Development Management Committee

Members of the Development Management Committee:

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

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<td>Mr L Dale</td>
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<td>Mrs V Bell</td>
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<td>Mr C Foulger</td>
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<td>Mr B Riches</td>
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<td>Mr R Savage</td>
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<td>Mr G Walden</td>
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<td>Miss L Webster</td>
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Pre-Committee Members’ Question Time

9.00 am Blomefield Room

Agenda

Date

Wednesday 9 October 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.

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

01/10/2013
The Development Management process is primarily concerned with issues of land use and has been set up to protect the public and the environment from the unacceptable planning activities of private individuals and development companies.

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

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

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

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

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

**THEREFORE** we will:

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

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

**LOCAL COUNCILS**

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

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

- Districts look to ‘wider’ policies, and national, regional and county planning strategy.
- Other consultation responses may have affected our recommendation.
- There is an honest difference of opinion.
AGENDA

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

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

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

4. Minutes of the meeting of the Development Management Committee held on 11 September 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>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>2012/1814/F</td>
<td>HETHERSETT</td>
<td>Land North Of Great Melton Road</td>
<td>22</td>
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<td></td>
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<td>Hethersett</td>
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<td>2</td>
<td>2013/1686/A</td>
<td>LONG STRATTON</td>
<td>Cooperative Solar Supermarket The</td>
<td>42</td>
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<td></td>
<td></td>
<td></td>
<td>Street Long Stratton</td>
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<td>3</td>
<td>2013/0795/F</td>
<td>CLAXTON</td>
<td>Land North Of Hall View Church Lane</td>
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<td>Claxton</td>
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<td>4</td>
<td>2013/0811/F</td>
<td>THURLTON</td>
<td>Land South Of Manor Farm Low Road</td>
<td>50</td>
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<td>Thurton</td>
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<td>5</td>
<td>2013/0916/F</td>
<td>FORNCETT</td>
<td>Tawny Farm Station Road Forncett St</td>
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<td>Peter</td>
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<td>6</td>
<td>2013/1193/F</td>
<td>SEETING</td>
<td>Fairhead And Son Wheelers Lane</td>
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<td>7</td>
<td>2013/1405/F</td>
<td>TACOLNESTON</td>
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<td>8</td>
<td>2013/1568/O</td>
<td>LODDON</td>
<td>8 Bridge Street (Old Police Station)</td>
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<td>Loddon</td>
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<td>9</td>
<td>2013/1609/F</td>
<td>BERGH APTON</td>
<td>The Stables At Church Road Bergh</td>
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6. Sites Sub-Committee;
   Please note that the Sub-Committee will only meet if a site visit is agreed by the Committee with the date and membership to be confirmed.
7. Enforcement Reports (attached – page 83)

8. Planning Appeals (for information) (attached – page 88)

9. Date of next scheduled meeting – Wednesday 6 November 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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<tbody>
<tr>
<td><strong>Mobile phones</strong></td>
<td>Please switch off your mobile phone or put it into silent mode</td>
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<tr>
<td><strong>Toilets</strong></td>
<td>The toilets can be found on your right and left of the lobby as you enter the Council Chamber</td>
</tr>
<tr>
<td><strong>Break</strong></td>
<td>There will be a short comfort break after two hours if the meeting continues that long</td>
</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>
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<td>Full (details included)</td>
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**Key to abbreviations used in Recommendations**

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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.

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.

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

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.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

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.

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.

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.

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

You are unlikely to have an interest. You do not need to do anything further.

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

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Applications referred back to Committee – Major Applications

1. Appl. No : 2012/1814/F
Parish : HETHERSETT

Applicants Name : Gladedale Estates
Site Address : Land North Of Great Melton Road Hethersett Norfolk
Proposal : Proposed residential development of 158 dwellings and associated access, car parking and open space provision

Recommendation : Approval with Conditions

1. Full permission time limit
2. In accordance with amended plans
3. Detailed surface water scheme (including maintenance and management of SuDS) to be submitted
4. Foul water scheme to be submitted and approved
5. Detailed highway drawings to be approved (estate roads)
6. Roads to binder course before occupation
7. Construction Traffic Management Plan (CTMP) to be agreed
8. Location and details of site compound and wheel washing to be agreed
9. All traffic to use CTMP during construction of the development
10. Off-site highway works to be agreed
11. Agreed off-site highway works to be completed before occupation
12. Tree and hedge protection
13. Landscaping
14. Landscaping management
15. Management and maintenance of open space to be agreed
16. Scheme of archaeological work to be agreed and completed prior to commencement of development
17. Fire hydrants (1 per 50 dwellings)
18. Contaminated land during construction
19. Permitted development rights removed for extensions to south elevation of plot 125
20. Permitted development rights removed for conversion of garages/car ports
21. No alterations to lose garage
22. Construction noise and hours
23. External materials to be agreed
24. Detailed design drawings of the footpath to the north boundary of the site TBA
25. Management and maintenance of the footpath and adjacent landscaping (inc. hedgerow) to be agreed prior to its implementation. Footpath to be implemented and available for use within 1 year of the commencement of development.

Subject to a S106 legal Agreement to secure contributions towards education, libraries, off-site open space and affordable housing.

1. Planning Policies

1.1 National Planning Policy Framework
NPPF 01: Building a strong competitive economy
NPPF 03: Supporting a prosperous rural economy
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 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 9: Strategy for growth in the Norwich Policy Area
Policy 10: Locations for major new or expanded communities in the Norwich Policy Area
Policy 14: Key Service Centres
Policy 20: Implementation

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)
ENV 13: Sites of regional and local nature conservation interest and geological/geomorphological value (Part Consistent)
ENV 14: Habitat protection
ENV 15: Species protection
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
HOU 3: Strategic Land Reserve (Part Consistent)
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes
IMP 2: Landscaping
IMP 10: Noise
IMP 25: Outdoor lighting

1.4 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

2.1 2012/0584 Screening opinion for residential development EIA – Not required

3. Consultations

3.1 Parish Council No comments.

3.2 District Members To be reported if appropriate.

3.3 Environmental Services (Protection) To be reported.

3.4 NCC: Public Rights Of Way Officer The footpath route needs to join up with a public highway at its eastern end. The route at the western end should be simplified.
3.5 NCC Highways  No objection to a route being created as proposed. The footpath should join Cedar Road at its eastern end, whilst still maintaining adequate turning and parking facilities. A second path adjacent to the adopted path at the western end should also be avoided. Future maintenance of any new PROW should also be included within the management company that will also be maintaining the adjacent hedge / ditch.

3.6 Representations  8 letters of objection to the incorporation of the footpath received
- Footpath not wide enough
- Will be dark in winter months and therefore unsafe
- Track does not follow the route of the walked path
- Hoggin not a common surface in the landscape
- Application should not be granted until footpath application processed.

Further objections also received in respect of the principle of development and the location of the vehicular access.

4 Assessment

4.1 The application is referred back to committee as the applicants have amended the layout of the approved scheme to include the provision of a footpath along the north boundary of the site connecting Cedar Road with footpath FP4. The provision of the footpath follows the lodging of a footpath modification order claim with the County Council’s Definitive Map Team. This request has been made by two local residents, and is based on the assumed use of the northern edge of the application site by walkers and dog walkers for the last 20 + years.

4.2 Although the suggested footpath modification has yet to be confirmed, the applicants have elected to take account of its proposed route within their scheme. The amended site Master plan and footpath cross sections are included as appendix 2.

4.3 The addition of the footpath has only minimal impact on the layout, and results in some of the plots to the north of the site being reduced in size. The proposed footpath measures 2 metres in width, with an additional landscaped verge to the north side separating the path from the ditch. The suggested construction material is hoggin, which will be natural in appearance and is permeable.

4.4 All other matters remain as approved by members of the Development Management Committee on the 27th March, other than those matters raised in this covering report. The previous report is therefore attached as appendix 3.

4.5 It is noted that several residents have objected to the footpath on the grounds that it is not wide enough, and could become overgrown. As the footpath has not been designed as a cycleway, a width of 2 metres is considered acceptable, and indeed no objection to the width of the path has been received from either NCC: Highways or the County PROW officer. A scheme of management for the footpath can be required by condition of any approval, and this can include maintenance of the hedgerow.

4.6 The path needs to connect to Cedar Road (in order to facilitate future adoption), and I have therefore requested this to be incorporated to a further amended plan, which will be available for members to view at planning committee.
4.7 It is also noted that several objections have been received to the principle of development and the location of the access point on Great Melton Road (a request being made that it be located opposite the New Road junction). However, the principle of development, and the position of the access has already been approved by members, and is not relevant to the proposed amendment. Notwithstanding this, the issue of the location of the access point on Great Melton Road was raised with NCC: Highways, who commented that an access via a roundabout opposite New Road was not proposed as the landowner does not control enough land to provide it. The alternative access location, as proposed and already agreed, is acceptable in terms of highway impact.

5-year land supply

4.8 Although not relevant to the proposed amendment before you now, I wish to draw members attention to the current published position in respect of the 5-year land supply of housing, (this being a material consideration for members in resolving to approve the application in March). In September this year the Council has published the housing land supply position as at 31\textsuperscript{st} July 2013. Within the South Norfolk part of the Norwich Policy Area, the Council had a land supply of 5.34 years (or 5 years + 7\%). This already approved application contributes towards this supply, and is also an allocation for housing development in the Pre-Submission version of the Site Specific Allocations & policies, agreed by Council on the 23\textsuperscript{rd} September 2013.

4.9 Consequently, the reasons for approving this application remain as per the resolution of members of the Development Management Committee on the 27\textsuperscript{th} March 2013.

5 Conclusion

5.1 On the assumption that the footpath modification request is confirmed, and that a Public Right of Way is created between Cedar Road and FP4 to the west of the site, the proposed amended layout successfully incorporates the footpath without detriment to the existing approved layout. Should the public right of way not be confirmed, then the layout can revert back quite easily to that previously approved.

5.2 The site is in a sustainable location, and has been chosen as a preferred site for housing for inclusion in the emerging LDF site allocations document. The requirements of the NPPF and the presumption in favour of sustainable development outweigh other material considerations and that the proposed development can be accepted as a departure from local saved plan policy ENV8.

5.3 The design and layout of the scheme is appropriate for its context and will not significantly harm the amenities of neighbouring properties. The development will not cause significant or substantial harm to the setting of the heritage assets adjoining the site, and accords with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as section 12 of the NPPF. The development accords with the relevant saved Local Plan policies, in particular policies IMP8 (Safe and Free Flow of Traffic), IMP9 (Residential Amenity), and IMP15 (Setting of listed buildings). These policies are given due weight as they remain wholly/partly consistent with the published NPPF.

5.4 In all other respects, and subject to appropriate conditions, the proposed development is in accordance with the Sections 6, 7, 10 & 11 of the NPPF and relevant policies the Joint Core Strategy.

Contact Officer, Telephone Number
and E-mail: Gary Hancox 01508 533841
ghancox@s-norfolk.gov.uk
**APPENDIX 3**

<table>
<thead>
<tr>
<th><strong>Appl. No</strong></th>
<th>2012/1814/F</th>
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<tr>
<td><strong>Parish</strong></td>
<td>HETHERSETT</td>
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Applicants Name: Gladedale Estates  
Site Address: Land North Of Great Melton Road Hethersett Norfolk  
Proposal: Proposed residential development of 158 dwellings and associated access, car parking and open space provision

**Recommendation**: Approval

- 1. Full permission time limit  
- 2. In accordance with amended plans  
- 3. Detailed surface water scheme (including maintenance and management of SuDS) to be submitted  
- 4. Foul water scheme to be submitted and approved  
- 5. Detailed highway drawings to be approved (estate roads)  
- 6. Roads to binder course before occupation  
- 7. Construction Traffic Management Plan (CTMP) to be agreed  
- 8. Location and details of site compound and wheel washing to be agreed  
- 9. All traffic to use CTMP during construction of the development  
- 10. Off-site highway works to be agreed  
- 11. Agreed off-site highway works to be completed before occupation  
- 12. Tree and hedge protection  
- 13. Landscaping  
- 14. Landscaping management  
- 15. Management and maintenance of open space to be agreed  
- 16. Scheme of archaeological work to be agreed and completed prior to commencement of development  
- 17. Fire hydrants (1 per 50 dwellings)  
- 18. Contaminated land during construction  
- 19. Permitted development rights removed for extensions to south elevation of plot 125  
- 20. Permitted development rights removed for conversion of garages/car ports

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 01: Building a strong competitive economy  
NPPF 03: Supporting a prosperous rural economy  
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 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 9: Strategy for growth in the Norwich Policy Area
Policy 10: Locations for major new or expanded communities in the Norwich Policy Area
Policy 14: Key Service Centres
Policy 20: Implementation

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)
ENV 14: Habitat protection
ENV 15: Species protection
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
IMP 15: Setting of listed buildings
HOU 3: Strategic Land Reserve (Part Consistent)
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes
IMP 2: Landscaping
IMP 10: Noise
IMP 25: Outdoor lighting

1.4 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

2.1 2012/0584 Screening opinion for residential development
EIA not required

3. Consultations

3.1 Parish Council
Refuse
- The development site is in the wrong location
- A development of 158 dwellings would compromise and overload existing facilities
- Added congestion to roads
- Urban development in a rural setting
- The development will bring no benefits to the village
- The proposed road network for the development should be redesigned around the periphery of the site to encourage traffic to use New Road rather than through the village centre
- The play areas are designed to be adjacent to the main estate road
- Consideration needs to be given to the capacity of the neighbouring field ditches to take surface water flow
- It is essential that the footway in Great Melton Road joins with the new development

3.2 District Members
To be reported if appropriate.

3.3 GNDP
No comments received

3.4 Environmental Services (Protection)
No objection in respect of flood risk, subject to appropriate conditions.

3.5 Environment Agency
No objection, subject to appropriate conditions.
3.6 NCC Highways Amendments requested to improve the internal estate road layout. Comments on amended plans awaited.

3.7 NCC: Historic Environment Service No objection subject to an appropriate condition requiring a written scheme of investigation has been submitted and agreed, and the development shall be built in accordance with the agreed scheme.

3.8 Anglian Water Services Ltd The development will require off-site foul drainage upgrades. The drainage strategy for the site will cover the procurement of these works and should be required by condition.

3.9 Conservation Officer Comments on amended plans to be reported.

3.10 Landscape Officer Consulted but not received.

3.11 Ecologist Consulted but not received.

3.12 Housing Strategy Manager The proposed level of affordable housing (52 units) equates to 33% as required by JCS Policy 4. The proposed housing mix meets an appropriate range of need, and is acceptable.

3.13 NCC- Planning Obligations Request developer contributions towards Primary and High School provision, totalling £807,938.

3.14 SNC Planning Policy

- As a Key Service Centre and Major Growth Location in the NPA, Hethersett was identified for an additional 1,000 dwellings in the JCS, plus consideration for additional development to help deliver the 'smaller sites in the NPA' allowance.
- During the recent Site Specific Allocations process, the application site emerged as one of the preferred sites in Hethersett. It has been identified for 106 dwellings.
- The NPA does not have a five year supply of housing land.

3.15 Highways Agency No objection.

3.16 Norfolk Police No comments received

3.17 Representations 31 letters of objection received

- Infrastructure will not be able to cope with additional dwellings
- There is already too much traffic in the village
- Should not be building on green fields
- Traffic will be forced to go through the village
- Site has a high ground water table
- Site has no footpath links
- Development will lead to increased noise/air pollution and traffic safety issues
- Development will impinge on the setting of a listed building
- Will jeopardise the neighbourhood’s peace and security
- Will affect the setting of two heritage assets (no. 70 Great Melton Road, and Cedar Grange). Should be a screening belt between the site and no. 70 Great Melton Road
- Would result in the loss of grade 3 agricultural land
- Development offers nothing for the residents of Hethersett
- Safe cycle and pedestrian routes need to be considered
- Development is too dense
- Will there be enough power to serve all the houses?
- Existing street lighting is not good enough to serve the development.

4 Assessment

4.1 This applicant proposes the development of 158 dwellings, together with access, open space, landscaping and associated infrastructure. It is a full application, so matters of detailed design are to be assessed at this stage. The application site comprises approx. 5.75 hectares of arable land located to the north of Great Melton Road at the western edge of the village. The western boundary of the site follows the line of the public footpath and parish boundary. This boundary has a hedge and trees that provide significant screening to the site. The northern boundary of the site also contains a mature hedgerow and trees, with the southern boundary being more open where it fronts onto the road. The proposed development density is 27 dwellings per hectare.

4.2 A good mix of 1, 2, 3, 4 and 5 bed properties are proposed, along with 33% affordable housing in accordance with JCS policy.

4.3 The site adjoins existing residential development to the south and east, where there is a mix of bungalows and two-storey properties. No. 70 Great Melton Road (directly adjoining the site to the east) is a grade 2 listed building, as is Cedar Grange to the north-east of the site. The site is not within a Conservation Area.

4.4 Although separate to the recently approved larger Hethersett North strategic site (1196 dwellings to the north of the village), one element of the scheme provides a new road connecting the western side of ‘Hethersett North’ to Great Melton Road. This road will eventually allow for a new bus link through ‘Hethersett North’ to the rest of the village via New Road to the south.

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

- The provisions of the adopted Joint Core Strategy (JCS), which allocates Hethersett for further development of at least 1000 dwellings during the period 2011 to 2026.

- There is an acknowledged lack of a 5-year housing supply within the Norwich Policy Area (currently 68.3% years supply in the NPA.) The recently published National Planning Policy Framework makes it clear that there is a presumption in favour of sustainable development, and that relevant policies in the local plan cannot be considered up-to-date where a 5-year supply of deliverable housing sites does not exist. The 5-year supply also includes an additional buffer of 5%.

- Having regard to Hethersett being a location for major expanded communities as set out in Policy 10 of the JCS, the site is a sustainable location for development.

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

- Other relevant sections of the NPPF as set out above.
It will be noted above that there has been a significant amount of objection to the proposal from local residents raising a number of issues. The Parish Council also objects to the development of the site. Taking these comments into account, the main issues that members need to consider are:

- The provisions of the NPPF, the adopted JCS, the identification of the majority of the site as a preferred allocation for residential development, and the requirement to achieve a 5-year land supply of housing.
- Suitability of the site, having regard to the design and layout and the impact on the character and appearance of the area
- Impact on the setting of heritage assets
- Drainage & flood risk
- Impact on residential amenity
- Highway Impact (including cycleway and pedestrian links)

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

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

In terms of sustainability, the site is well located in relation to the secondary school and other local facilities. The village has a range of local facilities dispersed throughout it with there being two clusters of facilities located on the convergence of routes. Hethersett has good bus links to Norwich and Wymondham, and it is well located for the Norwich Research Park, Norfolk & Norwich University Hospital, and the University of East Anglia to the north-east of Hethersett and Longwater Business and Retail Park to the north.

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

Although carrying limited weight, consideration must also be given to the fact that the site is a preferred allocation for development.

**Design and layout and the impact on the character and appearance of the area**

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 the surrounding area. A site layout and example street scenes are attached as appendix 2 to this report.

Landscape and ecological assessments have been carried out that conclude that the due to the undulating nature of the local landscape beyond the site and the frequent occurrence of trees, hedgerows and woodland, the visual impact of development of the site would be constrained to views in close proximity to the edge of the site. The ecological assessment concludes that with the exception of the hedgerows and trees bounding the site, the site
has limited ecological value. I would generally concur with these conclusions, although the development of the site will lead to the loss of habitat for such species as brown hare and grey partridge. I also note that no objections to the development have been received from either the Council’s Landscape Officer or Ecologist.

4.13 Generally, the layout has been informed by the retention of existing landscape features within the site boundary, including hedgerows and trees along the edges of the site that help to enhance the overall quality of the scheme. The retention and enhancement of the pond in the north west corner of the site creates an attractive focal point and will enhance the biodiversity of the area. The layout is structured around a hierarchy of streets with variations in character that help to define streets and keep vehicle speeds low. The central open space area has been improved through negotiation, and now incorporates more of a ‘tree lined avenue’ approach.

4.14 The house types proposed for the site are generally appropriate in terms of their context and scale and amendments have resulted in the majority of parking provided on-plot, in garages, or under car ports. The layout has successfully accommodated car parking so that it does not dominate the street.

4.15 The amended scheme has been assessed by the Council’s Design Officer who comments that it generally follows the criteria set out in ‘Building for Life’, and accords with the requirements of the South Norfolk Place Making Guide. The application therefore accords with JCS Policy 2 and section 7 of the NPPF.

**Impact on the setting of heritage assets**

4.16 There are two listed buildings adjoining the site. Cedar Grange to the north east of the site, beyond Cedar Road, and No. 70 Great Melton Road (The Hollies). Cedar Grange is a 17th century house with 19th century additions, and No. 70 Great Melton Road is an intact example of a mid-19th century house. Both are Grade 2 Listed buildings.

4.17 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on local planning authorities to give special regard to the preservation of the setting of listed buildings. The Conservation Officer has visited the site and raised some concern with the proximity of the proposed development to The Hollies, and considered that Cedar Grange should be further protected by the enhancement of the natural setting of the building through additional planting on the road frontage.

4.18 Amended plans have now been received from the applicant that indicates an increased gap between the proposed bungalow on plot 125 and the boundary of The Hollies. Additional planting has been provided to the road frontage and the north-east corner of the site. I have reconsidered the impact on the setting of the listed buildings, and have concluded that the amended scheme will not have a significant or substantial detrimental impact on their setting. The scheme therefore accords with the requirements of section 66 of the 1990 Act, and section 12 of the NPPF.

**Drainage and flood risk**

4.19 Local residents have raise some concerns in respect of flood risk attributable to the development, however the site lies within Flood Zone 1 defined as having a low probability of flooding. The applicants have submitted a Flood Risk Assessment that is compliant with the requirements of the NPPF. The scheme incorporates a sustainable drainage system (SuDS) and the drainage strategy has been designed to accommodate a 1:100 year storm event with a 30% allowance for climate change. The system includes the use of an attenuation basin, and the discharge rates from this will be restricted to less than Greenfield run-off rates.
4.20 Subject to the effective management of the surface water drainage system, which can be required by condition, the Environment Agency raises no objection to the application.

4.21 Anglian Water has been consulted in respect of foul water drainage, and they confirmed that Whitlingham sewerage treatment works has capacity to accept the foul flows from the development. The drainage strategy being prepared in consultation with them will provide for the necessary off-site network improvements required to accommodate the development, and again this can be required by condition.

4.22 Taking the above into account the development is considered to accord with the requirements of section 10 of the NPPF.

**Impact on residential amenity**

4.23 The impact in terms of existing residential amenity has been considered in respect of properties that front onto Great Melton Road, and those that border the site in Glengarry Close, Melton Court and Cedar Road. Adequate separation distances (window to window) have been provided where the site adjoins these neighbouring properties, and, where appropriate, single storey dwellings are proposed to further minimise any potential impact.

4.24 Some residents have raised concerns in respect of the access onto Great Melton Road causing disturbance at night through car headlights shining into facing windows. However, whilst it is clear that there will be additional disturbance from vehicular traffic using this access (which is also a future link through to the large Hethersett North site), I do not feel that this will be so detrimental as to warrant refusal of the application.

4.25 Whilst it is acknowledged that development of this site will give rise to an increase in general levels of disturbance and impact on the amenity of neighbouring properties, this impact would not be so severe as to warrant a refusal of the application, which accords with saved local plan policy IMP9.

**Highway Impact**

4.26 The main access to the site is via a new road in the middle of the site frontage to Great Melton Road that will ultimately link through to the recently approved ‘Hethersett North’ development. A pedestrian/cycle link is proposed to Cedar Road. Improved footway connections along Great Melton Road are proposed to give improved links to the village centre, and the development will also link in to the existing public footpath running along its western boundary. Two smaller private drive accesses will also connect with Great Melton Road.

4.27 I acknowledge that many residents have expressed concerns in respect of highway impact, however NCC: Highways raise no objection to the principle of the development or the proposed access arrangement from Great Melton Road. Amendments to the internal road layout have been requested and these changes have been incorporated within the revised scheme. Comments from NCC: highways on these plans are awaited. Subject to their being no objection raised to the amended plans, then the proposal accords with the requirements of saved local plan policy IMP8.

5. **Reason for Approval**

5.1 It is accepted that there is not a five year supply of sites within the Norwich Policy Area. The National Planning Policy Framework (NPPF) is clear and explicit that in such circumstances Local Planning Authorities should consider favourably sustainable development that would address that deficit. The lack of a five year supply and the requirements of the NPPF are a very strong material consideration in favour of this application.
5.2 The site is in a sustainable location, and has been chosen as a preferred site for housing for inclusion in the emerging LDF site allocations document. The requirements of the NPPF and the presumption in favour of sustainable development outweigh other material considerations and that the proposed development can be accepted as a departure from local saved plan policy ENV8.

5.3 The design and layout of the scheme is appropriate for its context and will not significantly harm the amenities of neighbouring properties. The development will not cause significant or substantial harm to the setting of the heritage assets adjoining the site, and accords with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as section 12 of the NPPF. The development accords with the relevant saved Local Plan policies, in particular policies IMP8 (Safe and Free Flow of Traffic), IMP9 (Residential Amenity), and IMP15 (Setting of listed buildings). These policies are given due weight as they remain wholly/partly consistent with the published NPPF.

5.4 In all other respects, and subject to appropriate conditions, the proposed development is in accordance with the Sections 6, 7, 10 & 11 of the NPPF and relevant policies the Joint Core Strategy.

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

6.8 The site frontage on Great Milton Road consists of rows of houses set back half landscaped courts. The houses are largely two-storey, made contiguous by linking garages or carports. Bungalows are located at the eastern end, arranged around a Local Area of Play, preserving the setting of The Nelles Listed Building and reflecting the scale and character of the bungalows opposite.

6.9 The access road area is marked by a pair of prominent houses on either side, picked out in white and given pyramidal roofs and chimneys. The rear back of houses from the road mirror that on the south side of Great Milton Road, the landscaped areas in front of the parking courts provide a green edge, also mirroring what happens on the south side.

4384 Arcturus LW Architects

Great Milton Road, Hethersett
Area 2: The Avenue

6.10 The Avenue is the principle route into the development, with the potential for the road to extend northwards to the Netheversett North development. The Tytton Road is a wide tree lined street with deep planted verges and free of car parking and leads to and through the central space, the Green. Short groups of founded houses line the entrance section of the road.

6.11 The Avenue continues northwards, lined with building frontages by flank walls with entrances, stopping short of the northern boundary with a landscaped strip. Houses will be treated in a mix of materials with predominance of stock, both in the yellow brick found widely in the area and red brick.
Area 3 - ‘The Green’

6.12 The centre of the site is dominated by ‘The Green’, a large open space and containing a 400m LSA (Local Equipped Area) of Play. The Green acts as a focus for movement around the site, where the 'loop roads' connect to all areas and most footpaths have direct access to it.

6.13 The area is landscaped and defined by short terraces of two-storey houses and will be landscaped to create an attractive amenity at the 'heart' of the development. A raised pedestrian crossing has been proposed across the Tank Rd, to unify both sides of the open space, improve connectivity and provide a safe convenient crossing point.
Applications on land owned by South Norfolk Council

2. **Appl. No**: 2013/1686/A  
   **Parish**: LONG STRATTON  
   **Applicants Name**: East Of England Co-Operative  
   **Site Address**: Cooperative Solar Supermarket The Street Long Stratton Norfolk NR15 2XJ  
   **Proposal**: Erection of illuminated and non-illuminated signs on the building and within the car park  
   **Recommendation**: Approval with conditions  
   - 1 Must have permission of owner of the site  
   - 2 Positioned so as not to obstruct or endanger persons  
   - 3 Maintained in good repair in visual terms  
   - 4 Maintained in good condition in safety term  
   - 5 When removed site left in good condition  
   - 6 In accordance with submitted drawings  
   - 7 Source of illumination - level to be agreed  

   Subject to no new issues being raised within consultation period

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 19: Advertisements (Part Consistent)  
   IMP 21: Illuminated advertisements (Part Consistent)  
   IMP 18: Development in Conservation Areas.  
   IMP 15: Setting of Listed Buildings  
   IMP 8: Safe and free flow traffic

2. **Planning History**

2.1 2011/0850 Erection 3 internally illuminated and 2 non illuminated fascia signs  
    Approved

2.2 2010/2117 Erection of signage including three high level illuminated signs, two illuminated totem signs and non-illuminated car park and delivery area signage.  
    Approved

3. **Consultations**

3.1 Parish Council To be reported

3.2 District Member To be reported if appropriate

3.3 NCC Highways To be reported

3.4 Representations To be reported
4 Assessment

4.1 The application is to replace the existing signage at the Cooperative supermarket in Long Stratton as part of a corporate rebranding. The site is within the Central Business Area for Long Stratton and the Conservation Area. There are a number of listed buildings adjacent to the site. This application is on the committee agenda as part of the site is owned by South Norfolk Council and leased to the Cooperative.

4.2 Signage proposed includes:
- Four internally illuminated high level signs on the building
- Two externally illuminated totem signs one on The Street and one of Swan Lane frontage
- Non-illuminated signs within the car park

4.3 The existing high level signs are internally illuminated and the replacement signs are also internally illuminated. The totem sign and replace the existing with different branding as do the existing car parking signs.

4.4 As required by policy IMP19 the signs are well designed and in scale and appropriate to the use of the site. The site is within the Central Business Area and the level of illumination is appropriate to the building and the area and the signs are not considered to be detrimental to the amenity of the conservation area or the setting of the surrounding listed buildings.

4.5 The Highway Officer’s comments will be updated to members at committee.

4.6 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. Polices IMP19 and IMP21 are only partially consistent because the NPPF only requires that advertisements that will have an appreciable impact on the building should be subject to a detailed assessment.

5 Conclusion

5.1 The proposed signs are in accordance with policies IMP19, IMP21, IMP18, IMP15 and IMP8 as the signs are well designed and in scale and appropriate to the use of the site and would not adversely affect the Conservation Area, the setting of the listed buildings or highway safety.

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

3. **Appl. No**: 2013/0795/F  
**Parish**: CLAXTON

**Applicants Name**: Mr R Button  
**Site Address**: Land North Of Hall View Church Lane Claxton Norfolk NR14 7HY  
**Proposal**: Retrospective conversion of stable block to residential dwelling

**Recommendation**: Refusal

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

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  
HOU 10: Adaptation and re-use of existing rural buildings for residential purposes  
(Part Consistent)  
IMP 9: Residential amenity  
IMP 8: Safe and free flow traffic

1.4 Technical Guidance to the National Planning Policy Framework

2. **Recent Planning History**

2.1 2004/1253 Erection of new stable block, tack room and wc Approved

3. **Consultations**

3.1 Parish Council  
- Neither objecting or supporting  
- Address given is incorrect  
- Environment Agency maps clearly show property to be at risk of flooding.  
- Given that the property is within the Flood plain and well outside a development boundary, the application should be determined by planning committee and not by an individual planning officer  
- Support the carrying out of a FRA

3.2 District Member  
To be reported if appropriate

3.3 Environmental Services (Protection)  
No comments received

3.4 NCC Highways  
No objections

3.5 Ecologist  
No comments received
3.6 Environment Agency No objection
- Subject to the local authority being satisfied with the safety of the building and inhabitants in the event of a flood and the ability of flood response measures and flood resilient construction measures to ensure this

3.7 Lower Yare Second IDB No comments received

3.8 Representations 3 letters of support
- Conversion to residential accommodation for a young family is welcome, as there is an inadequate supply of properties for young families
- Has no adverse impact on any other residential property
- No traffic impact
- The external appearance has not changed

1 letter of no objection to this application but would not support any further development on Church Lane

3 letters of objection
- Area is subject to substantial flooding on a regular basis
- Site within Flood Zone 3, recognised as the highest risk by the Environment Agency
- Will set a precedent for others in an area, which is clearly not suitable for building
- Shared access with Becks barn is inconvenient and impractical as already been proven by parking on grass verge
- Highway safety from increased traffic
- Materials and finish not in-keeping with properties along Church Lane
- Note for local family however could be sold at any point to a non-local
- To be determined by planning committee to ensure all matters are covered in full
- Concerned that someone could convert and move in without planning permission

4 Assessment

4.1 This application seeks full planning consent for the retrospective conversion of stable block to residential dwelling, at Church Lane, Claxton.

4.2 Under the Joint Core Strategy Claxton is identified as Other Village and therefore under the New Local Plan a development boundary is proposed. The site is however located outside this preferred development boundary for the village and as such any new residential development would be considered contrary to policy ENV8 of the South Norfolk Local plan (SNLP). An exception to the above is the conversion of existing rural buildings under policy HOU10 of SNLP. The NPPF under Para 55 supports the re-use of redundant or disused buildings for residential purposes and which lead to an enhancement to the immediate setting. The assessment of this application gives due weight to the saved policies in SNLP because policy HOU10 remains consistent with the NPPF as in that, whilst it resists new dwellings in the open countryside it does not place any restrictions on re-use of redundant or disused buildings.

4.3 The main issues for consideration in this case are, the principle of the conversion and flood risk; and highway consideration.
Principle of the conversion

4.4 Planning permission was granted in 2004 for the erection of a stable block (comprising of 2 stables, tack/feed room and w.c), for horses. The agent has advised that construction on the stables began in 2006 and was completed in 2008. It was constructed on a reinforced raft foundation. The building has never held any livestock. Members are aware that when dealing with an application for retrospective planning consent it is treated as if the development has not been carried out. In this instance the building has not been used for livestock and therefore is not the re-use of an existing redundant rural building. The conversion is tantamount to the construction of a new dwelling in the open countryside, contrary to the provisions of the NPPF and the South Norfolk Local Plan.

Flood Risk

4.5 The application site lies in Flood Zone 3, the high probability flood zone, with an annual probability of fluvial flooding of 1% (1 in 100 chance) and an annual probability of tidal flooding of 0.5% (1 in 200 chance) from Hellington Beck to the north east of the site. The site is also at risk of flooding in the Flood Map for Surface Water. The site flooded in 2007, both from Hellington Beck, and also from overland surface water runoff from adjacent fields. The change of use from a stable to a residential dwelling is an increase in vulnerability. The site levels are below the tidal 1 in 20 year flood level. Therefore the site lies in Flood Zone 3b Functional Floodplain. The Environment Agency have advised that due to the building already existing it is not considered to fall within the definition of Flood Zone 3b Functional Floodplain of 'land where water has to flow or be stored in times of flood' so the building can be considered to lie in Flood Zone 3a High Probability. The NPPF advice that residential use should not be permitted within Flood Zone 3b and it should only be allowed in 3a if an exception test is passed. This states that 'it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk; and a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall. Both these elements of the test must be passed for the development to be permitted. This proposal fails the exceptions test and therefore in accordance with the NPPF it should not be permitted.

Highways

4.6 Whilst I fully appreciate the concerns raised in respect of highway safety, the NCC highway office has raised no objections and therefore I do not consider that the application can be refused on highway safety grounds.

5. Conclusion and Reasons for Refusal

5.1 I consider the proposal is unacceptable for the reasons set out above and therefore recommend that the application be refused. As this application is for the retrospective conversion of the stable, it is requested that subject to legal advice enforcement action be authorised to cease the use of the building and land for residential purposes.

5.2 The site is located in a countryside location where policies seek to restrict new dwellings. The building has not been used for livestock and therefore is not the re-use of an existing redundant rural building. The conversion is tantamount to the construction of a new dwelling in the open countryside, contrary to the provisions of the NPPF and the South Norfolk Local Plan.
5.3 The application site falls into Flood Zone 3a as defined by the Environment Agencies Flood Maps, the use as residential accommodation is considered to be a more vulnerable use which should not be permitted unless the development passes the exceptions test set out in the NPPF. This proposal fails to meet the exceptions test and therefore is contrary to the provisions of the NPPF.

Contact Officer, Claire Curtis 01508 533788
Telephone Number and E-mail: ccurtis@s-norfolk.gov.uk
4. **Appl. No**: 2013/0811/F  
**Parish**: THURLTON

Applicants Name: Mr William Morgan  
Site Address: Land South Of Manor Farm Low Road Thurlton Norfolk NR14 6PZ  
Proposal: Change of use of land for private site for 1no traveller residential pitch, including the siting of 1 'Log cabin' style Mobile Home, 1 touring caravan, 1 'log cabin style' day room, parking for 2 vehicles.

Recommendation: Approval with Conditions

1. Full Planning permission time limit  
2. In accord with submitted drawings  
3. No more than 1 pitch comprising of 1 log cabin style mobile home, 1 touring caravan, 1 dayroom  
4. Laid out in accordance with approved plan  
5. Restrict occupation to Gypsies or Travellers  
6. Foul water drainage to be agreed  
7. Surface Water to be agreed  
8. Existing Access, Widen or Improve  
9. Access Gates - Configuration  
10. Visibility splay  
11. Provision of parking, service  
12. Retention trees and hedges  
13. Planting scheme to be agreed  
14. Full details of external lighting  
15. No commercial activities to take place on site, including storage of materials  
16. Flood Evacuation Plan

1. **Planning Policies**

1.1 National Planning Policy Framework  
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  
CLG Publication – Planning Policy for Traveller Sites

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

1.3 South Norfolk Local Plan  
ENV 8: Development in the open countryside (Part Consistent)  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
ENV 14: Habitat protection  
ENV 15: Species protection

2. **Planning History**

2.1 2013/1062  
Erection of 2 storey dwelling house and detached double garage and retention of existing recessed entrance gates with reduction in height of brickwork to provide visibility splays to meet Highway requirements  
Not yet determined
2.2 2013/0003 Change of use of land for private site for 1 no traveller residential pitch, including the siting of 1 static caravan, 1 touring caravan, parking for 4 vehicles, improvements to main entrance and removal of all structures. Development of entrance wall and gates (retrospective).
Withdrawn

2.3 2003/1061 Proposed erection of a livestock shed Refused

2.4 2003/1060 Proposed erection of a livestock shed Refused

2.5 2000/0940 Erection of an agricultural dwelling Approved

2.6 1998/1036 Erection of 3 dwellings - remove existing livestock buildings Refused

2.7 1996/1033 Erection of two buildings for agricultural use including accommodation of calves Approved

2.8 1995/0594 Erection of agricultural building for livestock Approved

2.9 1993/1380 Extension to farm building (building C) Approved

2.10 1993/1379 Retention of extension to farm building (building A) and relocation of agricultural building (building B) Approved

2.11 1992/1678 Use of existing farm building to accommodate livestock Approved

Appeal History

2.12 1998/1036 Erection of 3 dwellings Appeal Dismissed

3. Consultations

3.1 Parish Council Refuse
- Outside the development boundary and therefore change of use would only be allowed in exceptional circumstances being affordable housing and agricultural dwellings
- We appreciate that sites for travellers and gypsies can, on occasion, be approved, consider a single occupancy site does not relate to current national and local policy
- Highway safety on a single track road without safe pedestrian access to amenities
- Applicant has no family links to Thurlton
- A family member has made a similar application in Foulsham, which has had other applications and appears to be an established site
- Flood risk
- Walls and gates out of character
- Landscape impact
- Could lead to other applications outside development boundaries
3.2 District Member
Original comments:
Can be refused under delegated powers

3.3 Environment Agency
Original comments:
Object: - Development would be classified as 'highly vulnerable' (caravans intended for permanent residential use) within Flood Zone 3. The Technical Guide to NPPF makes it clear that this type of development is not compatible with this flood zone and should not be permitted

Amended comments:
No objection
Subject to a Flood Evacuation Plan being submitted

3.4 NCC Highways
Support with conditions

3.5 Flood Defence Officer
Original comments:
- Agree with the Environment Agency's concerns

Amended comments:
- To be reported

3.6 Ecologist
To be reported

3.7 Broads Authority
No objection:
- Request a condition is attached to any consent retaining existing planting and replacement were necessary to ensure continued screening of the site

3.8 Gypsy Liaison Officer
No comments received

3.9 Housing Standards Manager (Mr T Cooke)
Has confirmed that the applicant is a member of the Gypsy and Traveller community

3.10 Representations
8 letters of objection
- FRA is not adequate and does not provide sufficient or detailed information
- Use considered highly vulnerable if to be used for all year round accommodation and is therefore not appropriate
- Land is agricultural but application declares it is not
- Refers to previous residential use but the plot was never given planning permission and was not used permanently for almost 10 years
- Manor Farm buildings have been sold for continued agricultural use and there may be a genuine agricultural need for further grazing land nearby
- Use of Manor Farm buildings for agricultural purpose may have an adverse impact on the proposed site
- In flood zone 3 and the sequential test requirement states that low risk should be used first
- Does not fit the typical Low Road configuration
- Access road to site very narrow with blind bends in places, no pavements or street lights with 60mph speed limit
The October 2009 LPA assessment of 82 potential Gypsy and Traveller sites, Home Farm a few 100 yards from the application site ranked joint 79th out of 82 sites in terms of its suitability and sustainability

- No public transport
- Limited resources in the village
- During severe weather this end of Low Road becomes almost impassable
- Applicant does not appear to have long standing links with this area
- Para 12 of PPFTS makes it clear that travellers sites should not be located in sites of high risk of flooding
- FRA is written from the perspective of short term and holiday accommodation where planning statement makes it clear the site is to be permanently occupied
- Proposal would not contribute positively to local environment or setting of Broads in terms of good design

Further comments following the flood zone change

- The change in assessment from Flood Zone 3 to 1 does not alter any of the other factors which make this land unsuitable for this type of development
- Concern that 3 applications have been submitted on this site, plus the construction of unauthorised and totally inappropriate gates to the land, which despite repeated request to SNDC planning and enforcement remain in situ to this day
- The access is not safe
- Flood risk evacuation is going to be highly problematical
- Design requirements are being compromised at the outset
- There is no established and proven need
- No attempt at assessing the availability of other sites
- In terms of sustainability of the site there are few worse ones in the entire County let alone district
- Broadland District Council have refused an almost identical application

1 letter of no objections subject to SNC ensuring all planning rules are complied with and enforced

4. **Assessment**

4.1 This application seeks planning permission for the change of use of land for private site for 1 no traveller residential pitch, including the siting of 1 'Log cabin' style Mobile Home, 1 touring caravan, 1 'log cabin style' day room, parking for 2 vehicles. The site is located to the south of Low Road and until recently formed part of the Manor Farm complex. Agricultural buildings line the access drive to the west with a hedge to the east. There is a mixture of panel fencing and hedging to the boundary of the site. The brick walls and pillars together with the ornate gate has been erected adjacent to Low Road but does not form part of this application.

4.2 The Council have not yet adopted criteria for allocating or assessing Traveller Sites. However, the CLG publication 'Planning Policy for Traveller Sites' sets out issues which should be considered when considering applications for Traveller Sites of which the following are particularly relevant (paragraphs 22 to 24).

"22. Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:
4.3 a) the existing level of local provision and need for sites
d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
e) that they should determine applications for sites from any travellers and not just those with local connections

23. Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

24. When considering applications, local planning authorities should attach weight to the following matters:

a. effective use of previously developed (brownfield), untidy or derelict land
b. sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
c. promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
d. not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

4.3 In the light of relevant policies, the circumstances of the site and the concerns raised, the main issues for consideration in this case are, the need for Traveller Sites; the principle of the proposal in this location and flood risk; landscape/visual impact; and highway considerations.

Need for Traveller Sites

4.4 The Joint Core Strategy requires provision of 28 Traveller pitches within South Norfolk in the period 2006 to 2011 and a further 38 in the period 2012 to 2026. These requirements have not been met. This unmet need for Traveller Sites is a material consideration in support of this planning application.

Principle of development in this location and flood risk

4.5 The site is outside any Development Limit, Village Boundary or allocated development site. However, in the absence of an adequate supply of Traveller Sites as discussed above, this is not sufficient reason alone to refuse permission. Although the CLG Policy discourages sites away from settlements or development allocations (para. 23), this site is reasonably close to services in Thurlton which is designated as a Service Village under the JCS. Combined with the outstanding need for Traveller Sites in the District, I consider that in these circumstances the location of this site is acceptable in sustainability terms.

4.6 When the application was first received the application site fell within Flood Zone 3 as defined by The Environment Agency Flood Maps which has a high probability of flooding. However these maps are indicative and further assessment is required for individual sites. The Flood Risk Assessment included a topographical site survey and details of the flood levels for the River Yare to the north east. The site levels in the location of the proposed
caravan, mobile home and day room etc puts the site into Flood Zone 1, the low probability flood zone. Therefore the Environment Agency have removed their objection to the proposal and suggest that a Flood Evacuation Plan is submitted, which would be a condition of any consent. In view of the above the application cannot now be refused on flood risk grounds.

Landscape/Visual Impact

4.7 The site is located adjacent to range of existing farm buildings and an agricultural dwelling (in the process of being built) to the west, it is set to the rear of the site and has hedge screening to the south and panel fencing to the east, with a residential dwelling to the northeast. In view of this I do not consider the proposed development would give rise to a situation so detrimental to visual amenities to warrant refusal on this ground.

Highways

4.8 I fully appreciate the concerns raised in respect of highway safety, however the NCC highway officer has raised no objections to the proposal and therefore I do not consider that the application could be refused on highway concerns raised.

4.9 A number of concerns have been raised in respect of the proposal as set out in para 3.10 some of which have been responded to above. Whilst I fully appreciate the other issues raised such as the land is agricultural and could be required by the adjacent farm; the site has not been used for residential previously; other sites have not been put forward; the family has no links with the village; the erection gates without consent; no proven need, I find that none of these would be sustainable reasons to refuse the application.

4.10 In respect of the possible impact of the proposal on the amenities of the adjacent properties, given the accommodation is single storey, the existing boundary treatments, existing farm outbuildings and proposals being set to the back of the site, I do not consider that there would be a detrimental impact on the neighbour’s amenities from the residential development proposed.

5 Conclusion

5.1 The proposal is not likely to result in a significant harm to the area, despite the location of the site outside any development boundary. The need for, and benefits of the proposed development are significant factors in support of the development and outweigh any likely harm arising. The services and facilities of Thurlton are within easy reach. The proposal is acceptable and I hereby recommend that the application is approved.

Contact Officer, Telephone Number and E-mail: Claire Curtis 01508 533788 ccurtis@s-norfolk.gov.uk
5. **Appl. No**: 2013/0916/F  
**Parish**: FORNCETT  

**Applicants Name**: Mr & Mrs Bowers  
**Site Address**: Tawny Farm Station Road Forncett St Peter Norfolk NR16 1JA  
**Proposal**: Proposed 3/4 Bed Detached House (Amended Scheme)  

**Recommendation**: Approval with conditions  
1. Full permission time limit  
2. Access and Turning  
3. Gates set back  
4. Visibility splays  
5. Materials  
6. Landscaping  
7. Foul Drainage to be agreed  

Subject to Sec. 106 Agreement to secure completion of adjacent holiday let units

1. **Planning Policies**

1.1 **National Planning Policy Framework**  
Section 4: Promoting sustainable transport  
Section 6: Delivering a wide choice of high quality homes  
Section 7: Requiring good design

1.2 **Joint Core Strategy**  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing Delivery  
Policy 16: Other villages  
Policy 17: Smaller rural communities and the countryside

1.3 **South Norfolk Local Plan**  
ENV 8: Development in the open countryside (Part Consistent)  
IMP 8: Safe and free flow of traffic  
IMP 9: Residential amenity  
UTL 12: Hazardous installations and underground pipelines

2. **Planning History**

2.1 **2012/0619**: Proposed 3/4 bed detached house  
Refused  
Appeal Dismissed

2.2 **2011/1797**: Proposed change of use of three existing building’s from commercial use to all year round holiday letting  
Approved

2.3 **2009/1967**: Retention of fence  
Approved

2.4 **2003/2291**: Proposed 2no storey extension and conservatory incorporating balcony to existing dwelling  
Approved

3. **Consultations**

3.1 **Parish Council**: Approve as before – even more so with link to holiday unit completion
3.2 District Member

Should be determined by Committee.
- Previous refusal was borderline.
- Development underway on oil depot site.
- Forming part of an island based around the old Forncett Station site.
- Parish Council and no other serious objections locally.

3.3 NCC Highways

Request conditions regarding provision of access, location of gates and visibility splay.

3.4 Health And Safety Executive

Do not advise against.

3.5 Shirley Bishop

Preference for package treatment plant rather than cess pit proposed if mains connection not possible

3.6 Representations

One residence: Support

4 Assessment

4.1 This is a repeat of a previous application that was refused under delegated powers (2012/0619). That refusal was the subject of an appeal and the Inspector’s decision letter is reproduced as Appendix 2. It will be noted that the application site is outside any Development Limit and the appeal was consequently dismissed. However, part of the applicants’ case was to suggest that the proceeds of the sale of the proposed dwelling would fund the completion of an adjacent conversion scheme providing three holiday units in existing buildings. One of the units has been completed but the applicants are unable to fund completion of the remaining two. In the final paragraph of the appeal decision letter, the Inspector makes it clear that a legal agreement to secure such funding for the holiday let completion would provide a benefit sufficient to tip the balance in favour of granting planning permission for the new dwelling.

4.2 In the light of the Appeal Inspector’s comments, negotiations have taken place to complete an appropriate Section 106 Agreement. NP Law have advised the Council that it is not possible to directly control how an individual spends the proceeds of a property sale through Section 106 powers. The only way to guarantee completion of the holiday units would be to require that they are completed before the new dwelling is built. The applicants have not agreed to this. They report that they are unable to raise finance for the development on this basis and are unable to sell the plot with such a restriction. It has been suggested that a builder might purchase the new plot as a package together with securing the contract to undertake the holiday unit conversion. However, the applicants also find this unacceptable as they have been unable to find a builder interested in such an arrangement and the applicants wish to complete the holiday units themselves.

4.3 Through their agent, the applicants have suggested an agreement that would permit the construction of the new dwelling but would prohibit its occupation before completion of the holiday units. The Council are advised that this could be held to be an unreasonable restriction. It would also make purchase of the plot and construction of the dwelling even less desirable since the purchaser/developer of the plot would then not have direct control over the holiday unit completion, and could be prevented from occupying the completed dwelling.
4.4 Negotiations have reached an impasse and it is now for the Committee to decide whether to refuse the application in the absence of an appropriate Section 106 Agreement, or to compromise and accept an Agreement on less secure terms. Subject to legal advice, such an Agreement could simply oblige the applicants, on completion of the sale of the new plot (or commencement of the dwelling if the applicants retain it), to complete the holiday units within a timescale to be agreed. NP Law point out that such an Agreement could be more difficult to enforce should the applicants’ circumstances change and they are unwilling or unable to complete the holiday units.

4.5 The applicants seek to provide reassurance on the basis that they have strong incentives to complete the holiday units once finance is available from the proceeds of the new dwelling. It is suggested that completion of the holiday units will enhance the value of the property and that the units are intended to provide the applicants with an income in their retirement.

5 Conclusion

5.1 This is a complex and difficult case. The applicants’ personal circumstances put them in a difficult position regarding the funding of the holiday units, but there are clearly risks involved for the Council in permitting a new dwelling contrary to policy without a guarantee that the holiday units will be completed, as pointed out by NP Law. I have noted the support for the applicants from their MP, District Councillor and the Parish Council. No objections have been raised by local residents and, as noted in the appeal decision, the degree of harm to the local area from the new dwelling is limited. On balance, and in all of these circumstances I am inclined to recommend approval subject to a Section 106 Agreement obliging the applicants to complete the holiday units within an agreed timescale following sale of the new plot, or commencement of construction (if not sold) of the new dwelling.
Appeal Decision

Site visit made on 9 May 2013

by D A Hainsworth LL.B(Hons) FRSA Solicitor

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

Decision date: 22 May 2013

Appeal Ref: APP/L2630/A/12/2186877
Tawny Farm, Station Road, Fornsett St Peter, Norwich NR16 1JA

- The appeal is made by Mr & Mrs Bowers under section 78 of the Town and Country Planning Act 1990 against a refusal by South Norfolk District Council to grant planning permission.
- The application Ref 2012/0619/F, dated 30 March 2012, was refused by notice dated 24 May 2012.
- The development proposed is a 3/4-bedroom detached house.

Decision

1. The appeal is dismissed.

Reasons for the decision

2. The main issue concerns the acceptability of the site for the development, having regard to rural development policies and the effect of the development on its surroundings and the character of the area.

3. This part of Fornsett St Peter is separated by open countryside from the area of the parish where planning policies state that small-scale housing development may be permitted. In this part of the parish, Policy ENV8 of the South Norfolk Local Plan and Policy 17 of the Joint Core Strategy for Broadland, Norwich and South Norfolk apply additional restrictions on housing development. The appeal statement submitted by the Council indicates that the availability of land for housing development in this rural area meets the national policy.

4. The site is an open area in the middle of a cluster of development on each side of Station Road in the vicinity of the former railway station. Permission has been granted for the conversion of three nearby commercial buildings on the appellants’ property here into all-year-round holiday-letting accommodation. One of the conversions has been completed and another one started. Directly opposite the site is the area of the former fuel depot at Old Sale Yard, which has recently been cleared and where the construction of seventeen dwellings has begun. The permission for these dwellings states that they will result in development of a character more in keeping with the surrounding area.

5. When the works authorised by the two permissions have been completed, the cluster of development here will be wholly residential, as far as I am aware, and the site will be in the middle of a group of some twenty-seven residential properties. It is large enough to accommodate the proposed detached house.
comfortably. The house would be well separated from its neighbours and its
design and appearance would be in keeping with its surroundings. The Parish
Council are in favour of the proposal.

6. There are no community facilities in the immediate vicinity, except a bus
service, and no employment opportunities apart from the appellant’s holiday
accommodation. Long Stratton contains a range of services and employment
sites within one and a half to two miles, which are accessible by bus, cycling
and on foot, and Fornicett primary school is under a mile away in the opposite
direction. When the Council were considering the proposal to build houses on
the Old Sale Yard, they assessed that site as not being in a very sustainable
location in terms of accessibility without reliance on private cars. The same
applies to the appeal site, although I note that this part of Fornicett St Peter is
in fact much closer to Long Stratton than the part where the policies provide
for infill housing and small groups of dwellings that would rely on Long
Stratton’s services.

7. In the circumstances I have described, the effect of the proposed development
on the character of the area would be acceptable and the house would be well
integrated into its surroundings. The services and employment sites in Long
Stratton would be reasonably accessible. These factors are, however, not
sufficient on their own for an exception to be made to the general restrictions
in Policies ENV8 and 17, but consideration should also be given in this case to
the particular justification put forward by the appellants.

8. The appellants have explained that work on the conversion of their buildings
into holiday accommodation has stopped, because of a lack of funds. I saw at
the site visit that the completed conversion provides a good standard of holiday
accommodation. If permission is granted for the house, the appellants intend
to sell the appeal site and use the proceeds of sale to fund the outstanding
conversion work. This would provide a source of employment and promote
tourism that would contribute to the rural economy.

9. Policy ENV8 indicates that permission for development in this location may be
granted if it is justified to sustain economic activity and Policy 17 states that
development will be permitted here where it can clearly be demonstrated to
further the objectives of the Strategy. Promoting employment opportunities
and tourism are objectives of both the Local Plan and the Strategy.

10. In my opinion, in the absence of any other identified ways of funding the
stalled conversion works, and taking into account the mainly favourable
conclusions I have otherwise reached about the proposed development, the
appellants’ funding argument provides a tipping point that justifies making an
exception in this instance to the general restrictions on new housing in this
locality. Before planning permission could be granted on this basis, however, it
would be necessary for the funding arrangement to be secured by a suitable
legal undertaking. As this has not at this stage been done, planning permission
has been withheld and the appeal has been dismissed.

D.A. Hainsworth
INSPECTOR
6. **Appl. No** : 2013/1193/F  
**Parish** : SEETHING

Applicants Name : Mr Ron Beattie  
Site Address : Fairhead And Son Wheelers Lane Seething Norfolk NR15 1EJ  
Proposal : Demolition of existing industrial units and erection of 3 detached houses and associated works.

Recommendation : Approval with Conditions

1. Full Planning permission time limit  
2. In accordance with amendments  
3. External materials to be agreed  
4. Surface Water  
5. Details of foul water disposal  
6. New Water Efficiency  
7. Ecology Mitigation  
8. Landscaping  
9. Landscaping and ecological management plan  
10. Implement of approved remediation  
11. Reporting of unexpected contamination  
12. New Access Construction over verge  
13. Visibility splay  
14. Provision of parking, service  
15. Windows to be obscure glazed  
16. Slab level to be agreed  
17. Retention trees and hedges  
18. Boundary treatment to be agreed  
19. No PD for fences, walls etc  
20. Pd rights removed for ancillary outbuildings etc

Subject to a S106 Legal agreement for the provision of affordable housing off-site contribution

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 2 : Promoting good design  
Policy 1 : Addressing climate change and protecting environmental assets  
Policy 3: Energy and water  
Policy 4 : Housing delivery  
Policy 15 : Service Villages

1.3 South Norfolk Local Plan  
ENV 8: Development in the open countryside (Part Consistent)  
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 2006/0456 Stopping up of car repair use, removal of caravan and erection of 8 affordable houses and 5 private market houses, associated landscaping, access and car parking

Refused

2.2 2004/2451 Stopping up of all car repair use, removal of caravan and erection of 6no residential dwellings and 4no affordable dwellings with recreational areas, associated landscaping, car parking and access

Refused

2.3 2004/0331 Stopping all car repair & breaking use, removal of residential caravan and erection of 8no private dwellings & 4no affordable dwellings with creation of 2no ponds, parking area & landscape

Refused

2.4 2003/0932 Stopping up of existing lawful car repair use and erection of 6no residential dwellings with recreational meadow & nature reserve

Refused

2.5 2002/1858 Erection of 12 two and three bedroomed houses and associated landscaped area

Refused

2.6 2000/1392 Erection of bungalow to replace existing caravan

Refused

3. Consultations

3.1 Parish Council Approve
- The adjoining agricultural land should be protected by a Section 106 to ensure that the land remains as managed meadow and is not developed at any time in the future

3.2 District Member To be report if appropriate

3.3 NCC Highways Support with conditions

3.4 Environmental Services (Protection) Support with conditions

3.5 Housing Strategy Manager Support subject to a commuted sum provision for off-site affordable housing

3.6 Ecologist Support with conditions

3.7 Landscape Officer To be reported

3.8 Design Officer Support with conditions

3.9 Representations 7 letters of objection
- Support the redevelopment of the site for 3 houses but not those proposed
- The ultra-modern houses are completely out of keeping with this beautiful rural environment, the designs are bland and offensive
- Inappropriate in a conservation village
- Disagree with the planner that the site represents a quite unique opportunity for a modern design
- 3 storey houses are not in keeping with the style of houses within the village and will create a loss of privacy
- No mention to the intention's regarding the rear of the site and the concern is that this proposal is the forerunner to an even bigger development
- The proposal does not met the requirements of ENV2, ENV6, ENV7, ENV8, ENV15, ENV16, IMP9 or IMP1
- The recommendations of the Knight Environmental Ltd report should be adhered too
- It is clear from reading the pre-application minutes that the development has received full support from the planner and design officer and consider that the grant of this planning application is a foregone conclusion
- Ecological report is insufficient and the application should be withdrawn to allow the required field assessment
- Previous planning applications are still relevant
- The site should be marketed for 12 months for light industrial use
- Outside agreed development boundary, in open countryside
- The site is not a preferred option for development
- The site cannot be considered to be 'Brownfield' as only some of the buildings an site were used for commercial purposes
- Site allowed to visually deteriorate
- Previous applications refused in part on highway safety grounds and the situation remains as previously
- Shortage of amenities in the village

The positioning of plot 1 has been realigned to avoid any overlooking of Fruit Farm, Wheelers Lane the closest residential property, located to the west of the site and the occupiers of this property have confirmed that this has removed their concerns in respect of loss of privacy but they maintain their objections in all other respects.

4 Assessment

4.1 This application seeks full planning permission for the demolition of existing industrial units and the erection of 3 detached houses constructed to Passive House standards, at the former Seething Motors site, Wheelers Lane, Seething.

4.2 In terms of policy the site is outside the development boundary or village limit for the village of Seething and as such any new dwellings would be considered contrary to policy ENV8 of the South Norfolk Local Plan (SNLP). No evidence has been put forward to support the proposal under this policy and therefore the erection of a new dwelling in this location is contrary to policy. An exception to the above is Paragraph 111 of the NPPF which encourages the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value, The NPPF defines 'previously developed land' as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed).

4.3 The main issues for consideration in this case are the principle of the proposal in this location; design; highways consideration; impact on residential amenity; affordable housing provision; and ecology.
Principle of the proposal in this location

4.4 The application site is situated to the south of Wheelers Lane and is located outside the development boundary for the village. In the past part of the site has been used for car sales, car repairs, car breaking and restoration of vehicles. There are a number of dilapidated buildings on the site, including some of the old farm buildings associated with its former use. The application proposes to remove the existing buildings and the erection of 3 detached dwellings. As members are aware applications should be determined in accordance with the Development Plan unless there are material considerations of sufficient weight to dictate otherwise. In this case the site can be considered as Brownfield and it is not of high environmental value and therefore NPPF Paragraph 111 gives the material weight to supporting the proposal contrary to the provisions of the SNLP. The site is reasonably close to the main part of the village of Seething which has been designated as a Service Village under the JCS and therefore the site is acceptable in sustainability terms. In respect of the site not being allocated in the New Local Plan, the Council would not look to allocate a site for under 5 dwellings.

Design

4.5 The site falls within Landscape Character Area B5: Chet Tributary Farmland and is located in a distinctly rural part of the District on the edge of Seething. Existing buildings in the wider context are of mixed architectural character incorporating a range of materials and styles. Village ponds are also a feature. The site itself is located on the west side of the village on Wheelers Lane. Directly to the east of the site are sport pitches and playing fields with a village hall and bowling green beyond. There is a large residential property to the west, with a further detached house beyond. There are agricultural fields opposite and to the rear of the site. The site constitutes a redundant area of land previously used for storage and industry including car repairs. It also includes a range of vacant, industrial style buildings in varying states of repair with the remainder of the site laid to meadow.

4.6 The Design and Access Statement provides information on the settlement characteristics of Seething, including the site, its context and the landscape setting as defined in the South Norfolk Place-Making Guide and Landscape Character Assessment. The proposed layout of the site takes these key characteristics into account by positioning three detached dwellings on generous plots around a new village pond at the front of the site. The proposed dwellings are modern in style with flat roofs with white render and timber effect cladding. The contemporary design approach is acceptable and sustainability issues have formed an integral part of the design process including site orientation to take advantage of passive solar gain; incorporation of a range of renewable energy technologies; a rainwater harvesting system; use of materials with low embodied energy; SuDs infiltration for surface water run-off etc. The scale, bulk, massing and design of the dwellings respect the scale and character of the site and its surroundings. Together all of these elements result in an attractive development that enhances this part of Seething.

Highway

4.7 There is a considerable history to this site and the Highway Authority has consistently objected to the previous proposed residential developments due to the inadequacy of the local road network. The highway officer has had pre-application discussions with the applicant who wished the site to be included within the New Local Plan as a site specific for 5 dwellings. However the traffic associated with 5 dwellings was considered to be well in excess of that previously generated from the site. The highway officer therefore advised that a small scale development of 2 or 3 dwellings was the maximum that they would accept as a redevelopment of the site with the current highway situation. In coming to this view, consideration was given to the potential for re-use of the site for a commercial business. In view of the above the highway officer has raised no objections to the proposed development. I therefore do not consider the proposal could now be refused on highway safety grounds.
Ecology

4.8 The ecological report Ecological Survey, Land south of Wheelers Lane, Seething, June 2013 by Norfolk Wildlife Services is, in the Council's ecologists view, fit for purpose; however he advises that the site is not straightforward. The level of uncertainty for ecology is unavoidable with this site, due to reptile surveys cannot be able to be conducted for health and safety reasons, as such there should be a precautionary approach to the mitigation and mitigation measures must be relatively comprehensive and include a contingency plan. Therefore whilst the ecologist supports the proposal he has request a number of conditions such as a methods statement for construction works is submitted and approved before works commences on sites; an ecological management plan for the sites habitats is submitted and agreed; together with the normal mitigation measures such as the provision of bat and owl boxes; and reptile fencing etc.

Residential amenity

4.9 Concerns have been raised that the proposal development would give rise to overlooking from the 3 storey dwellings, in particular to the existing residential property to the west. The applicant has realigned plot 1 so that it looks to the south and all side windows above ground floor level will be obscure glazed on the western elevation. In view of the above, the proposal will not give rise to a situation so detrimental to the amenities of the adjacent residential property as to refuse the application on this ground.

Affordable housing provision

4.10 Under the requirements of Policy 4 of the JCS, due to the site area of 0.995 hectares the requirement for one affordable home is triggered and ideally this would be a 2 bedroomed house for rent on the site. The applicant has put forward a viability assessment and it has been agreed by the Housing Strategy Manager that given the context of the site, its location, the highway stipulation that no more than 3 dwellings would be supported and the history of the site that it would be unreasonable to seek an on-site provision as the policy requires. In this case and given the exceptional circumstances the Housing Strategy Manager is prepared to accept a commuted sum for the provision of a 2 bedroomed house off-site. This will need to be secured by way of S106 agreement.

4.11 A number of concerns have been raised in respect of the proposal as set out in para 3.9. I have responded to some of the concerns raised above, however whilst I fully appreciate the other issues raised such as; development of the remainder of land/precedent; advise given by officers prior to submission; previous refused applications; visual deterioration of the site, none of these would be material reasons to refuse the application. I also note that the Parish Council has recommended approval subject to a legal agreement preventing the remainder of land being developed, this is not something we would be able to facilitate and if this land did come forward in the future it would have to assessed on its own merits.

5. Conclusion

5.1 The proposed development is considered to accord with Policy2, IMP8, IMP9, ENV15 and ENV14 and the NPPF as the site is a previous developed site and therefore this represents a sufficient material consideration as to warrant approval contrary to the Development Plan; the scale, bulk, massing and design of the dwellings is of good quality and respects the character of the site and its surroundings; the amenities of the nearby residential properties will not be affected to a material degree; and the proposal would not give rise to a situation detrimental to highway safety or ecology.

Contact Officer, Telephone Number  Claire Curtis 01508 533788
and E-mail: ccurtis@s-norfolk.gov.uk
7. **Appl. No**: 2013/1405/F  
**Parish**: TACOLNESTON  
**Applicants Name**: Mr N Hooper  
**Site Address**: 3 Mckee Drive Tacolneston Norfolk NR16 1BW  
**Proposal**: Change of use of agricultural land to amenity land and garden. Change of use of amenity land to garden and residential extension and outbuildings  
**Recommendation**: Approval with conditions  
1. Full Planning permission time limit  
2. In accord with submitted drawings  
3. Landscaping  
4. Landscaping of extended garden before shed constructed.  
5. PD Rights walls and fences  
6. PD Rights Part E

1. **Planning Policies**
   1.1 National Planning Policy Framework  
   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  
   1.3 South Norfolk Local Plan  
   HOU 19: Extensions to existing dwellings  
   IMP 2: Landscaping  
   IMP 9: Residential amenity  
   1.4 Supplementary Planning Document

2. **Planning History**
   2.1 2013/0313 Change of use of agricultural land to amenity land and garden, change of use of amenity land to garden and residential extension  
     Approved  
   2.2 2013/0972 New shed and greenhouse  
     Withdrawn

3. **Consultations**
   3.1 Parish Council  
   Approve if: Shed relocated in a more appropriate position on the site where it would not be visible above the permitted height of the fence. PD Rights should be withheld.

   3.2 District Member  
   To Committee  
   I feel that there is some value in re-siting the shed so as it doesn't 'seal off' the current sight lines and make it feel boxed in. If the site now envisaged were spaced restricted then that might suggest this was the only viable position but I feel that this shed belongs elsewhere in what will be a large garden. The greenhouse doesn't
pose me any concern. I'm hoping that a sensible development of the plot will improve the current views not only on the estate but as one approaches the village.

### 3.3 Representations

1 Letter of objection:
- Does not comply with reasons for previous approval.
- Impact on residential amenities
- Character of neighbourhood and the loss of amenities for wider neighbourhood.

1 form expressing support:
No comments provided

### 4 Assessment

4.1 The proposal is for a revised scheme to include a garden shed and a greenhouse on land which forms the extended curtilage of No 3 McKee Drive (formally agricultural land). The original application for a two-storey extension to No 3 McKee Drive and to extend the gardens for Nos 3 and 7 McKee Drive was approved under reference 2013/0313 on the 8 April 2013. The condition relating to landscaping and boundary treatment of the scheme has already been agreed prior to the submission of this revised application. The first stage to section off the garden areas with post and rail fencing has been completed and the necessary initial works to the ground in order to establish the wild flower meadow, and the garden have commenced.

4.2 The aspect of the amended proposal raising concern from the Parish Council, Local Member and the neighbour is that of the siting of the garden shed and its impact on the amenities of the neighbouring property. The shed is proposed to be situated behind a section of close board fencing measuring 1.8 metres in height separating the new garden area from the proposed parking spaces (The fence is part of the boundary treatment and landscaping scheme approved as part of the earlier 2013 scheme). A strip of landscaping has also been approved to screen the fence when viewed from McKee Drive. The concern raised by all parties is the section of roof visible above the fence which it is suggested will be detrimental to the amenities of the neighbour and 'enclose' the feel of the area.

4.3 The greenhouse has been positioned close to an existing garage of an adjacent property and the proposed shed is situated close to the proposed extension for 3 McKee Drive. The locations have been selected to reduce the erosion of the open character of the extended garden proposed as part of the scheme. The proposed shed measures 2.5 metres to ridge. I accept that there will be an element of shed roof visible above the section of fencing, however, I do not consider the appearance of the roof results in such harm to either the residential amenities of the neighbouring properties or the character and appearance of McKee Drive that it necessitates relocation. If the shed and greenhouse are constructed prior to the extension to No 3 McKee Drive they will appear to be visually intrusive in the open landscape, however, this will be significantly reduced once the extension has been constructed, and the landscaping has matured. The selected position for both the shed and the greenhouse is close to the remainder of the properties and is less visually intrusive in the locality when viewed from New Road, indeed once the approved landscaping is planted and matures, the shed is unlikely to be visible from either New Road, or from within McKee Drive.

4.4 To safeguard the visual appearance of the locality in the event that the shed and greenhouse are constructed prior to the extension, I do consider it necessary to require a condition to ensure that the landscaping proposed is implemented within 9 months of the erection of either the shed or the greenhouse, this will ensure that the initial impact of the buildings are mitigated by the planting scheme which once matured will provide a visual enhancement to the area.
5. **Conclusion**

5.1 The proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policies 1 and 2 of the Joint Core Strategy and HOU19, IMP2 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 extension of the proposed dwelling and the change of use of the agricultural land together with the proposed shed and greenhouse and the associated landscaping will overall improve the visual appearance of the McKee Drive in the context of the wider landscape. The extension to the property and the siting of the proposed shed do not result in adverse harm to the residential amenities of the neighbouring properties or the character of the immediate area, the scheme as revised therefore accords with the above policies.

Contact Officer, Telephone Number and E-mail: Jacqui Jackson 01508 533837 jjackson@s-norfolk.gov.uk
8. **Appl. No**: 2013/1568/O  
**Parish**: LODDON

Applicants Name: Orangetree Ltd  
Site Address: 8 Bridge Street (Old Police Station) Loddon Norfolk NR14 6EZ  
Proposal: Proposed demolition of police station and formation of mixed residential and retail development with highways improvement

Recommendation: Refusal

1. **Planning Policies**

1.1 National Planning Policy Framework
   - NPPF 01: Building a strong competitive economy
   - NPPF 02: Ensuring the vitality of town centres
   - 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 2: Promoting good design
   - Policy 3: Energy and water
   - Policy 4: Housing delivery
   - Policy 5: The Economy
   - Policy 14: Key Service Centres

1.3 South Norfolk Local Plan
   - ENV 15: Species protection
   - IMP 2: Landscaping
   - IMP 8: Safe and free flow traffic
   - IMP 9: Residential amenity
   - IMP 16: Demolition in Conservation Areas
   - IMP18: Development in Conservation Areas
   - SHO 2: Retail development - impact test (Part Consistent)
   - SHO 4: Town centres
   - HOU 5: Residential development within the defined Development Limits of specified towns (Part Consistent)

1.4 Supplementary Planning Document
   - South Norfolk Place Making Guide 2012

2. **Planning History**

2.1 2010/2222/F  
Demolition of existing building and re-development for 5 flats/houses.  
Approved

2.2 2010/0438/F  
Demolition of existing building and redevelopment of 5 no. flats  
Approved
Development Management Committee

2.3 2008/1928/CAC Proposed demolition of existing building. Approved

2.4 2007/2563/CAC Demolition of existing building and redevelopment of site for 1no retail unit and 4no flats Refused

2.5 2007/2562/F Redevelopment of site for 1no retail unit and 4no flats Refused

3. Appeal History

3.1 None relevant

4. Consultations

4.1 Loddon Parish Council Approve:
   • Subject to a right of access across the land must be retained for 10 Bridge Street.

4.2 District Member To be reported if appropriate

4.3 NCC Highways Objection:
   • The proposed development, if permitted, would lead to an access and right hand turning movements across the opposing traffic streams of a busy traffic route at a point where vehicle conflict is already high and would interfere with safe flow of traffic and cause danger and inconvenience to highway users.

4.4 Broads Authority No comments received

4.5 Representations One letter of support has been received from the occupier of 10 Bridge Street which advises that the applicant is aware of the right of way which is applicable to both their sites.

5. Assessment

5.1 The application site is located within Loddon Town Centre as defined through the South Norfolk Local Plan. The site is located to the east of Bridge Street and partially opposite the Bridge Street/George Lane junction.

5.2 The site comprises of a former police station, which fronts onto the Bridge Street footpath, with a car park to the rear of the building. The former police station and car park occupy the southern section of the site, the northern section of the site provides vehicular and pedestrian access to the car park and the land to the east of the site.

5.3 The former police station and car park abut a residential property on its eastern boundary and a public right of way on its southern. Further to the south are retail and residential units.

5.4 The northern boundary of the site abuts a public house car park and also contains a small workshop/retail unit. The internal site road way provides for access to land associated with the Boat Yard and which is within the boundaries of the Broads Authority.

5.5 The police station building is single storey with a pitched roof and flat roof extension to the rear car park. The access track to the Boat Yard is unmade and has no formal road markings/layout.
5.6 This is an outline application with all matters reserved. There is an extant permission on the same site which establishes the principle of demolishing the former police station and developing the land for residential purposes.

5.7 This application also proposes the demolition of the former police station with the provision on the site of residential and retail units. The site is proposed to be accessed via a new arrangement which would create a cross road style junction with the George Lane/Bridge Street junction. The access would still provide a link through to the Boatyard land.

5.8 The application form accompanying the proposal provides no detail with regards to the amount of dwellings or retail units.

5.9 The indicative site layout plan details a building on the northern side of the Bridge Street boundary, this two/three storey building would provide for a ground floor retail unit and flat above. The land to the rear would have a two storey building on the northern boundary containing four flats and two buildings on the southern element accommodating three town houses and two flats over two and three storeys. This totals ten dwelling units.

5.10 There are no details provided with regard to the appearance of the buildings or affordable housing.

5.11 The main issues for consideration are the principle of development, the impacts of the development upon the locality in relation to heritage assets, biodiversity and highway safety and functionality.

Principle of development

5.12 The site is located within the development limits and central business area of Loddon and also within the conservation area. The development could result in the creation of one retail unit and ten dwellings.

5.13 JCS Policy 14 identifies Loddon as a Key Service Centre and a range of job opportunities would be encouraged to meet with the growth of the locality. The proposal details that a retail unit would form part of the redevelopment and as such this job provision would be in accordance with the direction of JCS Policy 14 and the advice contained in the NPPF which encourages competitive town centres with a diverse retail offer.

5.14 Subject to impact assessments Saved Policy SHO4 encourages the principle of retail development within central business areas and Saved Policy SHO2 requires that a new retail unit should complement the existing business area.

5.15 Although no specific floorspace detail has been provided it would not be anticipated that the unit shown on the indicative site plan would be of a size to be detrimental to the vitality and viability of the Loddon Business Area.

5.16 The provision of dwellings on site is in principle considered to be an acceptable outcome. Although Loddon is outside of the Norwich Policy Area and the rural area is considered to have a 5 year land supply, the site is in a sustainable location and the redevelopment of the site for a limited number of dwellings in the town centre would be considered to be an acceptable alternative to the site potentially becoming a blight on the locality. The site is also considered to be deliverable within 5 years and would help to maintain the rural policy area 5 year land supply. The provision of dwellings would be consistent with NPPF Section 6.

5.17 Furthermore JCS Policy 14 requires for 100-200 dwellings to be provided within Loddon/Chedgrave. Although this site is not identified as a preferred site within the Councils draft Local Plan documents it should also be noted that previous applications
have established the suitability for the police station to be demolished and for residential development to take place on the site.

5.18 In accordance with Saved Policy IMP16 the removal of the police station is considered to be acceptable on the provision that a suitable scheme has been granted to replace the demolished building.

5.19 Therefore the principle of the development is considered to be acceptable subject to consideration being given to the other material issues.

Design and Heritage Assets

5.20 The application site is located in a key position within the town centre and conservation area and has several listed buildings surrounding. The busy junction of George Lane and Bridge Street provides for a concentration of built historical assets and therefore the redevelopment of the application site would require to be of a high quality design and to ensure that it was a positive addition to the conservation area whilst not being detrimental to the surrounding listed buildings. These are the requirements of NPPF Sections 7 and 12, JCS Policy 2 and Saved Polices IMP16, IMP18 and SHO4.

5.21 The application has an indicative site layout with parameters for building heights annotated. The indicative layout may be appropriate and the scale of the buildings may also be acceptable. However, without the detail of how these would appear on site and interact with the streetscene and surrounding buildings it would not be possible to approve the scheme in its outline form. The application provides no detail on the potential impacts on historical assets and does not contain any documentation to indicate that these issues have been fully considered.

5.22 By virtue of the lack of detail and assessment impacts contained within the application the proposal is considered to be contrary to the relevant design and historical asset protection policies detailed above.

Highways

5.23 The application is in outline form and reserves all matters. The Highway Authority do not raise any objection to the principle of the site being redeveloped, however they have raised an objection based on the indicative plan which has been submitted.

5.24 The indicative site layout plan details the access to form a cross roads with George Lane and Bridge Street, access to the rear of the site would be maintained.

5.25 The applicant has made it clear that the realignment of the access to the site would be beneficial to the potential to develop the land to the rear. Although there is no clear plan for what the applicant would intend to develop on this land, which is in the Broads Authority, their intention is to allow for a redevelopment of the police station site to take place and to provide for the ability to bring the larger rear site forward at a later date.

5.26 The Highway Authority have advised that this outcome would lead to right hand turning movements across the opposing traffic streams of a busy traffic route at a point where vehicle conflict is already high and would interfere with the safe flow of traffic and cause danger and inconvenience to highway users. The advice from the Highway Authority would clearly indicate that the proposal is contrary to the aims and objectives of Saved Policy IMP8.
5.27 It is also considered that the proposal to introduce a retail unit on the street frontage requires further consideration by the applicant. Saved Policy SHO 4 advises that new retail development should include satisfactory servicing and access arrangements. The application fails to consider these aspects in a location which does experience high volumes of traffic.

Ecology and Landscape

5.28 The application does not provide any detail with regard to ecological impacts and mitigation. The demolition of the former police station may raise issues with regard to the protection of bats and a survey of this nature should have been undertaken prior to the application being submitted with mitigation methods. The application does not comply with the requirements of NPPF Section 11 and Saved Policy ENV15.

5.29 The internal of layout of the site may provide some opportunity to provide a landscape form which would allow for successful integration of the town centre into an area of the Broads, which is characterised by mature vegetation. The application does not provide for a landscape strategy and is contrary Saved Policy IMP2.

Residential Amenity

5.30 The application proposes to create dwellings on the northern and southern boundaries which dependant on the final design may cause issues associated with overlooking of neighbouring properties. The non-uniform layout, orientation and design of the surrounding established properties does require for a level of design detail to be examined before outline approval could be considered appropriate. The application does not provide any of the required detail and is therefore considered contrary to objectives Saved Policy IMP9 as it may lead to a loss of residential amenity.

6. Conclusion and Reason for Refusal

6.1 It would not be standard practice for the Council to accept an outline application of this scale in a conservation area. However, the applicant felt it was necessary to obtain a formal highway authority view on the proposed access arrangements before committing more resources to developing the proposal. The Highway Authority has advised that they don’t agree with the proposed arrangement and have offered their reasons for objection.

6.2 The application proposes a modest mixed use residential and retail scheme which in principle may be acceptable. The application however does not provide any detail with regard to the potential impacts on the conservation area and surrounding listed buildings which is not considered acceptable in an area of such a high concentration of historical assets. The development provides for no ecological mitigation or survey data, when there may be opportunities to protect and enhance the green infrastructure/biodiversity of the locality and does not provide for any type of design or landscape principles.

6.3 The outline application does not provide for a full examination of the design and scale of the development and its potential impacts on the surrounding historical assets and conservation area and is therefore considered to be contrary to the aims and objectives of NPPF Sections 7 and 12, JCS Policy 2 and Saved Polices IMP16 and IMP18.

6.4 The proposal provides no detail regarding the potential impacts of the development upon residential amenity in a location which has rear gardens and habitable rooms close to the boundary and therefore cannot be fully examined in relation to Saved Policy IMP9.

6.5 The application proposes the demolition of the former police station but has provided no ecological survey data to identify any protected species and is therefore not in accordance with the requirements of NPPF Section 11 and Saved Policy ENV15.
6.6 The integration of this site from town to the Broads in terms of landscape is considered to be an important design element and no landscape strategy or evaluation has been proposed and the application is therefore not considered to meet with the objectives of Saved Policy IMP2.

6.7 Saved Policy IMP16 only allows for demolition in conservation areas when an approval for redevelopment has been accepted, in this instance the proposed development does not accord with the requirements of Saved Policy IMP16.

6.8 The application fails to provide sufficient detail regarding the servicing and access arrangements required for the retail unit to successfully function in the town centre location and therefore does not meet with the requirements of Saved Policy SHO4.

6.9 The development proposal details within its indicative site layout the formation of an access which would create a cross roads with Bridge Street and George Lane. This would create right hand turning movements across the opposing traffic streams of a busy traffic route at a point where vehicle conflict is already high and would interfere with safe flow of traffic and cause danger and inconvenience to highway users. The application is therefore considered to conflict with the continued functionality and safety of the highway in this location and is contrary to the aims and objectives of Saved Policy IMP8.

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and E-mail: ireilly@s-norfolk.gov.uk
9. **Appl. No**: 2013/1609/F  
**Parish**: BERGH APTON

Applicants Name: Mr Geoff And Mrs Karen Rose  
Site Address: The Stables At Church Road Bergh Apton Norfolk, NR15 1BP  
Proposal: Change of use to keeping horses and construction of a ménage (revised application)

Recommendation: Approval with conditions

1. **Full Planning permission time limit**  
2. **In accord with submitted drawings**  
3. **Personal use only**  
4. **No external lighting**  
5. **No generators, air handling plant**

1. **Planning Policies**

1.1 National Planning Policy Framework  
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  
ENV 9: Nationally and locally important archaeological remains (Part Consistent)  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
IMP 25: Outdoor lighting  
LEI 14: Keeping of horses for recreational purposes (Part Consistent)  
ENV 9: Nationally and locally important archaeological remains (Part Consistent)

2. **Planning History**

2.1 2013/0990 Change of use to keeping horses and construction of a ménage  
Withdrawn

3. **Consultations**

3.1 Parish Council: No response  
3.2 District Member: To be reported if appropriate  
3.3 NCC Highways: There are no highway objections to this proposal  
3.4 Historic Environment Service: No further archaeological work required  
   - An archaeological evaluation by trial trenching has been undertaken  
   - The results of the evaluation suggest the development will have a minimal impact on the historic environment

3.5 Representations: No comments received
4 Assessment

4.1 The application site consists of two fields set down a privately owned track to the south of Church Road in Burgh Apton. The fields are separated from the highway and residential properties in Church Road by fields used for horse keeping and grazing and in the past were part of Burgh Apton Stud. There is a stable on the application site and the remaining land is used as pasture. This application proposes a retrospective change of use of the site to horse keeping and for the construction of a ménage. The proposed ménage has a top surface of sand and fibre premixed contained by a low level retaining board and rail around the edge of the area. The application has been submitted by a member of Council staff.

4.2 The application has been assessed against policies ENV 9, IMP2, IMP 8, IMP 9, IMP 25 and LEI 14 within the South Norfolk Local Plan and policy 2 within the JCS. These policies seek to ensure that the proposals are of a good design and do not adversely affect the existing amenities of the locality. These policies have been given due weight as they are consistent/partially consistent with the NPPF. The location proposed is set away from residential properties and the ménage which is low level would have a minimal effect on the local landscape. The use of the site for horse keeping is a recognised countryside leisure usage and as such accords with policy LEI14 within the SNLP.

4.3 An earlier application on the site under reference 2013/0990 was withdrawn in order for the applicant to undertake trial trenching at the site as it was identified by the Historic Environment Service of potential archaeological interest as it is close to an Anglo Saxon Cemetery, and there was also the possibility of high status Roman buildings and a Bronze Age cremation burial. This excavation has been completed and the report of findings submitted with this application and Norfolk Historic Environment Service has confirmed that the proposed ménage would not have a major impact on the heritage asset. As such the proposal conforms with policy 12 within the NPPF, Policy 1 within the JCS and Policy ENV 9 in the South Norfolk Local Plan 2003 relating to the preservation of the archaeological remains.

5 Conclusion

5.1 The application conforms to the above policies within the NPPF, JCS and SNLP as it does not adversely affect the visual or residential amenity of nearby residents, the character of the landscape or the preservation of historical remains. As such approval of the scheme is recommended.

Contact Officer, Telephone Number Helen Cross 01508 533780 and E-mail: hcross@s-norfolk.gov.uk
Enforcement Reports

1. Enforcement Ref : 2011/8033
Parish : WYMONDHAM

Site Address : New Covert, Cavick Road, Wymondham NR18 9PJ,
Development : Change of Use of Land - Importation and processing of timber for subsequent disposal
Developer : Mr J K Anderson

1. Background

1.1 The site which is a small wood in a quiet rural location is being used for the importation and processing of timber. It has a small number of dwellings nearby and there have been a number of complaints over the years concerning noise, activity and vehicle movements in connection with the importation and the processing of that timber.

1.2 The owner of the land also runs a business called Broadland Tree Services who carry out all aspects of tree work.

1.3 The owners have completed a number of Planning Contravention Notices (PCN) in the past and submitted letters stating as follows:

1.4 January 2002 - letter from owner stating 'woodland used primarily as recreational'
April 2011 - PCN completed by owners stating the woodland was used for leisure purposes, woodland maintenance and for storing small quantities of timber for domestic use. Machinery on site used for woodland maintenance. Use of woodland for recreation, amenity and commercial production of timber. Firewood for their own family domestic use.
August 2011 - PCN completed by owners who stated site was used for the storage of timber and wood for both personal and domestic use since 1996.

1.5 No complaints were taken between October 2010 and September 2012. In November 2012 complaints began to be received about the activity on the site and as a result of this 11 unannounced visits were made to the site during the period November 2012 and January 2013 when no activity was seen or noise heard.

1.6 A further complaint was made and another unannounced visit made in March 2013 when the Enforcement Officer found an employee of the owner on the site using a chainsaw on the site as well as a log splitter. He informed the Enforcement Officer he was working for the owner 2 - 3 days a week using the chainsaw for approximately 30 minutes at a time and splitting logs which were being stacked in a log store as part of business selling firewood.

1.7 In April 2013 the Council wrote to Mr Anderson informing him that a change of use of the land had occurred and that he should either cease the unauthorised use or submit a planning application for that use.

1.8 No application has been received.

1.9 A further PCN was completed by Mr Anderson in May 2013 stating they had been importing timber and wood to the site since they purchased the wood (in 1996). This clearly contradicts statements made in previous PCN's.
1.10 Environmental Services have not received any more complaints regarding noise issues. NCC Highways have been consulted and have advised the Council that the road network is narrow and unsuitable for Heavy Goods Vehicles that are likely to be involved in the import and export of timber to the site, whether this is from the west or the east through Wymondham.

2. Planning Policies

2.1 National Planning Policy Framework

Paragraph 207 Enforcement

2.2 South Norfolk Local Plan

EMP 4 Employment development outside the Development Limits and Village Boundaries of identified town and villages

ENV 8 Development in Open Countryside

IMP 8 Safe and Free Flow of Traffic

IMP 9 Residential Amenity

IMP 10 Noise

3. Assessment

3.1 The unauthorised use is the importation and processing of timber for commercial purposes, such activity being beyond that which is purely incidental to the normal maintenance and management of the woodland.

3.2 The use of the site for the importation and processing of timber and the subsequent noise causes harm to occupants of adjacent and nearby residential properties. The means of access into the site is narrow and has poor visibility for vehicles exiting onto Cavick Road and the Highways Authority have advised this is unacceptable. For these reasons the use conflicts with SNLP policies IMP 8 and IMP 9 being unacceptable detrimental to residential amenity and highway safety.

4. Recommendation

4.1 That authority be given, subject to legal advice, to serve an enforcement notice requiring cessation of the unauthorised use.

Contact Officer, Telephone Number and E-mail: Martin Burrows 01508 533843 mburrows@s-norfolk.gov.uk
2. Enforcement Ref : 2013/8147  
Parish : DICKLEBURGH AND RUSHALL  
Site Address : Land West of South View, Harleston Road, Rushall IP21 4RT  
Development : Breach of condition 3 of Planning Approval 2013/0091/CU  
Developer : Mr Jack Smith

1. Background

1.1 Planning permission was granted on 9th April 2013 under reference 2013/0091/CU for the change of use from keeping of pigs to keeping of horses in the same building. Condition 3 of the planning approval requires full and precise details of the construction and location of the muck heap on a bunded concrete surface for interim storage, the removal frequency and disposal arrangements of manure from the site must be submitted to and approved in writing by the local planning authority.

1.2 The initial 8 week time period given plus additional time for the storage and removal details to be provided and agreed has passed and to date the details submitted do not satisfy the requirements of condition 3 and at present the muck is being stored on a non-bunded surface.

1.3 Both the owner and the tenant of the land have given assurances that the required details will be submitted shortly and if agreed by the Council the works will be carried out soon after.

2. Planning Policies

2.1 IMP9 – Residential Amenity

3. Assessment

3.1 South Norfolk Local Plan Policy IMP9 states that new development will only be granted where it does not have a significant adverse impact on the residential amenities of nearby residents. The storage of the manure on a non-bunded surface with an unsatisfactory schedule for its storage and removal is considered to have a detrimental impact on nearby residents. In view of this I consider it expedient to seek authority to take enforcement action to ensure the compliance of Condition 3 of planning approval 2013/8147.

4. Recommendation

4.1 That subject to legal advice enforcement action be authorised to ensure the compliance of the condition.

Contact Officer, Telephone Number and E-mail: Andy Baines 01508 533840
abaines@s-norfolk.gov.uk
Planning Appeals  
**Appeals received from 30 August 2013 to 26 September 2013**

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<tr>
<th>Ref</th>
<th>Parish / Site</th>
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<th>Proposal</th>
<th>Decision Maker</th>
<th>Final Decision</th>
<th>Appeal Decision</th>
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Planning Appeals  
**Appeals decisions from 30 August 2013 to 26 September 2013**

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<td>2012/1669</td>
<td>Wicklewood Sub-division Of The Garden Of 86 High Street Wicklewood Norfolk</td>
<td>Mr Gary Douglas-Beet</td>
<td>Proposed new dwelling</td>
<td>Delegated</td>
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<td>2012/1684</td>
<td>Winfarthing Mobile At Greenacres Goose Green Lane Winfarthing Norfolk</td>
<td>Mr &amp; Mrs Hilton</td>
<td>Retention of existing prefabricated building for use by an agricultural worker associated with the site for a temporary period of 3 years</td>
<td>Development Management Committee</td>
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<tr>
<td>2013/0238</td>
<td>Swardeston Land At Eastern End Of Bobbins Way Swardeston Norfolk</td>
<td>Mr Michael Bobbins</td>
<td>Demolition of existing buildings and erection of 2 detached houses and garages and ancillary works</td>
<td>Delegated</td>
<td></td>
<td>Withdrawn</td>
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