Development Management Committee

Members of the Development Management Committee:

<table>
<thead>
<tr>
<th>Conservatives</th>
<th>Liberal Democrats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr J Mooney (Chairman)</td>
<td>Mr T East</td>
</tr>
<tr>
<td>Mr D Blake (Vice-Chairman)</td>
<td>Dr M Gray</td>
</tr>
<tr>
<td>Mrs Y Bendle</td>
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<tr>
<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

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

9.00 am Blomefield Room

Agenda

Date
Wednesday 8 January 2014

Time
10.00 am

Place
Cavell & Colman Rooms
South Norfolk House
Swan Lane
Long Stratton Norwich
NR15 2XE

Planning application Item Nos 1 - 6 will be heard from 10.00am onwards

Planning application Item Nos 7 - 15 will be heard from 1.30 pm onwards

Contact
Caroline Heasley tel (01508) 533685
South Norfolk District Council
Swan Lane
Long Stratton Norwich
NR15 2XE

Email: democracy@s-norfolk.gov.uk
Website: www.south-norfolk.gov.uk

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

The order of the agenda may change at the discretion of the Chairman, so it is advisable to arrive at the commencement of the meeting if you are intending to speak on items 1 to 6, and arrive at 1.30pm if you intend to speak on items 7 to 15.

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

23/12/2013
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.
A G E N D A

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

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

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

4. Minutes of the meeting of the Development Management Committee held on 4 December 2013;
   (attached – page 9)

5. Update on South Wymondham Applications – 2011/0505/O and 2012/0371/O
   (oral update)

6. Planning Applications and Other Development Control Matters;
   (attached – page 17)

   To consider the items as listed below:

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Planning Ref No.</th>
<th>Parish</th>
<th>Site Address</th>
<th>Page No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2012/1836/O</td>
<td>LITTLE MELTON</td>
<td>Land North Of Gibbs Close Little Melton</td>
<td>18</td>
</tr>
<tr>
<td>2</td>
<td>2013/0086/O</td>
<td>LITTLE MELTON</td>
<td>Land South East Of The Gardens Mill Road</td>
<td>28</td>
</tr>
<tr>
<td>3</td>
<td>2013/1070/O</td>
<td>WICKLEWOOD</td>
<td>Land North Of 69 High Street Wicklewood</td>
<td>41</td>
</tr>
<tr>
<td>4</td>
<td>2013/1259/F</td>
<td>COSTESSEY</td>
<td>Land West of RG Carter Site For Next PLC William Frost Way</td>
<td>47</td>
</tr>
<tr>
<td>5</td>
<td>2013/1904/O</td>
<td>FRAMINGHAM EARL</td>
<td>Land East Of Water Tower Long Road</td>
<td>76</td>
</tr>
<tr>
<td>6</td>
<td>2013/1986/O</td>
<td>PORINGLAND</td>
<td>Land To The West Of Norwich Road And South Of Caistor Lane</td>
<td>83</td>
</tr>
<tr>
<td>7</td>
<td>2013/1304/F</td>
<td>FLORDON</td>
<td>Land West Of Tas Valley View Station Road Flordon</td>
<td>92</td>
</tr>
<tr>
<td>8</td>
<td>2013/1350/F</td>
<td>FLORDON</td>
<td>Land East Of Tas Valley View Station Road Flordon</td>
<td>97</td>
</tr>
<tr>
<td>9</td>
<td>2013/1495/F</td>
<td>HETHERSETT</td>
<td>Subdivision of Garden of 7 Lynch Green Hethersett</td>
<td>102</td>
</tr>
<tr>
<td>10</td>
<td>2013/1565/AGF</td>
<td>HALES</td>
<td>Casbi House School Lane Hales</td>
<td>106</td>
</tr>
<tr>
<td>11</td>
<td>2013/1620/H</td>
<td>LONG STRATTON</td>
<td>12 St. Marys Road Long Stratton</td>
<td>110</td>
</tr>
<tr>
<td>12</td>
<td>2013/1772/H</td>
<td>BROOKE</td>
<td>28 The Street Brooke Norwich</td>
<td>114</td>
</tr>
<tr>
<td>13</td>
<td>2013/1773/LB</td>
<td>BROOKE</td>
<td>28 The Street Brooke Norwich</td>
<td>114</td>
</tr>
</tbody>
</table>
7. **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.

8. **Enforcement Report**

(attached – page 126)

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

(attached – page 130)

10. **Date of next scheduled meeting** – Wed 5 February 2014 in Colman & Cavell Rooms
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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mobile phones</strong></td>
<td>Please switch off your mobile phone or put it into silent mode</td>
</tr>
<tr>
<td><strong>Toilets</strong></td>
<td>The toilets can be found on your right and left of the lobby as you enter the Council Chamber</td>
</tr>
<tr>
<td><strong>Break</strong></td>
<td>There will be a short comfort break after two hours if the meeting continues that long</td>
</tr>
<tr>
<td><strong>Drinking water</strong></td>
<td>A water dispenser is provided in the corner of the Council Chamber for your use</td>
</tr>
</tbody>
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## PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

**Key to abbreviations used in Recommendations**

| S.P | Structure Plan |
| S.N.L.P | South Norfolk Local Plan |
| P.D | Permitted Development – buildings and works which do not normally require planning permission. (The effect of the condition is to require planning permission for the buildings and works specified). |
| J.C.S | Joint Core Strategy |
| N.P.P.F | National Planning Policy Framework |
DECLARATIONS OF INTEREST AT MEETINGS

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

<table>
<thead>
<tr>
<th>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Does the interest directly:</strong></td>
</tr>
<tr>
<td>1. affect yours, or your spouse / partner’s financial position?</td>
</tr>
<tr>
<td>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</td>
</tr>
<tr>
<td>3. Relate to a contract you, or your spouse / partner have with the Council</td>
</tr>
<tr>
<td>4. Affect land you or your spouse / partner own</td>
</tr>
<tr>
<td>5. Affect a company that you or your partner own, or have a shareholding in</td>
</tr>
<tr>
<td>If the answer is “yes” to any of the above, it is likely to be pecuniary.</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td><strong>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</strong></td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td><strong>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.</strong></td>
</tr>
<tr>
<td><strong>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.</strong></td>
</tr>
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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

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

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

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

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

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.
Agenda Item 5 Update on the South Wymondham Applications

Appl. No : 2011/0505/O  
Parish : WYMONDHAM  
Applicants Name : Pelham Holdings Ltd  
Site Address : Land North Of The A11 At Park Farm Silfield Road Wymondham  
Proposal : Proposed development to include up to 500 dwellings, Community facilities, site infrastructure including new access roads, public rights of way and drainage, green infrastructure including public open spaces and structural landscape planting and new playing pitches relating to Wymondham High School.

And Appl. No : 2012/0371/O  
Parish : WYMONDHAM  
Applicants Name : Endurance Estate Strategic Land And Landowners  
Site Address : Land To The East And West Of Rightup Lane Wymondham  
Proposal : Mixed use development of up to 730 dwellings, up to 128 bed care home / homes (in one or two buildings), up to 250 square metres of retail / commercial floor space, a new primary school together with all other associated temporary and permanent infrastructure, including new access arrangements, sport pitches, allotments and community orchard.

Current position

At the meeting of the Development Management Committee on the 4th December 2013 members confirmed the original decision taken at the meeting of the Development Management Committee on 18 June 2013 and renewed the period of delegated authority to the Director of Growth and Localism to 23 December 2013 and authorised him to approve the applications Appl. No. 2011/0505/O and Appl. No. 2012/0371/O subject to Section 106 agreements as previously mentioned, including for securing the provision of a subway, or refuse in default.

The S106 agreements for the two applications were prepared and signed by all parties on the 23 December 2013. However, in the afternoon of the 23 December the Council’s legal advisers (NPLaw) informed officers that it had received a message from the applicants’ solicitors that the applicants and landowners would not be in a position to have concluded the agreement between the applicants/landowners and Network Rail (to which the Council is not a party) which had also been progressing behind the scenes,

The information we have received is that solicitors acting on behalf of Network Rail and the applicants (Pelham Homes and Endurance Estates) approved the draft but solicitors acting on behalf of the landowners have raised last minute issues which has delayed execution of this document until early next year. Execution of the document will now take place after 6 January when everyone returns from holiday.

Given the advanced stage of the s106 agreements (terms settled and both sets of s106 agreements executed by all parties in readiness for completion and of issue of planning permissions, and the agreements being held to order pending the confirmation from the applicant’s solicitors that actual completion can take place, -
now also, subject to renewal of delegated authority by the Committee for a suitable period), I took the decision not to issue a refusal notice but to bring the matter back to members to decide how to proceed. An update on the state of the currently private agreement with Network Rail will be given at the Committee meeting.

It is not a requirement of either the proposed planning permission or s106 agreements that the applicants/landowners settle the terms of easements and consents from Network Rail simultaneously with the issue of planning permission. However, as a matter of risk assessment the applicants and landowners have understandably chosen to require a simultaneous settlement between themselves and Network Rail. This cautious approach has had a knock-on effect in delaying the release of the already executed s106 agreements for legal completion together with the issue of the planning permissions which are already in agreed form.

Contact Officer, Telephone Number

Tim Horspole 01508 533806

and email: thorspole@s-norfolk.gov.uk
Development Management Committee  8 January 2014

Agenda Item No. 6

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Growth and Localism

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

A  Advert  G  Proposal by Government Department
AD  Certificate of Alternative Development  HZ  Hazardous Substance
CA  Conservation Area  LB  Listed Building
CU  Change of Use  LE  Certificate of Lawful Existing development
D  Reserved Matters  (Details following outline consent)  LP  Certificate of Lawful Proposed development
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C  Application to be determined by County Council  SU  Proposal by Statutory Undertaker

Key to abbreviations used in recommendations

S.P  Structure Plan
S.N.L.P  South Norfolk Local Plan
P.D  Permitted Development – buildings and works which do not normally require planning permission. (The effect of the condition is to require planning permission for the buildings or works specified).
J.C.S  Joint Core Strategy
Major Applications Referred Back to Committee

1. **Appl. No**: 2012/1836/O  
   **Parish**: LITTLE MELTON

   **Applicants Name**: Timewell Properties Ltd  
   **Site Address**: Land North Of Gibbs Close Little Melton Norfolk  
   **Proposal**: Outline application for residential development (20 Dwellings) and associated infrastructure works

   **Recommendation**: Approval with conditions

   1. Outline Permission Time Limit
   2. Standard outline requiring reserved Matters
   3. In accordance with the amended drawings
   4. External materials to be agreed
   5. Slab levels to be agreed
   6. Boundary treatments to be agreed
   7. Landscaping scheme
   8. Retention of trees and hedges
   9. Full details of external lighting
   10. Water efficiency
   11. Surface water drainage
   12. Foul water drainage
   13. Management and maintenance of streets
   14. Detailed plans for roads and footways
   15. Construction of roads and footways
   16. Highway surfacing works
   17. Traffic calming works on Mill Road
   18. Highway improvement works
   19. Ecological mitigation
   20. Fire hydrant

   Subject to a section S106 Agreement in respect of:  
   Affordable housing, County monitoring charge, Primary and High School provision, Library,  
   Maintenance of biodiversity areas and Play Space.

Updates since 19th June 2013 Development Management Committee

Summary: Members will recall that the application was first considered by the Development Management Committee on 22nd May 2013 where it was deferred for a Site Panel Visit. On 19th June 2013 the application was reconsidered at Development Management Committee where members resolved to refuse the application on the grounds of highway safety only.

Additional information in the form of a Transport Statement and a Traffic Calming and Drainage Works Report were subsequently submitted by the applicant to attempt to address the highway issues raised as well as amendments made to include access for consideration as part of this outline application and re-consultations were carried out. The highway works include off-site improvements including traffic calming measures, road widening, the provision of a mini-roundabout and drainage works.

The original report has been reproduced below and updated in light of the additional information and the consultation responses.

1. **Planning Policies**

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

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

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

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. Planning History

2.1 1988/0144 Residential mobile home park Refused

3. Consultations

3.1 Parish Council  
Original submission:  
Object.  
• Reasonable mix of housing  
• Outside development boundary  
• Not a preferred site  
• Concern that Mill Road unable to cope with cumulative traffic volume  
• Street lighting out of character with remainder of village  
• Concern about future development due to road structure proposed  
• Concern about maintenance responsibility for buffer zone and roads  
• Concern that there is a gap in the cycle path between Hethersett and NRP.  
• Developer contribution should be used to provide off road cycling provision  
• Disagree with TRICS figures  
• Traffic on Mill Road has doubled between 2007 and 2012.  
• Increased traffic in Little Melton due to developments at Wymondham and Hethersett.
Development Management Committee
8 January 2014

- Committed to minimising new development because of Parish Plan and roads within village inadequate. Mill Road is a limiting factor.
- Should be limited to 15 houses on this site. Only 10 before the crossroads are improved.
- Poor provision of public transport. Traffic forecasts do not accord with observed behaviour.
- Mill Road carries traffic to village hall, church, playing field, business park and Hethersett.
- Events at hall, playing field and church can coincide and attract 100 cars causing a traffic jam.
- Mill Road is poorly drained, icy, prone to flooding.
- Little Melton will suffer additional traffic due to development at Hethersett.
- Rectory Lane and Green Lane junctions with B1108 are dangerous.
- Would like funding to discourage rat running.
- Mill Road should have 20mph speed limit.
- Request clarity regarding maintenance of play areas, ecology buffer and open space.

Revised scheme: Drainage information submitted

Second revised scheme: Objection on the grounds raised in the original submission, including additional objections to the proposed traffic calming works/mini-roundabout, impact on highway safety and flooding and drainage issues relating to the scale of development and the site’s location.

3.2 District Member
To be reported if appropriate

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

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

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

Second Revised Scheme:
No further comments based on additional information provided.

3.5 District Ecologist
Revised Indicative layout:
- Applicant will have to apply for a great crested newt licence from natural England.

Following receipt of an amended indicative plan:
- Wider ecological buffer is an improvement
• Ecological Management Plan would be appropriate.
• The indicative master plan incorporates ecological buffer, landscaping, housing and play provision.
• Recommend conditions regarding mitigation for breeding birds, bird boxes and bat boxes, an ecological management plan and minimum ecological buffer of 15m width.

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

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

3.8 Historic Environment Service
Do not wish to comment.

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

Second Revised Scheme: No objection
Whilst not an allocated site, given land supply issues and if NCC Highways consider the improvement works make scheme acceptable, there would be no objection on policy grounds to an additional 20 dwellings in this location.
3.10 **Flood Defence Officer**

Original submission:

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

Following Revised drainage plan:

- Concur with EA comments on revised plans and request conditions as per EA comments.

3.11 **Design Officer**

Original Submission:

- Building for Life and South Norfolk Place-Making Guide evaluation scored: 3 greens, 7 ambers and 2 reds.

Revised Plans:

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

3.12 **Play And Amenities Area Officer**

Preference for payment in lieu of provision of play equipment and 400sqm minimum space plus the expected commuted sum.

Would be allocated to parish Council to enhance and improve play facilities at local parish play area.

Total in lieu of provision would be £65418

3.13 **NCC Highways**

Original Submission: No objection in principle, however an objection raised on the grounds of the cumulative impact.

Revised proposals

- No objection. Recommends conditions regarding detailed plans and implementation of roads, footways and drainage.

3.14 **NCCI Flood & Water Management:**

No comments received

3.15 **Anglian Water Services Ltd**

Original Submission:

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

3.16 **Representations**

Letter from 5 properties objecting and making the following comments:

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

Inadequate roads

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

Second Revised Scheme: 9 letters of objection received raising objections on the grounds raised as part of the original application. Additional grounds raised include the traffic calming measures and highway works proposed inadequate to protect highway safety and impacts on drainage problems associated with the site and associated roads.

4 Assessment

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

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

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

4.4 As the site is located outside the current development boundary in an area designated as 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) allocates Little Melton as a Service Village. Settlements within the Norwich Policy Area (NPA) may also be considered for additional development to help deliver the1800 dwellings 'in smaller sites within the NPA.

• The 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 requirement also includes an additional buffer of 5%, brought forward from later in the plan. Appendix A of the Joint Core Strategy 2012/13 Monitoring Report shows that there was a supply of 4.42 years for the whole Norwich Policy Area at 31 March 2013. Since March there have been changes to some of the sites that make up the 5-year supply, both increasing and decreasing the supply; however, this remains the most recent published figure agreed by the three local planning authorities.

• The sustainability of the site's location, having regard to Little Melton being defined as a Service Village within Policy 15 of the Joint Core Strategy.
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 the scheme being built and ready for occupation well within 5 years.

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

Principle of development

In this case, the application site is situated on land located outside the development boundary for the village. 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.

The NPPF 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 land supply of deliverable housing sites does not exist. The 5-year land supply requirement also includes an additional buffer of 5%. 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'. The demonstrable lack of a housing supply (albeit an improving situation) carries significant weight in the consideration of the application.

Little Melton has been selected as a Service Village as it has a good range of facilities that enable it to meet local needs. These centres also benefit from good public transport services.

In view of the above, I consider that the principle of development on the site is acceptable.

Deliverability

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

Character and appearance of area

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

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

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

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

4.15 NCC Highways have confirmed that subject to the most recent documents submitted in respect of highway improvement works, they no longer raise objection to the proposal on the grounds of highway safety or cumulative impact.

Residential amenity

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

Biodiversity

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

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

Infrastructure

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

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

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

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

Servicing

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

5.1 Whilst outside the settlement boundary, it is accepted that as at March 2013 there is not a five year supply of sites within the South Norfolk part of 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 strong material considerations in favour of this application.

5.2 The proposed development is considered to accord with Policy 2, IMP8, IMP9 and the NPPF which together with withdrawal of the highway objection and the lack of 5 year land supply, provide sufficient material considerations to warrant approval contrary to the SNLP. The proposed dwellings could be accommodated and designed in a manner to respect 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.

5.3 The scheme is consistent with JCS Policies 2, 15 and 20 and Policies IMP2, IMP8, and IMP9 of the South Norfolk Local Plan and is recommended for approval subject to the imposition of conditions.

Contact Officer, Telephone Number and E-mail: Liz Starling 01508 533681 lstarling@s-norfolk.gov.uk
2. **Appl. No**: 2013/0086/O  
**Parish**: LITTLE MELTON

Applicants Name : Mr I Clark  
Site Address : Land South East Of The Gardens Mill Road Little Melton Norfolk  NR9 3NX  
Proposal : Outline application including means of access for residential development and ancillary works

Recommendation : Approval with conditions

1. Outline permission time limit  
2. Standard outline requiring reserved Matters  
3. In accordance with the amended drawings  
4. External materials to be agreed  
5. Slab levels to be agreed  
6. Boundary treatments to be agreed  
7. Landscaping scheme  
8. Retention of trees and hedges  
9. Full details of external lighting  
10. Water efficiency  
11. Surface water drainage  
12. Foul water drainage  
13. Management and maintenance of streets  
14. Detailed plans for roads and footways  
15. Construction of roads and footways  
16. Highway surfacing works  
17. Traffic calming works on Mill Road  
18. Highway improvement works  
19. Ecological mitigation  
20. Fire hydrant

Subject to:
- the resolution of drainage issues raised by Environment Agency and NCC Highways; and

- a section S106 Agreement in respect of:  
  Affordable housing; County monitoring charge; Primary and High School provision; Library Service; Maintenance of biodiversity areas and Play Space.

**Updates since 19th June 2013 Development Management Committee**

Summary: Members will recall that the application was first considered by the Development Management Committee on 22nd May 2013 where it was deferred for a Site Panel Visit. On 19th June 2013 the application was reconsidered at Development Management Committee where members resolved to refuse the application on the grounds of highway safety.

Additional information in the form of a Transport Statement and Traffic Calming, Flood Risk assessment and Drainage Works Report was subsequently submitted by the applicant to attempt to address the highway issues raised as well as amendments made to include access to be considered as part of this outline application and re-consultations subsequently carried out. The highway works include off-site improvements including traffic calming measures, road widening, the provision of a mini-roundabout and drainage works.

The original report has been reproduced below and updated in light the additional information and the consultation responses.
1. Planning Policies

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

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

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

1.4 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2.0 Planning History

All or part of site

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

3. Consultations

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

Revised scheme: Drainage information submitted

Second revised scheme: Objection on the grounds raised to the original submission including additional objections raised to the proposed traffic calming works/mini-roundabout, impact on highway safety and flooding and drainage issues relating to the scale of development and the sites location.

3.2 District Member
To be reported if appropriate

3.3 Flood Defence Officer
Original Submission:

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

Second Revised Drainage Submission

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

3.4 Norfolk County Council Flood & Water Management

No comments received

3.5 NCC- Planning Obligations

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

3.6 Environment Agency

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

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

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

Third Revised Drainage/Flood Risk Proposal: Objection
Surface water strategy inadequate to deal with flood risk/surface water issues.

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

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

Revised proposals
• No objection on the ground of highway safety. Recommends conditions regarding detailed plans and implementation of roads, footways and drainage.
However, objection raised in respect of drainage due to drainage issues relating to the site and the surrounding locality.

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

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

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

Revised submission Support

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

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

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

Revised Submission:
- Building for Life and South Norfolk Place-Making Guide evaluation scored 9 greens and 3 ambers.
3.14 Anglian Water Services Ltd: No assets owned by Anglian Water within site
- There is capacity for foul drainage flows at waste water treatment works.
- Foul sewerage network has capacity for flows
- Request condition regarding surface water disposal.

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

Following completion and submission of the geophysical survey:
- No further work required on site prior to development.

3.16 Environmental Services (Protection)
No objection in principle.
- Request conditions regarding ground contamination investigation, external lighting and construction work.
- Request further information at detailed stage regarding heat pumps.

3.17 Representations
One letter raising questions.

Letters from 12 properties objecting and making the following comments:
- Insufficient road capacity to cope with additional vehicle movements
- Road safety
- Mill Road not suitable for traffic
- Previous applications for building on the site were refused due to highways
- Restricted width of Mill Road
- Creating additional cross roads on Mill Road would be dangerous/hazard
- Mill Road floods between the Allotments and Ringwood Close
- Increase in traffic/Additional traffic
- Mill Road needs drastic changes to accommodate traffic
- Mill Road/Burnthouse lane/Scholl lane Junction is a death trap due to
- Narrow piece of road with poorly designed footpath that cars park on that has caused minor shunts
- Grass verges are currently destroyed due to narrow road
- Entrance to Gibbs Close is used as a car park
- Lack of visibility when exiting properties onto Mill Road
- Concrete kerbs should be put in along grass verges to protect verges
- Traffic could go through to Great Melton Road
- Drainage on allotments cannot cope
- Current traffic speeds along road
- Used as rat run from :Heathersett
- Roads need resurfacing
- Existing on street parking problems
- Speed limits and routing signs ignored
- Heavy lorries use Mill Road to access business park
- Cars drive over the footpath
- Access should be from Great Melton Road
• New road for this development should join up with Ringwood Close
• Contrary to Local Plan
• Piecemeal part of a larger development
• Flooding
• Education provision
• Loss of rural amenity
• Destruction of trees
• Site always water logged/standing water
• Bungalows only to fit in with Ringwood Close
• Loss of sunlight to existing bungalows
• Noise and dirt from work
• Concern about flooding on the site and in Mill Road
• Lack of visibility and difficulty turning corner
• Local amenities/services are already under pressure
• Existing trees on border of site should be preserved
• Was rejected for planning years ago because of drainage problems
• Overlooking/loss of privacy to existing bungalows
• Empty houses should be used
• Villages should not be turned into towns
• Few amenities
• Impact on barn owls and amphibians
• Flooding
• Loss of rural character
• Question need for additional housing
• Loss of privacy
• Will spoil village
• Locals views overridden by developers interests
• Greenfield site should not be developed
• Brownfield sites should be sued
• Where is the planning gain for the village
• Request mains gas for village
• Dwellings should be carbon neutral
• Should have solar panels
• Density of development should be not greater than existing village
• Size of plots is cause for social concern
• Existing sense of space should be preserved
• Concerns regarding maintenance of drainage features
• Concerns over maintenance of boundary features.
• Loss of view
• Devaluation of properties
• Bungalows should be built to the rear of existing bungalows

Second Revised Scheme: 7 letters of objection received raising objections on the grounds raised as part of the original application. Additional grounds raised include the traffic calming measures and highway works proposed inadequate to protect highway safety and impacts on drainage problems associated with the site and associated roads.

4. Assessment

4.1 The site is approximately 1.3ha and is located on the southern edge of the built up area of Little Melton and would be accessed from the south side of Mill Road. To the south of the site is bordered by a combination of existing dwellings and open land. To the north-east and west boundaries are existing dwellings. To the south-west is an area open land between the site and existing dwellings. To the south-east is open land between the site and the allotments.
4.2 The application is in outline including the matter of access. The matters of appearance, landscaping, layout and scale are reserved for future consideration.

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

4.4 As the site is located outside the current development boundary in an area designated as 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) allocates Little Melton as a Service Village. Settlements within the Norwich Policy Area (NPA) may also be considered for additional development to help deliver the 1800 dwellings ‘in smaller sites within the NPA.

- The 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 requirement also includes an additional buffer of 5%, brought forward from later in the plan. Appendix A of the Joint Core Strategy 2012/13 Monitoring Report shows that there was a supply of 4.42 years for the whole Norwich Policy Area at 31 March 2013. Since March there have been changes to some of the sites that make up the 5-year supply, both increasing and decreasing the supply; however, this remains the most recent published figure agreed by the three local planning authorities.

- The sustainability of the site’s location, having regard to Little Melton being defined as a Service Village within Policy 15 of the Joint Core Strategy.

- 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 the scheme being built and ready for occupation well within 5 years.

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

Principle of development

4.6 In this case, the application site is situated on land located outside the development boundary for the village. 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.

4.7 The NPPF 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 land supply of deliverable housing sites does not exist. The 5-year land supply requirement also includes an additional buffer of 5%. 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’. The demonstrable lack of a housing supply (albeit an improving situation) carries significant weight in the consideration of the application.
4.8 Little Melton has been selected as a Service Village as it has a good range of facilities that enable it to meet local needs. These centres also benefit from good public transport services.

4.9 In view of the above, I consider that the principle of development on the site is acceptable.

Deliverability

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

Character and appearance of area

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

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

Highway safety

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

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

4.15 The cumulative impact of development in Little Melton on the local highway network was a primary reason for the application being recommended for refusal at the last committee. Notwithstanding this, NCC Highways have confirmed that subject to the most recent documents submitted in respect of highway improvement works, they no longer raise objection to the proposal on the grounds of highway safety or cumulative impact.

Residential amenity

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

Affordable housing

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

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

Infrastructure

4.19 The Local Planning Authority is aware of concerns by a number of parties regarding the adequacy of the surface water drainage facilities in Little Melton. Surface water drainage proposals were submitted as part of the original application with further drainage information subsequently submitted. The Environment Agency has raised a holding objection to the revised details on the grounds that they consider the revised Flood Risk Assessment inadequate to deal with surface water. The applicant has been in further discussions with the Environment Agency, the outcome of which is currently awaited. Members will be updated verbally at the meeting. Whilst the Councils Flood Defence Officer has also outlined the off-site drainage concerns, no objection has been raised subject to the imposition of conditions.

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

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

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

Servicing

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

5. Conclusion

5.1 Whilst outside the settlement boundary, it is accepted that as at March 2013 there is not a five year supply of sites within the South Norfolk part of 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 strong material considerations in favour of this application.

5.2 The proposed development is considered to accord with Policy 2, IMP8, IMP9 and the NPPF which together with withdrawal of the highway objection and the lack of 5 year land supply, provide sufficient material considerations to warrant approval contrary to the SNLP. The proposed dwellings could be accommodated and designed to respect 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.
5.3 Therefore, in the opinion of the Local Planning Authority, the proposal is considered acceptable subject to the issues relating to surface water drainage and flooding being resolved, and no objection being raised by the Environment Agency to the revised details.

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

3.  
   **Appl. No**: 2013/1070/O  
   **Parish**: WICKLEWOOD

   **Applicants Name**: Mr J Seville  
   **Site Address**: Land North Of 69 High Street Wicklewood Norfolk NR18 9QA  
   **Proposal**: Outline application for the erection of 14 residential units and car parking area on land adjacent to High Street, Wicklewood

   **Recommendation**: Approval with conditions
   1. Outline Permission Time Limit
   2. Reserved Matters
   3. Construction Traffic (Parking)
   4. Highway Details
   5. Footpath improvements
   6. Highway Improvements
   7. Contaminated land - submit scheme
   8. Full details of external lighting
   9. Surface Water Drainage Details
   10. Ecological mitigation
   11. Car park management
   12. Water efficiency

   Subject to Sec106 Agreement to secure affordable housing

1. **Planning Policies**

1.1 National Planning Policy Framework  
   NPPF 06: Delivering a wide choice of high quality home  
   NPPF 07: Requiring good design  
   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 15: Service Villages  
   Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan  
   ENV 8: Development in the open countryside (Part Consistent)  
   ENV 21: Protection of land for agriculture  
   IMP 2: Landscaping  
   IMP 8: Safe and free flow traffic  
   IMP 9: Residential amenity  
   IMP 15: Setting of Listed Buildings  
   UTL 14: Waste collection and recycling  
   UTL 15: Contaminated land  
   TRA 1: Provision of pedestrian links  
   TRA 3: Provision of cycling facilities  
   TRA 19: Parking standards

1.4 Supplementary Planning Document  
   South Norfolk Place Making Guide 2012
2. **Planning History**

2.1 No recent planning history

3. **Consultations**

3.1 Parish Council No views or comments.

3.2 District Member Supports application.

3.3 Flood Defence Officer No objection subject to informative advice in respect of surface and foul water drainage

3.4 Conservation Officer No objection subject to the reserved matters scheme addressing issues including controlling ridge heights, materials, layout, soft landscaping.

3.5 Landscape Officer No objection subject to condition for full planting proposals to be included as part of reserved matters application.

3.6 Design Officer No objection in principle. Additional information requested as to how public/private spaces will be treated, including boundary treatments around driveways and gardens, in particular for garden boundaries that face the High Street, which have the potential to form unattractive boundary treatments at the entrance to the development.

3.7 NCC - Ecologist No objection subject to the imposition of conditions in respect of protected species.

3.8 Environmental Services No objection subject to the imposition of appropriate conditions in respect of lighting and contaminated land.

3.9 NCC Highways No objection in principle subject to appropriate conditions.

3.10 Housing Strategy Manager No objection. 4 affordable dwellings required. 2 No two bedroom houses and 2 No one bedroom bungalows, all for rent is an appropriate mix.

3.11 Anglian Water Services Ltd No objection subject to conditions.

3.12 Environment Agency No comments received.

3.13 Norfolk Windmills Trust Supports application.

3.14 Representations 10 letters of support have been received;
- High Street is main focus of development in village
- Well related to existing pattern of development
- Would enhance form and character of village and open up views of windmill
- Would infill last remaining piece of land in the middle of High Street
- Offers much needed parking
- Social Housing gives a chance for local youngsters to live in village.
6 letters of Objection received;
- Exceeds draft LDF allocation for 8 dwellings on site
- Three dwelling have access to a narrow part of High Street
- Opportunity for access to High Street via the proposed estate road has been missed.
- More site should be safeguarded from development in the interests of the view of the Windmill
- Grazing paddock should be protected from development by a legal agreement.
- Proposed car park should be doubled in size.
- Detrimental impact on setting of listed mill and character of area
- Lack of infrastructure and services to serve the development
- Impact on highway safety

4 Assessment

4.1 The application seeks outline approval with all matters reserved for the development of 1.3 ha of land on the east side of High Street in Wicklewood for residential purposes. The indicative layout provided details of the erection of 14 dwellings and a separate visitors car parking area to serve the adjacent windmill. To the south of the site is the bungalow known as number 69 High Street. To the north of the site is the grade 2 listed windmill and a pair of listed dwellings known as 51 and 53 High Street. To the west of the site are dwellings on the opposite side of High Street. To the east of the site is open countryside.

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

4.3 The main issues in this case are: the principle of the development in this location; the character and appearance of the area; affordable housing; highway safety; residential amenity; drainage and the impact of the scheme on the setting of the adjacent listed buildings.

Principle of development

4.4 The site is located outside the saved South Norfolk Local Plan Adopted Development Limit for Wicklewood. Wicklewood lies outside the Norwich Policy Area (NPA) identified in the Joint Core Strategy (JCS). Outside the NPA, the requirements of paragraph 47 of the NPPF are met because there is more than a 5 year supply of land for housing. The JCS designates Wicklewood as a Service Village where Policy 15 identifies Service Villages as a location for 10 to 20 dwellings subject to form and character considerations. The site is identified as a proposed allocation for new housing in the emerging South Norfolk Local Plan (WIC2) where the Regulation 19 representation period on the Site Specific Allocations and Policies Document consultation that concluded on 13th December 2013 has not raised any soundness objections to this proposed allocation. As such, the principle of new residential development of the scale proposed is considered acceptable in this instance.

Design, layout and impact on the character of the area

4.5 Both JCS Policy 2 Section 7 of the NPPF require high quality design with importance being attached to the design of the built environment, with it seen as a key aspect of sustainable development.

4.6 Whilst the scheme is in outline only, it is considered that the indicative layout submitted demonstrates that it is possible to accommodate 14 dwellings on the site in a manner which would be appropriate in the context of the site.
Affordable housing

4.7 Policy 4 of the Joint Core Strategy states that sites for 10 to 15 dwellings are required to provide 30% affordable housing. The applicant has proposed 2 two bedroom houses and 1 two bedroom bungalow which would comply with the affordable housing requirements. As such, the Housing Strategy Team have raised no objection to the scheme on the grounds that it would meet the requirements of Policy 4 subject to this provision being secured through a condition or S106 agreement.

Highway safety

4.8 Saved Policy IMP8 of the South Norfolk Local Plan states that planning permission will not be granted for development which would endanger highway safety or prejudice the free flow of traffic on the highway network.

4.9 The application proposes a number of new accesses off High Street, including a parking area to serve the windmill to the north. Concerns have been raised by local residents that further residential development in this location may cause detriment to highway safety. However, notwithstanding these concerns, the Highways Authority have assessed the proposal, and subject to the imposition of conditions, particularly in respect of onsite and offsite highway improvement works, have raised no objection to the principle of development.

Residential amenity

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

4.11 Whilst the application is in outline form only, the relationship to the existing dwellings of the land proposed for housing means that it should be possible to develop the site for housing without having a significantly adverse impact on the residential amenity of the occupiers of nearby dwellings. The relationship between the proposed dwellings and neighbouring development will be assessed at the reserved matters stage.

4.12 The proposed car parking area would accommodate a limited number of cars and would be separated from the existing dwellings by soft landscaping. The path from the proposed car parking area to access the windmill would not pass directly in front of the existing dwellings. Therefore, the proposed car parking area should not have an adverse impact on the residential amenity of the occupiers of nearby dwellings.

4.13 Whilst it is acknowledged that the development of this site will give rise to an increase in general levels of noise and disturbance in the area, it is not considered that the impact on the residential amenities would be at a level which would significantly impact on residential amenity, and as such would comply with Policy IMP9.

Drainage

4.14 There are existing surface water flooding issues in High Street and Low Street in Wicklewood. Therefore, it will be necessary for any development of the site to ensure that the water run-off from the site does not exceed the existing greenfield rate, though the imposition of conditions in respect of surface and foul water drainage.
Setting of the listed buildings

4.15 Notwithstanding the close proximity of the site to a number of grade 2 listed properties to the north, the Conservation Officer has raised no objections to the scheme, on the grounds that the development would adequately protect the historic setting and character of these buildings. As such, the scheme would accord with the requirements of IMP15 of the South Norfolk Local Plan and section 12 of the NPPF.

5. Conclusion

5.1 The site lies within a sustainable location and has been identified as a preferred site for new housing for inclusion within the LDF site allocations document. As such, it is considered that the requirements of the NPPF and the Joint Core Strategy for new housing, along with the presumption in favour of sustainable development outweighs other material considerations, and the proposed development should be accepted as a departure from local saved plan policy ENV8.

5.2 The design, scale and layout of the indicative scheme are considered appropriate for its context. The development will not adversely affect the character of the area or the setting of the listed buildings, and will not have a significantly detrimental impact on the residential amenities of neighbouring properties, drainage or highway safety. As such, the scheme would accord with sections 6, 7 ad 12 of the NPPF, Policies IMP2, IMP8, IMP9, IMP15 and IMP17 of the South Norfolk Local Plan and Policies 1,2,3 and 16 of the Joint Core Strategy.

5.3 In all other respects and subject to the imposition of appropriate conditions, the application is recommended for approval.

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4. **Appl. No**: 2013/1259/F  
   **Parish**: COSTESSEY

**Applicants Name**: Next Plc  
**Site Address**: Land West of RG Carter Site For Next PLC William Frost Way Costessey Norfolk NR5 0JS

**Proposal**: Erection of class A1 retail store with conservatory, garden centre, ancillary coffee shop and associated car parking, landscaping and service area

**Recommendation**: Approval with Conditions

1. Full permission time limit  
2. Restrict retail floorspaces as proposed  
3. Landscaping – revisions required  
4. Access to be provided  
5. Access gradient  
6. No access barrier unless agreed  
7. Access, parking, servicing areas before use  
8. Cycle parking  
9. Construction worker parking  
10. Wheel cleaning  
11. Off-site highway improvements  
12. Travel Plan  
13. Compliance with submitted Drainage Strategy and FRA  
14. Contamination investigation and remediation  
15. Contamination verification  
16. Contamination monitoring  
17. Contamination precaution  
18. No infiltration drainage unless agreed  
19. Ecological enhancements as proposed  
20. External lighting

Subject to:

- securing financial contribution to off-site traffic calming measures and Travel Plan (by Sec 106 if necessary); and
- referral of application to Secretary of State as required by The Town and Country Planning (Consultation) Direction 2009.

1 **The Proposal**

1.1 This application seeks full planning permission for a retail store on part of a site last used as a storage depot for construction plant and vehicles. A residual part of the depot site is excluded from the application and this would continue to be accessed through the application site. The application site has frontage to William Frost Way, the main access road from the A47 Longwater junction into the Longwater retail and employment area and also serving the Queens Hills residential area further to the north.

1.2 The application site area is 1.7Ha and the proposed store would have a total floor area of 6,663sqm (4,669sqm net retail floorspace) provided on two levels. The proposal includes a conservatory and garden centre and a coffee shop. 219 car parking spaces are proposed and a single point of access onto William Frost Way with a new slip road onto the Longwater junction. The proposed development is stated to provide 52 full time and 151 part-time jobs.
1.3 The store is described as being a ‘Home and Garden’ format store for the trader ‘Next’. The range and extent of goods proposed to be sold are as follows:
Clothing – 1,970sqm – 42.2%  
Homewares – 1,789sqm – 39%  
Garden Centre – 446sqm – 9%  
Conservatory – 297sqm – 7%  
Cafe – 167sqm – 3.6%.

1.4 The application is supported by a range of drawings and reports including, Planning and Retail Statement; Design and Access Statement; Transport Assessment; Travel Plan; Flood Risk Assessment; Drainage Strategy; Ecological Survey; Arboricultural Report; and Geotechnical Report. This agenda report does not seek to describe or discuss all of the submitted documents, but these are available for inspection on the file which can be accessed from the Council’s website.

2. Planning Policies

2.1 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 07: Requiring good design  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change

2.2 Joint Core Strategy
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 5: The Economy  
Policy 6: Access and Transportation  
Policy 9: Strategy for growth in the Norwich Policy Area  
Policy 11: Norwich City Centre  
Policy 19: The hierarchy of centres

2.3 South Norfolk Local Plan
ENV 19: Tree Preservation Orders  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
EMP 1: Employment land allocations  
SHO 2: Retail development - impact test (Part Consistent)  
SHO 3: Retail development at the Longwater retail park

2.4 Supplementary Planning Document – Place Making Guide

3. Planning History

3.1 2013/2044  
Unit C, Alex Moorhouse Way-  
Installation of Mezzanine Floor  
Not yet determined

3.2 2013/2043  
Units E1 and E2, Alex Moorhouse Way-  
Variation of Condition 1 of planning permission 2003/1127/F- Goods condition (to relax restriction except for food)  
Not yet determined

3.3 2013/2041  
Unit A2, Alex Moorhouse Way-  
Variation of Conditions 2 and Removal of  
Not yet determined
Condition 4 of planning permission
2008/1738/F- Goods Condition and condition relating to half of Unit A (to relax restriction except for food)

3.4 2013/2039 Unit C, Alex Moorhouse Way- Variation of Condition 1 of planning permission 2003/1127/F- Goods condition (to permit food sales) Not yet determined

3.5 2011/0808 Construction of a new three storey office building on part of the site currently occupied by RG Carter Central Plant facility, along with associated car & cycle parking, bin store & substation. Approved

4. Consultations

4.1 Costessey Parish Council Original Response:
• Refuse unless adequate traffic mitigation measures are introduced.
• Third lane from site to Longwater junction is essential.
• Require contribution to traffic mitigation measures in the wider network.
• Further surveys required as those submitted do not reflect reality.
• Impose condition to prevent use of site as delivery hub for on-line customers.
• Any possible means of alleviating traffic congestion in the wider area should be taken.

Revised Response: The Council have subsequently withdrawn their objection stating as follows:
"Council appreciates the fact that Next PLC has moved to alleviate the issues raised by Costessey PC. Council has voted by a narrow margin to withdraw its previous refusal on traffic grounds, but wishes to place on record that it still has serious reservations that the mitigation measures will not solve the wider traffic problems in the area."

4.2 District Member Councillor Dewsbury – Refer to Committee due to highway implications.

4.3 Breckland District Council No comments received

4.4 Norwich City Council
• Major retail proposal at Longwater is contrary to the retail strategy and hierarchy of centres set out in the Joint Core Strategy (JCS policies 11 and 19). Longwater is not identified as a location for retail growth so the application should not be approved unless it satisfies the sequential and retail impact tests (NPPF paragraphs 24-27).
• No evidence to support the claim that increased floorspace to accommodate clothing sales is necessary to make the total proposal viable. This should be fully justified in order to comply with the requirement for flexibility in the selection of sites required by paragraph 24 of the NPPF. Should investigate
possibility of reduction of clothing sales area.

- Existing retail building at 5 Neatmarket [off Hall Road adjacent B&Q] is available and preferable to the Longwater site. Although out-of-centre, it is close to the proposed district centre at Hall Road, is well connected to the cycle network, and would avoid the need for additional out-of-centre retail development.

- No evidence is provided to corroborate the predicted turnover of the store and hence its consequent impact. Practice Guidance warns against using company average figures because traders tend to continually improve. Not clear if figures quoted are company average or based on comparable stores. Impact figures are not sufficiently robust.

- Additional sites with planning permission have opened elsewhere which have not been taken into account and are not therefore represented in the assessment of the cumulative impact of out-of-centre stores.

- Precedent for more applications for similar types of retailing at Longwater. Next is a destination, leading high street fashion retailer and would act as a precedent for further applications.

- Diversion of trade from town centres is contrary to national and local policies to promote competitive town centres.

- If approved, conditions should be imposed to restrict sales areas of fashion goods; seek binding agreement to retain existing ‘Next’ Stores at Hay Hill and Riverside for 10 years; and seek financial contribution to promote the City centre as the principle shopping destination.

4.5 Anglian Water Services Ltd

- Note assets close to or within site.
- Treatment works and sewerage network have adequate capacity to serve this development.
- Advice given on trade waste, fat traps and petrol/oil interceptors.

4.6 Environment Agency

- No objection subject to conditions.
- Require compliance with Flood Risk Assessment.
- Investigate and remediate any ground contamination.
- Soakaways only permitted where shown not to pose risk to ground water quality.

4.7 Head Of Environmental Services

- Recommend conditions to investigate and remediate any ground contamination.
- Flood Defence Officer – no objections to submitted Drainage Strategy.

4.8 NCC Highways

- No objection subject to conditions and Sec.106 Agreement.
- Proposed slip road will accommodate the extra traffic from the store and provide benefit to the Longwater junction overall.
- Pedestrians and cyclists will benefit from improved foot/cycleway on William Frost Way and new crossing.
- Contribution required towards additional traffic calming measures on West End (£60,000 secured by Sec.106).
- Travel Plan also to be secured by Sec.106.

4.9 Landscape Officer

- Note TPO on tree belt fronting Dereham Road.
- Note loss of trees, but this seems inevitable to deliver slip road improvement.
- Main issue is not individual tree loss, but need to maintain the overall character of the tree belt.
• Suggested formal frontage hedge not appropriate, prefer woodland management to achieve more appropriate character and appearance.
• Revised details required, including parking layout to reduce impact on Oak T5.

4.10 Design Officer
• Design has had regard to design advice including South Norfolk Place Making Guide.
• Scale, form and architectural design of building is appropriate in this context.

4.11 Highways Agency
No objection (technical note of explanation provided suggesting no significant adverse impact on the trunk road or junction).

4.12 NCC Minerals And Waste Planning Officer
No comments received

4.13 Representations (1 letter)
• Congestion on Longwater junction unacceptable as this is the only access to Queens Hills residential area.
• Area cannot be both residential and trading area due to the junction capacity problem.
• Retail jobs are mostly low paid so should be given less weight in supporting the application.

5 Assessment

5.1 The application raises a number of issues which I would categorise and address under the headings of; the principle of development; retail impact; the sequential test; precedent; highways and traffic; design; landscape and trees; drainage; contamination; and ecology.

The Principle of Development

5.2 The site is located within the Development Limit for the Longwater part of Costessey as defined in the South Norfolk Local Plan (SNLP). The site is also a previously developed, or ‘brownfield’ site in a location accessible by a range of transport modes. In these circumstances I consider that there can be no objection to the principle of development on the site. However, the merits of the particular type and form of development proposed must also be considered in the light of relevant policies and other material considerations.

5.3 Of particular significance is the fact that Longwater is not identified in the hierarchy of centres set out in the Joint Core Strategy (JCS) in policy 19. Notwithstanding the retail development already at Longwater (which is largely constrained from selling high street comparison goods such as clothes) the site must be regarded as an ‘out of centre’ location when assessing it for retail impact and sequential testing as follows.

Retail Impact

5.4 Section 2 of the National Planning Policy Framework (NPPF) seeks to protect the vitality and viability of established town centres by requiring an assessment of the impact of larger retail development proposals on town centres. Where an application is likely to have significant adverse impact it should be refused. This approach is echoed in policies SHO2 and SHO3 of the South Norfolk Local Plan. Such impact assessments require specialist expertise and the Council have employed consultants (WYG Planning and Environment) to assist in this case.
5.5 WYG carried out a critique of the retail information submitted with the application which found the broad methodology adopted was robust and in accordance with PPS4 Practice Guidance (published in respect of the cancelled PPS4 but remaining extant itself). However, a need for further information and clarification from the applicant’s consultants was identified. WYG also took account of the objections received from Norwich City Council in their work. The final report from WYG, having assessed the applicant’s final submissions in the light of objections received, is reproduced as Appendix 4.

5.6 It is perhaps a reflection of the complex nature of retail impact assessment, that there remains some disagreement between the Council’s consultant and the applicant’s. However, members will note that WYG conclude that, notwithstanding some under-estimation of impact (in respect of Riverside Retail Park rather than the City centre itself) the proposed development is acceptable in terms of the test of retail impact. In these circumstances I consider that the proposed development is consistent with NPPF 02 and local plan policies SHO2 and SHO3.

The Sequential Test

5.7 In addition to the assessment of retail impact, Section 2 of the National Planning Policy Framework (NPPF) seeks to protect the vitality and viability of established town centres and promote more accessible locations for development by requiring that a sequential approach is followed when considering large retail development proposals. Paragraph 24 states as follows:

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

The NPPF goes on to indicate that applications failing to satisfy the sequential test should be refused. The CLG Practice Guidance explains that alternative sites should be assessed with regard to their suitability, availability and viability.

5.8 Members will note that part of Norwich City Council’s objection (second bullet point in the summary above) is that the applicant has not been flexible enough in their requirements, as required by paragraph 24 of the NPPF, particularly in respect of the size of the store required, or at least that part (42.2% - 1,970sqm) proposed to sell clothing. An extract from the Practice Guidance dealing with the issue of flexibility is reproduced as Appendix 2.

5.9 The applicant’s agent points out that the Practice Guidance indicates that single retailer proposals should not be required to split onto separate sites if they demonstrate flexibility in their business model and scope for disaggregation (para. 6.30). The Guidance also accepts the need for larger floorspaces for bulky goods such as the home and garden elements of the Next proposal, which includes large room and garden set displays (6.31). However, the Guidance goes on in paragraphs 6.32 and 6.33 to highlight the issues arising from stores selling a wide range of goods (e.g. foodstores also selling clothing) and suggests that an operator claiming it is unable to be flexible about its chosen business model would be required to demonstrate why a smaller store or stores could not meet a similar need. As stated in paragraph 6.33, it is necessary to strike an appropriate balance between the requirements of the commercial sector and the requirements of national policy based upon local circumstances.

5.10 The agent draws attention to two recent court cases which indicate some important principles when applying the sequential test. The cases reflect on the degree of flexibility that should be required from a retailer when applying the sequential test, and also on the level of information that may be required.
5.11 [Tesco Stores Ltd v Dundee City Council 2012] Lord Reed in the Scottish Supreme Court concluded when considering whether a site was ‘suitable’, that this should mean considering whether the site is ‘suitable for the development proposed by the applicant’ and not whether it is ‘suitable to meet any deficiencies in the retail offer in the area’. However, this conclusion was qualified by the requirement that the developer should be expected to demonstrate that they have:

- had regard to the particular circumstances of the town centre when preparing their proposals, as regards to format, design and scale of the development;
- given consideration to accommodating the development in a different form, and where appropriate adjusting or sub-dividing large proposals, in order that their scale may fit better with the existing development in the town centre; and
- thoroughly assessed sequentially preferable locations on that footing.

5.12 [Zurich Assurance v North Lincolnshire Council 2012] Justice Hickinbottom in the High Court of Justice, Queens Bench Division commented that:

“It is unrealistic to expect a commercial operator to reveal its precise commercially sensitive and valuable calculations as to why it considers possible alternatives to the development proposal not to be commercially viable; and it is unnecessary for them to do so to enable a planning authority to come to a view on viability.”

5.13 These principles should clearly be born in mind when applying the Practice Guidance referred to above, and when assessing the information submitted about alternative sites. Striking the right balance between the commercial requirements of the applicant and the requirements of national policy is clearly not straightforward and the above judgements appear to shift the onus of proof in the retailer’s favour.

5.14 The agent argues that the viability of the proposed development requires the full range of products suggested, including the proposed clothes sales floorspace, in order to be viable. No detailed financial information is supplied to prove this claim, but it is argued that the bulkier range of ‘Home and Garden’ products require a large external display area and conservatory style floorspace so that lower sales densities are achieved. As a consequence they cannot be sold disaggregated from the wider range of products proposed in the format proposed. The operator considers there is insufficient other retailing in the Longwater area to make the location viable for a ‘Home’ goods only store of a size that would do anything but replace the existing Next Home store already within the retail park. The format proposed is distinct from Next’s ‘clothes only’ town centre type format and also from the existing ‘Next Home’ format offering in addition to these other formats, fitted kitchens, bathrooms, carpets, floor coverings and DIY products as well as the Garden Centre products.

5.15 It is also argued that the bulky nature of much of the ‘Home and Garden’ product range means that the development requires a retail warehouse type unit with adjacent surface-level car parking. It is suggested that the proposed format is not suitable or viable for town centre locations because of its lower sales densities in relation to town centre rents.

5.16 The submitted information suggests that the applicants have given consideration to alternative formats for their development, but for viability as well as practical reasons they are constrained in the size and type of site required. In the light of the Practice Guidance and more recent legal judgements I find, on balance, that the applicants have demonstrated why they have been unable to be more flexible in their requirements for a site, so that their approach is in accordance with NPPF paragraph 24 in relation to flexibility.
5.17 The application is supported by information that examines a number of potential alternative sites listed in Appendix 3. The applicant rejects all these alternatives for a range of reasons and combination of reasons. Members will note that the reasons for rejecting many of the sites relate to more than simply their size in relation to the required store format.

5.18 The reasons given for rejecting the alternative sites can be summarised as follows.
- Sites not viable due to construction costs and/or high cost in relation to lower sales densities achieved for bulky goods sales.
- Sites not available within timescale required.
- Sites not large enough to accommodate the store format required.
- Sites too close to City centre with consequent adverse impact on existing Next stores at Hay Hill and Riverside.
- Sites not in a high level comparison goods retail destination location, nor close to complementary retailers as required for the proposed format.
- Sites not sufficiently accessible with space for parking and HGV deliveries.
- Sites not suitable due to conflict with existing planning permissions and policy allocations.

5.19 The applicant has also considered other sites initially suggested by Norwich City Council. These included (as well as a car park site of 0.42 Ha at Barn Road) existing and proposed District Centre sites at Anglia Square and Hall Road. These have been rejected for a number of reasons, including the fact that relevant local plan policies require that these sites should have a convenience food store as their core and that comparison goods floorspace should be restricted. I accept the applicant’s argument that the proposed store format would not be suitable for the more day-to-day convenience retail function of these sites.

5.20 I also note that the City Council’s final objection letter promotes a potential alternative site, being an existing vacant unit adjacent to the B&Q store on Hall Road. This unit has permission for unrestricted A1 use and is currently vacant. Although it is in an out-of-centre location the City Council suggest that it is sequentially preferable to the application site. I note that the unit has a floorspace of 3,810sqm compared to the proposed store of 6,663sqm. The applicant also argues that the site could not accommodate the required store format, is not in a sufficiently prominent location and does not have sufficient other retailing in the vicinity to make the location viable for the Next store. It is also suggested that the site is less well related to the highway network and only benefits from 1 half-hourly bus service, whereas Longwater has 3 half-hourly bus services.

5.21 Application of the sequential test is clearly not straightforward because of the lack of detail and theoretical approach involved in assessing whether any particular site could possibly accommodate the applicant’s proposal, or some variant of it within the required degree of flexibility to be shown. While the ‘bulky goods’ element of the proposed store is a familiar concept for out-of-centre retailing, it is its combination with a large area of clothing sales which makes this application more contentious. The situation is made more difficult by recent legal rulings that appear to favour the applicant in terms of the degree of flexibility and financial justification that can be required. On balance, I am led to the conclusion that there are no other sequentially preferable sites that could be successfully argued to be suitable, available and viable for the applicant’s proposed store, given the business model they are pursuing.

Precedent

5.22 Objections have been raised to the application on the basis that approval would set a precedent for further ‘high street’ type retailing (especially clothing) in the Longwater Area, further undermining the hierarchy of centres set out in the Joint Core Strategy. While I understand this concern, both national and local planning policies require that each proposal for retail development should still have to pass the retail impact and sequential
tests. Such assessments have to take account of the cumulative impacts of any proposal when added to other existing or approved developments. In these circumstances I do not consider that a refusal based on a precedent argument could be sustained. It is of concern that retail development at Longwater (other than ‘bulky goods’ retailing) does have the potential to shift the character and function of this location away from its out-of-town retail role and towards becoming a retail centre in its own right. Although this is not envisaged in the JCS hierarchy of centres, when development proposals can be shown to satisfy the retail impact and sequential tests (as set out in national and local policies), then justification to refuse such proposals is hard to find.

5.23 Members will wish to note that the applications have been received in respect of three existing units within the established retail park at Longwater. These seek various relaxations of planning conditions which currently restrict the range of products that can be sold from those units. One unit is proposed for the sale of food, and the other two seek relaxation to permit non-food comparison goods (which could include clothing). These applications are currently the subject of consultation and will be assessed in line with relevant policies. Impact assessment of these proposals may need to include the cumulative impact with the Next store, depending on the outcome of this application.

Highways

5.24 Considerable concern has been expressed regarding the impact of the proposed store on the levels of traffic congestion that already occur at the Longwater junction at peak times. Concern also arises about the impact of additional traffic on the wider local highway network attracted to the new store as a retail destination from the catchment area. When considering this issue it should be borne in mind that a developer cannot reasonably be required to solve any pre-existing highway problems, but any requirement for highway improvement should address the impact of the particular development proposed. Maintaining the ‘status-quo’ may therefore be acceptable, even if pre-existing problems continue. Any incidental net benefit from improvements required from a developer may be given appropriate weight when assessing the merits of the application.

5.25 Negotiations with the Highways Authority have resulted in a scheme to provide an additional (third) traffic lane on William Frost Way from the site to the Longwater Junction. This would enable two lines of traffic to access the junction and the A47 (or other routes via the opposite arm of the junction) in addition to the new lane for those wishing to turn left towards the City. Improvements are also included for pedestrian and cycle crossings. As will be noted from the consultees summary above, this is accepted by NCC Highways as capable of accommodating the extra traffic and being of benefit to the junction overall. The Highways Agency also raise no objection.

5.26 In addition, mitigation for the wider impact of traffic increase is now to be provided by funding for traffic calming along West End, Costessey, to address the potential increase of traffic using that constrained route.

5.27 In view of the support from the Highways Authorities, I consider that an objection on highway grounds could not be sustained provided that the highway improvements are secured by condition and the contribution to traffic calming and Travel Plan requirement are secured by legal agreement. With these provisions the development accords with SNLP policy IMP8.

Design

5.28 The application site and its immediate surroundings are unremarkable, except for a belt of trees along the Dereham Road frontage (see below). Members will note that the Design Officer supports the proposed design. I also consider the proposal will enhance the
appearance of the site and add an attractive building to an area currently devoid of visual interest. The development represents high quality design in accordance with JCS policy 2.

Landscape and Trees

5.29 The belt of trees along the Dereham Road is the subject of a Tree Preservation Order. Although the proposed extra traffic lane will require removal of some trees, I consider this harm is outweighed by the highway benefits involved. In addition, the main value of the trees is not in their individual value but rather in their combined visual impact as a woodland belt.

5.30 The Landscape Officer does not object in principle to the scheme, but advises that the rather formal character of the new planting currently proposed is not sympathetic to the informal woodland character of the tree belt. A minor revision to the car park layout is also suggested to reduce the impact on one particular oak tree. I consider that these matters can be dealt with by a condition requiring subsequent approval of revised landscaping details. Subject to appropriate revisions, the development will comply with SNLP policy IMP2.

Drainage and Contamination

5.31 The Environment Agency and the Environmental Services Team have raised no objection to the application, but recommend conditions be attached to any permission. Drainage details will need to comply with the recommendations in the submitted Flood Risk Assessment. In view of the historical commercial use of the site and the proximity of waste landfill sites, investigation and remediation (if necessary) of any ground contamination will also be required. Appropriate conditions are recommended.

Ecology

5.32 The ecological report submitted finds, not surprisingly, that the site has low ecological value with no evidence of protected species and parts of the site being devoid of any species. Although the loss of a few trees from the frontage belt represents some harm to the value of the site, this can be compensated for in the new planting proposed. The report makes recommendations for tree protection during construction and for new planting and other enhancements. The timing of any vegetation removal should avoid the nesting season and removal of roof tiles by hand from the old office building before demolition is recommended to reduce the risk of harm to any bats that may unexpectedly be present. These matters can be addressed by appropriate condition.

6 Conclusion

6.1 Although Longwater is not specifically identified in the Development Plan as a location for new retail development, the applicants have demonstrated that the proposal complies with policy requirements in respect of retail impact and the sequential test and no material harm can be shown to arise from the development in this respect. The development cannot set a precedent because any future proposals will be considered on their own impact and sequential merits and in the light of any cumulative impact. The funding and provision of highway improvements will adequately address concerns about traffic, and detailed considerations relating to drainage, landscaping, contamination and ecology can be dealt with by conditions. In these circumstances I find the application is consistent with national and local policy and should be approved.

Contact Officer, Telephone Number  Chris Trett 01508 533794
and E-mail: ctrett@s-norfolk.gov.uk
6.23 It may be appropriate to identify new centres or to plan for changes in existing retail hierarchies in order to accommodate growth and meet changing needs. Alternative options for accommodating growth should be tested through the NSSNDF process, which should include consideration of the physical capacity of existing centres at different levels within the hierarchy to accommodate growth. This may also include testing the implications of promoting new centres or elevating existing centres to a higher level within the hierarchy in preference to ‘out of centre’ locations.

6.24 In determining the appropriate area of search for an application, including whether it is appropriate to consider sites within or on the edge of established centres, it will be relevant to consider the scale and form of development proposed. For example, some proposals will serve a purely localised need (e.g. ‘local’ foodstores) whereas others are likely to serve a materially wider catchment area. In these instances, it will be relevant to consider whether the proposal is of an appropriate scale to the location proposed, or whether some of the need could be better met within an existing ‘higher order’ centre.

6.25 There will be instances where a specific need for a certain type and form of development can only realistically be accommodated in specific locations.

6.26 When considering ‘location specific’ needs, it is important to distinguish between cases where needs arise because of a gap or deficiency in the range, quality or choice of existing facilities, and where the commercial objectives of a specific developer or occupier are their prime consideration. It cannot be argued that an identified need or requirement is in itself ‘location specific’ because, for example, the proposed retailer/developer owns the land in question, or is seeking an extension to an existing store or centre.

THE NEED FOR FLEXIBILITY

6.27 National policy requires developers and operators to demonstrate flexibility in their business model when considering sites in, or on the edge, of existing centres as part of applying the sequential approach to town centre uses. The purpose behind this is to seek wherever appropriate to accommodate new retail and other main town centre uses within town centres. This enables new development to make effective and efficient use of previously developed land, ensure schemes are located in accessible locations, secure new investment and thereby improve the range and diversity of activities in town centres.
6.28 In many cases, adopting an innovative approach and promoting high density development may be the best means of achieving planning objectives and maximising development returns. In particular, where it is possible for retailers to trade satisfactorily and meet their servicing needs through multi level stores, and/or through shared or multi level car parking and innovative servicing solutions, this has the potential to reduce the amount of land needed for new development, thereby reducing development costs. Some retailers have demonstrated such flexibility, and been able to amend their 'standard' business model requirements in order to secure new representation which would not otherwise have been possible. A good example of this is Asda in Halesowen, as shown below.

Case study: Asda Halesowen – Retailer flexibility

At Halesowen, Asda have built a superstore anchoring a £30m investment in the Cornbow shopping centre. This replaces a small Somerfield and a Peacocks, as well as a very poor multi-storey car park. The store is on two levels and has been developed together with a new bus station and a 400 space multi-storey car park, which directly adjoins the Asda section of the shopping centre. The developer is Vale Retail, which owns the Cornbow Centre.

In responding to the challenge to develop a new store on a constrained site, Asda adopted a flexible approach, two floors with an internal travelator linking both levels. There are checkouts and exits on both floors and trolleys have been specially designed with wheels that slot onto the travelator, to enable customers to shop both floors.

The site was constrained by a number of town centre buildings including the existing shopping centre, the bus station and the main Halesowen access road. In this instance, a flexible approach to format combined with some innovative design solutions have made this constrained site viable for a large format anchor store, which has transformed the performance of the centre as a whole, and reversed the long term decline of the centre.

6.29 Promoting new development in town and city centre locations can be more expensive and complicated than building elsewhere. This means that LPAs need to also be flexible and realistic in terms of their expectations. This will require them to consider the benefits of major private sector investment in their town centres (together with the improved facilities and other associated benefits that will be derived) against the implications of development occurring in other, less central locations.
6.30 In the case of single retailer or leisure operators, it is not the purpose of national policy to require development to be split into separate sites where flexibility in their business model and the scope for disaggregation have been demonstrated. This means that LPAs should be realistic when considering whether sites are suitable, viable and available.

6.31 The size and bulk of goods sold will also influence the size and type of store required. This applies particularly to retailers selling bulky durable goods such as DIY, furniture, carpets and domestic appliances. In many cases, these forms of development are regarded as complementary to the role of town centre retailing, and do not generate sufficient sales productivity to trade in prime town centre locations.

6.32 In the case of large foodstores, the trend towards selling a wide range of goods, including comprehensive ranges of fashion/clothing and homeware products creates particular issues. Again, such proposals will need to demonstrate flexibility in terms of the scale and format of development proposed; car parking provision and the scope for disaggregation. This will need to be set in the context of other national planning policy objectives for town centres, including the requirement to provide consumer choice and promote competitive town centre environments.

6.33 The decision by an individual retailer to promote a business model which cannot be accommodated in an existing centre will not justify discounting more central sites where they are available, suitable and viable. In every case it will be necessary to strike an appropriate balance between the requirements of the commercial sector and the requirements of national policy based upon local circumstances. While there is no policy requirement to demonstrate need, an operator claiming that it is unable to be flexible about its chosen "business model" would be expected to demonstrated why a smaller store or stores could not meet a similar need.

6.34 There will be some situations, for example in historic centres, where it is difficult to accommodate large developments due to the limited availability of sites, conservation and heritage issues and/or traffic and parking constraints. However, as the Grand Arcade in Cambridge demonstrates, even in highly constrained historic centres it may be possible to accommodate modern retail and other town centre uses in well integrated sensitively designed schemes.
Case Study: Cambridge Grand Arcade

A good example of a flexible approach to accommodating a key anchor retailer is the John Lewis Department store in Cambridge. During the late 1980s a number of out of centre sub-regional shopping centre proposals were considered in the area on the basis that the requirements of John Lewis and other modern retailers could not be accommodated within the historic city centre.

This 'accepted wisdom' was challenged and the Secretary of State rejected the out of centre proposals and called for a review of the then structure plan policy. The culmination of this review and detailed feasibility testing was the identification of an opportunity for a major new development, linked directly into the primary shopping area.

The Grand Arcade has successfully accommodated the requirements of John Lewis albeit on a highly constrained site. An innovative approach has resulted in a five storey development which meets the accommodation requirements of John Lewis and maintains the distinctive nature of the brand, yet respects the historic setting of the store.

6.35 Some developments are comprised of a number of town centre uses. For example retail parks involving a range of retailers whilst mixed use developments can include retail, leisure, hotels and restaurants. In these cases, where edge of centre or out of centre locations are proposed, it will be relevant to consider whether any of the units proposed could be accommodated on more centrally located sites. The requirement to incorporate a range of uses in order to achieve a viable development is unlikely in itself to be sufficient reason for promoting development in less central locations where more central appropriate sites exist, which can accommodate elements of the proposal.

ARE SITES SUITABLE, AVAILABLE AND VIABLE?

6.36 National policy requires those promoting development, where it is argued that no other sequentially preferable sites are appropriate, to demonstrate why such sites are not practical alternatives in terms of their availability, suitability and viability.
6.37 These terms are defined as:

- **Availability** – whether sites are available now or are likely to become available for development within a reasonable period of time (determined on the merits of a particular case, having regard to inter alia, the urgency of the need). Where sites become available unexpectedly after receipt of an application, the local planning authority should take this into account in their assessment of the application.

- **Suitability** – with due regard to the requirements to demonstrate flexibility, whether sites are suitable to accommodate the need or demand which the proposal is intended to meet.

- **Viability** – whether there is a reasonable prospect that development will occur on the site at a particular point in time. Again the importance of demonstrating the viability of alternatives depends in part on the nature of the need and the timescale over which it is to be met.

**i) Availability**

6.38 A site is considered available for development when, on the best information available, there is confidence that there are no insurmountable legal or ownership problems, such as multiple ownerships, ransom strips, tenancies or operational requirements of landowners. Two related points include:

- Whether there are any key policy pre-conditions to bringing forward the site, for example through allocation in the LDE and if so the timescales and progress made towards meeting them.

- The ownership of the site, and any evidence of whether the owner(s) of the site appear willing to bring forward the site for development in question within a reasonable timescale (or alternatively the progress made by the authority on site assembly through compulsory purchase where relevant).

6.39 The issue of availability and the sequential approach have to be considered together with the impact of development occurring in edge or out of centre locations, and the longer term consequences for town centres. Thus, whether it is appropriate to assess availability over three to five years, or a longer time period will depend upon local circumstances.

6.40 As described previously, some major town centre schemes can take 10-15 years to deliver, and require the use of CPO.

6.41 When promoting a proposal on a less sequentially preferable site, it will not be appropriate for a developer or retailer to dismiss a more central location on the basis that it is not available to the developer/retailer in question.
ii) Suitability

6.42 When judging the suitability of a site it is necessary to have a proper understanding of scale and form of development needed, and what aspect(s) of the need are intended to be met by the site(s). It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make, either individually or collectively, to meeting the same requirements.

6.43 The following factors are likely to be relevant when assessing whether a site offers a suitable location for development:
- Policy restrictions – such as designations, protected areas, existing planning policy and corporate, or community strategy policy.
- Physical problems or limitations – such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination.
- Potential impacts – including effects on landscape features and conservation.
- The environmental conditions – which would be experienced by potential users of the proposal.

6.44 Like other aspects of the sequential approach, the question of the suitability of alternative sites requires a balanced judgement based on the specific circumstances of the case and the site in question.

6.45 Those promoting less central sites should not discount more central locations as unsuitable unless they are able to clearly demonstrate that a development on the site in question would be unable to satisfactorily meet the need/demand their proposal is intended to serve. They should not reject sites based on self-imposed requirements or preferences of a single operator, or without demonstrating a serious attempt to overcome any identified constraints.

6.46 Conversely, ifLPAs suggest alternative, more central sites as being sequentially preferable, they should be satisfied that the alternatives are genuinely likely to be suitable for the scale/form of town centre uses proposed, having regard to their planning policies, their stated intentions for the site, and any other planning conservation or environmental constraints affecting the site.

iii) Viability

6.47 This is concerned with judging whether there is a reasonable prospect that development will occur on a site. This will be influenced by:
- Market factors – such as adjacent uses, economic return of existing, proposed and alternative uses in terms of land values, attractiveness of the locality and level of potential market demand.
• Cost factors – including site preparation costs relating to any physical constraints, any exceptional works necessary, relevant planning standards or obligations, prospect of funding or investment to address identified constraints or assist development; and

• Delivery factors – including the developer’s own phasing, the realistic build-out rates on larger sites (including likely earliest and latest start and completion dates), $106 costs, whether there is a single developer or several developers and their size and capacity etc.

6.48 Linked to the above, the fact that a specific retailer or occupier is said to be unwilling to locate on a particular site is not necessarily evidence that it is unviable. The case studies like Cambridge and Halesowen demonstrate retailers and developers’ ability to be flexible and innovate in order to secure representation in constrained locations.

6.49 A key issue is the level of detail required to assess whether other locations are viable. Where alternative sites are being actively promoted for new development by a developer/retailer, this is a reasonable indicator that the location is viable. Where other sites are not being brought forward for development, it is more relevant to consider their progress and whether they are being used as a means of ‘blocking’ new development in less central locations. In these circumstances it may be necessary to consider the commitment of the local authority to promoting alternative sites, and bring them forward at the earliest opportunity, for example through the use of their compulsory purchase powers.

6.50 It will rarely be necessary to undertake detailed development appraisals to test the viability of alternative sites. A key problem is the lack of information available to local authorities or prospective developers in relation to the costs involved in developing alternative sites, without going to the significant expense of commissioning detailed feasibility studies and development appraisals for every alternative site identified. Given the timescale for bringing forward some town centre schemes, and their vital importance to the continuing vitality and viability of town centres, it would be inappropriate to reject a more central opportunity as being currently unviable, without allowing a reasonable period of time to test whether a viable opportunity is likely to come forward.
DEMONSTRATING COMPLIANCE WITH THE SEQUENTIAL APPROACH

6.51 Given the provisions of Policy EC17, it is essential that applicants are able to demonstrate compliance with Policy EC15. Equally, it is important that such assessments are proportionate to the nature of the proposal, and wherever practicable, their scope and conclusions are discussed and agreed between the applicant and the LPA.

6.52 It may be appropriate to adopt a simple 'checklist' to demonstrate compliance, outlining the basis on which the assessment has been undertaken, and detailing all the alternatives considered. This might include the following:

Checklist: adopting a sequential approach

- What is the scale and form of development needed?
- Is the need 'location specific' or even 'site specific', or is it more generalised?
- Are the PSA and wider town centre properly defined in the development plan?
- How should the site/proposal in question be defined? Is it 'in centre', 'edge of centre' or 'out of centre'?
- Have all more central opportunities been considered/identified?
- Have they been thoroughly tested, having regard to their suitability, viability and availability having regard to the identified need/demand and the timescale over which it arises?
- Has this assessment adopted a sufficiently flexible approach?
- Has the potential to overcome any obstacles to the availability of more central sites been discussed with the LPA?

6.53 Wherever possible, alternative sites should be discussed and agreed with the LPA at an early opportunity. LPAs should not be raising new alternative at a late stage in the process. There may be cases where the LPA is content that here are no possible alternatives. However, the onus still rests on the applicant to demonstrate compliance with the approach.

6.54 If the applicant asserts that the proposal is, by its nature, locationally specific, and cannot be accommodated in a more central location, or that it is not possible to adopt a flexible approach to accommodate any need/demand more centrally, it will be necessary to clearly justify this position.
### Table 7.1 - Summary of sequential sites

<table>
<thead>
<tr>
<th>Site ref</th>
<th>Site name</th>
<th>Sequential location</th>
</tr>
</thead>
<tbody>
<tr>
<td>N1</td>
<td>Anglia Square</td>
<td>In-centre</td>
</tr>
<tr>
<td>N2</td>
<td>Rose Lane / Mountergate</td>
<td>In-centre</td>
</tr>
<tr>
<td>N3</td>
<td>St John’s Wharf and adjoining land</td>
<td>In-centre</td>
</tr>
<tr>
<td>N4</td>
<td>Land adjoining Norwich City Football Club, Kerrison Road</td>
<td>In-centre</td>
</tr>
<tr>
<td>N5</td>
<td>Barrack Street</td>
<td>In-centre</td>
</tr>
<tr>
<td>N6</td>
<td>Duke’s Street Wharf, Duke Street</td>
<td>In-centre</td>
</tr>
<tr>
<td>N7</td>
<td>St Stephen’s Street</td>
<td>In-centre</td>
</tr>
<tr>
<td>N8</td>
<td>Aylsham Road, Upper Hellesdon</td>
<td>Edge-of-centre</td>
</tr>
<tr>
<td>N9</td>
<td>Land north of Windmill Road, Sproston Road</td>
<td>Edge-of-centre</td>
</tr>
<tr>
<td>N10</td>
<td>Mile Cross Depot, Mile Cross Road</td>
<td>Edge-of-centre</td>
</tr>
<tr>
<td>N11</td>
<td>Former car sales sites, Cromer Road / Reepham Road</td>
<td>Edge-of-centre</td>
</tr>
<tr>
<td>N12</td>
<td>Former StartRite site, Mousehill Lane</td>
<td>Out-of-centre</td>
</tr>
<tr>
<td>N13</td>
<td>Sites at Hurricane Way</td>
<td>Out-of-centre</td>
</tr>
<tr>
<td>N14</td>
<td>Land at Hall Road</td>
<td>Out-of-centre</td>
</tr>
<tr>
<td></td>
<td>Wymondham</td>
<td></td>
</tr>
<tr>
<td>W1</td>
<td>Land at Norwich Road/Postmill Close</td>
<td>Out-of-centre</td>
</tr>
<tr>
<td>W2</td>
<td>Ayton Road</td>
<td>Out-of-centre</td>
</tr>
<tr>
<td>W3</td>
<td>Station Road</td>
<td>Out-of-centre</td>
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<tr>
<td></td>
<td>Dereham</td>
<td></td>
</tr>
<tr>
<td>D1</td>
<td>Land North of Georges Road and Car Park</td>
<td>In-centre</td>
</tr>
<tr>
<td>D2</td>
<td>TA Centre and Car Sales Garage, Cowper Road</td>
<td>In-centre</td>
</tr>
<tr>
<td></td>
<td>Attleborough</td>
<td></td>
</tr>
<tr>
<td>A1</td>
<td>Former Gaymer’s Factory</td>
<td>Out-of-centre</td>
</tr>
</tbody>
</table>

#### 7.4.2
The assessment of sites set out at Appendix B conclusively demonstrates that none of the above-listed sites meet the requirements of the sequential test, and that the application scheme therefore is fully compliant with the NPPF.

#### 7.5 Scope for Expansion of Existing Next Stores

#### 7.5.1
Table 7.2 provides a summary of the location of existing Next stores within and surrounding the ‘area of search’ discussed above. It demonstrates that there is no scope for expansion of existing Next retail stores within the local area to meet the company’s requirement for a large-format ‘Home and Garden’ store, and therefore none of these locations form suitable alternative development locations. This reinforces the conclusion set out above that the application scheme satisfies the requirements of the sequential test.

#### 7.5.2
As noted previously, it is Next’s intention for all of the stores within the local area to remain trading should the application scheme secure planning permission.
Table 7.2 – Summary of scope for expansion of existing Next stores

<table>
<thead>
<tr>
<th>Store</th>
<th>Distance from application site</th>
<th>Ranges stocked</th>
<th>Comments on scope for extension / redevelopment of store to form a Next ‘Home and Garden’ store</th>
</tr>
</thead>
<tbody>
<tr>
<td>Longwater Retail Park, Norwich</td>
<td>0 miles</td>
<td>Home</td>
<td>Units either side of the Next unit are in use and there is no scope for any other form of extension. Mezzanine floor already trading within unit, therefore no potential for further internal increase in floorspace. Store forms part of a retail park which benefits from a lack of visibility from the surrounding area. In order to be commercially viable, the store needs a prominent main road frontage, which this site does not provide.</td>
</tr>
<tr>
<td>Hay Hill, Norwich</td>
<td>5 miles</td>
<td>Menswear, Womenswear, Childrenswear, Home</td>
<td>Store occupies a prominent position within the historic confines of Norwich city centre. There is no scope for expansion of the store, due to the presence of existing developments (McDonalds/ Topshop &amp; Topman stores) and Market Place to the east, St Peter Mancroft Church to the north, and The Forum to the rear of the store to the west. There would be no scope for adding significant amounts of floorspace to the store whilst respecting the surrounding historic environment and Conservation Area. There is no scope for car parking provision adjacent to the store.</td>
</tr>
<tr>
<td>Riverside Retail Park, Norwich</td>
<td>5 miles</td>
<td>Menswear, Womenswear, Childrenswear, Home</td>
<td>The store is part of a popular retail park development (also classified as a district centre). There are no vacant units adjacent to the Next store which could be expanded into. Adjacent units are occupied by Argos and Mamas &amp; Papas, and we are not aware of proposals by these retailers to vacate their premises.</td>
</tr>
<tr>
<td>Great Yarmouth, Gapton Hall Retail Park</td>
<td>22 miles</td>
<td>Menswear, Womenswear, Childrenswear, Home</td>
<td>Extension / redevelopment of this store would be outside Next’s desired catchment for a ‘Home and Garden’ store and would not be commercially viable.</td>
</tr>
<tr>
<td>North Quay Retail Park, Lowestoft</td>
<td>26 miles</td>
<td>Menswear, Womenswear, Childrenswear, Home</td>
<td>Extension / redevelopment of this store would be outside Next’s desired catchment for a ‘Home and Garden’ store and would not be commercially viable.</td>
</tr>
</tbody>
</table>
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1.0 Introduction

1.1 Introduction and Instruction

1.1.1 South Norfolk Council (hereafter referred to as 'the Council') has instructed WYG Planning ('WYG') to provide advice in respect of a planning application (Reference: 2013/1259), submitted by Next Plc ('the applicants'). The proposed development comprises the redevelopment of the application site to form a new retail unit, set over two levels at a site off William Frost Way in Longwater, Norwich.

1.1.2 The planning application is accompanied by a Planning & Retail Statement (PRS) which has been prepared by the applicant's agent, Peter Brett Roger Tym (PBRT). The PRS was subject to submitted representations by Norwich City Council ('NCC') (30th September 2013) and WYG on behalf of the Council on 18th October 2013.

1.1.3 Following on from this, PBRT has produced a response by letter dated 8th November 2013. WYG's instruction from the Council is to assess the response received by PBRT and to advise if the conclusions presented enable us to advise that the proposals now meet the relevant retail policy tests set out at NPPF paragraphs 24-27.
2.0 Assessment

2.1.1 Our October critique highlighted a number of areas where further work or a response was required by the applicant. In summary, the topics on which we requested further clarification were as follows:

1. The use of survey derived internet market shares as opposed to national data;

2. The methodology adopted in calculating comparison goods market shares;

3. The implications of adopting annual growth in sales efficiency of the proposed store from the base year of the assessment (2013);

4. A review of the trade draw estimates; and

5. A review of the trade diversion estimates.

2.1.2 PBRT has produced responses in respect of each area and we set out our review of those responses below.

2.2 Special Forms of Trading

2.2.1 We questioned why PBRT had used national estimates of Special Forms of Trading (SFT) produced by Experian, as opposed to utilising local data generated from the household survey submitted in support of the PRS, and suggested that they look at a sensitivity test on this. PBRT has responded to this by carrying out the required assessment in Table 1 of their response. The assessment compares both Experian and Household survey data for SFT forecasting, both unadjusted and adjusted for store-picked transactions. We have corroborated the data presented in Table 1 (see also our commentary in respect of 'comparison goods market shares' below).

2.2.2 PBRT make the case that the Experian data is actually a ‘worst case’ scenario as it shows up higher reductions for SFT. We agree with this assessment, and are now happy that PBRT has assumed reasonable SFT parameters.
2.3 Comparison Goods Market Shares

2.3.1 Our initial assessment sought a greater degree of clarity in respect of the methodology for calculating comparison goods market shares stemming from the household survey. Whilst we were able to look at the raw data in respect of each of the seven comparison goods categories, there was no transparency in respect of how they had been combined to produce the figures seen at Table 4 of Appendix D to the PRS.

2.3.2 PBRT has sought to address this concern in their response. They explain that the seven categories are combined by NEMS Market Research. Whilst we would have preferred to see the calculations set out for our own eyes, we have no reason to believe that NEMS, being a well-renowned and independent market research company, would have any reason other than to carry out this exercise correctly. Notwithstanding this, we have carried out our own assessment based on the raw data from the household survey, and can confirm the veracity of the figures. We are therefore content that the base market share data is acceptable.

2.4 Sales Efficiency Growth

2.4.1 PBRT originally kept the Next sales densities constant over the period to 2016, before applying a 1.5% annual growth to the turnover of the store after that date. We questioned whether this was a robust approach having regard to the recommendations set out within Experian's Retail Planner 10.1 Briefing Note (Figure 3b) which included year-on-year growth in sales density over the period 2013-2016.

2.4.2 PBRT has responded to this by recounting PPS4 Practice Guidance around the requirement to for sales density growth to be ‘realistic’ and linked to expenditure growth. They faithfully produce at Table 3 of the response, a comparison between comparison goods expenditure growth and sales density growth, over the period 2011-2016.

2.4.3 Notwithstanding this, they also conduct a sensitivity test by building in the 1.5% per annum increases over the period to 2016. This results in forecast turnover uplift, over and above that which was originally assessed, of £0.68m by 2016. PBRT has included this uplift within their ensuing reassessment of impact.
2.5 Review of Trade Draw Estimates

2.5.1 We originally queried a number of forecast trade draws set out at Table 7 of the PRS. We summarise our comments and the PBRT response as follows.

<table>
<thead>
<tr>
<th>Zone</th>
<th>WYG Query</th>
<th>PBRT Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>A, B, C, D &amp; F</td>
<td>Zones B, C and D (and to some extent Zone F) are located on the same side of the City as Longwater, and include quite dense residential areas, but are only shown to provide a combined 8% of the store’s turnover. By comparison, Zone A provides 10% on its own, despite being located further away from the application site.</td>
<td>Zones B, C &amp; F – residents in these Zones benefit from a range of nearby comparison goods facilities and therefore no trade draw adjustments are made. Zone D – Accepted that more trade could be drawn from this Zone. Increased draw from 2% to 7.5%. Zone A – Increased draw from 10% to 12.5%.</td>
</tr>
<tr>
<td>I &amp; H</td>
<td>NCC in their holding objection consider that the store has the potential to draw significantly more trade from north and north east of the study area (Zones I &amp; H).</td>
<td>The geography of the road network makes a larger trade draw unlikely. No adjustments suggested in the text (though actually adjustments for Zone H from 2% to 1.5%, and for Zone I from 7% to 6% have been made in revised Table 7).</td>
</tr>
<tr>
<td>M</td>
<td>Given the accessibility of Zone M to the proposed store via the A47, the assessed 6% trade draw appears relatively low.</td>
<td>Adjusted trade draw from 6% to 10%.</td>
</tr>
</tbody>
</table>

2.5.2 In addition to direct revisions to the trade draws as a result of the queries raised by WYG and NCC, PBRT has also made linked adjustments to the following Zones: E from 16% to 13%; J from 15% to 11.5%; K from 14% to 11.5%; L from 4% to 3%; and, N from 2% to 1.5%.

2.5.3 Trade draw is based on professional judgement. In our opinion, PBRT has moved to address our concerns in the right direction. However, we still have some concern over their re-apportionment. In particular, we originally highlighted the disparity between the trade draw of Zone A, set against Zones B, C and D. The position has now changed to show that trade draw from Zone A will 12.5%
Appraisal of Retail Planning Issues

and that the combined trade draw from the other Zones will be 13.5%. Whilst it seems more appropriate that draw from the other Zones has been increased (8% to 13.5%), we still have some concern that this is almost identical to the entire trade draw from Zone A (12.5%). Whilst PBRT are correct to point to a number of existing facilities in Zones B, C, D and F, it is also correct that a number of residents in Zone A would have to drive past those facilities in order to get to Longwater. Nevertheless, accessibility to the A47 is good from Zone A, so we would possibly be differing in one or two percentage points if we were to revise the assessment ourselves. We come back to this point in our conclusions on retail impact below.

2.5.4 Aside from our concern with forecast trade draw from Zone A, we are broadly content that PBRT’s estimates are in line with our own.

2.6 Trade Diversions

2.6.1 In light of all the foregoing, PBRT has adjusted their trade diversion assessment. In line with the original WYG advice, this includes sensitivity testing higher levels of trade diversion from Norwich City centre (£6.5m to £7.36m) and Riverside Retail Park (£0.93m to £1.22m), and a reduced trade diversion from Longwater Retail Park (£1.25m to £0.64m). We consider that these relative trade diversions are now more realistic.

2.6.2 However, we have noted that PBRT has only assessed trade diversions for that part of the store’s turnover which is drawn from the catchment area (£14.30m from Table B2). This is incorrect. Table B3 should illustrate diversions for the full turnover of the proposed store i.e. £15.89m. In effect, this means that there is £1.59m of turnover diversion missing from the impact assessment. In order to complete our assessment, we have therefore made a reasonable judgement that all forecast impacts should be increased pro-rata by 10% to account for the missing proportion of turnover. For example, PBRT’s forecast impact on Norwich City Centre would increase from £7.36m to £8.14m.

2.7 NCC Comments

2.7.1 Relative to the impact assessment, and in response to additional information provided by NCC, PBRT has updated their impact assessment to include a cumulative assessment of the impact of a new retail unit on Hall Road, Neatmarket. We can confirm that the methodology applied in doing so, at Table B4 is broadly acceptable.
2.8 Updated Retail Impact Assessment

2.8.1 Having discussed much of the background to Tables B1, B2 and B3 above, it is relevant to focus mainly on Table B4 which presents an updated quantitative assessment of impact, including cumulative impact. As a starting point, we reiterate our conclusion that PBRT has under-estimated all impacts by around 10% by mistakenly accounting only for the catchment area turnover of the proposed store in their trade diversion assessment. Our revised estimates on this basis are shown in brackets in the analysis which follows.

2.8.2 In terms of the key centres, PBRT assess in Column K the cumulative impact upon each centre. This is shown as being 1.12% (1.23%) on Norwich City Centre and 9.75% (10.73%) on Riverside Retail Park. PBRT make the case that Column J shows that “each centre centre/destination within the catchment area will experience positive expenditure growth relative to their current trading position between 2013 and 2016, having made allowance for trade diversion to the application scheme and the commitment”. This statement is incorrect. Even using PBRT’s own figures, it can be seen by comparing Columns B and J that some destinations will actually experience a worsening of their trading position at 2016 relative to their current trading position at 2013. For example, Riverside Retail Park is currently shown to turnover at £25.33m, but will only trade at £24.54m at 2016. This centre will therefore actually experience a small negative expenditure growth over the period 2013-2016. The same is also true of others including Hall Road Retail Park and Sweet Briar Retail Park.

2.8.3 Notwithstanding the above, it is true to say that Norwich City Centre will continue to experience significant expenditure growth over the period to 2016 and notwithstanding the cumulative impacts. Taking account also of its health in vitality and viability terms, we are satisfied that no significant adverse impact will result. More of a question mark is raised around Riverside Retail Park for the reasons detailed above, and where impact of around 10% is not insignificant. Nevertheless, we note that more than half the forecast trade diversion derives from the Hall Road development, which was approved by NCC. Moreover, whilst there will be a small overall reduction in turnover from 2013 to 2016, it seems unlikely that any retailer would cease to trade as a direct result of this, especially when the impact is spread across a number of units on the park. On balance, we also therefore find this aspect to be acceptable. All other centres are forecast to experience relatively small diversions, which we consider will have no material impact on their vitality and viability.
Appraisal of Retail Planning Issues

3.0 Summary and Conclusions

3.1.1 The NPPF provides guidance at paragraphs 24-27 and explains that applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date development plan should be refused planning permission where an application fails to satisfy the sequential test or is likely to have significant adverse impact with regard to the following:

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

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

3.1.2 PBRT has carried out a comprehensive assessment of the proposal having regard to the tests above. We are satisfied that the broad methodology adopted by the applicant is robust and follows the necessary steps set out within the PPS4 Practice Guidance. Building on the original comments and conclusions set out in the October 2013 report, we are now content that PBRT has satisfactorily addressed our queries raised, and that the application proposals are acceptable in terms of the test of retail impact, as described in the NPPF.

3.1.3 We are satisfied that there are no sequentially preferable sites within South Norfolk that are available for the proposed development. However, a firm conclusion on this aspect must be reached separately by officers of the Council having regard to the sequential site discussions which have taken place between NCC and PBRT.
5. **Appl. No**: 2013/1904/O  
**Parish**: FRAMINGHAM EARL

**Applicants Name**: Hibbett & Key Ltd  
**Site Address**: Land East Of Water Tower Long Road Framingham Earl Norfolk  
**Proposal**: Outline planning permission for 7 no. dwellings and associated works on the former RAF Camp, Long Road, Framingham Earl, including demolition/removal of existing former RAF buildings and structures

**Recommendation**: Approval with conditions

1. Outline Permission Time Limit  
2. Standard outline requiring Reserved Matters  
3. In accordance with amendments  
4. External materials to be agreed  
5. Reporting of unexpected contamination  
6. Details of foul water disposal  
7. Surface Water  
8. Ecology Mitigation  
9. Boundary treatment to be agreed  
10. Retention trees and hedges  
11. Tree protection  
12. PD rights removed within tree protection areas  
13. Existing Access, Widen or Improve  
15. Visibility splay dimension  
16. Provision of parking, service  
17. Archaeology  
18. New water efficiency  
19. Slab levels to be agreed

Subject to a S106 Legal agreement for the provision of affordable housing

1. Planning Policies

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

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 1980/2940  Proposed erection of 8 detached houses and garages  Refused

3. **Consultations**

3.1 Parish Council  Refuse:-

- Former RAF camp - many residents not aware that there was a temporary RAF camp on the site
- Concern re the red line and request clarification
- Details of ownership of boundary ditches or culverts to be provided
- The provision of a bungalow on this site is not compatible with the characteristics of this area. Recommend that this provision of affordable housing is withdrawn
- A written woodland management plan to be provided
- There is no requirement for any more dwellings in this small village

3.2 District Member  To be reported if appropriate

3.3 Housing Strategy Manager  No objections

3.4 Flood Defence Officer  Support with conditions

3.5 Anglian Water Services Ltd  No comments received

3.6 Design Officer  Support the design principles.

3.7 Landscape Officer  Additional information required

- Tree removal plan
- Further clarification on woodland management

3.8 NCC Highways  Support with conditions

3.9 Historic Environment Service  No comments received

3.10 Environmental Services (Protection)  No comments received

3.11 Representations  12 letters of objections

- Outside the newly accepted planning line which has only just been put forward under the New Local Plan. Would make a mockery of the Council's intentions if they were allowed a breach within a few weeks of the cabinet's agreement.
- South Norfolk already has an excess of its 5 year supply of housing site
- Cllr Fuller is on record as stating South Norfolk has fulfilled its obligation to provide sites and he felt ‘enough was enough’
- Not a brownfield site, only one building left. No buildings visible from the road and the site remains a rural one, upon which the fauna and flora depend
Houses opposite have TPO's and this should be extended to the whole of Forty Acre Plantation
Precedent for further development
Concern of use of sewage treatment plants and impact on volume of water entering the ground
Flooding
Detrimental impact on ecology and character of area
Increase in traffic
No informal consultation taken place with neighbours
Concern application in outline, no guarantees the site would be developed and could led to completely different and unacceptable application for full planning permission
Land better used for natural access area for the use of residents to enjoy
Number of houses in LDF reached without this development
Do not need any more houses
Infrastructure cannot cope with more houses
This site was included in an application for a larger site which included practically all of Forty Acre Plantation. The developers under 2011/1284 then submitted just the Pigot Lane site, which despite objections received planning permission consent.
Detrimental impact on ecology

4 Assessment

4.1 This application seeks outline planning permission for the erection of 7 detached dwellings, 6 market houses and 1 affordable dwelling at Long Lane, Framingham Earl.

4.2 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 Framingham Earl together with Poringland as a Key Service Village. Settlements within the Norwich Policy Area (NPA) may also be considered for additional development to help deliver the 1800 dwellings 'in smaller sites within the NPA.'

- The 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 requirement also includes an additional buffer of 5%, brought forward from later in the plan. Appendix A of the Joint Core Strategy 2012/13 Monitoring Report shows that there was a supply of 4.42 years for the whole Norwich Policy Area at 31 March 2013. Since March there have been changes to some of the sites that make up the 5-year supply, both increasing and decreasing the supply; however, this remains the most recent published figure agreed by the three local planning authorities.

- The sustainability of the site's location, having regard to Framingham Earl being defined as a Key Service Village within Policy 14 of the Joint Core Strategy.

- 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 the scheme being built and ready for occupation well within 5 years.
• The environmental impacts of developing the site, including the impacts on existing infrastructure.

• Brownfield site - Paragraph 111 of the NPPF 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), this excludes land which has been previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

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

Principle of the proposal in this location

4.4 The application site is situated to the north of Long Lane and is located outside the development boundary for the village. Prior to 1940's the site had been predominantly covered by dense woodland making up part of 40 Acre Plantation. The site was developed for use in the second world war. A range of military structures were built, these buildings were constructed to facilitate and serve the radar station, situated 1km west of the site. Two of the buildings and associated tracks remain on the site. The site is well screened from the road by natural vegetation and the existing structures are located away from the road and therefore are not readily visible from the highway. Whilst the site screens the structures from public view, they are clearly visible within the site and have not blended into the landscape in the process of time. The application proposes to remove the existing buildings and the erection of 7 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.

4.5 The NPPF 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 land supply of deliverable housing sites does not exist. The 5-year land supply requirement also includes an additional buffer of 5%. 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'. The demonstrable lack of a housing supply (albeit an improving situation) carries significant weight in the consideration of the application.

4.6 Framingham Earl has been selected as a Key Service Village as it has a good range of facilities that enable it to meet local needs. These centres also benefit from good public transport services.

4.7 There are no known capacity issues or infrastructure constraints that are material to the consideration of this application.

4.8 In view of the above, I consider that the principle of development on the site is acceptable and accords with the NPPF.
Design

4.9 The South Norfolk Place-Making Guide confirms that the site falls within the Poringland Settled Plateau Farmland, which is characterised by a densely settled core, predominantly of ribbons of post war development interconnected by older settled areas which have a more distinct character. An analysis of Framingham Earl and its surroundings has also been carried out to inform the design and character of the site, which takes into account the sites landscape and townscape context. The illustrative master plan shows how the proposals could create character throughout the site to add interest and variety to the proposals. The development concept has been designed to respect the existing site features such as the surrounding woodland and retains a strong landscape structure that helps to minimise its impact on neighbouring areas. Generous plot sizes aim to respect the pattern and grain of existing development on the south side of Long Road as well as creating opportunities for green space throughout the site that will promote both recreation and ecological diversity. The scheme has been well thought out and accords with policy and South Norfolk Place-Making Guide.

Highways

4.10 The highway officer, whilst requiring additional information (which has subsequently been provided), has raised no objections to the proposal. I therefore do not consider the proposal could now be refused on highway safety grounds.

Residential amenity

4.11 No concerns have been raised in respect of the impact of the dwellings on the amenities of the neighbouring properties via noise, disturbance, loss of light or loss of privacy. The development is a reasonable distance from the nearest residential properties and therefore, the proposal will not give rise to a situation so detrimental to the amenities of the adjacent residential property as to justify refusal of the application on this ground.

Affordable housing provision

4.12 Under the requirements of Policy 4 of the JCS, due to the number of dwellings proposed the requirement for one affordable home is triggered. The application proposes a 2 bedroomed single storey property for rent, which is supported by the Strategic Housing Manager. This will need to be secured by way of S106 agreement.

Drainage

4.13 The Poringland Integrated Urban Drainage Pilot Study (PIUD) indicates that soakaways and other infiltration methods are not always a viable option of surface water disposal within the pilot study area and that where infiltration will work effectively, it can have severe potential implications further down the catchment. In view of the above, the Flood Defence Officer has raised no objections in principle but requires that a surface water drainage scheme for this site, based on the principles of sustainable drainage be submitted and approved prior to any development taking place. The scheme should;

- demonstrate that the proposed surface water management scheme has been adequately sized to accommodate the 1 in 100 year rainfall event including 30% for the effects of climate change
- demonstrate that run-off from the development site shall not exceed the existing run-off rates and where possible a reduction in run-off should be achieved
- show that consideration has been given to over-land flow routes and that people and property will be safe from flooding
- provide details of arrangements for the long term maintenance and management of the drainage systems and any boundary ditches within the curtilage of the site.
4.14 A number of concerns have been raised in respect of the proposal as set out in para 3.12. I have responded to some of the concerns raised above, however whilst I fully appreciate the other issues raised such as; setting a precedent; TPO should be imposed on the site; already enough housing; comments made by Cllr Fuller, none of these would be material reasons to refuse the application. I also note that the Parish Council has recommended that the affordable provision is removed from the application but this would be contrary to the provisions of policy 4 of the JCS. In respect of the impact on existing trees and ecology, the submitted surveys indicate that the scheme would not adversely impact on these. Appropriate protection and mitigation measures can be secured by condition.

5 Conclusion

5.1 It is accepted that as at March 2013 there is not a five year supply of sites within the South Norfolk part of 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 strong material considerations in favour of this application.

5.2 The proposed development is considered to accord with Policy 2, IMP8, IMP9 and the NPPF as the site is a previously developed site and therefore this represents, together with the lack of 5 year land supply, sufficient material considerations to warrant approval contrary to the SNLP; the proposed two storey detached dwellings respect 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. In these circumstances the application should be approved.

Contact Officer, Telephone Number Claire Curtis 01508 533788
and E-mail: ccurtis@s-norfolk.gov.uk
6. **Appl. No**: 2013/1986/O  
**Parish**: PORINGLAND

Applicants Name: Mr Sean Marten  
Site Address: Land To The West Of Norwich Road And South Of Caistor Lane  
Poringland Norfolk  
Proposal: Outline application with all matters reserved except for access for the construction of up to 150 dwellings and associated infrastructure

Recommendation: Approval with conditions

1. Outline permission time limit  
2. Submission of reserved matters and Master Plan  
3. Ecology mitigation  
4. Materials  
5. Surface water drainage details  
6. Details of foul water disposal (inc. pumping station)  
7. Detailed plans of estate roads to be submitted and agreed  
8. Works in accordance with agreed details  
9. Roads and footpaths to binder course before occupation  
10. Phasing plan for road and footpath provision to be agreed  
11. Off-site highways drainage  
12. Off-site highway works  
13. Travel Plan  
14. Landscaping  
15. Landscaping management plan  
16. Fire hydrants  
17. Tree and hedge protection

Subject to a S106 legal agreement providing for developer contributions towards education, libraries, open space, and an affordable housing agreement confirming the type, tenure, and mix of affordable housing, including its affordability in perpetuity.

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 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 08: Promoting healthy communities  
NPPF 11: Conserving and enhancing the natural environment

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
Policy 5: The Economy  
Policy 6: Access and Transportation  
Policy 7: Supporting Communities  
Policy 9: Strategy for growth in the Norwich Policy Area  
Policy 14: Key Service Centres  
Policy 20: Implementation
1.3 South Norfolk Local Plan
ENV 8: Development in the open countryside (Part Consistent)
ENV 14: Habitat protection
ENV 15: Species protection
IMP 2: Landscaping
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity

1.4 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

2.1 2013/1986 Outline application with all matters reserved except for access for the construction of up to 150 dwellings and associated infrastructure Pending consideration.

2.2 2013/0506 Full application for 150 dwellings and associated infrastructure. Refused

3. Consultations

3.1 Parish Councils:
- Poringland Approve – subject to satisfactory design, including appropriate equality and diversity through no segregation of social and affordable housing.
- Caistor St Edmund To be reported

3.2 District Members:
- Cllr Lisa Neal To be reported if appropriate.
- Cllr J Overton To be reported if appropriate.

3.3 Planning Policy
The application is on a site which is allocated in the emerging Local Plan. The entire Local Plan allocation (on the site stretching from Caistor Lane to Stoke Road) is for approximately 200 dwellings. There is an application on the southern part of the site for up to 100 dwellings. The two applications combined would take the number of dwellings on the site up to 250. Assuming this allowed suitable mitigation of the site’s features as identified in the site assessment process (surface water drainage, underground water mains, TPOs adjoining the site, minerals underlying the site, the need to investigate the Historic Environment Record, waste water and sewerage capacity issues and access issues) and assuming the case officer was satisfied with other aspects of the scheme, there would be no policy objection to this level of density.

The level of affordable housing suggested by the Design & Access Statement is 33%, which meets the requirements of JCS Policy 4.

Poringland is in the Norwich Policy Area. At the Examination in Public into the remitted parts of the Joint Core Strategy the GNDP Councils presented a supply of 4.58 years for the whole Norwich
Policy Area (NPA) and 4.66 years for the South Norfolk part of the NPA, at 31 March 2013. Since March there have been changes to some of the sites that make up the 5-year supply, both increasing and decreasing the supply, and there is still debate about the assumptions this calculation is based on; however, this remains the most recent published figure agreed by the three local planning authorities.

3.4 Environmental Services (Protection) No objections.

3.5 Flood Defence Officer Request a suitable condition be attached to any permission to address:

- Adoption and management of the drainage proposals
- Demonstrate that the scheme has been adequate sized to accommodate the 1 in 100 year rainfall event.
- Continuity of ditch management.
- Land drainage consents

3.6 Anglian Water Services Ltd No objection

- The foul drainage from this development is in the catchment of Poringland STW that will have available capacity for these flows.
- The proposed development will lead to an unacceptable risk of flooding downstream. Anglian Water has worked with the developer to determine mitigation measures and has agreed a foul drainage strategy which will mitigate the risk and enable the development to connect. The drainage strategy for the site should cover the procurement of the improvement works.
- A condition requiring the agreed drainage strategy covering the issue(s) is requested.

3.7 Design Officer The DAS provides a very basic assessment of the site context and its setting that identifies the character of Poringland and describes the existing landscape character and land uses. The applicant states that the design of the development will be in keeping with the local architectural styles and will create distinct neighbourhoods. Appearance of units and design will be detailed through Reserved Matters or full application should this application be approved. Care should therefore be taken to ensure that any future proposals respond positively to existing development in Poringland, whilst providing a distinctive and attractive character that help to enhance its immediate setting.

The development should also try and capitalise on its role as an ‘entrance/gateway to the village’ by creating an attractive edge along its southern boundary by positioning buildings strategically to create an interesting street scape as well as providing glimpses into and out of the site and countryside beyond.

Should this application be approved, further work must be carried out to ensure that development proposals meet the policy requirements set out in the South Norfolk Place-Making Guide and Policy 2 of the JCS.
Development Management Committee  8 January 2014

3.8 Ecologist To be reported

3.9 Environment Agency To be reported

3.10 NCC Highways To be reported

3.11 Housing Strategy Manager The application has agreed to provide 33% affordable housing in accordance with policy. A suitable mix of 41 flats/houses for rent and 8 houses for shared ownership has been agreed.

3.12 Landscape Officer To be reported

3.13 NCC - Planning Obligations Require developer contributions towards the enhancement of Poringland Primary School, Nursery provision and High School provision.

3.14 Norfolk Wildlife Trust No comments received

3.15 Police Architectural Liaison Officer Has provided general comments to guide the final design and layout of the scheme.

3.16 Representations 28 letters of objection received

- Infrastructure already overstretched
- Caistor Lane not suitable for any more traffic
- Will ruin a quiet lane
- Heath Farm is not fit for purpose to have dwellings built on it
- Drainage problems
- Caistor Lane is a rat-run and it will only get worse
- Unacceptable increase in traffic on a small country road
- Noise and amenity impact from the access to the site
- Too many dwellings proposed
- Traffic congestion on Caistor Lane
- Noise/light impact – loss of privacy
- Dev. Does not comply with policy IMP8
- No requirement for the development

4. Assessment

4.1 This outline application forms part of a wider site (approx. 15 hectares) to the west of Norwich Road and between Caistor Lane to the north and Stoke Road to the south. The site is bounded by existing residential development to the north, south and east, and comprises a single agricultural field (classified as Grade 4 agricultural land). The west boundary of the site takes the form of a hedgerow interspersed with semi-mature and mature trees. A site location plan is attached as appendix 1.

4.2 This application seeks outline approval only for the northern part of the site, with the sole access off Caistor Lane. A total of 150 dwellings are proposed along with an access road, drainage attenuation, open space, and landscaping. A sister application for outline permission (100 dwellings) on the southern part of the site was approved by members at the Development Management Committee on the 11th September 2013 (2013/0505 refers).

4.3 With the exception of access, all matters are reserved.
The submission of this outline application follows the refusal of an application for full planning permission for 150 dwellings (app. no.2013/0506), which was refused on design grounds. At the Development Management Committee members agreed the principle of development.

The Local Plan Site Specifics Allocations document identifies this 15-hectare area of land as a preferred site for residential development, and although not yet adopted, this emerging policy is a material consideration. The site is outside the current development boundary for the village.

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 Poringland/Framingham Earl for further development of between 100 - 200 dwellings during the period 2011 to 2026. Settlements within the Norwich Policy Area (NPA) may also be considered for additional development to help deliver the 1800 dwellings in smaller sites within the NPA.
- The Local Plan Site Specifics Allocations document allocates the wider 15-hectare site for 200 dwellings.
- The 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 requirement also includes an additional buffer of 5%, brought forward from later in the plan. Appendix A of the Joint Core Strategy 2012/13 Monitoring Report shows that there was a supply of 4.42 years for the whole Norwich Policy Area at 31 March 2013. Since March there have been changes to some of the sites that make up the 5-year supply, both increasing and decreasing the supply; however, this remains the most recent published figure agreed by the three local planning authorities.
- The sustainability of the site's location, having regard to Poringland/Framingham Earl being defined as a Key Service Centre within Policy 14 of the Joint Core Strategy.
- 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.
- The acceptance of the principle of development when refusing application 2013/0506 on design grounds.
- The environmental impacts of developing the site, including the impacts on existing infrastructure.
- Other relevant sections of the NPPF.

It is noted that there has been a significant amount of objection from local residents to both this application, and the previous refused application, raising a number of issues, particularly in respect of the sensitivity of the site and the potential impact on the local highway network. Taking on board the comments raised, in my opinion the critical issue that members need to address is the principle of the development having regard to:

- The provisions of the NPPF, the adopted JCS, the requirement to achieve a 5-year land supply of housing, and the presumption in favour of sustainable development.
- Drainage & flood risk
- Highway Impact
- Impact on neighbour amenity
- Indicative layout and design
4.8 In refusing the previous full application on this site (ref: 2013/0505), members did accept the principle of residential development up to 150 dwellings. A material consideration in reaching this conclusion was the fact that the site forms part of a wider 15-hectare site allocated as a preferred site for housing in the Local Plan Site Specifics Allocations document. However, as the application now seeks to formally establish the principle of development on the site, I re-assess the acceptability of the principle of development below.

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

4.9 Members should be aware that 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 5-year supply requirement also includes an additional buffer of 5%, brought forward from later in the plan. Appendix A of the Joint Core Strategy 2012/13 Monitoring Report shows that there was a supply of 4.42 years for the whole Norwich Policy Area at 31 March 2013. Since March there have been changes to some of the sites that make up the 5-year supply, both increasing and decreasing the supply; however, this remains the most recent published figure agreed by the three local planning authorities. 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’.

Poringland/Framingham Earl has been selected as a Key Service Centre as it has a range of facilities that enable it to meet local needs as well as the needs of residents of the surrounding areas. These centres also benefit from good public transport services. In this respect I consider the site to be in a sustainable location.

4.11 Taking the above into account I feel that the development cannot be dismissed purely on the grounds of prematurity, and that the demonstrable lack of a housing supply (albeit an improving situation) carries significant weight in the consideration of the application.

4.12 Having also given weight to the sites’ status as a preferred site for residential development, as well as members acknowledgement of this in refusing the previous application on design grounds only, I consider that the principle of development can be accepted, subject to consideration of the remaining issues set out below.

Drainage & flood risk

4.13 The applicants have submitted a detailed Flood Risk Assessment that covers the wider site and is applicable to both this application and the sister application for full planning permission on the adjoining site to the south. This report provides for a drainage strategy that seeks to improve the existing situation for many local residents where poorly maintained drainage ditches surrounding the site have led to localised flooding events.

4.14 The development will result in a greenfield site becoming impermeable creating an increase in surface water run-off. However, this additional run-off will be contained within a drainage system on the site, prior to controlled discharge to surrounding ditches.

4.15 Key drainage points can be summarised as follows:
- On site surface water run-off will be attenuated to Greenfield rates, utilising improved ditches.
- Discharge to surrounding ditches will be contained prior to controlled discharge to four outfalls. This will reduce the uncontrolled run-off to the surrounding area.
- A swale is proposed to contain runoff from the on-site spring that has historically caused flooding in Highgrove Court.
- Drainage ditches will be managed and maintained by a Management Company.
4.16 No objection to the scheme has been raised from the Council’s Flood Defence Officer or the Environment Agency, subject to suitable conditions.

4.17 Anglian Water has also confirmed that capacity exists to cater for the foul flows from the development, and is content with the proposed foul drainage strategy for the site. (This incorporates on-site storage and pumping to a connection point on Caistor Lane.)

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

Highway Impact

4.19 As per the previous submission on this site, the applicants are proposing to split the site into two phases, with this outline application for 150 dwellings being served off Caistor Lane at a point where there is adequate space to provide the required junction. The remaining 100 dwellings would be served off Stoke Road, as per the approved scheme 2013/0505. The applicants have submitted a Transport Assessment covering the impact of both sites, which has been assessed by NCC: Highways. They have concluded that the assessment is robust. Whilst it is acknowledged that additional burden will be placed on the local highway network at peak travel times, the highway improvements and the proposed residential travel plan will help to mitigate this impact.

4.20 NCC: Highways do not feel that a highways objection could be substantiated at appeal, subject to appropriate conditions covering the requirement for detailed designs of the road widening to Caistor lane, a new footpath and the pedestrian crossing to Norwich Road. At the time of writing this report, formal comments are still awaited from NCC: Highways. An oral update will be given at committee.

4.21 Subject to final confirmation from NCC: Highways the application is considered to accord with the NPPF and Local Plan policy IMP8 (Safe & Free Flow of Traffic).

Impact on Neighbouring Amenity

4.22 Direct impacts on the amenity of neighbouring properties will need to be assessed following the submission of reserved matters detailing the design and layout of the scheme.

4.23 The access point at Caistor Lane will increase general amenity disturbance through increased traffic and associated noise, particularly to the adjoining neighbour. However, the access road has been positioned in such a way as to minimise this disturbance and a degree of separation has been maintained. The pedestrian link through to Norwich Road will also cause additional disturbance, however again I do not consider these detrimental impacts to be so severe as to warrant refusal of the application.

4.24 Subject to the submission of an appropriate design and layout at the reserved matters stage, in terms of the impact of highway access and egress the application is considered to accord with saved local plan policy IMP9 (Residential Amenity). Indicative layout and design

4.25 JCS Policy 2, Section 7 of the NPPF, and the South Norfolk Place Making Guide require high quality design and great importance is attached to the design of the built environment, with it being seen as a key aspect of sustainable development. An indicative layout has been submitted with the application, purely to show how the scale of the development proposed could be accommodated within the context of the wider site. The Design & Access Statement provides a very basic assessment of the site context and it setting, and the Masterplan for the wider site shows how the development relates to the adjoining site to
the south. The applicant also states that the design of the development will be in keeping with local architectural styles and will create distinct neighbourhoods, something that members identified as having not been satisfactorily addressed in refusing the previous full application 2013/0506. The Council’s Design Officer acknowledges this, and advises that any future proposals should respond positively to existing development in Poringland and provide a distinctive and attractive character that will help enhance the site’s immediate setting.

4.26 Subject to the submission of reserved matters in accordance with the Masterplan/Design & Access statement and the South Norfolk Place Making Guide, the development clearly has the potential to achieve a high standard of design as required by JCS Policy 2.

5 Conclusion

5.1 It is accepted that as of March 31st 2013 there is not currently a five year supply of sites within the South Norfolk part of 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, the requirements of the NPPF, and the fact that the site is a preferred site for residential development, are very strong material considerations in favour of this application.

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

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

7. **Appl. No**: 2013/1304/F  
**Parish**: FLORDON  
**Applicants Name**: Star Twofold Ltd  
**Site Address**: Land West Of Tas Valley View Station Road Flordon Norfolk NR15 1RJ  
**Proposal**: Change of Use of Site to Single Residential Dwelling (Use Class C3)  
**Recommendation**: Approval with conditions

1. Full Planning permission time limit  
2. In accordance with amendments  
3. External materials to be agreed  
4. Boundary treatment to be agreed  
5. Existing Access, Widen or Improve  
6. Visibility splay dimension in cond  
7. Access Gates - Configuration  
8. Provision of parking, service  
9. Windows to be obscure glazed  
10. Slab level to be agreed  
11. New Water Efficiency

1. **Planning Policies**

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

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 16: Other Villages  
Policy 3: Energy and water

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

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. **Planning History**

2.1 2013/1350 New Residential Dwelling (Use Class C3)  
Pending

2.2 2013/0780 Relocation of existing agricultural access.  
Approved

3. **Consultations**

3.1 Parish Council  
Original scheme: Refuse  
- Not in character with existing bungalow  
- Access issues  
- Neighbour objections  
Revised scheme: No objections
3.2 District Member  Supports the amended scheme on the grounds that the original concerns have been adequately addressed.

3.3 NCC Highways  No objection subject to appropriate conditions.

3.4 Representations  8 letters of objection to the original scheme
- Cramped form of development
- Additional traffic served off an access onto a dangerous bend with restricted visibility, no paths or lighting.
- Lack of amenities in village to support new dwellings
- Scale and design incompatible with existing neighbouring properties and out of keeping with the character of the area
- Precedent for further residential development
- Ecological and visual implications from removal of hedgerow
- Sensitive location on edge of village
- Cumulative impact of development in close proximity not suitable for or in keeping with village

4  Assessment

4.1 This application seeks full planning permission to change the use of a parcel of land to the west of a bungalow known as Tas Valley View on Station Road in Flordon for the construction of a detached dwelling. To the east and the west of the site lies residential development with open countryside to the north and south. An agricultural building present on the site would be demolished to allow the dwelling to be accommodated on the site.

4.2 The dwelling proposed would consist of a detached single-storey dwelling constructed in red brick and manmade slate. Access to the proposed dwelling would be gained via an unmade access track off Station Road which is currently used to serve the agricultural building on the site, as well as the bungalow to the east.

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

Principle of Development

4.4 The site currently lies outside any designated development boundary and as such the principle of residential development would be contrary to Policy ENV8 of the South Norfolk Local Plan. Notwithstanding this, Policy 16 of the Joint Core Strategy identifies Flordon as suitable for further residential development, and as such is not consistent with Policy ENV8. Furthermore, the emerging Local Plan has identified the site for inclusion within the preferred settlement boundary for Flordon where the Site Specific Allocations and Policies Document consultation that concluded on Friday 13th December 2013 has not raised any soundness objections to the development boundary at Flordon. As such, the principle of a residential dwelling is considered acceptable in this instance.

Design and Landscape

4.5 NPPF Section 7 and JCS Policy 2 (promoting good design) seeks to ensure that development proposals respect local distinctiveness, including landscape setting and character and use of sustainable materials. Additionally, design guidance is also provided through the South Norfolk Place Making Guide SPD.
4.6 Concern was raised to the original scheme in respect of the appropriateness of the scale and design of the proposed detached two-storey five bedroom dwelling. However, the scale of the proposed dwelling has been significantly reduced to a single-storey three bedroom dwelling, with its design and layout modified. It is considered that the amended single-storey dwelling now represents a good quality design, which would result in a dwelling which would be well related to the character existing dwellings within the vicinity, whilst enhancing the appearance of the area through the removal of the existing agricultural building from the site.

Residential amenity

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

4.8 In this case, two existing dwellings are situated to the east and west of the plot on which the proposed dwelling would be situated, one of which being outside the applicants control. Concerns have been raised by local residents and the Parish Council in respect of the potential for a new dwelling to cause detriment to the residential amenities of these properties, particularly in respect of the scale, design and proximity of the proposed dwelling to these properties.

4.9 However, given that the application has been amended to provide for a single-storey dwelling, designed in a manner which would minimise any negative impacts in relation to overlooking, overshadowing or loss of light, it is considered that the residential amenities of the occupiers of these properties would not be significantly affected. As such it is considered that the scheme would accord with Saved Policy IMP 9 of the South Norfolk Local Plan.

Highway safety

4.10 Saved Policy IMP8 of the South Norfolk Local Plan states that planning permission will not be granted for development which would endanger highway safety or prejudice the free flow of traffic on the highway network.

4.11 The application proposed to utilise and upgrade an existing access track to serve the proposed dwelling, with parking and turning proposed onsite to serve the dwelling. Concerns have been raised by both the Parish Council and local residents that the creation of a new dwelling in this location may cause detriment to highway safety.

4.12 Notwithstanding the aforementioned concerns, the Highways Authority have assessed the proposal, and subject to the imposition of appropriate conditions including the upgrading of the existing access, have raised no objection to the development.

Conclusion

4.13 The site is in a sustainable location and has been identified for inclusion within the preferred boundary within the emerging LDF site allocations document. It is therefore considered that the requirements of the NPPF and the presumption in favour of sustainable development can therefore be accepted as a departure from local saved plan policy ENV8.
4.14 The design, scale and layout of the amended scheme are considered appropriate for its context. The development will not adversely affect the character of the area and will not have a significantly detrimental impact on the residential amenities of neighbouring properties or highway safety. The scheme would therefore accord with sections 6 and 7 of the NPPF, Policies IMP2, IMP8 and IMP9 of the South Norfolk Local Plan and Policies 1, 2, 3 and 16 of the Joint Core Strategy.

Contact Officer, Telephone Number: Liz Starling 01508 533681
and E-mail: lstarling@s-norfolk.gov.uk
8. **Appl. No**: 2013/1350/F  
**Parish**: FLORDON

Applicants Name: Star Twofold Ltd  
Site Address: Land East of Tas Valley View Station Road Flordon Norfolk NR15 1RJ  
Proposal: New Residential Dwelling (Use Class C3)

Recommendation: Approval with conditions

1. Full Planning permission time limit  
2. In accordance with amendments  
3. External materials to be agreed  
4. Boundary treatment to be agreed  
5. Landscaping scheme to be submitted  
6. Existing Access, Widen or Improve  
7. Visibility splay dimension in cond  
8. Access Gates - Configuration  
9. Provision of parking, service  
10. Windows to be obscure glazed  
11. Slab level to be agreed  
12. New Water Efficiency  
13. No PD for Classes ABCDE & G

1. **Planning Policies**

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

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 16: Other Villages

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

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. **Planning History**

2.1 2013/1304: Change of Use of Site to Single Residential Dwelling (Use Class C3) Pending

2.2 2013/0780: Relocation of existing agricultural access. Approved

3. **Consultations**

3.1 Parish Council: Original scheme: Refuse  
- Possibly beyond Development Boundary  
- Not in character with existing bungalow  
- Access issues

Amended scheme: No objections to amended plans
3.2 District Member  
Supports the amended scheme on the grounds that the original concerns have been adequately addressed.

3.3 NCC Highways  
No objection subject to appropriate conditions.

3.4 Environmental Services – Flood Defence Officer  
No objection subject to informative advice in respect of surface and foul water drainage.

3.5 Representations  
4 letters of objection to the original scheme
- Additional traffic and access on a dangerous bend with restricted visibility and no paths
- Poor public transport links
- Incompatible with existing neighbouring properties
- Out of character with rural aspect of village
- Outside Development Boundary
- Increased risk to residents
- Would create interesting contrast to existing buildings
- Should be sympathetic to surroundings
- Development of plots inevitable
- Detrimental impact on periphery of village
- Cramped form of development.

4 Assessment

4.1 This application seeks full planning permission to construct a new residential dwelling on land to the east of a property known as Tas Valley View on Station Road in Flordon. To the north and east of the site lies open countryside, with residential development to the south and west. The site currently comprises of part of an agricultural field and lies in an elevated position opposite the junction with the road leading Tasburgh Lakes and Station Road.

4.2 The dwelling proposed would consist of a detached single-storey 2/3 bedroom dwelling constructed in red brick and man-made slate. The property would be accessed via an existing unmade access track off Station Road which currently serves both the neighbouring property known as Tas Valley View and an agricultural building to the west. The replacement of the agricultural building with a detached dwelling is also subject to a separate planning application to be considered by members (ref: 2013/1304).

Principle of Development

4.3 The site lies outside any designated settlement boundary and as such the principle of residential development would be contrary to policy ENV8 of the South Norfolk Local Plan. Notwithstanding this, Policy 16 of the Joint Core Strategy identifies Flordon as being suitable for further residential development, and such is not consistent with Policy ENV8. Furthermore, the emerging Local Plan has identified the site for inclusion within the preferred settlement boundary for Flordon where the Site Specific Allocations and Policies Document consultation that concluded on 13th December 2013 did not raise any soundness objections to the development boundary at Flordon. As such, the principle of a residential dwelling is considered acceptable in this instance.

Design and Landscape

4.4 NPPF Section 7 and JCS Policy 2 (promoting good design) seeks to ensure that development proposals respect local distinctiveness, including landscape setting and character and use of sustainable materials. Additionally, design guidance is also provided through the South Norfolk Place Making Guide SPD.
Concerns were raised by the Parish Council and local residents to the original scheme in respect of the appropriateness of the scale and design of the proposed detached two-storey four bedroom dwelling. However, the scale of the proposed dwelling has been significantly reduced to provide a single-storey two/three bedroom dwelling, with its design and layout modified, including the deletion of the attached garage. It is considered that the amended single-storey dwelling now represents a good quality design, which would result in a dwelling which would be well related to the character existing dwellings within the immediate vicinity and would not be unduly imposing on the approach to the village from the east.

Residential amenity

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

In this case, an existing bungalow is situated to the west of the proposed plot, which is within the applicant’s control. Concerns have been raised by local residents and the Parish Council in respect of the potential for the new dwelling to cause detriment to the residential amenities of existing properties, particularly in respect of the scale, design and proximity of the proposed dwelling to these properties.

However, given that the application has been amended to provide for a single-storey dwelling, designed in a manner which would minimise any negative impacts in relation to overlooking, overshadowing or loss of light, it is considered that the residential amenities of the occupiers of these properties would not be significantly affected. As such it is considered that the scheme would accord with Saved Policy IMP9.

Highway safety

Saved Policy IMP8 of the South Norfolk Local Plan states that planning permission will not be granted for development which would endanger highway safety or prejudice the free flow of traffic on the highway network.

The application proposed to utilise and upgrade an existing access track to serve the proposed dwelling, with parking and turning proposed onsite to serve the dwelling. Concerns have been raised by both the Parish Council and local residents that the creation of a new dwelling in this location may cause detriment to highway safety.

Notwithstanding the aforementioned concerns, the Highways Authority have assessed the proposal, and subject to the imposition of conditions including the upgrading of the existing access, have raised no objection to the development.

Conclusion

The site is located in a sustainable location and has been identified for inclusion within the preferred boundary within the emerging LDF site allocation document. It is therefore considered that the requirements of the NPPF and the presumption in favour of sustainable development can therefore be accepted as a departure from local saved plan policy ENV8.
5.2 The design, scale and layout of the amended scheme are considered appropriate for its context. The development will not adversely affect the character of the area and will not have a significantly detrimental impact on the residential amenities of neighbouring properties or highway safety. The scheme would therefore accord with sections 6 and 7 of the NPPF, Policies IMP2, IMP8 and IMP9 of the South Norfolk Local Plan and Policies 1, 2, 3 and 16 of the Joint Core Strategy.

Contact Officer, Telephone Number and E-mail: Liz Starling 01508 533681 lstarling@s-norfolk.gov.uk
9. **Appl. No:** 2013/1495/F  
**Parish:** HETHERSETT

**Applicants Name:** Ms Caroline Reynolds  
**Site Address:** Subdivision of Garden of 7 Lynch Green Hethersett Norfolk NR9 3JU  
**Proposal:** Full planning application for the erection of a detached two-storey sustainable dwelling including minor alterations and new vehicular access to No. 7 Lynch Green.

**Recommendation:** Approval with conditions

1. Full Planning permission time limit  
2. In accordance with submitted drawings  
3. External materials to be agreed  
4. Levels to be agreed  
5. Vehicular access in accordance with NCC specification  
6. Access gates  
7. Access and parking area to be provided and retained

1. **Planning Policies**

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

1.2 Joint Core Strategy  
Policy 2: Promoting good design  
Policy 14: Key Service Centres

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

1.4 Supplementary Planning Document  
South Norfolk Place Making Guide 2012

2. **Planning History**

2.1 2007/0758  
Proposed detached bungalow on land to the rear of No5A  
Approved

2.2 2005/0865  
Erection of single storey dwelling on land to the rear of 5A Lynch Green  
Approved

2.3 2005/2475  
Erection of double garage, bedsit and kitchen  
Approved

2.4 2005/2308  
Sub-division of residential curtilage and erection of detached bungalow and extension to garage on land to the rear of 5A Lynch Green  
Approved

2.5 2002/1574  
Provision on pitched roofs to replace existing flat roofs  
Approved
3. **Consultations**

3.1 **Parish Council**

- Refuse
  - Overlooking and loss of amenity for existing neighbours
  - Policy IMP9 not met by overlooking from balcony
  - Design will not fit into existing street scene

3.2 **District Member**

To be reported if appropriate

3.3 **NCC Highways**

Conditional support

3.4 **Representations**

1 letter of support
  - the new building will enhance the street frontage and plug an obvious gap

2 letters of objection
  - building does not fit in well with existing properties due to the materials proposed
  - building is forward of the existing building line
  - insufficient parking
  - overlooking of Two Hoots from relocated rear windows and balcony which is not consistent with policy IMP9

4. **Assessment**

4.1 The proposed development is for a single dwelling in between an existing semi-detached property (No7 Lynch Green) and a more recent detached property (No5A). The site is within the development boundary for Hethersett and therefore the principle of such infill development is acceptable.

4.2 Policies in the JCS, Local Plan and requirements of the NPPF seek to ensure that proposals are for an appropriate use, are of good design and do not adversely affect the character of the existing dwelling or the street scene to a material degree, or have an adverse impact on the privacy and amenities of neighbouring properties. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework.

4.3 It is considered that the site is of sufficient size to be able to accommodate the proposed dwelling and that the street elevation demonstrates that the proposed design sits comfortably within the street scene in terms of its form and scale. A levels condition is considered necessary to ensure that the building is built to reflect this.

4.4 The external material proposed is a white render on an ashlar plinth. It is accepted that use of render rather than red brick would create interest in the street scene and that there is plenty of variety in materials in this area of Hethersett. However, the use of such a sharp white render is likely to result in the building being particularly stark in this location. Negotiations with the applicant are being undertaken to find an acceptable solution to this issue.

4.5 Concerns have been raised about overlooking from the balcony and windows relocated in the original dwelling. It is not considered that either will result in a significant increase in overlooking that would be contrary to policy IMP9. The balcony is recessed and therefore it is not considered that there would be any more overlooking than from a window in this position, which will have a relationship with Two Hoots and other properties that is fairly common for this type of location.
4.6 A further concern was also raised about parking provision. Norfolk County Council's highways officer has been consulted and they have raised no objection to the level of parking provision provided. They also raise no objections to the proposed additional access to the parking provision for the existing dwelling.

5 Conclusion

5.1 A new dwelling in this location is considered acceptable as the site is within the development boundaries for Hethersett and the dwelling will not have an adverse impact on either the street scene or any neighbouring properties.

Contact Officer, Telephone Number and E-mail: Tim Barker 01508 533801 tbarker@s-norfolk.gov.uk
10. **Appl. No**: 2013/1565/AGF  
**Parish**: HALES

Applicants Name: Mr Vernon Frost  
Site Address: Casbi House School Lane Hales Norfolk NR14 6SU  
Proposal: Proposed agricultural machinery store

Recommendation: Approval with conditions

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 03: Supporting a prosperous rural economy  
NPPF 11: Conserving and enhancing the natural environment

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

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

2. **Planning History**

2.1 2013/1291 Proposed agricultural storage building Planning Permission required

2.2 2006/0635 New agricultural storage building Refused

2.3 2006/0015 Erection of building for general purpose use. Planning Permission required

3. **Consultations**

3.1 Parish Council  
- The Council notes that a similar application was refused under reference 2006/0635  
- The building appears to have been re-sited but apart from this little appears to have been altered or the reasons for refusal addressed

3.2 District Member  
To be reported if appropriate

3.3 Environmental Services (Protection)  
To be reported

3.4 NCC Highways  
- Visibility from the property entrance to be improved to meet standards. This will involve the lowering/removal of the existing hedge.
3.5 Representations

Two letters of objection have been received expressing the following concerns:-

- Narrow lane can only accommodate single file traffic and the speed limit is too high for the conditions
- Children play in the land and increasing traffic levels are an issue
- If approved there would be an increase in agricultural vehicles on the road
- Possibility of industrial use in the building
- Relocated building does not overcome reason for refusal on earlier application in field
- Field too small to require large storage building
- Highway safety issues
- Contrary to policy
- New houses near to proposed building
- If approved the building should be used for agriculture and not as a business

4 Assessment

4.1 This application seeks consent for a new building for the storage of agricultural machinery on land to the rear of Casbi House, Hales. It is proposed to access the buildings from School Lane to the south of the applicant’s house using an existing highway access. This field is part of a much larger holding which is owned and leased by the applicant. The proposed building is to be located in the north eastern corner of the agricultural field immediately to the rear of the applicant’s property. The field itself is screened on all sides by planting and there is a change in levels across the site with the land rising away from the boundary of the site on its eastern side. At present the applicant uses part of the field for the open storage of a tractor and a variety of farm machinery. There is an existing storage shed within the residential curtilage to the east of the proposed new building. A location plan is attached as Appendix 1.

4.2 This application is a revised scheme following the refusal of an earlier proposal under reference 2006/0635 within the same parcel of land. The earlier application proposed the erection of a rectangular 218 square metre enclosed agricultural storage building located at the south west corner of the field. This earlier application was refused because the proposal was set outside the established settlement and had a significantly harmful effect on the character of the landscape and visual amenities of the area. Additional reasons for refusal related to highway safety, inadequate visibility splays.

4.3 The revised application proposes a significantly smaller building with a floor area of 162 square metres, which I consider to be appropriate for the size of the agricultural holding (4 hectares). The revised building is located immediately to the rear of the applicant’s garden and close to the development boundary for the village. The design of the building has been amended to an open three bay storage space which is to be used as a machinery store. The building has been rotated through 90 degrees so the gable ends of the structure face towards the residential properties and the fields boundaries have been strengthened with conifer planting. As such the application proposes a significantly different structure to the earlier refused scheme on the site. Based on the current standards the Highways Officer has commented that the application is acceptable provided that visibility splays for traffic emerging from the access adjacent to Casbi House are made available.

4.4 Objections have been received to the proposal from the Parish Council and two local residents living on the eastern side of School Lane (see section 3 above). In respect to these comments it is noted that the revised application is significantly different from the earlier refused proposal. The building is much smaller and open fronted. It relates better to the built form of School Lane and is located in a way to minimise its effect on nearby residential properties. Since the last application planting has been undertaken on the site and it is more effectively screened in views from the open countryside. The Highways
Officer is satisfied that the access is suitable for the use which has been clarified by the applicant as a storage space for the existing machinery on the site and not for the storage and distribution of agricultural products. The open fronted nature of the building would limit its functionality for business type uses and it is noted that a non-agricultural enterprise within the building would require the submission of a formal change of use application to be made.

5 Conclusion

5.1 The siting and design of the building respects the character of the countryside and is appropriate for its use and rural location. The building is required for the existing agricultural operations on the holding concerned. The road access is of a sufficient standard to serve the scale and nature of the development proposed without causing demonstrable harm to the safe and free flow of traffic. The amenities of the nearby residential properties will not be significantly adversely affected. I consider the proposal accords with policies IMP8, IMP9 and EMP5 and, as such, approval of the proposal is recommended.

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and E-mail: hcross@s-norfolk.gov.uk
11. **Appl. No**: 2013/1620/H  
**Parish**: LONG STRATTON

Applicants Name: Miss Amy Eleftheriades  
Site Address: 12 St. Marys Road Long Stratton Norwich NR15 2TT  
Proposal: Erection of fencing to replace existing wall

Recommendation: Approval with conditions

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 07: Requiring good design

1.2 Joint Core Strategy  
Policy 2: Promoting good design

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

1.4 Supplementary Planning Document

2. **Planning History**

2.1 No relevant history

3. **Consultations**

3.1 Parish Council: No comments received

3.2 District Members:  
Cllr Blowfield: To Committee if recommended for approval  
- Contrary to the open character and nature of the development under policy IMP 3 of the South Norfolk Local Plan  
- Obstruction of sight lines, may cause accidents  
- Property deeds stipulate the land cannot be built on, an alternative solution should be encouraged

Cllr Pond: To be reported if appropriate

3.3 NCC Highways: There are no highway objections to this proposal

3.4 Representations: Six letters of objection expressing the following concerns:-  
- The fence would be a target for graffiti and fly posting  
- Youths could jump out from behind the fence alongside the adjacent property  
- Too close to the path, too tall and would spoil the look of the whole estate  
- Could the fence be set back and screened by planting to lessen its impact  
- The application is misleading as the boundary is being moved nearer to the road  
- The estate was built as open plan, most owners comply with this and the proposal would be a blatant contradiction of the approach
- Eyesore for the adjacent occupier
- Fencing adjacent to the highway is restricted to 1m in height. Why should this site be any different?
- The closeness of the fence to the adjacent property could cause damp problems and would impede sewer/roof access
- Lack of privacy on bathroom if neighbours are using the enlarged garden space
- Loss of light and privacy for the applicant and neighbours
- Road safety concerns about loss of sight line

Three letters of support expressing the following comments:-
- Removal of existing conifers would improve sight lines
- The land is part of the side garden of the property, if unenclosed it could become untidy and be used for vehicle storage, rubbish
- No problem with the sight line down the road
- There have been no instances of graffiti or fly posting on other fences in the road over the last 16 years
- The existing high wall and conifers are more of an intimidating space for muggers
- Other properties are have bathroom windows near gardens and shared drains where fence panels can be removed if access is required
- A plain fence is more aesthetically pleasing than the existing conifers
- The applicant owns the land beyond the existing wall. Some residents use it as common land which reduces privacy in the enclosed garden space and allows views into the rear of the property
- Other properties on the estate have enclosed space to the side of their properties and a precedent has been set

4 Assessment

4.1 The application site is a detached property set parallel to the highway in an estate development. The estate has an open character with many of the front garden areas being unenclosed. At present a small part of the garden area of the property to the rear of the house is walled however a significant amount and of the garden in the applicants ownership is unenclosed with a section of conifer planting forming a partial hedge to the space.

4.2 This application proposes the erection of a wooden fence with a dome shaped top along the edge of the applicants land alongside the footpath to enclose the side and rear garden areas. The existing conifers are to be removed and the proposed fence is staggered adjacent to the property at its northern side to allow access to a drain in that area. Within the immediate street scene the majority of front garden spaces are open plan however there are fences and walls above 1m in height where they enclose land to either the side or rear of properties including a similar dome topped fence enclosing the rear garden space of the property opposite which is placed alongside the edge of the footpath.

4.3 As part of the original planning approval for the estate in 1968, restrictions were placed on the erection of fences at certain properties on the site in order to retain the open plan character of the development. The majority of these properties face directly onto St Marys Road and as such have an open plan front garden area and a fully enclosed rear garden. In the case of the application site the orientation of the property is such that both the front and side garden areas are open plan and the applicant owns land outside their modest enclosed rear garden space which is used by others as communal space. Of the limited number of properties with a similar orientation to the road as the application site many of
them have enclosed the space to the side of the dwellings over a period of time. As such precedent has been set in the area for this form of development specifically in relation to side garden spaces.

5 Conclusion

5.1 Within the immediate area there are a number of properties where side gardens have been enclosed to offer heightened privacy and security to the more private areas of an individual properties' outside space. This application related to a unique property orientation within the estate involving a side garden space and fencing here would not erode the open plan character of front garden spaces in the remainder of the development. The fence in in keeping with existing fence opposite and its design is acceptable within the street scene. The proposal accords with saved policies IMP8 and IMP9 of the South Norfolk Local Plan. As such the application is recommended for approval.

Contact Officer, Telephone Number  Helen Cross 01508 533960
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12. Appliance No: 2013/1772/H
Parish: BROOKE
Applicants Name: Mr Jan Salm
Site Address: 28 The Street Brooke Norwich NR15 1JT
Proposal: Extension to the East side of the house
Recommendation: Approval with conditions
1. Full Planning permission time limit
2. In accordance with amendments
3. Matching materials
4. Flue to be painted black
5. Annexe
6. Joinery/roof light to be agree
7. No grey cement

Parish: BROOKE
Applicants Name: Mr Jan Salm
Site Address: 28 The Street Brooke Norwich NR15 1JT
Proposal: Extension to the East side of the house
Recommendation: Approval with conditions
1. Listed building time limit time limit
2. In accordance with amendments
3. Matching materials
4. Flue to be painted black
5. Joinery/roof light to be agree
7. No grey cement

1. Planning Policies
1.1 National Planning Policy Framework
NPPF 07: Requiring good design
NPPF 12: Conserving and enhancing the historic environment
1.2 Joint Core Strategy
Policy 1: Addressing climate change and protecting environmental assets
Policy 2: Promoting good design
1.3 South Norfolk Local Plan
IMP 9: Residential amenity
IMP 13: Alteration of Listed Buildings (Part Consistent)
IMP 18: Development in Conservation Areas.

2. Planning History
2.1 2013/1773 (LB) Extension to the East side of the house Pending consideration
2.2 2008/0958 (LB) First floor extension over existing single storey Approved
Development Management Committee

2.3 2008/0957 First floor extension over existing single storey and garage. Approved

2.4 2000/0919 (LB) Single storey extension to rear of dwelling Approved

2.5 2000/0918 Single storey extension to rear of dwelling Approved

3. Consultations

3.1 Parish Council Refuse
- the extension is too large and would be disproportionate to the scale of the existing listed building

3.2 District Member To be reported if appropriate

3.3 Conservation Officer
- No adverse impact on the character and appearance of the house and its setting. Condition joinery, roof light, tiles and no grey cement

3.4 Representations Three letters of objection raising the following concerns:-
- The new building is too large, is out of scale with the cottage and will spoil views in the Conservation Area and from The Street
- The addition has no contact with the existing building
- The large tiled roof would overpower and dwarf the existing building in size and visual impact
- The addition would overwhelm our outlook and overshadow our garden
- Overlooking from roof light and balcony
- The application and plans are misleading, the addition is two storey and not one and a half storey's as described and there are discrepancies within the plans

4 Assessment

4.1 The application site is a semi-detached cottage and sits within the Brooke Conservation area. The existing property is Grade II listed and has a timber framed construction. The property itself is constructed of white painted bricks and has a thatched roof. The property was extended in the past to add a single storey dining room addition with a tiled roof slightly offset to the main building and linked with a lobby. This application proposes the removal of the dining room addition and its replacement with a new larger extension, again in an offset position relative to the main house. The proposed extension comprises a living room and kitchen diner on the ground floor with a bedroom and shower room above. The upper floor of the building is set into the eaves of the structure in a chalet style form. Originally the application proposed a balcony to the bedroom space looking down the applicant’s garden however this has now been amended to a Juliet balcony. The Parish Council, along with three local residents have objected to the proposal in relation to its scale and impact on visual and residential amenity.

4.2 In the past planning approval was granted for a single storey addition to be set over the existing dining extension to the property including a Juliet balcony to the rear elevation. This addition provided an upper floor element set into the roof slope of the design set into the roof space in a chalet style. This proposal brought the addition closer to the form of the existing property visually and also elongated the build line of the development by placing a single storey garage to the northern side of the proposal. Although the addition was not built it would have had a similar scale to the current proposal.
4.3 Although the current proposed addition is larger than the footprint of the existing dining space as it is a new build structure the addition will be offset from the original building in key views. The setting back of the addition from the front façade of the house and the separation of the roof of the extension from the thatch on the main dwelling retains the prominence of the original house in important views within the conservation area and maintains the strong outline of the thatched property by offering a gap in the façade between the original and new addition. The scale, form, detailing and finish of the proposed scheme accords well with the existing property and the Juliet balcony does not offer any more overlooking than a standard window. The addition is set away from the boundary with the adjoining occupier and the property to the north is well separated from the proposal by a large garden.

5 Conclusion

5.1 The proposed addition is set away from the façade of the original property and its design has a lean to element in common with the existing form. As such the addition will be less dominant in the street scene than the earlier approved proposal. The separation of the addition from neighbours and the sensitivity of window location minimises the risk of overlooking of the neighbours property and retains residential and visual amenity. The application conforms to policies relating to quality design and in relation to listed buildings and conservation areas and as such the applications are recommended for approval subject to conditions.

Contact Officer, Telephone Number Helen Cross 01508 533960
and E-mail: hcross@s-norfolk.gov.uk
Application on Land Partly Owned by South Norfolk Council

Parish : PULHAM ST MARY

Applicants Name : Mr G Homan  
Site Address : Land To South Of Chestnut Road Pulham St Mary Norfolk IP21 4RA
Proposal : Erection of 6 new dwellings and garages

Recommendation : Approval with conditions

1. Full Planning permission time limit
2. In accordance with amendments
3. External materials to be agreed
4. No PD for fences, walls etc
5. No additional windows at first floor
6. No PD for Classes A, B, C, D, E & F
7. Tree protection
8. Landscape management plan
9. Retention trees and hedges
10. Boundary treatment to be agreed
11. Reporting of unexpected contamination
12. New Water Efficiency
13. Surface Water,
14. Slab level to be agreed
15. Provision of parking, service
16. Details of a refuse point to be agreed

Subject to a S106 Legal agreement for the provision of affordable housing

1. Planning Policies

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

1.3 South Norfolk Local Plan
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
IMP 18: Development in Conservation Areas.

1.4 Supplementary Planning Document
South Norfolk Place Making Guide 2012
2. Planning History

2.1 2002/1707  Erection of 11 dwellings and associated and garages

Authorised for approval and subsequently withdrawn following the submission of this application

3. Consultations

3.1 Parish Council  To the original submitted scheme

Refuse
- Contrary to policies IMP8 and IMP9 due to access via Chestnut Road residents car park with increased traffic infringing upon amenities of residents and unacceptable hazard to pedestrians
- Concern that the affordable dwelling is separated from the rest of the development
- Request the design of the proposed development is reconsidered

To amended scheme
- No planning objections raised however following points should be considered
- No provision for footpaths made and therefore concerned this will impact on safety of pedestrians
- Concerned that area of large open/green space is adequate for a building plot and implications for affordable housing provision

3.2 District Member  To be reported if appropriate

3.3 Historic Environment Service  No objections

3.4 Landscape Officer  To the originally submitted scheme

Support with conditions

To the amended scheme
To be reported

3.5 Flood Defence Officer  Support with conditions

3.6 NCC Highways  Support with conditions

3.7 Environmental Services (Protection)  No comments received

3.8 Conservation Officer  Support with conditions

3.9 Housing Strategy Manager  No objections

3.10 Representations  To the original submitted scheme

5 letters of objection and petition of 11 signatures
- No planning notice where point of access from our car park area
- Loss of wildlife
- Do not need any more new builds in rural area
- Proposed entrance to the development via Chestnut Road between no. 5 to no. 17, there is barely large enough to accommodate two family sized side by side let alone lorries
- Would infringe on access to car park, which tenants use all the time
- Concern where services are going to enter and leave the site
- Loss of privacy
- Noise and disturbance from the passage of vehicles
- Impact on safety of children

1 letter of no comment

3 letters of support
- Provided they are bungalow
- Mileage low out past the bungalow’s
- Cars should park in car park and not on road side
- Disposal of sewage which is a problem should be addressed

To the amended scheme
1 letter of objection
- Still object to the lack of transparency by The Council (who is joint owner of the site) on the 106 commitment
- No draft S106 agreement has been provided that will set out the terms for the developer to provide or fund the provision of infrastructure, services or other mitigation measures
- Why isn't there an education, open space and sustainable transport contributions via a S106 agreement
- Will CIL be levied on the development to cover everything bar affordable housing
- Concerned that SNC is trying to save money rather than pay contributions to the County and the Parish Council

4  Assessment

4.1 This application seeks full planning permission for the erection of six single storey dwellings and associated garages, which includes one affordable dwelling, at land off Chestnut Road, Pulham St Mary.

4.2 The site falls within the development boundary for the village of Pulham St Mary and is identified as a Service Village under the JCS and as such there is no objection to the principle of residential development and the proposal is considered to accord with policy 15.

4.3 The original submitted scheme showed access to the five private dwellings off the eastern access to Chestnut Road which passed the access/exit point for Chestnut Road resident’s car park and the pedestrian access/exit point for public footpath between St Marys Terrace and Chestnut Road. The affordable dwelling was accessed off the western end of Chestnut Road. Significant concerns were raised by local residents and the Parish Council about the access and its impact on the amenities of the existing dwellings. Subsequently the application has been revised to resolve the concerns raised by providing access for all the properties from the western end and a pedestrian footpath and emergency vehicle access only from the eastern end. This has also resulted in the affordable dwelling being better integrated into the overall development. The Highway Authority does not object to the proposal.
4.4 In respect of the design of the dwellings this follows similar lines to the previously supported application and it is considered to be high quality of design and accords with Policy 2 of the Joint Core Strategy together with advice in Section 7 of the National Planning Policy Framework and design principle 3.8 of the South Norfolk Place-Making Guide. The proposal will not adversely affect the character and appearance of the conservation area. No objections have been raised in respect of the detailed design of the dwellings.

4.5 A number of concerns have been raised in respect of the application as set out in paragraph 3.11. In respect of the some of the concerns these have been resolved by the change in access as set out above. With regards to the other issues raised, the proposed properties are single storey and therefore will not give rise to overlooking or loss of privacy; the site is within the development boundary where there is a principle of development; it is proposed to connect to the mains sewer. Whilst I appreciate the concerns raised I do not consider the application can be refused on these grounds. Concern has also been raised in respect of the financial contributions. As members are aware, the proposal for only 6 dwellings does not trigger the need for contributions towards infrastructure, open space, education or other services. The only requirement in this case is for the provision of affordable housing.

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 in considered to be in accordance with Policy 2, Policy 3, Policy 15 and IMP8, IMP9 and IMP18 of the South Norfolk Local Plan as the layout of the site and the form of the dwellings are appropriate for the area and it will not have a significant adverse effect on the amenity of the neighbouring properties; the character of the conservation area or highway safety.

Contact Officer, Telephone Number and E-mail: Claire Curtis 01508 533788 ccurtis@s-norfolk.gov.uk
Development Management Committee  8 January 2014

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18 December 2013

South Norfolk Council Long Stratton, Norwich, Norfolk, NR15 2XE Tel(01508) 533633 Fax(01508) 533625
Notification of Proposed Works to Trees in a Conservation Area

15. **App. No**: 2013/2207/CAN  
   **Parish**: MULBARTON  
   **Applicants Name**: Mr Jon Herbert  
   **Site Address**: The Old Dairy Barn Norwich Road Mulbarton Norfolk NR14 8JN  
   **Proposal**: Fell four Ash trees  
   **Recommendation**: No objections

1. **Planning Policies**
   1.1 South Norfolk Local Plan  
       ENV 19: Tree Preservation Orders  
   1.2 New Local Plan  
       Policy DM 4.9 Protection of Trees and Hedgerows

2. **Planning History**
   2.1 2011/0520 Proposed erection of new four bay garage with storage above.  
        Approved  
   2.2 2011/0128 Change of use of land to garden curtilage  
        Approved

3. **Consultations**
   3.1 Mulbarton Tree Warden  
       No comments received at time of writing report; any received will be reported verbally to the committee.

4. **Assessment**
   4.1 The proposal is for the removal of four ash trees from within the Mulbarton Conservation Area. There is currently no valid Conservation Area Character Appraisal for Mulbarton.
   4.2 The trees are publicly visible, however being set away from the road they are not dominant in the street scene. Other trees nearby on this section of Mulbarton Common are more visually dominant as they are in the foreground of the local views.
   4.3 The trees’ removal will open-up views to The Old Dairy Farm, a grade II listed building which is at present largely screened from the road by their presence. The neighbouring (unlisted) dwellings are not screened by vegetation to such a great extent therefore it is not considered that the trees’ removal can be considered detrimental to the local character.
   4.4 The ash trees are unremarkable specimens, possibly having grown up from a former hedge. The forms and condition indicate that they have probably been cut back quite severely in the past, though the presence of ivy makes full inspection difficult. Ash is a very common species and these trees are not particularly old, nor do they have any known commemorative or historical significance. The trees are growing up around overhead power lines; this is likely to create ongoing management issues to ensure the safe and uninterrupted supply.
5 Conclusion

5.1 In considering proposed works to trees in Conservation areas the Council has two options; to allow the work as specified, or to prevent the work by the serving of a Tree Preservation Order (TPO). To pursue the latter option the Council must be satisfied that the trees are of sufficient significance to merit a TPO or consider that there are other factors that would otherwise make the serving of a TPO expedient (for example, to extend the time-period for consideration of any outstanding issues). In this case, I do not consider that the trees are of sufficient significance, nor are they any outstanding issues, to merit the serving of a TPO to prevent the trees’ removal. I therefore recommend that no objections be made to the proposed removal of the four trees.

Contact Officer, Telephone Number Robin Taylor 01508 533813
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Enforcement Report

1. **Enforcement Ref**: 2013/8302  
   **Parish**: SWAINSTHORPE  
   **Developer**: Mr S Cruikshank  
   **Site Address**: The Dun Cow, Norwich Road  
   **Development**: Alterations to approved plans; additional works and alterations; non-compliance with conditions

1. **Background**

1.1. Planning permissions and listed building consents were granted for various works to the Dun Cow and its curtilage. As is usual with such developments, the consents were subject to various conditions and reference to approved drawings. It has become clear following site visits and a meeting with the owner, that some changes have been made to the approved plans, other works have been completed without clearance of appropriate conditions; and some new works have been carried out without the necessary consents.

2. **Planning Policies**

2.1 National Planning Policy Framework:
   Paragraphs 131 and 134 – Conserving and enhancing the historic environment

2.2 Joint Core Strategy
   Policy 2: Promoting good design

2.3 South Norfolk Local Plan
   IMP 8: safe and free flow of traffic;  
   IMP 9: Residential amenity;  
   IMP 13: Alteration of listed buildings;  
   IMP 15: Setting of listed buildings.

3. **Recent Planning History**:

3.1 2013/0249 – Retrospective application to rebuild 2 chimneys and other roof works  
     Approved April 2013

3.2 2013/0419 and 2013/0420 – Extensions to premises, new three bay garage, resurface car park with lighting, new wall and railings, earthworks to rear, extract flue system, Approved August 2013

3.3 2013/1169 – Change of use of first floor to bed and breakfast, new entrance porch and rear covered catering area, retention of garage. Approved August 2013
4  **Assessment**

4.1 The Dun Cow is a grade 2 listed building in a prominent location adjacent to the main A140. The owner is carrying out an intensive programme of improvements to the building, together with extensions, new outbuildings, and site boundaries to support the reopening of the premises as a public house in the New Year. These works have secured the necessary permissions as outlined in 2 above.

4.2 The difficulties have arisen partly due to the pace of the development and the changing decisions by the owner who has modified some aspects of the scheme without either complying with the conditions or the approved plans. This has led to the owner carrying out works without the necessary approvals.

4.3 Some of these works are not unacceptable: minor changes to the rear elevations of the building and the garage contrary to the approved plans and without submission of joinery details. Works to the rear boundary, where railway sleepers have been used to retain the higher ground, have been carried out without approval under the conditions of the consents.

4.4 I have no objections to these works and recommend that no action be taken.

4.5 Discussions are taking place over the design of the garage doors and the means of lighting the car park, both covered by planning conditions. I have concerns at the impact of the lighting columns, already fitted in place but again not as shown on the approved layout plan, and await further details and the outcome of consultations with highways and environmental officers.

4.6 The design of the front boundary wall, railing and fence has not been formally approved and differs from the design shown on the submitted plans. The brick wall and piers do make a noticeable difference to the setting of the listed building, and I feel there has been harm caused in this case. However, on balance, I would not raise an objection, although a new planning application will be required.

4.7 The owner now proposes a separate biomass boiler room at the rear of the building fed by a wood pellet silo. Work on this has already commenced despite the owner being advised it would need planning and listed building consent. I have advised that if these buildings are screened by timber boarding, it may lead to the application being supported.

4.8 The original plans showed a gas tank in the rear service yard, but this position did not comply with buildings regulations so the tank has been located on the north corner of the field to the west of the building, enclosed by a timber fence. It requires planning permission.

4.9 The owner has been advised that this report would be taken to this committee and that the various works outlined above that require new applications should be subject to such applications without delay. These applications were submitted on the 12th December. He has been advised that this practice of carrying out works without appropriate consent is not acceptable, and were it not for the fact that the scheme will generate employment in the area, more serious repercussions could have resulted.
4.10 Works are being carried out to the interior in accordance with the approved plans, but some modifications will be included in the applications referred to above.

5. **Recommendation**

5.1 That no action be taken in respect of the breach of condition issues relating to the joinery details, and the treatment of the rear bank (conditions 11 and 18 of 2013/0419)

5.2 That further discussions be held to secure an acceptable solution for the garage doors and the lighting of the car park under conditions 14 and 16 of 2013/0419 failing which new applications will need to be submitted.

5.3 That the remaining changes, alterations and new builds, including the front boundary wall/railing be assessed as part of the recently submitted applications.

5.4 That the owners be advised that the Council expects further works to comply with the approved plans or be approved under conditions before such works are carried out.
### Planning Appeals

**Appeals received from 22 November 2013 to 17 December 2013**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Parish / Site</th>
<th>Appellant</th>
<th>Proposal</th>
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</thead>
<tbody>
<tr>
<td>2013/0167</td>
<td>Trowse With Newton Land South Of Devon Way And Hudson Avenue Trowse Norfolk</td>
<td>Trustess Of The Arminghall Settlement</td>
<td>Outline planning permission for residential development, associated external works and amenity areas.</td>
</tr>
<tr>
<td>2013/0524</td>
<td>Bergh Apton Land East Of Millers Cottage Mill Road Bergh Apton Norfolk</td>
<td>Ms Vivien Castleton</td>
<td>Outline permission with all matters reserved for one detached, two storey, four bedroom dwelling.</td>
</tr>
</tbody>
</table>

### Planning Appeals

**Appeals decisions from 22 November 2013 to 17 December 2013**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Parish / Site</th>
<th>Appellant</th>
<th>Proposal</th>
<th>Decision Maker</th>
<th>Final Decision</th>
<th>Appeal Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012/1571</td>
<td>Poringland The Brambles Heath Loke Poringland Norwich NR14 7JU</td>
<td>Mr Kudar</td>
<td>Proposed new dwelling on land adjacent the Brambles, roof provided to existing garage and a new single garage to serve the Brambles.</td>
<td>Delegated</td>
<td>Refusal</td>
<td>Appeal dismissed</td>
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</tbody>
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