdays until 23.00 and 22.30 on Sundays and Bank holidays, subject to the above considerations.

4.3 While wishing to support the commercial aspect of the applicant, the location chosen for the business was in an area which provided a range of commercial activities but is also bordered by a residential area. For the purposes of consistency and to ensure a balance of commercial activity and the retention of residential amenities was achieved, the Planning Committee granted permission in 2011 in accordance with the recommendation, restricting the hours to Monday to Thursday 16.00 to 22.00 and Friday and Saturday 16.00 to 23.00, with no Sunday opening.

4.4 In 2011 an application to vary the hours of the original permission to include Sunday opening from 16.00 to 23.00 but not open on Tuesday was received. The application was again considered against the same policy SHO11. The applicant also submitted supporting documentation as to why the hours should be varied stating that not opening on a Sunday would loose revenue and profit. He added that the permission granted for another Chinese Takeaway outlet in Swardeston (the next village) benefited from longer opening hours and would result in unfair competition.

4.5 A report to planning Committee explained that the premises in Swardeston were on a Main Distributor route (the B1113) which was a busy road and was also opposite an established public house, The Dog. Although both the applications were assessed against the same policy, the site in Swardeston varied in so much as there were higher levels of background noise including traffic noise which is set out in criteria iii of policy SHO11. For these reasons the Planning Committee supported the recommendation and refused the variation of opening hours to include Sunday.

4.6 The current application seeks again to vary the hours to include Sunday opening from 16.30 to 22.00 and if granted would provide 7 day a week opening. A petition has been received from the applicant in excess of 280 signatures who support the proposal to open on Sundays, however, although I accept that this does provide some evidence no addresses are included with the signatures and phone numbers to ascertain how local the customer base is, for this reason limited weight can be given to the petition. Careful assessment has been given to the proposal and discussions have been held with the Environmental Services department to establish if there have been any complaints relating to noise or odour nuisance from the premises in the two years of trading. In this instance no complaints have been received. I have copied the Environment Services comments for ease of reference:-

4.7 "I can confirm that the Environmental Protection Team has dealt with no nuisance complaints (e.g. noise, odour and light) about the business in the two years that it has been open. We therefore do not consider that the proposed use would cause a statutory nuisance to neighbours if the premises were permitted to open on a Sunday."
We do however understand the neighbours concerns about potential disruption and loss of amenity, which could be related to customer traffic more than the use of the premises itself, and also the desire to have some rest on a Sunday. Also, the nature of the area is more rural and residential than many similar takeaways, which are often found in urban locations where impacts from their use are less apparent.

On balance, whilst we do not object to the grant of planning permission to allow Sunday trading of the takeaway, the Local Planning Authority, or Members of the Planning Committee (whichever the case may be), may wish to consider restricting the hours to an earlier finish in order to reach an accommodation for all parties. A finish time of between 7 and 9 pm would allow the business to trade, patrons to buy an evening meal during the usual peak times, and would not unduly affect the Sunday rest and sleeping hours of the neighbours”.

While I note the comments of the Environmental Officer, 3 objections have been received from the neighbouring properties who live at the entrance to and immediately adjacent to the boundary of the site. Their main concerns are noise and disturbance on a Sunday. At present none of the commercial premises in the immediate vicinity trade on a Sunday, therefore this remains a reasonably quiet day in a semi-rural location.

In this instance given the more rural setting of the site, while I appreciate that any commercial business would wish to maximise the revenue available from local residents, this site has always had the same balance to contend with which was the purpose of imposing the condition when the application was first assessed in 2010, and when refusing the variation of the condition in 2011. I accept that no complaints have been received to the business as it currently operates. Although new national policy has been adopted which supports the economy since the original permission, it remains necessary to achieve an acceptable balance between the vitality of the commercial premises while protecting the residential amenities of neighbouring properties. The original policy SHO 11 remains relevant and on balance the proposal to include Sunday opening would result in additional disturbance to neighbouring properties which would conflict with the purposes of this policy. I therefore recommend that all the previous issues against which the 2010 application and the 2011 application were assessed remain relevant and recommend that the application be refused.

5 Reasons for Refusal

5.1 The hours of opening set by condition 3 of the original permission 2010/1863 had regard to the criteria set out in policy SHO11 of the South Norfolk Local Plan 2003. In particular consideration was given to the opening hours of other food take-aways and other commercial units in the vicinity, the mixed residential and commercial character of the area and the low level of back ground noise.

5.2 The proposed hours of opening to include Sunday would result in activity and disturbance at times when the other businesses in the vicinity are not in operation, specifically on Sundays, and after the hours of 18.00 hours through to 08.00 hours Monday to Saturday.

5.3 In these circumstances the operation of the proposed use, including the movement of customer traffic during these times would give rise to additional unacceptable disturbance and harm to the amenities enjoyed by nearby residents which was a material consideration when assessing the original opening hours against SHO11. The increase in the opening hours would therefore result in conflict with policy SHO11 and the residential amenities of neighbouring properties policy IMP9 of the South Norfolk Local Plan 2003.

Contact Officer, Telephone Number and E-mail: Jacqui Jackson 01508 533837 jjackson@s-norfolk.gov.uk
### Planning Appeals
Appeals received from 10 May 2013 to 6 June 2013

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<td>Carleton Rode&lt;br&gt;Land West Of School Flaxlands Road Carleton Rode Norfolk NR16 1RL</td>
<td>Peter &amp; Andrew Jackson</td>
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### Planning Appeals
Appeals decisions from 10 May 2013 to 6 June 2013

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<tr>
<td>2011/2050</td>
<td>Wymondham&lt;br&gt;Land West Of Brittons Farm Wramplingham Road Downham Norfolk NR18 0SB</td>
<td>Mr David Richardson</td>
<td>Construction of a single dwelling; change of use to residential.</td>
<td>Development Management Committee</td>
<td>Refusal</td>
<td>Appeal dismissed</td>
</tr>
<tr>
<td>2012/0619</td>
<td>Fornsett&lt;br&gt;Tawny Farm Station Road Fornsett St Peter Norfolk NR16 1JA</td>
<td>Mr &amp; Mrs Bowers</td>
<td>Proposed 3/4 bed detached house</td>
<td>Delegated</td>
<td>Refusal</td>
<td>Appeal dismissed</td>
</tr>
<tr>
<td>2012/1468</td>
<td>Redenhall With Harleston Storage Building At 3 Smith's Court Harleston Norfolk IP20 9BH</td>
<td>Mrs R Rackham</td>
<td>Conversion of redundant storage building to one bedroom residential unit</td>
<td>Delegated</td>
<td>Refusal</td>
<td>Appeal Allowed</td>
</tr>
</tbody>
</table>