Development Management Committee

Members of the Development Management Committee:

Conservatives
Mr J Mooney (Chairman)
Mr D Blake (Vice-Chairman)
Mrs Y Bendle
Mrs F Ellis
Mr C Gould
Mr L Hornby
Dr C Kemp
Dr N Legg
Mrs L Neal

Liberal Democrats
Dr M Gray

South Norfolk Independent Grp
Mr J Herbert

Agenda

Date
Friday* 14 November 2014

* Please note change of day

Time
10.00 am

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

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

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

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

The order of the agenda may change at the discretion of the Chairman, so it is advisable to arrive at the commencement of the meeting if you are intending to speak on items 1 to 5, and arrive at 1.30pm if you intend to speak on items 6 to 10.

If you have any special requirements in order to attend this meeting, please let us know in advance

Large print version can be made available

06/11/2014
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 Plan Documents 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 (with amendments to the JCS being adopted in January 2014). It is the starting point in the determination of planning applications and as it is adopted, policies within the plan can be given full weight when determining planning applications.

The remaining ‘saved’ policies of the South Norfolk Local Plan (2003) also carry full weight in the determination process, unless officers specifically advise otherwise.

South Norfolk Council is also in the process of preparing various Local Plan Documents: the Site Specific Allocations and Policies Document, Area Action Plans for Wymondham and Long Stratton and the Development Management Policies Document. These documents will allocate specific areas of land for development, define settlement boundaries and provide criteria based policies giving a framework for assessing planning applications. None of these emerging Local Plan documents have yet been submitted for independent examination, and so the weight to be afforded to emerging policies and allocations is assessed on a case-by-case basis.

A further document which also forms part of the South Norfolk Development Plan is the Cringleford Neighbourhood Development Plan. The CNDP was formally ‘made’ (adopted) on 24 February 2014, and full weight can now be given to the policies of the CNDP when determining planning applications in Cringleford parish.

In a number of instances the Council has produced Supplementary Planning Documents which expand upon the policies of the Development Plan; these documents do not change policy or create new policy, but they are a material consideration in the determination of planning applications.

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

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

- To be genuinely plan-led
- To drive and support sustainable economic development
- Seek high quality design
- Conserve and enhance the natural environment
- Encourage the effective use of land
- Conserve heritage assets
The factors to be used in determining applications will relate to the effect on the “public at large” and will not be those that refer to private interests. Personal circumstances of applicants “will rarely” be an influencing factor, and then only when the planning issues are finely balanced.

**THEREFORE we will:**

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

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

**LOCAL COUNCILS**

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

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

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

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

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

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

4. Minutes of the meetings of the Development Management Committee held on 15 October and 22 October 2014;
   (attached - page 9)

5. Planning Applications and Other Development Control Matters;
   (attached – page 25)
   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>2014/0184/O</td>
<td>REDENHALL WITH HARLESTON</td>
<td>(Phase 3) Land South Of Mendham Lane</td>
<td>25</td>
</tr>
<tr>
<td>2</td>
<td>2014/1302/O</td>
<td>CAISTOR ST EDMUND</td>
<td>Land North Of Heath Farm Caistor Lane</td>
<td>33</td>
</tr>
<tr>
<td>3</td>
<td>2014/1342/D</td>
<td>FRAMINGHAM EARL</td>
<td>Land North-west Of Pigot Lane</td>
<td>48</td>
</tr>
<tr>
<td>4</td>
<td>2014/1440/D</td>
<td>COSTESSEY</td>
<td>Land At Townhouse Road</td>
<td>55</td>
</tr>
<tr>
<td>5</td>
<td>2014/1874/F</td>
<td>STOKE HOLY CROSS</td>
<td>Land North East Of Hillcrest Long Lane</td>
<td>69</td>
</tr>
<tr>
<td>6</td>
<td>2014/1143/CU</td>
<td>BRESSINGHAM</td>
<td>The Chequers Inn Low Road</td>
<td>79</td>
</tr>
<tr>
<td>7</td>
<td>2014/1144/LB</td>
<td>BRESSINGHAM</td>
<td>The Chequers Inn Low Road</td>
<td>79</td>
</tr>
<tr>
<td>8</td>
<td>2014/1729/F</td>
<td>BROCKDISH</td>
<td>2 Stable Cottage The Street Thorpe Abbots</td>
<td>87</td>
</tr>
<tr>
<td>9</td>
<td>2014/1760/F</td>
<td>LONG STRATTON</td>
<td>El Greco The Street</td>
<td>94</td>
</tr>
<tr>
<td>10</td>
<td>2014/1903/F</td>
<td>WYMONDHAM</td>
<td>Little Dial Farm Station Road Spooner Row</td>
<td>100</td>
</tr>
</tbody>
</table>

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

7. Planning Appeals (for information) (attached – page 105)

8. Date of next scheduled meeting – Wednesday 10 December 2014
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.

3. FILMING AT COUNCIL MEETINGS: GUIDANCE

Members of the public and press are permitted to film or record meetings to which they are permitted access in a non-disruptive manner and only from areas designated for the public. No prior permission is required, however the Chairman at the beginning of the meeting will ask if anyone present wishes to record proceedings. We will ensure that reasonable facilities are made available to the public and press to assist filming or recording of meetings.

The use of digital and social media recording tools, for example Twitter, blogging or audio recording is allowed as long as it is carried out in a non-disruptive manner.
HEALTH AND SAFETY INFORMATION

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS -

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

| A | Advert |
| AD | Certificate of Alternative Development |
| AGF | Agricultural Determination – approval of details |
| C | Application to be determined by County Council |
| CA | Conservation Area |
| CU | Change of Use |
| D | Reserved Matters (Detail following outline consent) |
| EA | Environmental Impact Assessment – Screening Opinion |
| ES | Environmental Impact Assessment – Scoping Opinion |
| F | Full (details included) |
| G | Proposal by Government Department |
| H | Householder – Full application relating to residential property |
| HZ | Hazardous Substance |
| LB | Listed Building |
| LE | Certificate of Lawful Existing development |
| LP | Certificate of Lawful Proposed development |
| O | Outline (details reserved for later) |
| RVC | Removal/Variation of Condition |
| SU | Proposal by Statutory Undertaker |
| TPO | Tree Preservation Order application |

Key to abbreviations used in Recommendations

| CNDP | Cringleford Neighbourhood Development Plan |
| J.C.S | Joint Core Strategy |
| LSAAP | Long Stratton Area Action Plan – Pre Submission |
| N.P.P.F | National Planning Policy Framework |
| 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) |
| S.N.L.P | South Norfolk Local Plan 2003 |
| Site Specific Allocations and Policies Document – Pre Submission |
| Development Management Policies Document – Pre Submission |
| WAAP | Wymondham Area Action Plan – Pre Submission |
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>Does the interest directly:</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>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</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>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.</td>
</tr>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF. - PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE -
DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

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

YES

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

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

NO

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

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

YES

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

YES

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

NO

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

The minutes of the Development Management Committee meeting dated 17 September 2014 were confirmed as a correct record and signed by the Chairman.

165. DECLARATIONS OF INTEREST

The following members declared interest in the matters listed below. Unless indicated otherwise, they remained in the meeting.

<table>
<thead>
<tr>
<th>Application</th>
<th>Parish</th>
<th>Councillor</th>
<th>Declaration</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014/0993/F</td>
<td>LODDON</td>
<td>D Blake</td>
<td>Local Planning Code of Practice – Lobbied by applicant and objector</td>
</tr>
<tr>
<td>(Item 1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014/0994/F</td>
<td>LODDON</td>
<td>L Dale</td>
<td>Other interest – family member involved in photo-voltaic research</td>
</tr>
<tr>
<td>(Item 2)</td>
<td></td>
<td>C Kemp</td>
<td>Other interest – subscribing member of English Heritage</td>
</tr>
<tr>
<td>2014/0562/F</td>
<td>TASBURGH</td>
<td>All (except L Dale and K Weeks)</td>
<td>Local Planning Code of Practice – Lobbied by applicant</td>
</tr>
<tr>
<td>(Item 3)</td>
<td></td>
<td>L Neal</td>
<td></td>
</tr>
<tr>
<td>2014/0981/O</td>
<td>TROWSE WITH NEWTON</td>
<td>All (except L Dale and K Weeks)</td>
<td>Local Planning Code of Practice – Lobbied by objector</td>
</tr>
<tr>
<td>(Item 4)</td>
<td></td>
<td>L Neal</td>
<td></td>
</tr>
<tr>
<td>2014/1305/O</td>
<td>TIVETSHALL ST MARY</td>
<td>All (except L Dale and K Weeks)</td>
<td>Local Planning Code of Practice – Lobbied by objector</td>
</tr>
<tr>
<td>(Item 6)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014/1566/F</td>
<td>PORINGLAND</td>
<td>L Neal</td>
<td>Local Planning Code of Practice – Lobbied by applicant and objector</td>
</tr>
<tr>
<td>(Item 9)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
166. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

The Committee considered the report (circulated) of the Director of Growth and Localism. The officers presented applications listed in the report and representatives from Parish/Town Councils and members of the public addressed the Committee on the following:

<table>
<thead>
<tr>
<th>Application</th>
<th>Parish</th>
<th>Speaker(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014/0993/F</td>
<td>LODDON</td>
<td>Ms J Hale, Parish Council</td>
</tr>
<tr>
<td>2014/0994/F</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014/0562/F</td>
<td>TASBURGH</td>
<td>Mr W Hawkins, Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mrs S Barnes, Applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms A Leeder, Agent for Applicant</td>
</tr>
<tr>
<td>2014/0981/O</td>
<td>TROWSE WITH NEWTON</td>
<td>Mr C Steward, Parish Council</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr D Dobinson, Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms N La Ronde, Agent for Applicant</td>
</tr>
<tr>
<td>2014/0935/H</td>
<td>SHELFANGER</td>
<td>Mr A Corbyn, Applicant</td>
</tr>
<tr>
<td>2014/1305/O</td>
<td>TIVETSHALL ST MARY</td>
<td>Mr T Jollans, Parish Council</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr E Kirby, Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms J Healy, Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr P Playford, Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms M Van Der Peterman, Agent for Applicant</td>
</tr>
<tr>
<td>2014/1396/O</td>
<td>STOKE HOLY CROSS</td>
<td>Mr R Humphrey, Parish Council</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr C Bussey, Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms S Butters, Applicant</td>
</tr>
<tr>
<td>2014/1507/RVC</td>
<td>LODDON</td>
<td>Mr N Cooper, Agent for Applicant</td>
</tr>
<tr>
<td>2014/1566/F</td>
<td>PORINGLAND</td>
<td>Mr J Ellis, Parish Council</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr J Henson, Parish Council</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms P Mendleson, Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rev R Parsonage, Applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr G Smith, Applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr B Catchpole, Applicant</td>
</tr>
</tbody>
</table>

The Committee made the decisions indicated in the Appendix to these minutes, conditions of approval or reasons for refusal of planning permission as determined by the Committee being in summary form only and subject to the final determination of the Director of Growth and Localism.

167. ENFORCEMENT PROCEEDINGS - QUARTERLY REPORT

Members noted the Enforcement Proceedings Report.
168. **PLANNING APPEALS**

Members noted the Planning Appeals Report.

(The meeting closed at 4.14 pm)

__________________________
Chairman
Development Management Committee 15 October 2014

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

NOTE:
Conditions of approval or reasons for refusal of planning permission as determined by the Committee are in summary form only and subject to the Director of Growth and Localism’s final determination.

Applications Referred to Site Inspection

1  Appl. No : 2014/0993/F
     Parish : LODDON

    Applicants Name : Mr Justin Fenwick
    Site Address : The Swan Inn 23 Church Plain Loddon Norfolk NR14 6LX
    Proposal : Demolition of existing store rooms (retrospective) and erection of replacement building to provide four letting rooms. Erection of lean-to maids store

    Decision : Members voted 7-3 for APPROVAL

       Approved with conditions
       1 Full Planning permission time limit
       2 In accord with submitted drawings
       3 Accommodation ancillary to PH
       4 Specific details to be agreed

       (Add informative note regarding no use as dwelling)

Updates

District Member – additional comments
- Note, the works of demolition and new building have been undertaken without permission.
- The increase in height and increased roof area of the new building (compared to that previously approved) is very un-neighbourly and affects the amenity of the neighbour.
- The two story element of the new build detracts from the aesthetics of the buildings in the area, making it over dominant, a 1 ½ storey building would have been more in keeping and less intrusive.
- I still have reservations about the provision of parking for the holiday lets and to rely on the provision of a pay & display car park opposite is not the correct approach.
- Whilst I accept the building is of a high standard and incorporates some nice features, it is too large and is therefore detrimental to the amenity of the neighbour and should be refused.

2  Appl. No : 2014/0994/F
     Parish : LODDON

    Applicants Name : Mr Justin Fenwick
    Site Address : The Swan Inn 23 Church Plain Loddon Norfolk NR14 6LX
    Proposal : Demolition of existing store rooms (retrospective) and erection of replacement building to provide four letting rooms. Erection of lean-to maids store

    Decision : Members voted 7-3 for APPROVAL

       Approved with conditions
1. Full Planning permission time limit
2. In accord with submitted drawings
3. Accommodation ancillary to PH
4. Specific details to be agreed

Updates

District Member – additional comments

- Note, the works of demolition and new building have been undertaken without permission.
- The increase in height and increased roof area of the new building (compared to that previously approved) is very un-neighbourly and affects the amenity of the neighbour.
- The two story element of the new build detracts from the aesthetics of the buildings in the area, making it over dominant, a 1½ storey building would have been more in keeping and less intrusive.
- I still have reservations about the provision of parking for the holiday lets and to rely on the provision of a pay & display car park opposite is not the correct approach.
- Whilst I accept the building is of a high standard and incorporates some nice features, it is too large and is therefore detrimental to the amenity of the neighbour and should be refused.

Major applications or applications raising issues of significant precedent

3  Appl. No : 2014/0562/F
Parish : TASBURGH

Applicants name : Mr Mark Dickinson
Site Address : Land South Of Hall Farm Bungay Road Tasburgh Norfolk
Proposal : Installation of a solar PV array plus ancillary development.

Decision : Members voted 7-3 for APPROVAL

Approved with conditions

1. Temporary permission for 30 years removal of all equipment from site before expiry of time period. Not less than 12 months prior to the expiry or within 3 months of the cessation of electricity production a decommissioning plan shall be submitted. Decommissioning shall be in accordance with a decommissioning statement.
2. In accordance with plans
3. Construction worker parking to be agreed
4. Construction traffic management and access route to be submitted and agreed.
5. Wheel washing to be agreed
6. Hours of construction
7. Submission of construction management plan (noise and dust)
8. Details and provision of swales including cross section and submission of a management plan
9. Ecology mitigation to be agreed
10. Landscaping details to be agreed
11. Submission of landscape biodiversity management plan to be agreed
12. Implementation of landscaping
13. Replacement of dead or defective landscaping within 30 year time period.
14. Retention of trees and hedges
15. No external lighting unless agreed
16. Details CCTV to be agreed
Updates

Officer: Two additional letters of objection received raising no new issues other than alternative sites appear to be notional.

Tasburgh Parish Council: No further comments

Historic Environment Service:
Some areas need further investigation suggest a condition which will allows option of either no panels in these areas, use of concrete rather than pile foundations or further archaeological investigation prior to the provision of panels.

4

Appl. No : 2014/0981/O
Parish : TROWSE WITH NEWTON

Applicants Name : Trustees Of The Arminghall Settlement
Site Address : Land South Of Devon Way And Hudson Avenue Trowse Norfolk
Proposal : Outline planning permission for residential development, associated external works and amenity areas (with an area of land set aside for future primary school use). Demolition of all buildings on the site.

Decision : Members voted 9-1 for APPROVAL

Approved with conditions

1. Time limit
2. Submitted plans
3. Full details of roads, footways, cycleways, drainage and access to western boundary to be agreed, which shall include the principle access from White Horse Lane
4. Agree and deliver provision of continuous 1.5m wide footpath on south side of Hudson Avenue
5. Foul and surface water drainage details to be agreed including future management arrangements
6. Submit and agree updated design code
7. 10% renewable energy on-site
8. Water efficiency standard to be met
9. Landscaping to be agreed
10. Tree and hedgerow protection
11. Ecological mitigation measures to be implemented
12. Positions of fire hydrants to be agreed
13. Gas membrane to be agreed
14. Any topsoil brought in for garden areas must be tested and results agreed with SNC
15. Noise control measures to be agreed
16. Air quality testing to be undertaken and measures for safeguarding air quality to be agreed.
17. Contamination found during ground works
18. Programme of archaeological work required

Note S106 for affordable housing, open space, land for new primary school

Updates

Additional condition
- Additional condition required in respect of the need for a programme of archaeological work to be undertaken as requested by Historic Environment Services.
Letter from Richard Bacon MP

- Confirmed that he has been contacted by local residents in 1 and 4 The Paddock expressing concern that the flood risk assessments in relation to 2014/0981 and 2013/0463 (Norfolk Homes site on the adjacent land) have not sufficiently considered the effect of the projects on flood risk to existing properties as surface water will inevitably run downhill towards White Horse lane and the Paddock. The MP is concerned that these applications may represent another mismatch between desktop studies and the superior knowledge of local resident with South Norfolk Council caught in the middle, as was demonstrated in a case at Eastleigh Gardens in Barford. The same elements are in place to occur here.
- I would be grateful if you could ensure that surface water and soakaways from 2014/0981 do not add to the flood risk on White Horse Lane, taking into account that from 2013/0463.

Additional comments from Trowse with Newton Parish Council

- Confirm their objection to the scheme on the following grounds, in addition to those highlighted in the report:
  - We feel that the significant change to the application should mean that it is treated as a “new” application and sufficient time given for consultation. The timescales for this amendment have not been sufficient, and to recommend approval with no formal consultation is unacceptable. The amendments were not received before the last Parish Council meeting and most villagers are not aware of the changes.
  - The applicant has produced a last minute proposal which contradicts the previously inferred position that it was not financially viable to renovate the YMCA building. It is not clear who is paying for these renovations, or the timeframes involved.
  - Car parking at the YMCA is to be reduced, despite there being more housing proposed in Trowse and the facilities being refurbished point towards increased use.
  - Floodlighting to the relocated MUGA would have a direct impact on neighbour amenity, as would additional noise disturbance.
  - As raised previously, there are still major concerns over the access from Hudson Avenue in respect of housing and increased use of the YMCA.
  - Likewise, there are still concerns regarding flood risk.

Other Applications

<table>
<thead>
<tr>
<th>5</th>
<th>Appl. No</th>
<th>Parish</th>
<th>Applicants name</th>
<th>Site Address</th>
<th>Proposal</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2014/0935/H</td>
<td>SHELFANGER</td>
<td>Mr Andrew Corbyn</td>
<td>The Barn High London Farm High London Lane Shelfanger Norfolk IP22 2EG</td>
<td>Erection of two storey extension to existing dwelling</td>
<td>Members voted 8-2 for APPROVAL</td>
</tr>
</tbody>
</table>

Approved with conditions

1. Full Planning permission time limit
2. In accord with submitted amended drawings
6  Appl. No  :  2014/1305/O  
Parish  :  TIVETSHALL ST MARY

Applicants name  :  Mrs Elaine Peacock  
Site Address  :  Land South East Of Shangri-la The Street Tivetshall St Mary Norfolk
Proposal  :  Outline application for the erection of 2 No. 3 or 4 bedroom dwellings

Decision  :  Members voted unanimously to DEFER the item to a future meeting of the Development Management Committee.

Reason for Deferral – to clarify statements made by the Parish Council and an objector with regard to the local plan consultation process

7  Appl. No  :  2014/1396/O  
Parish  :  STOKE HOLY CROSS

Applicants name  :  Ms S Butters  
Site Address  :  Land South Of Petersfield Farm Valley Farm Lane Stoke Holy Cross Norfolk
Proposal  :  Outline planning permission (with all matters reserved) for one detached four bedroom self-build dwelling.

Decision  :  Members voted 8-2 for APPROVAL

Approved with conditions

1  Outline Permission Time Limit
2  Standard outline requiring reserved matters
3  In accord with submitted drawings
4  Surface Water drainage detail
5  Foul drainage to main sewer
6  Reporting of unexpected contamination
7  Retention trees and hedges
8  Landscaping scheme to be submitted
9  Tree protection
10  External materials to be agreed
11  Water Efficiency standard to be met
12  Boundary treatment to be agreed
13  New Access Construction over verge
14  Visibility splay, approved plan
15  Provision of parking, not on plan
16  Access Gates – Configuration

(subject to deletion of reference to ‘two storey’ from the description)

Updates
Officer: Agent for applicant has agreed to delete the wording ‘two storey’ from the description of the proposal
8 Appl. No : 2014/1507/RVC
Parish : LODDON
Applicants name : Dawson Brown
Site Address : 4 Mill Road Loddon Norfolk NR14 6DR
Proposal : Variation of Condition 2, approved plans, of permission 2011/0886/F - Redevelopment of site with 3 houses and garages and ancillary works. Revised plan changes permeable paved driveways to traditional block sets, and for the retention of the 1.8 timber fence on the west and south boundaries of the site.

Decision : Members voted 10-0 (with one abstention) for APPROVAL

Approved with conditions

1 In accordance with amendments
2 External materials to be agreed
3 No additional windows at first floor
4 No PD for Classes ABCDE & G
5 No alterations to lose garage
6 Tree protection
7 Implement boundary treatment
8 Water Efficiency standard to be met
9 Windows to be obscure glazed
10 Vehicular access
11 Vehicle and pedestrian access
12 Visibility splays
13 Provision of parking, service
14 Landscaping scheme to be submitted and implemented next planting season
15 Retention trees and hedges
16 Details for surface water drainage for driveways to be agreed
17 Treatment to fence to be agreed

Oral Updates
Officer: Additional condition required requiring details for surface water drainage for driveways to be agreed.
Environmental Protection Officer – No objections provided additional condition (above) is included.

9 Appl. No : 2014/1566/F
Parish : PORINGLAND
Applicants name : Trustees Of Poringland Village Hall
Site Address : Poringland Village Hall, 65 The Street, Poringland, Norfolk NR14 7RE
Proposal : Demolition of existing village hall. Erection of new All Saints Centre, incorporating a dedicated nursery unit, car parking, soft and hard landscaping and all associated works.

Decision : Members voted unanimously for APPROVAL

Approved with conditions

1 Full Planning permission time limit
2 In accord with submitted drawings
3 External materials to be agreed
4 Surface Water to be carried out in accordance with submitted details
5 Full details of external lighting to be agreed
6 Slab level to be agreed
7 Demolish existing buildings on site before new use
8 Boundary treatment to be agreed
9 Reporting of unexpected contamination
10 Limited Hours of use 07:30hrs – 23:00hrs
11 New Access Construction over verge
12 Provision of parking and turning area
13 Highway Improvements - Offsite
14 Noise level restriction
15 No provision of generators, air handling plant without written agreement
16 Provision of a bat box
17 Retention of existing trees and hedging
18 Landscaping scheme to be agreed

Updates

Officer

Additional 2 letters of objection
- Position of the new hall
- Large size, concept and design
- Lack of screening at the rear and loss of view
- Apparent lack of health and safety, regarding parking and pedestrianisation
- Loss of green space used by children to play in
- How does this fit in with the community centre
- Is there really a demand for another hall of this size in Poringland
- The building is heavily used by children and should think about indoor and outdoor activities for them and make the most of the plot that is available

Architectural Liaison Officer recommends:
- A aesthetically pleasing perimeter fence is erected
- Doors and windows should comply with Secured by Design guide
- Security lighting low level

Applicants have requested that Condition 7 is revised to allow the building to be continued to be used, particularly by the pre-school, nursery and after school groups, during the build works. I would raise no objection to this.

Officer - Proposed hours of use 07.30hrs – 23.00hrs
SPECIAL DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of a Special meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday 22 October 2014 at 2.30 pm.

Committee
Members Present: Councillors J Mooney (Chairman), Y Bendle, D Blake, C Gould (for part of the meeting), M Gray, L Hornby, C Kemp, N Legg and L Neal

Apologies: Councillors F Ellis, J Herbert and L Neal

Substitute Members: Councillors C Foulger (for F Ellis), L Webster (for L Neal) and K Weeks (for J Herbert)

Officers in Attendance: The Development Manager (H Mellors), the Place-Shaping and Major Projects Team Leader (J Hobbs), and the Design Officer (C Watts)

Also in Attendance: Mr D Higgins, Norfolk County Council Highways -

(the press and 17 members of the public were in attendance)

169. DECLARATIONS OF INTEREST

The following members declared interest in the matters listed below. Unless indicated otherwise, they remained in the meeting.

<table>
<thead>
<tr>
<th>Application</th>
<th>Parish</th>
<th>Councillor</th>
<th>Declaration</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013/1793/ (Item 1)</td>
<td>CRINGLEFORD</td>
<td>All (except L Webster)</td>
<td>Local Planning Code of Practice – Lobbied by applicant and objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>L Webster</td>
<td>Local Planning Code of Practice – Lobbied by objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>M Gray &amp; C Gould</td>
<td>Other interest – Members of the Broads Authority</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C Kemp</td>
<td>Other interest – subscribing member of English Heritage</td>
</tr>
</tbody>
</table>
170. **PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**

The Committee considered the report (circulated) of the Director of Growth and Localism. The officers presented applications listed in the report and representatives from Parish/Town Councils and members of the public addressed the Committee on the following:

<table>
<thead>
<tr>
<th>Application</th>
<th>Parish</th>
<th>Speaker(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013/1793/1</td>
<td>CRINGLEFORD</td>
<td>Prof M Wagstaff, Parish Council Ms M Penn, Objector Mrs A Meldram, Objector Mr P Biggs, Agent for Applicant Mr C Telford, Agent for Applicant Cllr J Virgo, Norfolk County Councillor Cllr G Wheatley, Local Member</td>
</tr>
</tbody>
</table>

The Committee made the decisions indicated in the Appendix to these minutes, conditions of approval or reasons for refusal of planning permission as determined by the Committee being in summary form only and subject to the final determination of the Director of Growth and Localism.

(The meeting closed at 4.30 pm)

__________________________
Chairman
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

NOTE:
Conditions of approval or reasons for refusal of planning permission as determined by the Committee are in summary form only and subject to the Director of Growth and Localism’s final determination.

1 Appliance No : 2013/1793/O
Parish : CRINGLEFORD
Applicants Name : Barratt Eastern Counties and John Innes Foundation
Site Address : Land South-west Of Newfound Farm, Colney Lane, Cringleford
Proposal : Outline planning permission for a development of 800 dwellings together with a small local centre, primary school with early years facility, Two new vehicular accesses off Colney Lane, associated on-site highways, pedestrian and cycle routes, public recreational open space, allotments, landscape planting and community woodland.

Decision : Members voted 7-3 (with one abstention) to authorise the Director of Growth and Localism to APPROVE subject to no new material matters being raised from the submission of and consultation on Thickthorn Junction Improvement Scheme

Approved with conditions

1. Standard time limit
2. Approval of reserved matters
3. A phasing plan to be submitted and agreed
4. Overarching landscaping strategy for whole Housing Site Allocation Area to be agreed and implemented
5. Replacement landscaping within 5 years of planting
6. Retention of trees and hedges unless otherwise agreed
7. Tree protection measures to be agreed as required
8. Hedgerow mitigation measures to compensate for loss of some hedgerow on site
9. Overarching design code for whole Housing Site Allocation Area to be submitted, agreed and implemented through reserved matters applications
10. Materials to be used in construction of all development to be agreed
11. Mineral extraction to be further assessed and agreed as appropriate
12. Ecological enhancements and habitat management plan to be agreed
13. Roads, footways and cycleway layout to be agreed
14. Construction traffic management plan to be agreed
15. Compliance with the construction traffic management plan
16. Wheel cleaning facilities to be agreed
17. Compliance with agreed wheel washing facilities details
18. Access to site from Colney Lane details
19. Colney Lane/Round House Way roundabout improvement works
20. A11 Newmarket Road/Roundhouse Way signalisation works to be agreed by 400th dwelling and completed by 500th dwelling occupation
21. A11/A47 Thickthorn Interchange improvement works to be agreed by 50th dwelling and completed by 100th dwelling occupation
22. Additional access onto Colney Lane to be completed by 750th dwelling occupation if no site access achieved on land to east by this point
23. Travel plan
24. Provision of cycle parking
25. Provision of refuse storage
26. Layout and provision of land for servicing and parking at non-residential uses
27. Surface water – compliance with submitted Flood Risk Assessment
28. Foul water disposal strategy to be agreed
29. Contaminated land – site investigation, verification report and long term monitoring report
30. Unknown contamination to be reported if found
31. External lighting to be agreed
32. Construction management – noise and dust
33. Scheme of archaeological investigation to be agreed
34. Hours of use of uses within local centre to be agreed
35. Hours of servicing and delivery to non-residential uses
36. Position and specification of any plant and machinery on non-residential uses to be agreed
37. Restriction of retail to convenience goods only
38. Restriction of only 500sq.m. floorspace in local centre
39. 10% renewable or low-carbon energy of total requirement for residential and non-residential uses
40. Water efficiency of 105 litres per person per day for all new dwellings
41. Control measures for noise from surrounding roads to be submitted and agreed
42. Provision of fire hydrants for residential and commercial areas

Subject to Section 106 agreement to ensure the delivery of affordable housing, land for the primary school, the local centre, open space (including allotments and a community orchard) and a travel plan.

The outline permission would also be liable for Community Infrastructure Levy, which would be collected at the reserved matters stage.

Members noted that there was potential for the application to be called in the Secretary of State. Once a decision has been made by Members the SoS will advise as to whether he will call-in the application to make the final decision on this application.

Updates

Officer updates to report

1) Amendment to recommendation to be delegated authority for the Director of Growth and Localism to approve, subject to no new material matters being raised from the submission of and consultation on Thickthorn Junction Improvement scheme already agreed with the Highways Agency. (See update 8 below for further detail for this change)

2) Additional condition:
   - In accordance with plans
3) Paragraph 4.11 – affordable housing tenures proposed should read 85% social rented, 15% intermediate tenure as reported in paragraph 5.76 later in the report. This is as per policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk.

4) Numbering of appendices referred to in report should be:

Appendix 1 – site location plan of site
Appendix 2 – Technical notes from consultants working on behalf of Highways Agency
Appendix 3 – Response of Norfolk County Council Highways Authority
Appendix 4 – Cringleford Parish Council responses to application
Appendix 5 – Colney Parish Council response to application

5) An additional section to Appendix 2 is to be circulated at the meeting. This is the final response from the Highways Agency on the application.

Other updates to report

Additional consultation response:

6) UK Power Networks have confirmed they would not raise a formal objection to the potential playing pitch provision, but would suggest the applicants consider the need to ensure clearance is maintained under power cables.

7) Cringleford Parish Council have submitted a report on the published committee report. It recommends rejection of the planning application and covers the following issues.

Responses to the points are raised under each point:
- Too much emphasis on five year land supply
- Not enough attention to Localism and the Cringleford Neighbourhood Development Plan (CNDP)
- Risk of 1,200 dwellings across site being exceeded
- 28 dwellings per hectare (dph) not close to 25 dph agreed
- Density proposed would result in an urban character
- Harm to the natural environment and wildlife routes
- Concern over approving indicative plan
- Concern over medical facility capacity
- Access to Colney Lane issues not resolved
- Implications of development of land in immediate vicinity of New Found Farm not considered

Officer response to Parish Council concerns:
The report considers the majority of issues above. The compliance with the neighbourhood plan has been given due consideration, and whilst the concern of the parish council are noted the recommendation of the report is not recommended to be altered. The concerns raised would be mitigated through condition or consideration of the development at the reserved matters stage. Only access is sought for approval at outline, the policies of the CNDP would be considered through any reserved matter applications.

8) Additional letter of representation:

From Turley who represent Land Fund on the adjacent site of the recently refused application 2013/1494:

i) Proposed density – consider the policy interpretation of HOU3 of the CNDP should be net.

Officer response:
This has been given thorough consideration in paragraphs 5.29 to 5.40 of the report and the officer recommendation is that the density referred to in policy HOU3 should be gross.
ii) Concern that application 2013/1494 was refused on highway grounds but this application is now recommended for approval.

Officer response:
The highway improvements required for this application currently being considered could be accommodated within the conditions listed on the committee report. The reason 2013/1494 was refused was due to land proposed for housing potentially being required for the Thickthorn Interchange highway improvement scheme, leading to the scheme being contrary to policy TRA2 of the CNDP.

iii) Suggested highway condition 21 refers to a plan that has not been submitted with this application or had public consultation on this plan identifying junction improvement scheme for Thickthorn Interchange.

Officer response:
In light of this point, the recommendation is changed to ‘Delegated Authority to Director of Growth and Localism Approve subject to further consultation on a plan to demonstrate Thickthorn Interchange upgrades, provided no substantial new material matters raised’.

iv) Query over open space provision in relation to playing pitches and how this would be dealt with in the accompanying S106 agreement.

Officer response:
This is covered in paragraph 5.70 to 5.73 of the committee report, and the update above refers to the additional response from UK Power Networks.

v) Consistency of approach has been questioned over considering whether housing policies in the CNDP are out-of-date and the approach to Thickthorn Interchange.

Officer response:
In relation to housing policies, as a recommendation for approval has been made detailed consideration of the weight of housing policies has been made under this application. The Highway Agency and Highway Authority are content this application to be considered meets the requirements of the development plan. The previously refused application did not meet the requirements due to the reason outlined above in response to point number 2.

vi) Numbering of appendices wrong in published report.

Officer response:
This has been amended in the above updates.
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Growth and Localism

Major applications or applications raising issues of significant precedent

1. Appliance No : 2014/0184/O
   Parish : REDENHALL WITH HARLESTON

   Applicants Name : Mendham Lane Ltd
   Site Address : (Phase 3) Land South Of Mendham Lane Harleston Norfolk
   Proposal : Redevelopment of former employment land for residential development (up to 35 dwellings), access and associated works

   Recommendation : Approval with conditions

   1. Outline time limit
   2. Submission of reserved matters
   3. In accordance with plans (access)
   4. Highway conditions to be advised
   5. Provision of widening cycle/footpath
   6. Contaminated land - submit scheme
   7. Reporting of unexpected contamination
   8. Landscaping scheme to be submitted
   9. Landscaping management plan
   10. Management of open space
   11. Surface water details to be submitted
   12. Foul drainage details to be submitted
   13. Renewable energy – decentralised source
   14. New water efficiency
   15. External materials to be agreed
   16. Scheme to mitigate noise from industrial units
   17. Slab level to be agreed
   18. Details of fire hydrant

   Subject to S106 to include affordable housing and provision of public open space and commuted sums for toddler and older children’s equipment

1. Planning Policies

1.1 National Planning Policy Framework
   NPPF 06: Delivering a wide choice of high quality home
   NPPF 07: Requiring good design
   NPPF 11: Conserving and enhancing the natural environment

1.2 Joint Core Strategy
   Policy 1: Addressing climate change and protecting environmental assets
   Policy 2: Promoting good design
   Policy 3: Energy and water
   Policy 4: Housing delivery
   Policy 13: Main Towns
   Policy 20: Implementation
1.3 South Norfolk Local Plan 2003
- IMP 2: Landscaping
- IMP 8: Safe and free flow traffic
- IMP 10: Noise
- UTL 15: Contaminated land
- HAR 5: Employment allocations in Harleston

1.4 Emerging South Norfolk Local Plan
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies
- DM3.1 Housing Quality
- DM3.2 Meeting housing requirements and needs
- DM3.12 Road safety and the free flow of traffic
- DM3.14 Amenity, noise and quality of life
- DM3.15 Pollution, health and safety
- DM3.16 Outdoor play facilities and recreational space
- DM4.10 Incorporating landscape into design

1.6 Site Specific Allocations and Policies
- HAR3 Land at former Howard Rotavator works, Mendham Lane
- DM3.9 Design Principles

1.7 Supplementary Planning Document
- South Norfolk Place Making Guide 2012

2. Planning History

2.1 No relevant history

3. Consultations

3.1 Parish Council
- Amended proposal

Additional comments
- Town Council are not opposing the application
- Please to see new access is proposed, but some concern has been raised on whether the road is wide enough.

Original proposal
- Concern about using existing access through the development also concerned about the existing parking / access problems
- Access should be off Mendham Lane
- Request a capacity study for drainage, SuDS should be considered to avoid flooding
- Difference in level could mean the apartment blocks are more imposing, only two storey buildings houses should be allowed
- Would want to see a contribution for older children’s play
- If conifers are removed then native species should replace them
- Who will be responsible for management of hard and soft landscaping?
- Consideration should be given to minimising noise from industrial units
3.2 District Members:  
Cllr B Riches  
Cllr J Savage  

3.3 NCC Highways  
Amended proposal to be reported  

3.4 NCC - Planning Obligations  
- Education, library and fire hydrant contributions required or will be provided by CIL  

3.5 Anglian Water Services Ltd  
Support with conditions  
- Capacity with foul sewer  
- Surface water drainage strategy is acceptable  

3.6 Environment Agency  
Support with conditions  
- Report identifies that infiltration of surface water may be problematic, will be incorporate if possible at design stage, if not attenuated discharge into the surface water sewer acceptable.  

3.7 Police Architectural Liaison Officer  
Original application  
- Concerned about use of parking courts and undercroft parking  
- Public open spaces appear well over looked but need to avoid views being blocked by vegetation  
- Request financial contribution for policing  

3.8 Environmental Services (Protection)  
Amended proposal  
- To be reported  

3.9 Flood Defence Officer  
Support with conditions  
- Sustainable Drainage systems should be used whenever possible  
- The report has indicated that infiltration methods may not be possible. Further investigation is proposed and infiltrations methods should be used whenever possible, if not attenuated discharge into the surface water drain is proposed.
• Rainwater harvesting be used whenever possible
• Need to manage water so there is no flooding of property or the Highway

3.10 Housing Strategy Manager
Amended proposal
• Agree the proposed affordable housing provision and mix

Original proposal
• Principle of provision acceptable need to agree detail

3.11 SNC – Parks and Amenities Officer
Amended proposal
• Open space provision now looks acceptable
• Toddler and older children’s play can be provided as a commuted sum

Original scheme
• Need to be an area of open space on the site, prefer one larger area than two smaller areas
• Contributions required toddler play equipment on phase 1 and to Redenhall and Harleston Town Council for adult and older children provision.

3.12 Design Officer
Amended proposal
• Verbally discussed with Design Officer
• Amended layout now achieves a good standard of design

Original proposal
• Indicative layout fails to achieve a good standard of design

3.13 Ecologist
Support with conditions
• No protected species issues
• Landscaping should include native species and conifer hedge should be removed and replaced with a native species hedge

3.14 Landscape Officer
Would prefer the conifer hedge to be removed and replaced with comprehensive native planting, otherwise raises no objections.

3.15 Representations
12 letters of objection from 10 households
• Access via the existing access to the estate, estate already overcrowded, difficult for vehicles especially emergency vehicles
• Use of the site by tradesmen causing deterioration of road
• new green space for residents to use
• Residents current pay for the play area in phase 2, will this be the case for phase 3 or would residents share the cost
• Issue of overlooking due to change in level between the sites
• Concerned surface water drainage will cause flooding current drainage is not adequate
• Implications for increased traffic and school and doctor provision.
• Parking problems on the existing development need to be resolved and prevent future problems
• Conifer hedge/ trees should be retained as a noise barrier from A143
• Potential contamination
Assessment

Site

4.1 The site is just under a hectare in size and forms part of the former Howard Rotavator site on the south site of Mendham lane in Harleston. The land to the west of the site has already been developed for residential in 2 phases. The land to the north is also residential development with a site to the north west currently under construction. To the south are industrial units which form part of the Fuller Lane industrial development. There are agricultural fields to the east.

Proposal

4.2 The application is for outline planning permission for 35 dwellings. All matters are reserved apart from access. An indicative layout has been submitted, the vehicular access has now been amended so that it is off Mendham Lane rather than through the existing estate.

Policy

4.3 In the South Norfolk Local Plan 2003 the site is allocated for employment use under policy HAR5. Since the adoption of the plan the adjacent sites have been redeveloped for residential development. The site has been allocated for residential as part of the site specific allocation in the new local plan under Policy HAR3. This is currently subject to an examination in public. As part of the local plan process, no objections have been made over the principle of residential development on the site. The only one is from the applicant of this application querying the proposed density of the development. Given the type of objection I consider that this new site specific Policy HAR3 can be given considerable weight in determining this application.

4.4 Concerns have been raised regarding the capacity of the town to take further development. Policy 13 in the Joint Core Strategy proposed 200 -300 new houses in Harleston during the plan period. This policy took into consideration the capacity of the town to take further development. The development will be subject to Community Infrastructure Levy which will cover cost of additional school spaces libraries etc. which would need to be provided. The principle of residential development on this site is therefore considered to be acceptable. The key considerations are highways, design, amenity, drainage and noise disturbance.

Highways

4.5 Concern was raised by both the Highway Authority, the Town Council and local residents regarding accessing the site via the existing estate access for phases 1 and 2. The scheme has now been amended with an access off Mendham Lane, with only a pedestrian link through to the earlier phases of development. A footpath/ cycle way has been provided along Mendham Lane linking to Fuller Road industrial estate under the site under construction. It is proposed that this development will extend this footpath width to the desired 3 metre width. These changes are in line with the Highway Authority’s comments and suggested conditions will be presented orally to committee. The development is considered to meets the requirements of saved policy IMP8 in the local plan for the safe and free of traffic.

Design, open space and amenity

4.6 This is an outline application and layout and design have been reserved and are not being agreed at this stage. The original indicative layout was very poor as the applicant wished to establish that 37 dwelling could be achieved on the site. The proposed policy suggests 29. It is important that an indicative layout was provided that the indicated number of dwellings could be achieved. Although the layout has not been agreed and will need some further work before reserved matters the Design Officer now considers that 35 dwelling
could be satisfactorily achieved on the site. Concern has been raised by residents in the adjacent phase 2 development that new dwellings would overlook their dwellings as a result of a change in levels. This is a matter for the detailed design at reserved matters stage, although it is considered that any outstanding amenity concerns can be resolved in accordance with policy IMP9 in the South Norfolk Local Plan. The Building for Life Assessment will be orally updated to committee.

4.7 Norfolk constabulary has responded with suggestions relating to design and requirements for contributions for the policing of this new development. The detailed design would be considered at the reserved matters stage of the application. In relation to contribution, unfortunately there is no requirement under adopted policy for a contribution to be made to the police. Also no monies are identified through Community Infrastructure Levy for the police. It is therefore not reasonable to request any form of financial contribution from developers for this application.

4.8 The indicative layout originally provided very limited open space, the amended plan now shows a reasonably sized central space of open space which the Play and Amenity Officer considers to be acceptable. Commuted sums are proposed for toddler play equipment which will be used to upgrade the Council adopted play area in phase 1 of the development. A commuted sum will also be made for the provision of adult and older children’s play. This will be secured in a section 106 agreement.

4.9 The conifer hedge along Mendham Lane is proposed to be removed. This has grown out of control, and the site will be subject to a comprehensive landscaping scheme including native species which will help to enhance the biodiversity of the site. The hedge currently gives the perception of a noise barrier against noise from the A143 but in practical terms has a minimal impact.

Drainage

4.10 Policy HAR3 in the site specific allocations encouraged the use of Sustainable Urban Drainage Systems on the site (SuDS). Initial tests however have indicated that the ground is not suitable for infiltration. It is therefore proposed that further investigation work is carried and infiltration is used where possible, if not then the surface water would be attenuated prior to being discharged into the surface water sewer. The Environment Agency, Anglian Water and the Flood Defence Officer are all content with this approach and the detail is recommended be conditioned. The comprehensive surface water system should help to alleviate problems of water running from the site into the existing development. Anglian Water has confirmed that there is capacity for a foul water sewer connection and the exact point of connection will be conditioned.

Noise

4.11 Environmental Services have raised some concerns regarding ensuring that the existing industrial units on Fuller Road do not result in an unacceptable level of noise and disturbance to potential residents. An acoustic report has now been submitted which has been discussed with Environmental Services and includes a recommendation to erect an acoustic fence along the boundary in accordance with policies IMP9 and IMP10 in the local plan. Environmental Service’s amended comments will be orally updated to Committee.

Other matters

4.12 The applicant has agreed to provide affordable housing to a level and mix compliant with policy 4 of the Joint Core Strategy this will be secured by a S106 agreement. The land is contaminated as a result of its previous use conditions are proposed to ensure the successful remediation of the site in accordance with policy ULT15 in the local plan. A condition is recommended for water efficiency to Code for Sustainable Homes level 4 and 10% of energy is provided from renewable sources.
4.13 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.14 The application has been screened under the Environmental Impact Regulations 2011 and it was deemed an Environmental Statement was not required.

4.15 This application is liable for Community Infrastructure Levy (CIL) which will be collected at reserved matters stage.

5 Conclusion

5.1 The redevelopment of the site for residential is supported by policy HAR3 in the emerging Site Specific Allocations Plan. Although this is not adopted at this stage, given the lack of objection on the principle of residential development that policy can be considered considerable weight in making this decision. The proposed access onto Mendham Lane is acceptable and complies with the requirement of policy HAR3. Subject to reserved matters application and conditions the design, amenity, landscaping and drainage can be considered be satisfactorily resolved.

Contact Officer, Telephone Number Helen Bowman 01508 533833
and E-mail: hbowman@s-norfolk.gov.uk
2. **Appl. No**: 2014/1302/O  
**Parish**: CAISTOR ST EDMUND  
**Applicants Name**: Mrs Val Hope  
**Site Address**: Land North Of Heath Farm Caistor Lane Caistor St Edmund Norfolk  
**Proposal**: Erection of 16 dwellings (5 affordable, 11 market) and proposed access to the south of Caistor Lane.

**Recommendation**: Approval with conditions

Conditions pursuant to the outline include the following and any other considered necessary by the Director of Growth and Localism:

1. Standard outline time limit
2. Requirement for reserved matters to be submitted (landscaping, layout, scale and appearance).
3. In accordance with approved plans
4. Submission of full details of roads, footways, site drainage, parking provision and turning areas
5. Wheel cleaning facilities for construction vehicles
6. Details of off-site highway improvement works and delivery prior to first occupation
7. Development in accordance with the revised FRA, additional supporting calculations and amended drawings and in accordance with specific mitigation measures
8. Submission of further details of ownership and proposed management and maintenance of drainage ditches
9. Submission of a landscape plan (soft and hard landscaping)
10. Submission of boundary treatments
11. Development in accordance with submitted species survey and mitigation measures
12. Development in accordance with submitted tree survey and AIA
13. Submission of construction method of private drive to protect existing trees
14. Submission of details for sustainable construction, compliance with Code level 4 for water and 10% on site renewable energy
15. Programme of archaeological work
16. Submission of ground and slab levels
17. Provision of a fire hydrant
18. Contamination – if found work to halt and be addressed

Subject to S106 to cover affordable housing, open space and private management and maintenance of the private road

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 04: Promoting sustainable transport  
NPPF 05: Supporting high quality communications infrastructure  
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

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 6 : Access and Transportation
Policy 7 : Supporting Communities
Policy 8 : Culture, leisure and entertainment
Policy 9 : Strategy for growth in the Norwich Policy Area
Policy 16 : Other Villages
Policy 20 : Implementation

1.3 South Norfolk Local Plan 2003
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
ENV 21: Protection of land for agriculture
IMP 2: Landscaping
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
IMP 10: Noise
LEI 7: Open space provision in new development
TRA 1: Provision of pedestrian links
TRA 3: Provision of cycling facilities
TRA 17: Off-site road improvements
TRA 19: Parking standards

1.4 Emerging South Norfolk Local Plan
Please note that these policies are not yet part of the Development Plan. They were submitted to
the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage.
Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line
with paragraph 216 of the National Planning Policy Framework (2012) some weight can be
applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies
DM1.1 Ensuring Development Management contributes to achieving sustainable
development in South Norfolk
DM1.2 Requirement for infrastructure through planning obligations
DM1.3 Sustainable location of development
DM1.4 Environmental Quality and local distinctiveness
DM3.1 Housing Quality
DM3.2 Meeting housing requirements and needs
DM3.9 Design Principles
DM3.11 Promotion of sustainable transport
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.16 Outdoor play facilities and recreational space
DM4.1 Building Fabric Energy Efficiency, Carbon Compliance and Allowable Solutions
DM4.3 Sustainable drainage and water management
DM4.4 Facilities for the collection of recycling and waste
DM4.9 Protection of Trees and Hedgerows

1.6 Supplementary Planning Document
South Norfolk Place Making Guide

2. Planning History

2.1 1990/0181 Residential Development For Up To Thirty Dwellings. Refused and Appeal dismissed
3. Consultations

3.1 Caistor St Edmund Parish Council

Consider the application should be refused for the following reasons (summarised):
1. Local Development Plan Rejection
   This site was previously rejected as a proposed site in the Councils site allocations. The ENV8 must result in this application being refused.
2. The was the subject of a refusal and dismissed appeal in 1991 for a number of reasons including the fact that it was deemed to be a backland development with the Inspector noting that the site is “clearly part of the open farmland associated with Heath Farm. It is a backland area which is not contained by, but is part of, the strongly rural farm scene”. The note also states that the "Highway Authority minimum radius connection of 10.5m cannot be met within land in your clients' ownership". We strongly believe nothing has changed since this application.
3. Drainage/Risk of flooding - Residents of the dwellings that would back the new development already experience a lot of surface water and some flooding of their gardens.
4. Would conflict with the existing building Line
5. Traffic - The duel use of the access road from Caistor Lane is of particular concern, as it will need to take both heavy farm machinery and provide vehicular access for residents of the development. We do not believe the access road is wide enough and the safety of pedestrians is at risk. The increased traffic along Caistor Lane is also seen as a concern.

If permission is granted, suggest the following conditions of approval should be considered (summarised):
1. Drainage and sewage must be fit for purpose.
2. A footpath must be built extending to Southwood Drive to ensure safety of pedestrians.
3. A thorough risk assessment must be taken out to understand and manage the impacts of increased traffic throughout the village.
4. The hedgerow shown on the plans to the south of the properties on Caistor Lane is incorrectly shown as evergreen. Fencing would need to be erected to help protect privacy. To further protect privacy, new dwellings should not directly face existing dwellings and should be built gable end on.

Question whether the widening of the access road to the west is within the ownership of the applicant.

3.2 District Member

To be determined by Committee.

Reason - proposed development outside present or proposed development boundaries.

3.3 Anglian Water Services Ltd

Confirm there is available capacity in the existing network for foul sewerage.

3.4 Environmental Services (Protection)

No objection subject to conditions in respect of potential contamination.
3.5 NCC Highways

Comments on amended plans:
No objection subject to conditions/S106 regarding future management and maintenance of the proposed streets; details of roads, footways, parking and turning areas; wheel cleaning facilities for construction vehicles; off-site highway improvement works.

Whilst the applicant has included the recommended carriageway widening I note they have not taken on board my comments relating to the draft layout, which remains unchanged from that previously considered. I would re-iterate my earlier comments regarding the layout but appreciate this outline application does not have this marked for consideration at this time. As previously advised if the proposed access road is to be constructed within the RPA of the adjacent trees then the Highway Authority would not adopt the new road and it would have to remain private. The revised plan continues to show the new road being constructed with RPAs and in this event I would expect the developer to enter into a S106 Agreement with the County Council to ensure a Private Management and Maintenance Company is established and the road is never offered for adoption.

Comments on original plans:
If the proposed access road is to be constructed within the RPA of the adjacent trees then the Highway Authority would not adopt the new road and it would have to remain private. In this event I would expect the developer to enter into a S106 Agreement with the County Council to ensure a Private Management and Maintenance Company is established and the road is never offered for adoption.

The proposal includes the creation of a new footway link between the site and the B1332 Norwich Road. From inspection of the site I note that between B1332 and the site Caistor Lane measures a generally uniform width of 5m up until the eastern side of the nearby pond (north of Caistor Lane); and between here and the site access the carriageway narrows to a minimum of some 4.6m. As well as the proposed footway I would expect Caistor Lane to be widened between the pond and the site access in order to maintain a uniform carriageway width of 5m.

Should your Authority support this application, given that access is marked for consideration at this time I would want to see the plans amended to include the above mentioned carriageway widening as well as the footway. On receipt of revised plans I will provide further comment. Specific comments also made on the layout although acknowledge that layout does not form part of the application.

3.6 Housing Strategy Manager

This outline application is for a total of 16 dwellings. The Building for Life criteria table submitted notes that, under JCS Policy 4, five affordable homes are required. The site plan submitted shows that 3 one bedroom houses and 2 two bedroom bungalows are proposed, and the application form says they would be for rent.

In principle this mix of affordable homes would be acceptable if it was decided to approve the application. On this basis I have no objection to the application.
| 3.7 | Police Architectural Liaison Officer | No objection. Provide comments on secure by design award which is a voluntary standard that new development can achieve. |
| 3.8 | SNC – Parks and Amenities Officer | Proposal accords with policy requirement. Details of play area and equipment to be secured by legal agreement. |
| 3.9 | Landscape Officer | No objection subject to a condition for a full landscaping scheme at reserved matters stage. |
| 3.10 | Flood Officer | No objection subject to a condition requiring full details of the means of surface water drainage to be submitted to and agreed in writing with the local planning authority. The details should include the results from percolation tests if appropriate and incorporate installation of water efficiency and water saving devices such as rain saver systems as well as long term maintenance arrangements. The development shall be carried out in accordance with the agreed details. |

Comments as follows:

- The current drainage arrangement are natural flows towards drainage ditches located either side of the access road and draining northwards and along the eastern boundary draining south and then east. There is a pond and ditches just outside the southern boundary of the site.

- The site lies within the EA fluvial flood zone 1 with a low probability of flooding from rivers and the surface water flood maps indicate low risk from surface water flooding.

- The FRA advises that the site falls to 3 catchments plus a separate catchment for the access road. The proposed arrangement is for the two areas either side of the access road to have separate piped drainage systems discharging to storage crates with controlled run-off into the existing ditch network.

- The access road will drain to the adjacent ditches or towards Caistor Lane. No information has been provided to advise how run-off from the lower part of the access road will be collected where the adjacent ditch is piped. Appropriate measures must be put in place to prevent any run-off from the site onto the highway. We would request further information on the ownership of the pipe under the highway and its size. If the pipe is in private ownership consideration should be given to the capacity and integrity of this section of pipe and whether it will present a residual risk to the proposed development.

- The FRA advises that in order to achieve a fall to the existing drainage networks there will need to be some raising of ground levels within the site. Adequate measures should be taken to ensure that this does not increase the risk of run-off being directed onto neighbouring property.

- We would request details of future ownership and maintenance arrangements for all drainage features within the site.
3.11 Environment Agency

Comments on revised FRA:
Withdraw previous holding objection, subject to the condition below being attached to any permission.

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA, dated 18 June 2014, Rev 0, produced by Amazi), letter from Amazi dated 15th October 2014, additional supporting calculations, and drawing figure 04A, and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the critical storm in all rainfall events up to and including the 1 in 100 year return period event including allowances for climate change so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

2. Provision of surface water storage on site (as shown on drawing Figure 04A) to accommodate the volume of surface water produced by the contributing areas in all events up to and including the 1 in 100 year return period rainfall event, including allowances for climate change when working to the restricted discharge rates detailed in Amazi letter dated 15th October 2014.

3. Details shall be provided of how the scheme shall be maintained and managed after completion to ensure it operates as designed for the lifetime of the development.

4. Proposed site levels and slab levels shall be carefully designed following flood routing investigations to ensure that the proposed development does not flood and the flood risk to the surrounding area is not increased.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

3.12 Historic Environment Service

Indicates given historic cropmarks and a projected line of a Roman road running through the site, that there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance could be affected by the proposed development. Subject to a condition to secure a programme of archaeological work this is no objection to the application.

3.13 Norfolk Fire and Rescue

Taking into account the location and distance from existing infrastructure, Norfolk Fire and Rescue Service will require fire hydrant to be installed which will need to be secured by condition.

3.14 Representations

20 letters of objection, 1 Letter of support and 1 letter of comment only received.

Objections on the following grounds:

- Concern with surface water flooding and the pressure this will have on the existing area in addition to the recently approved development further along Caistor Lane.
- Concern that the existing drainage channels have not been properly assessed for the FRA.
• Loss of light which is already diminished by the existing tall trees.
• Concern this development will lead to more at Heath Farm.
• Overlooking is a concern.
• Traffic noise, pollution and congestion will continue to increase particularly in cumulation with the other approved development on Caistor Lane.
• Highway safety issues- Caistor Lane is a narrow country road with bends and not suitable for further development.
• Shared use of the access for cars and farm vehicles will cause disturbance.
• The application is no different to the refused and dismissed 1990 application.
• Concern that this further merges Poringland with Caistor St Edmund.
• Concern with construction noise and traffic.
• Existing properties will be de-valued.
• Concern with the location of the affordable housing in only one part of the site.
• Concern that a private access will be properly maintained.
• There are no facilities within Caistor St Edmund.
• Concern if there is capacity in the schools and services of Poringland.
• Lies in an area outside of the settlement boundary.
• Will impinge on existing view of the countryside.
• Proposed houses are too close to existing livestock buildings which will cause nuisance.
• Will exacerbate existing traffic congestion problems.
• Concern with safety of houses and play area near farm where there may be firearms stored.
• The site was not considered suitable for the Councils selection of residential sites for its site allocations.
• The absence of a 5 year supply should not outweigh the concern of the suitability of the site in respect of allocation, it sustainability and backland nature.
• Would adversely affect the rural character of the village.
• question the sewerage capacity.
• question whether terraced housing would be appropriate for the area.
• Consider street lights are required along Caistor Lane.
• The proposed footpath along Caistor Lane should extend further west up to Southwood Drive.
• Question the applicants ownership of all land shown for the access track.

Support with the following comments: support but concern with drainage of surface water

4 Assessment

Site description and proposal

4.1 The application is for residential development for 16 dwellings on a 1.14 hectare (approx.) site which currently consists of two grass paddocks either side of the farm access road to Heath Farm to the South of Caistor Lane. The land is located behind existing detached properties with large gardens that front Caistor Lane that form a linear development north-west of the main settlement of Poringland.
4.2 The boundary between the site and the properties to the north is delineated by hedging of various species with trees interspersed. There are a number of mature trees on the western side of the access track and also on the southern boundary of the application site. The existing farm buildings lie to the south just beyond the application site and these are made up of a number of buildings including general agricultural storage buildings, livestock buildings and two residential properties in association with the farm.

4.3 The application site is relatively flat. There are level changes and intervening landscape features across the wider farm holding such that the application site is not highly visible beyond its immediate context.

4.4 Access is the only matter of detail being formally applied for at this stage. An ‘illustrative masterplan’ submitted with the application indicates a site layout including an area of open space to the front of the site.

4.5 The application proposes 11 market dwellings and 5 affordable dwellings.

4.6 Vehicular access is proposed from a single point direct from Caistor Lane, on the northern site boundary. This access is currently a farm access and this will be improved and a 1m wide pedestrian strip included to serve the development.

4.7 In addition off-site highway works involve a new pedestrian footpath along the southern side of Caistor Lane, eastwards from the application site, to facilitate pedestrian movement between the site and the village in addition to a small area of road widening between the eastern side of the pond opposite to the site access.

4.8 The Design and Access Statement indicates that the properties would be predominantly two storey with some single storey, however this is only indicative.

4.9 A draft S.106 Obligation has been prepared. This covers the following matters: 33% affordable housing, a management and maintenance company for the private road, open space provision.

4.10 The main issues for consideration are the principle of development and policy considerations; highway matters; impact on form and character; drainage; residential amenity; affordable housing provision; and protected species.

Principle of development and policy considerations

4.11 The proposal represents a departure from the Development Plan. Whilst Caistor St Edmund is an ‘other village’ as defined by policy 16 of the JCS, where small infill development is acceptable, the site lies outside of the defined development boundary where policy ENV8 in respect of development in the countryside applies.

4.12 This policy excludes new residential development within the open countryside unless specific criterion are met. In this case none are met. On this basis the proposed dwellings would not accord with Policy ENV8.

4.13 The Planning and Compulsory Purchase Act requires planning applications to be determined in accordance with the provisions of the Development Plan unless there are other material considerations which indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions.
In acknowledging that the scheme fails to comply with the requirements of Policy ENV8, it is necessary to consider the contents of paragraph 49 of the NPPF. This makes it clear that where a Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites, its policies related to housing should not be considered up-to-date. In the Norwich Policy Area, the Council is working towards a five year land supply and whilst very close to this, at present cannot demonstrate this. Therefore, policy ENV8 would be out of date and paragraph 49 should be engaged.

Paragraph 49 also stresses that applications for residential development should be considered in the context of the presumption in favour of sustainable development. The NPPF confirms that sustainable development has three dimensions, economic, social and environmental. It goes on to stress that these are not to be undertaken in isolation, because they are mutually dependent. The NPPF also sets out 13 themes for delivering sustainable development but considers its meaning of Sustainable Development to be taken as the NPPF as a whole.

In terms of the sustainability of the location, whilst the site is not within a development boundary it is within walking distance of Poringland which is a selected settlement and adjacent to the defined boundary of Caistor St Edmund. The location of the development can therefore be considered to be sustainable. The development is also delivering policy requirement affordable housing and designated children’s play space on site in addition to off-site highway improvement works in the form of a new pedestrian footway towards the village. It is therefore considered that the development would be sustainable development.

The key issue for consideration for the matters addressed below is therefore whether there is any significant and demonstrable harm as a result of the proposal that would outweigh this presumption in favour of sustainable development.

Highway considerations

Access is the only matter for detailed consideration. A single point of access is proposed utilising an improved farm access on the southern side of Caistor Lane. This would be a private road since the Highway Authority have indicated they would not adopt the road as it will need a no-dig construction due to it being within the root protection area of a number of mature trees along its length. The private access road is an acceptable arrangement subject to a private management and maintenance company being established.

Off-site highway works involve the provision of a footway along the southern side of Caistor Lane between the site and the B1332 Norwich Road in addition to the widening of Caistor Lane to 5m between the adjacent pond on the northern side of Caistor Lane and the site access and this will be accommodated within highway land.

The Highway Authority has confirmed no objection to the proposal subject to a number of conditions including the off-site highway works, standard highway design and parking provision, construction vehicle cleaning and the completion of a S106 legal agreement to secure the private management and maintenance company. Therefore notwithstanding the objections on highway grounds raised by the Parish Council and local residents, and the request by the Parish Council for the footpath to extend further west along Caistor Lane, the proposal is not considered to result in any adverse impact on the safe and free flow of traffic or highway safety and would accord with policy 6 of the JCS and policy IMP8 of the SNLP.
4.22 The Highway Authority has commented on the indicative layout of the development shown, indicating that amendments would be required, however they acknowledge that these matters can be considered when layout is considered at reserved matters stage.

4.23 In respect of parking, consideration will need to be had at reserved matters stage to ensure sufficient levels of parking are proposed. However for the purposes of the outline consent officers are satisfied that the site is of a sufficient size to accommodate adequate parking for the development to accord with policy TRA19 of the SNLP.

4.24 The location of bin storage and collection areas for refuse vehicles will be considered at reserved matters stage. There will be sufficient space within each plot for bin storage.

Form, character and landscape impact

4.25 Objection has been received in regard to the backland nature of the development and that a scheme for housing (30 dwellings) on this site was dismissed on appeal in 1991 for reasons which included its backland nature.

4.26 The 1991 planning appeal decision is a material consideration in the determination of this application which appropriate weight should be afforded. That decision concluded that 30 dwellings on this site would intrude into and encroach upon the open countryside and would be detrimental to the rural character and setting of this part of the settlement.

4.27 However since that decision there have been significant changes to the planning context not least the NPPF. The development now proposed needs to be considered on its merits and in the context of current national and local planning policy, giving appropriate weight to the appeal decision as a material consideration. A significant material consideration in this case is the current lack of a 5 year supply in the Norwich Policy Area in which this site is located and the presumption in favour of sustainable development advocated by the NPPF unless significant and demonstrable harm can be demonstrated.

4.28 Much of the development along Caistor Lane is a uniform layout of frontage dwellings in a ribbon form set in generally spacious plots and the application site would be a backland site behind these frontage properties. The exceptions to existing ribbon form of development are 2 small cul de sacs to the west and a new large residential development approved approx. 200m the east (ref Outline 2013/1986 and reserved matters 2014/0732).

4.29 The key factor for consideration as to whether the backland site is acceptable is whether this would result in significant and demonstrable harm to the form and character of the area and on the rural quality and appearance of the countryside.

4.30 The development would be of a backland nature and at a higher density than those frontage dwellings on to Caistor Lane. However in the interest of maximising the land for housing delivery and in relation to the higher densities of the 2 cul de sacs to the west and the approved residential development to the east, the proposed density is not out of context. Furthermore the form and character of this part of the village has inevitably been changed by the proposed allocation for residential which has recently been given consent. The landscape is also such that the site is not highly visible in the wider landscape and as such it is not considered that the proposal would be significantly detrimental to the rural character of the area.

4.31 Taking into consideration the above points and the material considerations of the 1991 appeal decision and the NPPF presumption in favour of sustainable development, whilst the proposal would result in backland development, it is not considered that this would result in a level of harm to the form and character of the areas that is significant and demonstrable to outweigh the presumption and to justify a refusal.
Affordable Housing

4.32 JCS Policy 4 requires 33% of the dwellings to be affordable with a mix of house types and tenure which meets local need. The application proposes 5 affordable dwellings equating to 33% in accordance with the policy requirement. The Housing Strategy and Enabling Officer has confirmed the proposed type and tenure are acceptable. Subject to the completion of a S106 legal agreement to secure this affordable housing in perpetuity, the proposal would comply with Policy 4 of the JCS.

Drainage

4.33 In respect of foul drainage, Anglian Water has confirmed there is available capacity in the existing network.

4.34 In respect of surface water drainage, a significant number of objections have been received from local residents and the parish Council in this regard.

4.35 The surface water strategy proposed includes the combination of on-site underground attenuation tanks which will feed into the existing ditch and piped network via a piped system. The surface water run-off will be restricted to current greenfield rates.

4.36 A revised Flood risk assessment has been submitted and the Environment Agency has confirmed that on that basis and subject to a number of conditions which will include mitigation measures as detailed in the FRA such as limiting surface water run off in a critical storm event to 1 in 100 year return period; provision of surface water storage as shown in the FRA to accommodate the 1 in 100 year return period rainfall event; details of how the scheme shall be maintained and managed after completion to ensure it operates as designed for the lifetime of the development and careful design of site levels and slab levels to ensure that the proposed development does not flood and the flood risk to the surrounding area is not increased, that they have no objection to the proposal. On that basis, and as the proposal will not increase flood risk elsewhere, it is considered that the proposal is acceptable in this regard, subject to conditions, and would comply with policy 1 of the JCS.

Residential amenity

4.37 Policy IMP9 of the SNLP requires development to have regard to the impacts on residential amenity. Consideration below is had to the amenities of those existing dwellings and those of the proposed dwellings in relation to the proximity of the existing working farm.

Access track:

4.38 The existing farm track would be utilised for the proposed development in an upgraded form as a shared access for the farm and the residents of the proposed properties. Given the backland nature of the development there is some concern regarding noise and disturbance on the amenities of the occupants of the two existing dwellings on either side of the access in addition to the conflict of farm vehicles and residential users on this road. However as the proposed development is fairly limited at 16 dwellings and subject to appropriate hard surfacing of the access road, whilst some increased noise and disturbance would result, it is not considered that this would be at such a level to result in any undue harm to the amenities of those properties to justify a refusal of the application. The committee will note that neither the Environmental Services Manager nor the Highway Authority raise any concern in this respect.

4.39 Objection has been received from the owner of 55 Caistor Lane raising the question of land ownership of the hedge and ditch which runs down the western side of the access track and therefore questions the ability of the access to be adequately widened to deliver the proposed development. Land ownership is not a material planning consideration; it is for
the courts to arbitrate and not a matter that the Local Planning Authority has any control over. Both parties have been advised of this matter. This matter does not affect the ability of the Council to make a decision on the planning application.

The existing dwellings:

4.40 The majority of the properties backing on to the site to the north are single storey with long rear gardens. Whilst the single storey nature of these properties means they currently enjoy limited overlooking of their private rear garden areas, there is decent hedge and a significant number of trees along that boundary to provide screening to protect those properties from any significant and adverse overlooking from the proposed development. Further consideration will need to be had at reserved matters stage to review specific landscape treatments dependent on the scale of properties proposed.

4.41 Those properties to the west of the application site are in closer proximity to and more visible from the application site and regard will need to be had to ensure the relationships with these properties are acceptable at reserved matters stage. The indicative proposal to site bungalows to the west of the site will help mitigate the impact on these properties. Consideration of this and window placement will need to be had at reserved matters stage to ensure no adverse impacts would result.

Proximity of farm buildings to proposed dwellings:

4.42 The proposed proximity of these properties to existing livestock buildings on the farm (approx. 100m) is not ideal and potential issues in relation to noise and odour nuisance needs to be considered.

4.43 The Environmental Services Officer has confirmed that the proposal has the potential to result in impacts however would not anticipate this impact to be sufficiently severe as to be a statutory nuisance.

4.44 Details submitted in the submitted Design and Access Statement suggest that the farm will no longer be used for livestock, but it would not be appropriate in this instance for the LPA to place controls on the existing farming practices given that the level of nuisance is not considered to be significant.

4.45 On balance therefore the proposal is considered acceptable in this respect and impacts are not to a degree as to justify a refusal.

Amenity of proposed dwellings:

4.46 Officers are satisfied that a scheme could be delivered at reserved matters with adequate gardens, parking and on site turning etc. without causing detriment to the future occupiers of those dwellings.

Contamination

4.47 As the site forms part of an existing farm there is the potential for contamination. A condition will be imposed to require work to stop on site in the event of any contaminants being found and to address the matter with the Council’s Environmental Protection team.

Protected Species

4.48 The application was submitted with a Phase I Habitat survey which assessed the presence and potential impacts on species and habitats on the site. No protected species were found to be present and the site is of limited ecological value, save some features (pond and hedgerow) which justify protection during the site clearance and construction. Therefore subject to a condition to ensure that the development is carried out in
accordance with the mitigation proposals indicated, it is considered that the proposal would result in no adverse impact on protected species or habitats and would accord with policies ENV14 and ENV15 of the SNLP.

4.49 The proposal would not affect the integrity of any internationally protected sites (Special Protection Areas, Special Areas of Conservation) individually or in accumulation with other permitted development and extant consents in the surrounding area and therefore, in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010, it is considered that the development would not have a significant impact on any protected habitats and accordingly no Appropriate Assessment of the development is required.

Trees

4.50 A tree survey and AIA have been submitted with the application in relation to the existing trees and hedges on and around the application site. This concludes that no trees will need to be removed and with appropriate design considerations and construction safeguards there would be no major impacts on the existing trees. Some sections of hedges would be lost but not at a significant scale and this can be mitigated by replacement planting conditions. Therefore in respect of trees, subject to a condition to require a full landscaping scheme at reserved matters stage, it is considered that the proposal is acceptable in this respect.

Open space

4.51 Policy LEI7 of the SNLP requires on schemes of 15-24 dwellings a minimum of 400sqm of children’s playspace and this to be well related to serve the dwellings proposed. The application proposes the policy requirement area of play space and this along with details of how this will be equipped will be secured by way of S106 agreement.

Sustainable construction and energy efficiency

4.52 Policy 1 and 3 of the JCS require the sustainable construction of the building, the compliance with Code Level 4 for water conservation in addition to requiring 10% of the predicted energy requirements to be delivered by on site decentralised and renewable or low carbon energy. Compliance will be secured by way of condition.

Archaeology

4.53 Saved Local Plan policy ENV9 and NPPF para 128 have regard to the archaeology of the site and these policies apply throughout the district covering known and as yet undiscovered sites of archaeological interest.

4.54 There is the potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance could be affected by the proposed development. The Historic Environment Service has indicated that subject to a condition to secure a programme of archaeological work there is no objection to the application and the proposal would comply with the relevant policies in this regard.

Other matters

4.55 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
The proposals have been considered against the Environmental Impact Assessment (EIA) Regulations 2011. The environmental, social and economic impacts have all been considered and are adequately addressed as detailed in the above report and subject to the recommended conditions.

S.106 Requirements/CIL

If planning permission is to be granted for this development, a S.106 Obligation will need to be completed to secure the following:

- The provision of affordable housing which would be 33% and include its phasing and other detailed requirements.
- Open space with play space equipment
- Management and maintenance company for the private road

A draft version of the S.106 has been prepared and negotiations are continuing in order to reach final agreement.

The application will also be subject to CIL to be calculated at reserved matters stage.

Conclusion

The scheme would assist in delivering housing which represents a significant benefit in planning terms. The scheme would also provide policy compliant levels of affordable housing and open space provision. The scheme would result in changes to the form and character of this part of the street and there would inevitably be some impact on residential amenity as a result of the proposed access and properties to the rear of existing dwellings, however this is not considered to represent significant and demonstrable harm in planning terms when seen in the context of paragraph 14 of the NPPF.

On balance, the scheme is considered to represent a sustainable development where no significant harm would demonstrably outweigh the benefits of the scheme. On this basis the application is recommended for delegated approval subject to the imposition of conditions and the completion of a S106 legal agreement.

Contact Officer, Telephone Number Tracy Lincoln 01508 533814
and E-mail: tlincoln@s-norfolk.gov.uk
3. **App. No**: 2014/1342/D  
**Parish**: FRAMINGHAM EARL

Applicants Name: Charles Church Ltd  
Site Address: Land North-west Of Pigot Lane Framingham Earl Norfolk  
Proposal: Submission of Reserved Matters for the construction of 100 dwellings including access, roads, open space, landscaping and associated works following outline planning permission 2011/1284/O

Recommendation: Authorise Director of Growth and Localism to Approve subject to no objections being raised by the Environment Agency and Anglian Water and no new material objections being raised upon expiry of the consultation period on 11 November

1. **Planning Policies**

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

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 7: Supporting Communities  
Policy 14: Key Service Centres  
Policy 20: Implementation

1.3 South Norfolk Local Plan 2003  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
ENV 8: Development in the open countryside (Part Consistent)

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies  
DM1.3 Sustainable location of development  
DM1.4 Environmental Quality and local distinctiveness  
DM3.1 Housing Quality  
DM3.2 Meeting housing requirements and needs  
DM3.9 Design Principles  
DM3.11 Promotion of sustainable transport  
DM3.13 Provision of vehicle parking  
DM3.14 Amenity, noise and quality of life  
DM3.15 Pollution, health and safety  
DM3.16 Outdoor play facilities and recreational space  
DM4.3 Sustainable drainage and water management  
DM4.9 Protection of Trees and Hedgerows  
DM4.10 Incorporating landscape into design
1.6 South Norfolk Place-Making Guide

2. Planning History

2.1 2014/0790 Discharge of condition 3 of planning permission 2011/1284/O - masterplan design brief

2.2 2012/2119 Non material amendment to planning permission 2011/1284/O - relocate pumping station with minor amendments

2.3 2011/1284 Outline application for residential development of 100 dwellings and associated works including new access onto Pigot Lane.

2.4 2011/0100 Application for Screening Opinion for Residential Development Environmental Statement not required

3. Consultations

3.1 Parish Council No objection. An extension of the speed limit for a greater part of Pigot Lane should be implemented and cutting light pollution at night time.

3.2 District Member To be determined by Committee due to concern with the design of some of the properties. The scheme looks similar to the original scheme proposed for Heath Farm, Poringland which was not accepted by Poringland Parish Council and local residents. The scheme was re-designed to satisfy concerns

3.3 Ecologist To be reported

3.4 Landscape Officer To be reported

3.5 Conservation Officer No objection

3.6 Environmental Services (Protection) No objection subject to conditions

3.7 NCC- Planning Obligations No objection

3.8 Norfolk Police No objection

3.9 Design Officer No objection

3.10 Waveney Valley Internal Drainage Board No comments received

3.11 Housing Strategy Manager No objection

3.12 Natural England No objection
3.13 Anglian Water Services Ltd
No comments received

3.14 Environment Agency
Comments awaited on additional details

3.15 NCC Highways
No objection

3.16 Representations
Amended scheme

1 objection received. A summary is as follows:

Cannot understand why such a beautiful area is being built on, it will ruin tranquility, lead to loss of wildlife, create traffic issues. Already accepted a new hospice in the village. Brownfield sites should be targeted.

Original scheme

9 objections were received. A summary of these is as follows:
• Poor access, Pigot Lane is too narrow.
• Should be pedestrian access only into Oaklands.
• Schools and roads are at capacity.
• Trying to improve poor drainage will result in flooding in Framingham Pigot.
• Drainage needs to be fully and carefully considered.
• Given a new hospice is being built peace and quiet should be considered.
• Already enough houses for sale in the area.
• Let’s keep some countryside for the locals to enjoy.
• Already enough housing planned.
• Scheme is not needed.
• Ruin the landscape.
• Street lighting should be kept to as minimum.
• What is planned for the open spaces.
• Robust boundary treatments are required.
• Can permitted development rights for dormer windows be removed?
• Loss of value of property, can I claim compensation?
• Bottom of site is too dense.
• More bungalows should be provided.
• Who is responsible for upkeep of the trees.
• Loss of privacy.

4 Assessment

Site description and proposal

4.1 The application seeks reserved matters approval for 100 dwellings on 4.7 ha of land on the edge of Framingham Earl following the granting of outline planning permission under 2011/1284. The site would be accessed via the Pigot lane which lies to the south-east. There are three access points serving the development, two of which are to be unadopted and each therefore serves only 4 dwellings. The remaining 92 are served via one adopted type 3 road.

The scheme provides 67 market dwellings, consisting of:
19 x 5 bed houses, 16 x 4 bed houses, 27 x 3 bed houses and 5 x 2 bedroom bungalows.
The scheme provides 33 affordable dwellings, consisting of:
1 x 4 bed houses, 5 x 3 bed houses, 15 x 2 bed houses and 12 x 1 bed houses.

4.2 The scheme would provide footpath links on Pigot Lane and onto the adjacent existing residential development known as Oaklands.

4.3 Parking is provided through a mix of garaging, private drives and parking courts.

4.4 The site consists of approximately 4.7ha of land located on the edge of the Framingham Earl and lies to the north-west of Pigot Lane and the east of existing dwellings on Oaklands. To the north west are playing fields associated with Framingham High School and to the north and east are existing fields. The site is enclosed by hedging and trees, and also includes within it a number of vegetated field boundaries which run across the site.

4.5 The site benefits from outline planning permission granted under 2011/1284. Having been granted in acknowledgement of the Council's lack of five year housing land supply in the Norwich Policy Area at that time, and as such the principle of residential development on the site has been established. In acknowledging this, the reserved matters application seeks to deal with matters of detail, having regard to the content and structure of the conditions which have been agreed by the Planning Inspectorate. It is considered that the following are the key planning issues in the determination of this reserved matters application:

- Drainage
- Trees/landscaping
- Design
- Highway safety
- Neighbour amenity

Drainage

4.6 With regard to foul drainage, a pumping station is proposed in the north-eastern corner of the development which will in turn link into Anglian Waters sewer system. There are no objections from the Council's Environmental Protection Officer in respect of foul drainage subject to conditions relating to the agreement of a detailed scheme for this. The applicant highlights the existence of Condition 6 of the outline approval, which requires the agreement of the foul water and sewage disposal system for the site and their intention to provide full details to meet this requirement. It is evident that the comments of the Environment Agency and Anglian Water are awaited, these will be reported to the committee via the updates list. On the basis of the additional information it is not envisaged that an objection will be received.

4.7 With regard to surface water drainage, the applicant has provided a drainage strategy for the site based upon a combination of using exiting drainage ditches and a new swale drainage system. This has been assessed by the Council's Environmental Protection Officer who has no objection to the agreement of a detailed scheme via condition. Condition 5 of the outline requires this. As stated above, the Environment Agency’s comments on this matter are awaited and will be duly reported to committee.

Trees/landscaping

4.8 Condition 18 of the outline approval requires the agreement of a detailed landscaping scheme for the site.
Condition 19 of the outline approval requires the agreement of a tree protection plan prior to commencement of development and adhered to throughout the development. These continue to be applicable to the site. The Council’s Landscape Officer’s comments will be reported orally.
Design

4.9 Condition 3 of the outline approval, required the submission and agreement of a masterplan for the site prior to the submission of any subsequent reserved matters application. This was duly submitted and agreed by the Local Planning Authority under 2014/0790. It is evident that the current scheme has followed this agreed document and been amended as required to meet with the requirements of the Council's Design Officer and Landscape Officer, as well as the Highway Authority. This has resulted in a layout that is considered to create a high quality lay out as required by Condition 3 with the proposed house types considered to be appropriate in the context of the character and appearance of the locality.

4.10 It should also be noted that condition 4 from the outline approval limits the properties to be no more than two storey in the interests of controlling the appearance of the development in the context of the locality which is characterised by a high proportion of single storey properties. The current scheme complies with this requirement.

4.11 Condition 17 of the outline approval requires the agreement of external facing materials to be used in the development. The applicant has provided the information in relation to this as part of their reserved matters submission. The details have been duly considered and it is considered that proposed mix of bricks, tiles and render is acceptable in the context of the scheme and the locality which is characterised by a mix of traditional materials.

Highway safety

4.12 Concern has been expressed through the consultation process that the scheme would be detrimental to highway safety by virtue of increased traffic movements. However, this is a reserved matters application where the principle of residential development being served via Pigot Lane has been established. Therefore, it is not possible to consider the issue of increased traffic in the village through the current reserved matters application. It is evident that the current scheme has been assessed by the Highway Authority and they have confirmed that they have no objection.

4.13 It is apparent that condition 15 of the outline approval required that there can be no vehicular traffic route from Oaklands to Pigot Lane through the proposed development in order to prevent rat-running. The proposed lay out complies with this requirement.

4.14 All other highway related conditions, namely 8, 9, 10, 11, 13, 14, 16 and 21 continue to be applicable and must be dealt with as required. These relate to the following:

8  - detailed plans for roads, footways, cycleways, foul and surface water drainage to be agreed
9  - details as agreed under Condition 8 to be implemented
10 - construction to binder course prior to first occupation
11 - details of 1.8m footing along Pigot Lane
13 - Traffic Regulation Order to extend 30 mph limit of Pigot Lane
14 - Travel Plan to be agreed
16 - Construction traffic shall only use Pigot Lane and not Oaklands
21 - Off-site highway improvements to be implemented prior to occupation

Conditions 8, 9, 11, 13, 14 are to be complied with prior to commencement of works, conditions 10 and 21 must be met prior to first occupation and condition 16 applies to all construction traffic.
Neighbour amenity

4.15 It is evident from the proposed layout that sufficient separation distances exist between the proposed dwellings and the existing dwelling when considering the house types proposed in respect of their overall size and the position of the openings within them, resulting in the retention of adequate levels of light, outlook and privacy. In particular, the 5 proposed properties (plots 19, 20, 21, 25 and 26) which are sited adjacent to single storey dwellings, are to be single storey dwellings.

4.16 Condition 20 of the outline approval requires the agreement of boundary treatments for the site. These have been included here, not only do they relate satisfactorily to their surroundings in visual terms they also provide robust screening in relation to privacy levels where required.

Other issues

4.17 Condition 7 of the outline approval requires a written scheme of investigation for a programme of archaeological work to be submitted and approved in writing by the Local Planning Authority prior to commencement of works. This condition remains applicable, and will need to be complied with prior to commencement of development, however, it does not need to be considered as part of this reserved matters application. DAS indicates HES have said this is not necessary, confirm this.

4.18 Condition 12 of the outline approval requires an ecological method statement to be agreed by the Local Planning Authority prior to commencement of the development in acknowledgement of the wildlife habitat and species that exist on and around the site. This is not required to be submitted under this application as the condition is worded to allow this to be submitted prior to commencement through a discharge of condition procedure.

4.19 Condition 22 of the outline approval requires the agreement of two fire hydrants on-site prior to commencement of the development, and their installation prior to the first occupation of any dwelling they would serve. This can be complied with in due course and does not need to be agreed as part of this reserved matters application.

4.20 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.21 This application is not liable for Community Infrastructure Levy (CIL) as it is a reasoned matters application whereby the outline approval was granted before the introduction of CIL.

5. Conclusion

5.1 The principle of residential development on the site has been established via the outline planning permission for the site. In respect of the detailed scheme submitted under this reserved matters application it is considered that the scheme represents an acceptable layout and design in the context of the locality, has adequate regard for neighbour amenity, highway safety and natural features within the site.

5.2 On this basis the application is recommended for approval subject to confirmation from the Environment Agency and Anglian Water that they have no objection to the scheme.

Contact Officer, Telephone Number and E-mail: Chris Raine 01508 533841 craine@s-norfolk.gov.uk
4. **Appl. No**: 2014/1440/D  
**Parish**: COSTESSEY

Applicants Name: Bennett PLC  
Site Address: Land At Townhouse Road Costessey Norfolk  
Proposal: Application seeks Reserved Matters approval for appearance, landscaping, layout and scale for 62 dwellings and associated works.

**Recommendation**: Authorise Director of Growth and Localism to Approve subject to no new material objections being received upon expiry of consultation period on 12 November  
1. In accordance with plans  
2. Precise details of pumping station to be agreed, including sound proofing  
3. Landscaping details to be agreed based upon those indicated on the approved plan  
4. Boundary treatments to be agreed including that around pumping station  
5. The recommendations contained within the Energy Efficiency statement should be adhered to within the development  
6. Parking spaces and turning areas laid out in accordance with the approved plan.

Subject to deed of variation being secured to the original S106

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 08: Promoting healthy communities  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change  
NPPF 11: Conserving and enhancing the natural environment

1.2 Joint Core Strategy  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
Policy 7: Supporting Communities  
Policy 10: Locations for major new or expanded communities in the Norwich Policy Area

1.3 South Norfolk Local Plan 2003  
ENV 3: River valleys  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 15: Species protection  
IMP 2: Landscaping  
IMP 3: Protection of important spaces (Part Consistent)  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
UTL 15: Contaminated land  
TRA 1: Provision of pedestrian links  
TRA 7: Safeguarding of sites with potential for use as rail freight terminals
1.4 Emerging South Norfolk Local Plan
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies
DM1.1 Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.3 Sustainable location of development
DM1.4 Environmental Quality and local distinctiveness
DM3.1 Housing Quality
DM3.2 Meeting housing requirements and needs
DM3.9 Design Principles
DM3.11 Promotion of sustainable transport
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM3.15 Pollution, health and safety
DM3.16 Outdoor play facilities and recreational space
DM4.3 Sustainable drainage and water management
DM4.5 Natural Environmental assets - designated and locally important open spaces
DM4.6 Landscape Character Areas and River Valleys
DM4.9 Protection of Trees and Hedgerows
DM4.10 Incorporating landscape into design

1.6 South Norfolk Place-Making Guide

2. Planning History

2.1 2012/0269 Outline application for a residential development of 70 dwellings and associated works including a new access to the south  Deemed Withdrawn

2.2 2012/0268 Screening Opinion for residential development of 70 dwellings and associated works including a new access to the south  Deemed Withdrawn

2.3 2009/1996 Proposed outline application for a residential development of 70 dwellings and associated works including a new access to the south  Effused and subsequently allowed on Appeal

Appeal History

2.4 2009/1996 Proposed outline application for a residential development of 70 dwellings and associated works including a new access to the south  Allowed on Appeal

3. Consultations

3.1 Parish Council Amended scheme: comments awaited.

Previous scheme: Object. The scheme does not comply with the Inspector’s decision and the conditions imposed as part of the appeal. These must be complied with. The scheme should also address inaccuracies in
The scheme would have a detrimental effect on vegetation. Due to the difficulties of assessing the various amendments the whole layout should be reconsidered and all various elements of the scheme submitted together. The Parish Council recommends a site visit is undertaken by the Planning Committee with the Council’s Tree officer before the application is determined.

3.2 District Members
Cllr V Bell
Cllr T East
To be determined by Committee
To be determined by Committee due to its ongoing controversial nature and weight of public concern

3.3 Anglian Water Services Ltd
No comments received.

3.4 Design Officer
No objection. The layout, appearance and scale of the development proposals have been evaluated against the South Norfolk Place-Making Guide and Building for Life criteria and scores 9 out of 12 greens, which confirm that the layout and designs of the site and dwellings are acceptable and accord with JCS Policy 2 (Design).

3.5 Environment Agency
No objection subject to condition.

3.6 Ecologist
No objection.

3.7 Environmental Services (Flood Officer)
No objection subject to agreeing drainage details including future ownership and maintenance.

3.8 Environmental Services (Protection)
No objection subject to conditions.

3.9 Historic Environment Service
No comments received.

3.10 Housing Strategy Manager
No objection.

3.11 Environmental Services Waste Operations Manager
No comments received.

3.12 Landscape Officer
No objections, subject to one minor suggestion on the landscape concept in drawing 052F relating to the inclusion of additional planting on the western boundary to complete the connection to Carrs Hill Wood. Conditions to be included in permission to agree detailed landscape plan. Caution regarding existing trees adjacent plots 8 and 9 potential for shading. Although living room and kitchens face away from trees.

3.13 Natural England
No objection.

3.14 NCC Highways
No objection subject to a condition.

3.15 NCC- Planning Obligations
No comments are required as it is a reserved matters application.
3.16 Representations

Responses to additional/amended details received

10 objections received from 8 households. A summary of these is as follows:

- Landscaping plan is not clear.
- The 8 m buffer zone on the southern border is not shown and is to be built on.
- Overlooking of adjacent properties gardens, bedrooms and bathrooms from plots A23 to A31. This could be addressed by using bungalows.
- The site slopes so all properties will sit higher than 8m.
- Overdevelopment of the western part of the site.
- The site plan does not show all existing trees.
- No mention of works to be carried out to road and footbridge, road re-alignment is not mentioned.
- Protection of roadside hedge is essential part of the inspector’s decision, a plan detailing this must be submitted.
- This development, along with NDR, will overwhelm the Tud Valley.
- The developer should work with local residents to get an acceptable scheme.
- The Arboricultural Impact Assessment (AIA) still contains inaccuracies.
- No details on planting and management of ecological buffer zone etc.
- Hedgerow protected by conditions on other permissions has been omitted.
- Recommendation on phase one report are based upon the assumption to that there is no outflow to the River Tud which is now not the case. Such flows will have a harmful effect on wildlife within the River.
- The removal of hedging and location of access road would increase vulnerability to crime, a fence should be provided to the side and rear boundary of the dwelling (Holkham House).
- Harmful to existing mature trees by virtue of service runs and buildings (P8 and P9)
- Greater use of bungalows should be used.

More sympathetic external materials to the rural environment should be required
Appropriate re-planting along Townhouse Rd and the bridge are required.
Pumping station is unacceptably located.
Lack of detail in respect of Ecological Protection Zone adjacent to Carrs Hill Wood

SUDS is essential and Inspector views on this should not be abandoned/lost
Request a site visit by the planning Committee

Original and previous consultations

10 objections received from 9 households. A summary of the concerns raised is as follows:

- Norwich Area Local Plan should be followed.
- Increase in noise and disturbance to existing residents.
• Additional traffic would cause highway safety concerns.
• Old and New Costessey will be joined.
• The sloping nature of the site would suggest that bungalows would be better placed on the higher part of the site.
• Highway upgrades will result in loss of established hedgerow.
• Other large schemes have already placed a burden on local services.
• The scheme is detrimental to the character and appearance of the locality which is characterised by a prominent site within the river valley with protected woodland adjacent.
• External building materials should be more sympathetic to rural locality.
• The scheme does not clearly show how its layout and landscaping comply with the conditions imposed by the Inspector.
• No robust boundary treatment is proposed to restrict access to the ecological protection zone as required by the Inspector’s decision.
• Solar roof panels would cause glare.
• Retirement Bungalows would be less controversial.
• No practical solution for flooding.
• Planning guidelines laid down by the Inspector are not being adhered to.
• Need for SUDS
• Condition on archaeology exists.
• Site area is different to that on outline.
• Previously promised soakaways cannot be delivered due to density of houses.
• Pumping Station unacceptable, unacceptable noise, smell, visible from neighbour (Holkham House) other allocations are available.
• Property P1 is too high, it should be a bungalow. The impact is heightened due to P1 having a higher site level. P1 It would lead to overlooking.
• The landscaping scheme is not clear.
• The 8 m buffer to the southern border is not shown and not been adhered to.
• Overlooking from properties A23 to A31, this could be addressed by the use of bungalows.
• Due to the slope the properties will sit higher than 8m.
• Part of the site is too dense.
• Insufficient parking based on NCC comments.
• Scheme should work for all.
• The driveway and garage to P1 would require the removal of existing mature trees to the detriment of visual amenity and lead to the loss of screening. The garage would be intrusive to adjacent neighbouring property.
• Lack of detail regarding screening.
• AIA is not accurate
• Flooding occurs on both sides of the bridge
• Bunds to divert water would not have been accepted by the Inspector
• No fence shown for the buffer zone to Carrs Hill Wood as required by condition.
• No ecological management plan as required by condition
• No details of how existing trees and hedgerows are to be protected, as required by condition
• The development does not correspond with the Local Plan in terms of style, density or variety to mitigate substantial environmental harm as recognised by Inspector.
• Vegetation adjacent to Holkham House should be retained where possible.
• Schools are too far from site now due to changes in primary schooling scenario. Therefore not sustainable.
• Noise from the development to Holkham House has not been fully considered, an acoustic fence/wall may be required.
• Property appearance is not reflective of local vernacular

Friends of the Tud Valley has provided the following responses

Most recent comments

• The proposal does not include plans for SUDS, which is critical in relation to the River Tud.
• The NERC Act requires public bodies to have regard for biodiversity conservation. Surface water discharge into the river could affect water quality and wildlife within it e.g. white clawed crayfish, bullhead, brook lamprey. The biodiversity duty should also extend to the ecological protection zone proposed adjacent to Carrs Hill Wood.
• The NPPF stresses the importance of SUDS.

Regard should be had to the Water Framework Directive

Earlier responses

• Ecological Protection Zone, it is not clear how this area will be managed or accessed. Condition 4 requires a protection plan and method statement to be submitted before development commences.
• Pumping station is too prominent, adjacent to an existing dwelling and in the river valley.
• Condition 10 requires an Ecological Management Plan to be submitted, no detailed information has been submitted.
• The discharge of water into the Tud must be agreed with Env Agency in order to ensure water quality in the river is not compromised.
• Highway improvements required by condition 18 should be submitted as part of this application.
• The description in the application of a buffer zone open space of 15m is insufficient, more detailed information is required in accordance with the requirements of condition 4.
• The proposed pumping station did not feature in the layout submitted with the outline application. There are no details in relation to it, it is overly prominent and close to Holkham House.
• Condition 10 requires an Ecological Management Plan to be submitted and approved, no detailed information has been submitted.
• The design and access statement refers to a new a new ditch parallel to Townhouse Road discharging into the Tud. No details are provided on how this will impact on the landscape of the river valley or how it will affect the existing hedgerow. Also it could increase flood risks in Townhouse Road near Rogers Farm bridge.
• Condition 18 requires the submission of details of all off site works, including the realignment of the pavements and carriageway. These should be included in the reserved matters application.
• The Inspector’s decision in 2012 stated (para 73) that the development will cause "substantial environmental harm". The conditions attached to the appeal decision were carefully framed following discussion at the public inquiry to mitigate the harm to the river valley environment. The current reserved matter application does not provide sufficient information as required by the conditions.

• The Costessey Society has provided the following response:
• The scheme does not provide sufficient detail in respect of the conditions imposed by the inspector, there is no information in respect of protected trees and the management and maintenance of the zone. There is no definitive scheme for the disposal of surface water.

4 Assessment

Site description and proposal

4.1 The application seeks reserved matters approval for 62 dwellings on land to the north of Townhouse Road, Costessey. The site is approximately 2.59ha with the topography of the site meaning that the north of the site being the highest point with the site falling away southwards. To the north of the site lies Carr’s Hill Wood which is protected woodland, to the east is paddock land and to the south and west are existing residential properties.

4.2 This application follows the granting of permission on appeal by the Planning Inspectorate (decision dated 31st August 2012 under 2009/1996). The development would be accessed via single access onto Townhouse Road which lies to the south of the development. The scheme would provide 62 dwellings of which 20 are affordable units (this equates to 32.3 % of the total number of units being affordable units).

4.3 Open market housing would consist of the following:

1 x 5 bed house, 27 x 4 bed houses, 10 x 3 bed houses and 4 x 3 bed bungalows.

Affordable housing would consist of the following:

6 x 1 bed flats (rent), 8 x 2 bed flats (rent), 2 x 2 bed houses (shared equity) and 4 x 3 bed houses (2 for rent and 2 shared equity).

4.4 The scheme also provides an on-site area of open space, an ecological corridor running along the eastern perimeter of the site and a 15m buffer zone along the northern perimeter of the site adjacent to Carr’s Hill Wood which is not to be accessible to the public.

4.5 The principle of residential development has been established on-site by the appeal decision for the site. The Inspector in reaching this decision, recognised that some harm would occur in respect of the landscape, however, when assessing the scheme it was concluded that having:

"carefully assessed this harm against the serious deficiency of housing land. However, I have come to the conclusion that, taking the policies of the Framework as a whole, the proposal does, on balance, represent sustainable development. The adverse impacts of granting planning permission in this case would not significantly and demonstrably outweigh the benefits that would be gained and there are therefore material considerations that override the conflict with the development plan."

4.6 However, the Inspector did attach a number of planning conditions to the approval which were required to make the scheme acceptable in planning terms (a copy of the inspector’s schedule of conditions is attached as Appendix 1). These will be referred to in the following assessment, where relevant.
Having established the principle of the development, the reserved matters seek to deal with matters of detail, however, having regard to the content and structure of the conditions which have been agreed by the Planning Inspectorate. It is considered that the following are the key planning issues in the determination of this reserved matters application:

- Drainage
- Trees
- Landscaping
- Neighbour amenity
- Ecology
- Design and landscape impact
- Decentralised and renewable or low carbon energy sources
- Affordable housing
- Open space requirements
- Highway safety
- other issues

Drainage

Significant concerns have been raised in respect of both foul and surface water drainage.

In respect of foul drainage, it is proposed to connect into the public sewer. This is considered to be the most appropriate course of action. This would however necessitate the use of a pumping station. This is proposed at the front of the site, immediately adjacent to the site access in close proximity to the Townhouse Road carriageway, and lies adjacent to the boundary of a property called Holkham House. This position has raised significant local objection in respect of unacceptable visual intrusion into the streetscene, and being considered detrimental to the amenities of the occupiers of Holkham House.

With regard to visual intrusion, it is evident that the equipment and fencing associated with a pumping station are relatively modest (kiosk, 4m mast and associated 1.8m security fencing) and it is also proposed to provide planting around the equipment to further reduce its impact when viewed from Townhouse Road. It is also evident that the pumping station lies in close proximity to the existing detached outbuilding/garage of Holkham House which in itself represents a feature visible within Townhouse Road. With these factors in mind, it is considered that the pumping station would not result in significant harm being caused to the character and appearance of the locality.

With regard to neighbour amenity, it is evident that the legislation relating to the adoption of sewers requires at least a 15m separation distance is retained between a pumping station and a dwelling. The submitted scheme complies with this requirement. It is also evident from the consultation process that the Environmental Protection Team has no objection to the pumping station in the suggested location when considering the issue of neighbour amenity, subject to the implementation of adequate sound proofing measures being secured via planning condition. The Environmental Protection Team has confirmed that such measures would typically have below ground chamber access points being designed to be as close fitting as possible, and sound proofing material fitted, this would also be the case for any above ground cabinets housing electrical equipment. The agent has confirmed their willingness to accept such a condition. With these factors in mind, it is considered that the pumping station would not result in significant harm being caused to the neighbouring amenities of neighbouring properties.

In respect of surface water drainage, the submitted drainage strategy sets out how surface water is to be dealt with. This approach has been assessed by the Environment Agency and the Council’s Flood Protection Officer, who have both confirmed that this approach is acceptable in principle.
4.13 The Environment Agency has requested a condition agreeing the exact details of the system, including full details of future maintenance of all parts of the surface water drainage system for the lifetime of the development. Like the Environment Agency, the Council’s Flood Protection Officer has sought confirmation of future ownership of, and maintenance of the whole system to ensure a detailed maintenance strategy for the scheme. It is considered essential to have such a condition, however, it is evident that such a condition exists in the schedule of conditions set out in the Inspector’s decision letter, and as such it is not considered necessary to re-impose a condition on the reserved matters approval.

4.14 On this point, by way of clarification, where a planning condition is imposed on an outline planning permission it remains valid regardless of the granting of a subsequent reserved matters approval. An outline permission and reserved matters approval are to be read in conjunction with one another, a reserved matters approval does not supersede the outline approval despite being granted after the outline approval.

Trees

4.15 Concern has been expressed at the accuracy of the submitted Arboricultural Implications Assessment (AIA). The AIA has been amended to take account of the concerns expressed, it has been duly considered by the Council’s Landscape Officer who has confirmed that the development would not result in the loss of any trees that are considered necessary to retain.

4.16 On an associated point, concern has been expressed at the removal of hedging/planting on the part of the site which forms the access to the site and how this is contrary to a condition attached to an earlier planning permission for a dwelling on the adjacent site (Holkham House) which required the retention of a boundary hedge. It is evident that such a condition exists (condition no. 6 from 2006/1106), however this only related to land within the application site/under the applicant’s control. In this respect it is apparent that the vegetation in question on the front section of this site did not form part of the application site covered by 2006/1106 and is therefore not controlled under the historic condition referred to above. It should be noted that condition 11 of the schedule of conditions agreed by the Planning Inspector require the agreement of a scheme of protection for those trees and hedgerows on the site frontage which are to be retained and this would be agreed prior to the commencement of development.

Landscaping

4.17 An indicative scheme of landscaping for the site is included in the most recent layout, this includes planting along the southern perimeter of the ecological protection zone, the eastern boundary of the site which is to provide an ecological corridor and more general planting throughout the scheme. These would provide continuous planting along the entire northern and eastern perimeter of the site. The locations of these are considered to be appropriate in principle, however, it is evident that precise details need to be provided to ensure that an acceptable scheme of landscaping is delivered. This detailed scheme can also secure the additional small section of planting to the western boundary so as to connect to Carr’s Hill Wood as suggested by the Council’s Landscape Officer. This point is fully acknowledged by the applicant. With this in mind full details of landscaping based upon those in the current layout would need to be agreed via a condition, this is duly recommended in this report.

Neighbour amenity

4.18 It is evident from the current layout that sufficient separation distances exist between the proposed dwellings and the existing dwelling when considering the house types proposed in respect of their overall size and the position of the openings within thin them, resulting in the retention of adequate levels of light, outlook and privacy. In particular, the four
proposed properties (plots 8,9,17 and 18) which are sited closest to the existing properties on Townhouse Road have been designed to be single storey dwellings.

4.19 In respect of the properties adjacent to the western perimeter of the site, it is evident that the position of the proposed units A28 to A31 would not directly overlook the neighbouring property due to their orientation. Some overlooking of the accompanying garden to the neighbouring property would occur, but separation distances proposed would not be to a significantly harmful level.

4.20 Holkham House has expressed particular concern at the proposed house on Plot 1 rather than a bungalow being used, and how this would be detrimental to outlook and privacy. It is evident that there is in excess of 20m between the rear of Holkham House and the house on Plot 1, and the orientation of the proposed house on Plot 1 means that the habitable windows within the rear elevation of the proposed dwelling look westward, and not directly over Holkham House which lies to the south of Plot 1. The side elevation of plot 1 faces southwards, however it has no first floor windows facing towards Holkham House and only two small "secondary" windows serving the lounge which would be screened by boundary treatments.

4.21 In respect of the detached garage proposed for Plot 1, it is considered that the separation distance between it and Holkham House when considering its size and the fact that it lies to the north-east means that neither light, outlook or privacy would be significantly compromised by the detached garage.

4.22 Noise from the roadway serving the development has been raised as a concern by the adjacent property (Holkham House). The road will be an adopted road, and therefore, not to be surfaced with a material that would create excessive noise e.g. shingle, gravel etc. Furthermore, it is evident that some degree of boundary vegetation will be retained along the eastern boundary of Holkham House, and planting provided between the boundary and the roadway in what is referred to on the submitted plans as a “landscape buffer”.

Ecology

4.23 The Inspector’s decision highlights the important issue of ecology, with condition 4 of the Inspectors schedule of conditions requiring a continuous 15m ecological protection zone along the northern most part of the site and condition 10 requiring the agreement of an Ecological Management Plan.

4.24 With regard to the Ecological protection zone, the current layout does provide a continuous 15m buffer zone to meet the requirements of the condition. Furthermore, it also proposes a 1.8m high chain link fence on order to prevent public access which was also a requirement of condition 4 of the Inspector’s decision. The provision of the continuous hedge along the southern boundary of the ecological protection zone immediately adjacent to the chain link fence would also be of ecological benefit, not only in itself but by linking into the ecological corridor on the eastern boundary of the site.

4.25 This condition also requires a protection plan and method statement for the existing protected trees (Carrs Hill Wood to the north is a protected woodland), a planting scheme, a timetable for implementation and provisions for future management and maintenance of the zone. It is evident that this must be submitted and agreed prior to commencement of development on-site and as such this is not required to be agreed under this reserved matters approval. If this was considered necessary to agree under any subsequent reserved matters application the condition would have needed to be worded to that effect as was the case in respect of condition 13 of the Inspector's decision which deals with the use of decentralised and renewable or low carbon energy sources. As stated above, this condition remains valid in the context of this site regardless of any approval being issued under this reserved matters application.
4.26 With regard to condition 10, an Ecological Management Plan is required prior to the commencement of work. On this basis it is reasonable for the applicant to not have to submit such a document at this time. It is evident that the scheme does make provision for the ecological buffer zone to the north of the site and vegetation along the eastern boundary of the site and new planting at the front of the site as highlighted by the Inspector in paragraph 52 of their decision letter. The Council’s Ecologist has assessed the submission and confirmed that they have no objection to the scheme submitted, save for the need to provide details in accordance with the aforementioned conditions, namely 4 and 10 of the Inspector's decision.

Design and landscape impact

4.27 It is evident that the site occupies a position where it will be visible in the wider landscape, and indeed the Inspector recognised that harm would occur in respect of the character and appearance of the area. However, in allowing the appeal, it is evident that there is a commitment to the site being developed, notwithstanding this acknowledged harm. The Inspector in reaching their decision did impose a condition (condition no. 3) limiting the number of dwellings on-site to 62 and all dwellings must not be more than two storeys with a maximum ridge height of 8 metres above finished ground level, in order to contribute towards limiting the effect of development on the landscape. It is evident that there are 62 dwellings proposed on-site and none of the dwellings have more than two storeys or exceed 8m in height.

4.28 It should be noted that condition no. 12 of the Inspector’s decision requires the agreement of proposed ground levels and proposed slab levels which will ensure that the overall heights of dwellings are not excessive and sympathetically take account of the sloping nature of the site. The application is supported by details of levels in respect of those properties immediately to the north of the existing properties on Townhouse Road. These indicate that the proposed ground levels would not be significantly above existing levels in respect of these plots. However, it is acknowledged by the applicant that details for the whole site need to be agreed and that this condition will need to be complied with in full prior to commencement of any development on-site.

4.29 The applicant has submitted a Building for Life Assessment and a Design and Access Statement which provides background and explanation as to how the current scheme has been arrived at, and a number of 3D visualisations of the scheme within its local context to illustrate is relationship with its surroundings. The application also includes an analysis of the site context and the surrounding character. The analysis and character assessment shows how the development proposals have been developed to take into account the assessment’s findings as well as influence from the South Norfolk Place-Making Guide.

4.30 The site layout shows how the streets and spaces have been well enclosed and are predominantly fronted by built form set back from the edge of the highway. Frontage to the public open space creates attractive focal points within the development, offering a sense of enclosure and increasing the quality of the public realm. Buildings are also used to terminate key views and create a sense of enclosure around key spaces, which help to create an attractive development.

4.31 It is considered that the scheme is successfully integrated into its surroundings. It is acknowledged that it would be preferable to have all parking within each plot, however this is not entirely feasible on this site, however the parking that is not within a curtilage has been kept to a minimum and has been attempted to be broken up by planting as part of the landscaping scheme.

4.32 The layout, appearance and scale of the development proposals have been evaluated against the South Norfolk Place-Making Guide and Building for Life criteria and scores 9 out of 12 greens, which confirm that the layout and designs of the site and dwellings are acceptable and accord with JCS Policy 2 (Design).
Decentralised and renewable or low carbon energy sources

4.33 Condition 13 from the Inspector’s schedule of conditions is the only condition which requires specific details to be submitted and agreed as part of this reserved matters application. It requires the agreement of the details, and an associated timetable for implementation, of a scheme of decentralised and renewable or low carbon energy sources to supply at least 10% of the electricity supply for the scheme. The applicant has submitted such details under the document entitled "Energy Efficiency Statement". This highlights the use of air source heat pumps on all affordable dwellings (20), and 7 of the open market dwellings, which equates to 10.53% of the total electrical energy requirements for the scheme. The agent has also confirmed that each air source heat pump will be installed, and available for use, prior to first occupation of each dwelling to which it relates. The requirements of condition 13 are therefore met.

Affordable housing

4.34 The affordable housing proposed on this scheme is acceptable to the Council’s Housing Strategy and Enabling Officer. However, it is evident that the S106 associated with the outline approval requires 33%. With this in mind a deed of variation to the legal agreement is required. This is currently being progressed with the applicant.

Open Space Requirements

4.35 The Council’s adopted guidance in relation to open space entitled "Recreational Open Space Requirements for Residential Areas" sets out the need to provide space for both children's play space and older children/adult recreation space, with each having multipliers based on housing numbers for calculating what should be provided. There is also provision within the guidance to take a financial contribution to be spent elsewhere in the locality on recreation projects if it is deemed inappropriate to have an on-site provision associated with the application proposed.

4.36 In respect of older children/adult recreation space, it is evident from the S106 agreement linked to the outline approval that the approach adopted was to seek a commuted sum to be paid in lieu of providing on-site space which would be spent on projects within the Parish for improving existing recreation sites/facilities. The Inspector's decision at paragraph 58 confirmed the following:

"A recreation contribution of £52468.50 is included. An assessment undertaken in 2007 indicated that open space provision in Costessey does not meet the needs of existing residents. From the evidence it appears that the Parish Council is particularly pro-active and that there are projects in the pipeline to improve older children's recreation needs at Breckland Park and Longwater Lane. Both locations are reasonably accessible to the appeal site, especially by bicycle. I agree with the Appellant that the way that the contribution has been worked out is not altogether clear although it is based on the Council's Supplementary planning Guidance (SPG); Recreational Open space Requirements for Residential Areas. Whilst the contributions from this development cannot be expected to meet existing shortfalls I consider that, on balance, the information provided is sufficient to be satisfied that the recreation contribution is justified and complies with the CIL tests. It can therefore be taken into account."

With regard to children's play space provision, the scheme provides an area on-site which exceeds the stated criterion from the aforementioned Council guidance (1210m2 for 62 dwellings). The current S106 agreement makes provision for the land to be transferred to the Council or, at the Council's request, the Parish Council.
Highway safety

4.38 The Highway Authority (Norfolk County Council) has assessed the scheme and confirmed that they have no objection to the proposed layout in respect of highway safety subject to a condition requiring the laying out of parking spaces and turning areas in accordance with the approved plan. It should be noted that conditions 14, 15, 17 and 18 from the Inspector's decision relate to a number of highway matters, and these remain applicable. It should be noted that the trigger for agreeing these matters are not required to be completed at the determination of this reserved matters application, they are either prior to commencement of development as in the case of conditions 14 and 18, or prior to first occupation of any dwelling as in the case of conditions 15 and 17. The proposed layout does not compromise the ability to meet the requirements of the aforementioned 4 conditions.

Other issues

4.39 Reference has been made to archaeology, it is evident that there is a condition in respect of archaeology (condition 6), however, this is to be complied with prior to commencement rather than at the present time.

4.40 Condition 5 requires the agreement of a masterplan prior to commencement of development which shall include information in respect of phasing, dwelling mix, structural landscaping, open space, play areas, principal roads, footpaths and cycleways. Notwithstanding that it would usually be the case that a masterplan be agreed prior to submitting a reserved matters approval, as it would typically inform the resulting scheme. Unfortunately, the condition was not worded in such a way. Nevertheless, it is evident that the current plans provide sufficient details in respect of all of the above for the purposes of a masterplan, with the exception of phasing plan. The applicant has however confirmed that the scheme would be built out as a single phase given the overall size of the scheme.

4.41 An Environmental Impact Assessment screening has been undertaken as part of this application. This concluded that there would not be significant impacts to require a full Environmental Statement to accompany the application. All other matters raised are addressed in this report.

4.42 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.43 This application is not liable for Community Infrastructure Levy (CIL) due to it being a reserved matters application where the appeal was allowed prior to the adoption of CIL.

5. Conclusion

5.1 With the principle of development having been established by the appeal decision. It is evident that the current scheme has had regard to the conditions of the Inspector’s decision, where necessary, and the scheme complies with relevant national and local planning policy in respect of providing a development which has sufficient regard for its prominent position with the river valley, the amenities of neighbouring properties and the importance of Carrs Hill Wood.

Contact Officer, Telephone Number and E-mail: Chris Raine 01508 533841 craine@s-norfolk.gov.uk
5. **Appl. No**: 2014/1874/F  
**Parish**: STOKE HOLY CROSS

Applicants Name: Mr Jack Summers  
Site Address: Land North East Of Hillcrest Long Lane Stoke Holy Cross Norfolk  
Proposal: Provision of 3 houses, garaging and access

Recommendation: Approval with Conditions

1. Full Planning permission time limit  
2. In accordance with plans and drawings  
3. Materials to be agreed  
4. Highways detailed plans  
5. Highways constructed to binder course  
6. Garages and carports shall be retained  
7. Detailed landscaping scheme to be submitted  
8. Foul water details  
9. Surface water details  
10. Reporting of unexpected contamination  
11. Proposed access, on-site car parking and  
12. Renewable or low carbon energy supply  
13. Garages minimum internal dimensions  
14. Water efficiency to be submitted and agreed  
15. Ecology watching brief for European Protected Species

1. **Planning Policies**

1.1 National Planning Policy Framework  
  NPPF 03: Supporting a prosperous rural economy  
  NPPF 04: Promoting sustainable transport  
  NPPF 06: Delivering a wide choice of high quality home  
  NPPF 07: Requiring good design  
  NPPF 08: Promoting healthy communities  
  NPPF 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 6: Access and Transportation  
  Policy 7: Supporting Communities  
  Policy 9: Strategy for growth in the Norwich Policy Area  
  Policy 15: Service Villages  
  Policy 20: Implementation

1.3 South Norfolk Local Plan 2003  
  TRA 19: Parking standards  
  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  
  UTL 14: Waste collection and recycling  
  IMP 2: Landscaping  
  IMP 8: Safe and free flow traffic  
  IMP 9: Residential amenity
Development Management Committee

14 November 2014

IMP 25: Outdoor lighting
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes

1.4 Emerging South Norfolk Local Plan
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies
DM1.1 Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.3 Sustainable location of development
DM1.4 Environmental Quality and local distinctiveness
DM3.11 Promotion of sustainable transport
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM3.16 Outdoor play facilities and recreational space
DM4.3 Sustainable drainage and water management
DM4.4 Facilities for the collection of recycling and waste
DM4.10 Incorporating landscape into design

1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

2.1 2013/2209 Variation of condition 2 of planning permission 2012/2034/F - Amended house type design and layout

2.2 2012/2034 New access to land adjacent to Long Lane, provision of 50 houses, road and car park

3. Consultations

3.1 Parish Council
- Supports the application subject to confirmation that the children’s play area is located on the public open space and that the speed limit will be repositioned and a Vehicle Activated Sign (VAS) installed on Long Lane, which related to planning application 2012/2034.
- Requests that the proposed dwellings should be single storey bungalows.
- Disappointed that no pedestrian access is provided to proposed new footpath near plot 53.
- Concern expressed over an apparent access to the adjoining field form the landscaped area.

3.2 District Member
No detailed comments. Verbally confirmed that application is suitable for a delegated decision under the approved scheme of delegation.

3.3 NCC Highways
Confirms that the highways proposals are acceptable. If development is permitted suggests a condition relating to the proposed access / on-site car parking and turning area.

3.4 Environment Agency
No objection.
3.5 Environmental Services (Protection) Suggests a condition that in the event that contamination was not previously identified is found, it must be reported in writing immediately to the Local Planning Authority.

3.6 Environmental Services (Flood Defence) Advisory notes relating to suitable conditions for percolation tests where soakaways are proposed and clarification of location of existing ditches and ownership responsibility.

3.7 Housing Strategy Officer Scheme does not generate any affordable housing requirement.

3.8 County Ecologist Recommended an informal condition stating that Great Crested Newts may be present on site and if one is found, work should cease immediately and an ecologist consulted.

3.9 Conservation Officer No objection.

3.10 Anglian Water Services Ltd No objection.

3.11 Planning Obligations Confirmed that no contributions are being sought.

3.12 Landscape Officer First consultation Garage should be moved away from hedgerow at front of site.

Second consultation Amended layout received repositioning garage away from hedge. Amendments acceptable.

3.13 Historic Environment Service Confirmed that they do not wish to make any recommendations for any further archaeological work or associated planning conditions.

3.14 Police Architectural Liaison Officer No comments received.

3.15 Representations 1 letter of support and 1 letter objecting to application.

- Does not appear to have any significant implications on adjacent site.
- Believes planning was granted for the original 50 houses and this area was deemed to be parking for the school and overspill on the road.

4. Description of Development

4.1 The site is located north east of Hillcrest, Long Lane, Stoke Holy Cross on land that has planning permission for a car park, which forms part of a larger site for residential development, consisting of 50 houses and a new access (reference 2012/2034 & 2013/2209). This application now seeks provision of 3 houses, garaging and access on the former proposed car park on land known as north east of Hillcrest, Long Lane, Stoke Holy Cross.

4.2 The site area is 0.39 hectares and falls within a landscape character area known as the 'Poringland Settled Plateau Farmland', (as defined within the South Norfolk Place Making Guide), and comprises a generally flat landscape but one that rises steadily to a central dome area. The site does not fall in an area at risk from flooding, and is currently in agricultural use. The site is well screened by existing hedges and trees, and only glimpses of it are afforded as you travel up and down Long Lane. The site is outside the development boundary for the village. The
surrounding development to the west comprises a mixture of single and two storey dwellings of differing styles and character.

4.3 This full application proposes 3 new dwellings, garages and access. The Housing Strategy Officer has assessed the proposals and confirmed that the scheme does not trigger the requirement to provide any affordable housing as the site area is less than 0.4 hectares and only 3 dwellings are proposed. It should also be noted that the ownership to the surrounding site is separate. If it was the same ownership then affordable housing would be triggered. However, application ref 2013/2209 proposes 17 affordable homes which provide adequate affordable housing to meet the 33% affordable housing requirement for both sites combined.

4.4 Access to the site will be off the principle road relating to the approved planning permissions 2012/2034 & 2013/2209, which connects Long Lane with an estate road.

5. Assessment

5.1 In accordance with Part 5 of the Section 106 agreement dated 3rd September 2013 and paragraph 1 of planning permissions 2012/2034 & 2013/2209, the agreement included a clause that the provision of the public car park is either provided on-site or that funding for the provision, extension or improvement of a public car park elsewhere within the development of Stoke Holy Cross be elected. It was agreed by the Parish Council and the Local Planning Authority that the car park is not elected on-site and therefore a contribution could be agreed as per paragraph 3.1.1 of the Section 106 agreement.

5.2 Agreement was reached between the Parish Council, Local Planning Authority and applicant that the car park as covered by Part 5 of the legal agreement will not be provided on-site in this instance and that the equivalent sum of money is offered to provide parking elsewhere (£36500). The council subsequently confirmed this in writing on the 4th June 2014.

5.3 On this basis the principle of development on this site is considered acceptable, subject to the key considerations outlined in the report below.

Key Considerations

5.4 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 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 site benefits from planning permission and therefore the principle of development on this site has been established.

- The provisions of the adopted Joint Core Strategy (JCS), which allocates Stoke Holy Cross for further small scale housing development during the period 2011 to 2026.

- It should be noted that the council is working towards demonstrating a five year land supply in the Norwich Policy Area and whilst very close to the required supply, at present cannot demonstrate this. This is a consideration in the determination of this application, with paragraph 14 of the NPPF requiring planning permission to be granted unless the harm of doing so would significantly and demonstrably outweigh the benefits the scheme would deliver.

- Having regard to the site being part of a preferred allocation for development of up to 75 dwellings and the site being considered a sustainable location for development.

- The site appears to be deliverable (as defined by section 6 of the NPPF) in that it is available now and offers a reasonable prospect of housing being delivered within the next 5 years.
5.5 It is noted above that there has been one letter of support for the proposal and one letter of objection. The objection relates to the loss of the proposed car park relating to planning applications ref 2012/2034 & 2013/2209. As noted above, agreement was reached between the Parish Council, Local Planning Authority and applicant that the car park will not be provided on-site in this instance and that the equivalent sum of money is offered to provide parking elsewhere in Stoke Holy Cross for the school and overspill traffic. The Parish Council have confirmed that they are exploring options to deliver additional car parking spaces elsewhere in Stoke Holy Cross, close to the existing Primary School on land at the recreational ground, with the equivalent sum of money of £36,500. It is therefore considered that the loss of provision for a car park on-site and the equivalent sum on money offered to provide a car park elsewhere in Stoke Holy Cross is acceptable.

5.6 The Parish Council supports the application subject to confirmation that the children’s play area is located on the public open space and that the speed limit will be repositioned and a Vehicle Activated Sign (VAS) installed on Long Lane, which related to planning applications 2012/2034 & 2013/2209. The applicant has confirmed that these provisions will be accommodated as well as the original obligations relating to the planning permission, which form part of the approved legal agreement. These continue to comprise of:

- A total of 50 residential dwellings, of which 17 (33%) will be affordable, in full accordance with existing Development Plan Policy;
- Construction of a new vehicular and pedestrian access into the site from Long Lane, in order to serve the development;
- Areas totalling 2,700 sqm of associated Public Open Space, to be utilised by both new and existing local residents;
- A car park or an equivalent sum of money offered (£36,500) to provide a car park elsewhere, to enable safe off-street car parking provision in association with the nearby village Primary School;
- A new pedestrian footway running along the southern side of Long Lane, providing a direct, safe pedestrian route from the car park to the School, before joining the existing extent of footway to provide a continuous pedestrian route into the village centre.

5.7 The Parish Council has also requested that the proposed dwellings should be single storey bungalows. However, it is noted that the Housing Strategy Officer raises no objection to the proposed mix and there is no evidence to suggest that there is a significant market demand for bungalows or lack of demand for houses. Therefore I therefore consider that the proposed mix is acceptable and accords the JCS and NPPF.

5.8 Taking these comments into account the main issues that need to be considered are:

- The provisions of the NPPF, the adopted JCS, and the identification of approx 50% the site as a preferred allocation for residential development, and the requirement to achieve a 5-year land supply of housing.
- Landscaping
- Ecology
- Design and layout and the impact on the character and appearance of the area
- Access & Highway Impact
- Drainage & flood risk
- Impact on residential amenity
NPPF, JCS & the 5-year land supply of housing

5.9 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. It is accepted that there is currently a 5-year land supply deficit with the Norwich Policy Area, and as Section 6 of the NPPF points out, where this is the case, the relevant development plan policies cannot be up-to-date. Whilst material considerations then need to be taken into account, the NPPF advises that development should be approved unless the 'adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.

5.10 In terms of sustainability, the site is well located in relation to the local primary school and there is a regular bus service to Norwich.

5.11 Taking the above into account it is clear that in location terms this site represents sustainable development and that it is noted that the council is working towards demonstrating a five year land supply in the Norwich Policy Area and whilst very close to the required supply, at present cannot demonstrate this. Weight is given to the progress towards the required supply. Although carrying limited weight, consideration must also be given to the fact that the site is a preferred allocation for development, and that it is also located within part of the wider preferred allocation for development. The proposed development shows an access to the edge of the approved sites ref 2012/2034 & 2013/2209, and does not prejudice its future delivery.

5.12 The impact must now therefore be considered against the benefits to determine the acceptability of the development.

Landscaping

5.13 The site is located at the edge of the village where the land gently rises towards Upper Stoke. The land to the north of Long Lane is fairly open and flat in character, whereas the land to the south of the road (where the site is located) is well screened by an existing mature hedgerow at the front of the site. There will therefore be no direct views of the site due to the nature of the intervening landscape and the site being relatively well contained within the boundaries of the mature hedgerow. I have therefore concluded that there will be no harmful impact on the character of the wider landscape.

5.14 Following comments from the Landscape Officer the scheme has been amended to respect the existing hedgerow along the frontage of the site, supplemented with planting. This is a key change from the previous site layout which saw the removal of some of the hedgerow to accommodate a garage (plot 53). The Landscape Officer has subsequently confirmed that this is acceptable and does not wish to raise an objection to the proposals.

5.15 Due to the number of dwellings proposed the scheme does not trigger the requirement to provide any open space or play on site. However, open space under the approved sites ref 2012/2034 & 2013/2209 is available for future residents of this site to use. In summary, it is considered that the retention of the hedgerow at the front of the site as well as additional planting, demonstrates that the site can be developed in a sympathetic and respectful manner to the existing landscape characteristics and accords with Local Plan Policy IMP2 (Landscaping).

Ecology

5.16 An Ecological Assessment of the site and immediate locality has been undertaken and no further work is identified as being required beyond the reports prepared and submitted for the previous two approved planning applications, which established the principle of development on this site. The County Ecologist has recommended an informal condition stating that Great Crested Newts may be present on site and if one is found, work should cease immediately and an ecologist consulted.
The boundary hedge, as noted above is being retained in general and the frontage hedge is shown as part removed and part retained on the approved plans for the two previous planning permissions. A survey of the hedgerow has been undertaken and it is concluded that the development will not impact on any hedge as assessed under the Hedgerow Regulations. I am therefore satisfied that the development accords with policy ENV14 (Habitat protection) and ENV15 (Species protection) of the SNLP.

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

The architectural style is based upon traditional local building forms and detailing, similar to the adjacent approved developments ref 2012/2034 & 2013/2209. The proposed dwellings are in keeping with the traditional local vernacular and local streetscapes in Stoke Holy Cross. The detailed design of the properties provide styles and features commonly found within this part of South Norfolk, including both casement and sash windows, segmental arches, panel doors, flat roof dormers, pentice boards, black painted plinths and brick dressing. As such, it is considered that the three dwellings proposed will fully integrate into the adjacent development site and enhance the character and appearance of the surroundings.

The massing, height, site coverage and detailing of the built form proposed has been carefully considered and responds positively to the physical characteristics of the site, whilst minimising the impacts on existing amenities enjoyed by the occupants of neighbouring properties to the west.

The layout of the proposed new development indicates how the development concept has evolved to address the edge of the site and the informal area of green open space adjacent to the northern Long Lane site boundary. Individual, two-storey dwellings, accessed via a shared driveway, with views towards the areas of open space, enable both a sense of enclosure and surveillance over this space, but still maintaining a rural, landscape-dominated character and appearance.

Overall, the design and layout of the scheme responds well to the site context and also to its siting within the wider development. The scheme successfully shows how the proposals will combine the existing site assets into one coherent development that joins up with the proposed and existing land uses in Stoke Holy Cross. The scheme accords with the requirements of the South Norfolk Place Making Guide. The application therefore accords with JCS Policy 2 and section 7 of the NPPF.

Access & Highway Impact

Access into the site is provided along a private drive that links to the approved primary vehicular access into the site on the Long Lane site frontage. Pedestrian access continues to be provided at this road junction associated with applications ref 2012/2034 & 2013/2209, together with a separate pedestrian access further to the west onto Long Lane, with a new section of footway running along the southern side of Long Lane, linking both access points to the existing extent of footway adjacent to the Primary School. The proposals ensure vehicle and pedestrian conflicts are minimised and meet with the necessary highway safety standards. The Highways Authority have suggested a condition that prior to the first occupation of the development hereby permitted the proposed access / on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Provision for refuse and recycling is accommodated on-plot with provision for refuse collection points on the edge of private driveways accessible to the public highway.

Having considered the representations received and taken into account the technical information received from NCC Highways who have confirmed that the highways proposals are acceptable, I am satisfied that the application accords with Local Plan Policy IMP8 (Safe & Free Flow Traffic).
Drainage and flood risk

5.25 In respect of foul drainage, Anglian Water has confirmed that there is capacity in the local treatment works to accommodate foul flows from the development site. A foul drainage strategy has been agreed with developers that identify a suitable point of connection, and details of this can be agreed by condition.

5.26 The Flood Defence Officer has suggested a number of advisory notes relating to suitable conditions for percolation tests if soakaways are proposed and clarification on the location of existing ditches and ownership responsibility. Information has since been submitted showing the location and ownership responsibility of ditches.

5.27 The applicants have submitted a Flood Risk Assessment that indicates that the site is not capable of accommodating infiltration drainage. It is therefore intended to drain the site to existing watercourses, and to maintain the existing Greenfield run-off rates through the use of surface water attenuation and storage. The rate of surface water discharge from the site will be limited to a maximum rate of 7.6 l/sec for all storms up to and including the 1 in 100 year event (including an allowance for climate change).

5.28 The Environment Agency has been consulted and raises no objection to the scheme, which is considered to accord with the relevant sections of the NPPF.

Residential Amenity

5.30 The design of the properties and retained mature hedgerow along the northern boundary helps to minimise any direct impact on the amenity of existing properties and as such is considered acceptable. In a similar manner, where the development faces the approved proposed properties to the south there is a generous distance between the proposed properties and the development as well as the additional proposed landscaping. I am therefore satisfied that the development accords with policy IMP9 of the SNLP and the emerging Local Plan relating to residential amenity.

Other matters

5.31 A geophysical survey has previously been carried out and Archaeological features were identified. The survey did not reveal any anomalies likely to relate to archaeological features in the area of this planning application. In view of this the Historic Environment Service has confirmed that they do not wish to make any recommendations for any further archaeological work or associated planning conditions. The Conservation Officer has confirmed that the site is not in a Conservation Area and it is not located close to any Listed Building or heritage assets.

5.32 The Environmental Protection Team raises no objection to the proposals but has suggested a condition that in the event that contamination was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority.

5.33 In respect to a Screening Opinion, no significant impacts resulting from the proposed additional housing when considered against the original scheme for 50 dwellings have been identified.

6. Conclusion

6.1 The principle of development has already been accepted on this site as it relates to land that already has planning permission (reference 2012/2034 & 2013/2209). It is also noted that the site is part of a preferred emerging allocation for development and that there is currently not a 5-year land supply within the Norwich Policy Area. The National Planning Policy Framework (NPPF) is clear and explicit that in such circumstances Local Planning Authorities should consider favourably sustainable development that would address this deficit.
6.2 The council is close to achieving a five year land supply and weight is given to the progress towards this. However, the fact that the principle of development has already been established on this site also carries weight in the consideration of the application. In light of the application already approved surrounding this site, the adverse impacts to the character of the open countryside given that this development is outside current development boundaries is not considered to outweigh the benefits of this additional housing in the wider approved housing development, and is considered to accord with saved policies IMP1 (Design), IMP2 (Landscaping) and IMP8 (Safe and Free flow of Traffic) of the South Norfolk Local Plan 2003, the NPPF and the emerging policies listed in section 2 of this report and therefore the application is recommended for approval.

6.3 This application is liable for Community Infrastructure Levy (CIL)

Contact Officer, Telephone Number  Chris Watts 01508 533765
and E-mail: cchwatts@s-norfolk.gov.uk
Other Applications

6. **Appl. No**: 2014/1143/CU  
**Parish**: BRESSIONHAM

- **Applicants Name**: Mr & Mrs M Knox-Johnston  
- **Site Address**: The Chequers Inn Low Road Bressingham Norfolk IP22 2AG  
- **Proposal**: Change of Use from Public House to Boutique B&B  

**Recommendation**: Refusal

1. Loss of community facility contrary to national and local planning policy

7. **Appl. No**: 2014/1144/LB  
**Parish**: BRESSIONHAM

- **Applicants Name**: Mr & Mrs M Knox-Johnston  
- **Site Address**: The Chequers Inn Low Road Bressingham Norfolk IP22 2AG  
- **Proposal**: Change of Use from Public House to B&B  

**Recommendation**: Approval with Conditions

1. In accordance with approved plans.  
2. Details of windows  
3. Approval of boundary treatments

1. **Planning Policies**

1.1 National Planning Policy Framework  
- NPPF 01: Building a strong competitive economy  
- NPPF 03: Supporting a prosperous rural economy  
- NPPF 07: Requiring good design  
- NPPF 08: Promoting healthy communities  
- 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 5: The Economy  
- Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan 2003  
- IMP 2: Landscaping  
- IMP 8: Safe and free flow traffic  
- IMP 9: Residential amenity

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies  
- DM2.10 Conversion and re-use of buildings in the Countryside for non-agricultural use  
- DM2.12 Tourist accommodation
2. Planning History

2.1 2011/0414 Internal alterations to relocate kitchen and toilet areas and incorporate wheelchair accessible toilet. External hard and soft landscaping. Approved

2.2 2010/2082 Erection of two sets of timber letters signs one to be illuminated. One double sided timber pictorial sign and gibbett on existing post, illuminated by trough lights. Two timber amenity boards, fixed back to back on existing pictorial post. Four half brass lanterns, two to each front door entrance. Approved

2.3 2010/2041 Erection of two sets of timber letters signs one to be illuminated. One double sided timber pictorial sign and gibbett on existing post, illuminated by trough lights. Two timber amenity boards, fixed back to back on existing pictorial post. Four half brass lanterns, two to each front door entrance. Approved

2.4 2010/2040 Rebuilding main fireplace/chimney stack, revision to rebuilding secondary chimney stack as approved permission 2010/0368/LB Approved

2.5 2010/2039 Rebuilding main fireplace/chimney stack, revision to rebuilding secondary chimney stack as approved permission 2010/0367/F Approved

2.6 2010/0368 Proposed rebuilding works following major fire damage. Approved

2.7 2010/0367 Proposed rebuilding works following major fire damage. Approved
3. Consultations

3.1 Parish Council  Recommend the application be refused.

3.2 District Member  Request that application be refused or determined by planning committee. The premises have always been viable as a public house. There are people who would wish to run the premises as a pub. There is no justification for the change of use.

3.3 Environmental Services (Protection)  No objections.

3.4 NCC Highways  No objections.

3.5 Conservation Officer  No objections to the alterations because there would be no adverse impact on any important historic fabric or on the character and appearance of the building.

The use as a public house forms an important part of the building's character and appearance and therefore ideally this should be retained. Details of the proposed new fencing and gates would need to be agreed under conditions.

3.6 CAMRA  Object

- Very concerned as to the steady demise of such licensed premises and consider that being the only pub in the village, being in a prominent situation and having been a successful business as The Chequers and previously The Garden House, it can and should continue to operate as a public house.

3.7 Representations  51 letters of objection received. Concerns regarding:

- Impact of the loss of the pub on the vitality of the village and the local community as it is a place to socialise, meet and do business.
- Concern that there would be no pub in Bressingham and Fersfield if application is approved.
- Applicant has not made the case that a pub would not be viable.
- Concern that the property will be turned into a dwelling
- Loss of pub would have a negative impact on existing tourist accommodation because visitors would need to travel further to go for a drink or meal and may be put off staying in the area.

4 letters of support – proposal would help safeguard the listed building and is better than it standing empty.

1 letter of comment – consideration could be given to shared B and B and pub use.

4 Assessment

Proposal

4.1 The applications are for planning and listed building consent for the change of use of the The Chequers Inn public house (A4 use class) to a bed and breakfast establishment (C1 use class). The Chequers is a grade II listed building on the A1066 at Bressingham. The building suffered significant damage from a fire in 2009 but was fully restored and reopened
in June 2011. It closed in September 2012 and has remained closed since that time. It is proposed to provide 4 ‘superior’ letting rooms with en-suite bathrooms, with a customer sitting and dining room. Externally a new timber fence and gates would be erected, and the existing car park would be reduced in size to create a new garden area. Other changes would include new double glazed French doors to a rear service passage and the insertion of a rooflight above the kitchen.

4.2 For the planning application, the main issues to be considered are the impact of the loss the public house on the local community, the impact of the proposed works on the listed building, the impact on neighbouring occupiers and the highway impact. For the listed building consent application, the only consideration is the impact on the historic fabric and character of the listed building.

Impact of the loss the public house as a community facility

4.3 The South Norfolk Local Plan recognises that “rural employers including shops and public houses can contribute greatly to the diversity and vitality of their settlements”. Policy EMP7 seeks to retain rural employment and services however it only deals with changes of use to non-employment generating uses. The most up to date relevant planning guidance is within the National Planning Policy Framework. Paragraph 69 states that planning decisions should aim to achieve places which promote “opportunities for meetings between members of the community who might not otherwise come into contact with each other”. Paragraph 70 recognises that public houses enhance the sustainability of communities and residential environments, and requires planning authorities to “guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day to day needs.”

4.4 The Development Management Policies Document (Submission Version) provides more detailed guidance regarding proposals that would lead to the loss of a public house. Paragraph 3.115 states that “The Council will resist development proposals that would lead to the loss of such facilities” and “Loss will only be accepted where an applicant can establish to the satisfaction of the Council that there is no reasonable prospect of future use because of lack of future need or demand or economic viability”. Policy DM 3.17 restates this aim and sets out a 3 stage requirement for evidence, including six months of marketing for the permitted use; confirmation that it has been offered on a range of terms considered to be reasonable by an independently qualified assessor; and that the proposal has regard to future plans for the area, including community led plans. Whilst the document is not yet adopted, some weight can be attached to policy 3.17 because it has reached an advanced stage of the adoption process and no objections have been received to the submission version policy.

4.5 Marketing information has been submitted for the period between May 2013 and February 2014. Between May 2013 and September 2013 the property was marketed for an unknown price. Between September 2013 and December 2013 the freehold of the property was advertised for £300,000. There were no buyers at this price and in December 2013 new sales particulars were issued whereby the property was offered for auction on the 12th February at a guide price of £225,000-£255,000 plus VAT. An offer of £235,000 plus VAT was made by the Applicant and following no other offers or bids at the auction this offer was accepted. Given that the property was only for sale at the reduced guide price for 3 months, it is not clear that the marketing of the property meets the requirement of policy DM 3.17.
The Applicant has emphasised that the pub struggled since its refurbishment and that there are two other pubs within the locality, The White Horse in South Lopham and the White Hart in Roydon. It is stated that the proposed bed and breakfast use would create 2 full time and 3 part time jobs. The benefits to tourism and local employment would be in accordance with policy 5 of the Joint Core Strategy, policy 2.12 of the emerging Development Management Policies Document as well as guidance within the NPPF which aims to support the rural economy.

A total of 42 letters of objection have been received, primarily concerned at the loss of the only pub in Bressingham and Fersfield Parish. The pub has been described as a previous hub of the village, where people were able to meet, socialise and do business. The importance of the pub to the local tourist industry has been noted, as it provided a convenient place for people staying within the locality, as well as local people themselves, to dine. Objectors have stated that the pub was popular and successful prior to the fire and following the fire the business failed due to the approach of the management. During the course of the application process a local businessman has come forward to state his willingness to purchase The Chequers and run it as a public house.

Since the planning application was made, a group of local people sought to register the building as an Asset of Community Value, using powers granted under the Localism Act 2011. The application was supported by 62 individuals. The application was approved and the property was listed by South Norfolk Council on 16 October 2014. Whilst the planning application must be determined in accordance with planning policies, Government advice within the document “Assets of Community Value – Policy Statement” states that “it is open to the Local Planning Authority to decide that listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all circumstances of the case”. In this case, given both the strength of feeling within the community that the building should remain as a pub, and the fact that it is the only pub within the Parish, it is considered to be a material consideration that weighs against the proposal.

Given the number of people who have objected to this application, and the number who have supported the listing as an Asset of Community Value, it seems clear that there is a future need for The Chequers to remain as a Public House, particularly as there is no other pub within the Parish. There is also a credible offer from a local businessman to run it as a pub, which would suggest there is a reasonable prospect of viable continued use of the building as a public house. The Chequers has been recently refurbished to a high standard, and would not require significant investment in terms of its facilities. It is located on a main road just 3 miles from Diss and is located close to the popular attraction of Bressingham Steam Museum and Gardens.

Conflicting evidence has been provided during the application process which seeks to demonstrate that the business would be either loss or profit making. This report does not seek to provide a detailed analysis of the financial information that has been submitted. On balance there are considered to be a number of different business models that could be used to run a public house and overall it has not been fully demonstrated that The Chequers Inn could not be a viable business.
Impact of the proposed changes on the historic fabric and character of the listed building

4.11 The physical changes proposed are considered to be acceptable and no objection is raised by the Listed Buildings Officer, as there would be no adverse impact on any important historic fabric or on the character and appearance of the building. For this reason the application for Listed Building Consent is recommended for approval.

Highway Impact

4.12 The application proposes reducing the level of parking at the site from approximately 40 to 6. Although concerns have been raised from objectors that this would be insufficient, the Highway Authority consider that this is an acceptable level for the development proposed. It is considered no harm would be caused to highway safety and therefore the proposal accords with saved policy IMP 8 of the South Norfolk Local Plan.

Impact on neighbouring occupiers

4.13 There are a number of residential properties within close proximity to the pub. The proposed use is unlikely to cause significant amenity impacts and there is considered to be no conflict with saved policy IMP 9 of the South Norfolk Local Plan.

Other matters

4.14 Concern has been raised that if the applications are approved the premises would become a dwelling house; however the sole use of the building as a dwelling would require a separate change of use application. The proposal must be considered on the basis of a change of use to a bed and breakfast establishment.

Community Infrastructure Levy

4.15 This application is not liable for Community Infrastructure Levy (CIL) due to there being no increase in floor space.

4.16 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

5. Conclusion

5.1 The proposal would assist the rural economy and would be consistent with local and national policies which promote the local tourist industry. In addition the changes proposed would not cause harm to the historic fabric of the listed building. However the proposal would lead to the loss of a community facility. The strength of objections and listing as an Asset of Community Value provide a strong indication that it is a valued facility within the local community. It is considered that it could be a viable business in the future and a local businessman has made an offer to purchase the building and run it as a pub. Taking all these factors into account, the planning application is considered to conflict with guidance in paragraph 70 of the NPPF and policy DM 3.17 of the Development Management Policies Document (Proposed Submission Version) and is therefore recommended for refusal.

5.2 The physical alterations proposed would not cause harm to the historic fabric or character of the listed building and therefore the application for listed building consent is recommended for approval (Listed Building Application 2014/1144).
6. Reasons for Refusal of the Planning Application 2014/1143

6.1 The proposal would result in the loss of an important community facility. The application process has demonstrated there is a need within the community for the building to remain as a public house and a demand from someone to operate it as such. It has not been sufficiently demonstrated that the business could not be viable or that it has been adequately marketed at a reasonable price for a minimum six month period. The proposal therefore conflicts with guidance in paragraph 70 of the National Planning Policy Framework and policy DM 3.17 of the Development Management Policies Document (Proposed Submission Version).

Contact Officer, Telephone Number: Robert Webb 01508 533681
and E-mail: rwebb@s-norfolk.gov.uk
8. **Appl. No**: 2014/1729/F  
**Parish**: BROCKDISH  

Applicants Name: Mr Joseph Read  
Site Address: 2 Stable Cottage The Street Thorpe Abbotts Norfolk IP21 4JB  
Proposal: Demolition of single storey rear extension, removal of chimney, refurbishment and conversion to one dwelling for holiday accommodation. Erection of entrance porch and erection of rear covered walkway.

Recommendation: Approval with Conditions

1. Full Planning permission time limit  
2. In accordance with submitted details  
3. External materials to be agreed  
4. Window/door details to be agreed  
5. Reporting of unexpected contamination  
6. Foul drainage to be agreed  
7. No development before Natural England Licence

1. **Planning Policies**

1.1 National Planning Policy Framework  
- NPPF 07: Requiring good design  
- NPPF 12: Conserving and enhancing the historic environment  
- NPPF 03: Supporting a prosperous rural economy

1.2 Joint Core Strategy  
- Policy 1: Addressing climate change and protecting environmental assets  
- Policy 2: Promoting good design  
- Policy 5: The Economy

1.3 South Norfolk Local Plan 2003  
- TOU 7: Conversion of buildings in the open countryside to self-catering holiday accommodation (Part Consistent)  
- IMP 17: Alterations and extensions in Conservation Areas (Part Consistent)  
- IMP 18: Development in Conservation Areas  
- ENV 15: Species protection

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies  
- DM2.1 Employment and business development  
- DM3.9 Design Principles  
- DM3.12 Road safety and the free flow of traffic  
- DM3.14 Amenity, noise and quality of life  
- DM4.11 Heritage Assets
2. Statutory duties relating to Conservation Areas:

2.1 S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” It should be noted that the Barnwell Manor case principles (see above) are of similar application in the context of s72 duties, also, - i.e. considerable importance and weight must be given.

3. Planning History

3.1 2013/0744 Amend approved building 3 (2011/0118/F) to two holiday lets to provide first floor additional accommodation and additional ground floor windows. Remove existing chimney and rebuilding in different position.

3.2 2014/0507 Variation of condition 2 of planning permission 2013/0744/F - Increase eaves to holiday cottage no 3

3.3 2011/0118 Proposed conversion of existing garage to form 1no residential unit, conversion of 2 outbuildings to form 4 holiday lets, alterations to vehicle access and formation of car parking for residential units.

3.4 2010/1283 Proposed conversion of existing garage to form 1no residential unit, conversion of 2no outbuildings to form 4no holiday lets, alterations to vehicle access and formation of car parking for residential units.

3.5 2009/1275 Erection of chimney to West side of property serving new orangery & living room. Erection of portico to front elevation of house around the dwellings main entrance, with balcony over. Erection and changes to already approved orangery to West of property. Erection of extension to house swimming pool between the existing East and West wings, with new glazed wall between house and swimming pool.

3.6 2008/1200 Remodelling of existing dwelling to include two orangerys and indoor swimming pool. Erection of portico and balcony.

3.7 2008/0374 Remodelling of existing dwelling to include two orangerys and indoor swimming pool. Erection of portico and balcony.

3.8 2013/0744 Amend approved building 3 (2011/0118/F) to two holiday lets to provide first floor additional accommodation and additional ground floor windows. Remove existing chimney and rebuilding in different position.
3.9 2014/0507 Variation of condition 2 of planning permission 2013/0744/F - Increase eaves to holiday cottage no 3 Approve

3.10 2011/0118 Proposed conversion of existing garage to form 1no residential unit, conversion of 2 outbuildings to form 4 holiday lets, alterations to vehicle access and formation of car parking for residential units. Approve

3.11 2010/1283 Proposed conversion of existing garage to form 1no residential unit, conversion of 2no outbuildings to form 4no holiday lets, alterations to vehicle access and formation of car parking for residential units. Withdrawn

4. Consultations

4.1 Parish Council Refuse for the following reasons:
- Impact on local community - no local amenities.
- Environmental Issue - noise, reference made to existing holiday lets in the village.
- Traffic - parking/use of narrow carriage-ways.
- Over development of the site as it would create two large 8 bedroom holiday lets.
- Opposition of people close by existing holiday let.

4.2 District Member To be determined by Committee: due to the level of objection

4.3 NCC Highways No objection - condition SHC 24 - parking and turning areas

4.4 Environmental Services (Protection) No objection to the application for residential use but raised concerns regarding the potential adverse impact on residential amenity in light of previous complaint (now withdrawn) regarding Highfields Lodge.
- Recommended condition regarding contaminated land.

4.5 Ecologist The proposed new building for bats has been omitted from the scheme. There is no objection subject to conditions regarding the licence.

4.6 Natural England Did not assess application for impacts on protected species and referred to Standing Advice

4.7 Representations 3 Letters of objection:
- Number of holiday lets excessive for such a small village.
- More disruption for villagers due to level of traffic on single track roads.
- Already concerns regarding noise from existing holiday lets.
- The holiday lets are no benefit to the village as there is no shop, public house or means of public transport.
- There is no mains drainage or sewer in the village.
- Converting the building into a single holiday let will make it big enough to host large parties or groups sleeping up to 16 people.
5.1 This application seeks planning permission to convert the building comprising two cottages and a storage area to one dwelling for holiday accommodation. The building is situated back from the road, from which it is not visible, and within a rural setting on the edge of the village of Thorpe Abbotts. Neighbours are some distance away to the northeast and west sides.

5.2 The proposal includes the demolition of an existing rear extension, providing a new glazed extension to the rear and a new front porch. The proposed new barn building for bats has been omitted from the original application proposal.

5.3 The site is situated in the Thorpe Abbotts Conservation area and therefore the proposal is considered under policy IMP 17 of the South Norfolk Local Plan regarding Alterations and Extensions in Conservation Areas. This policy is only part consistent with the NPPF, but in this instance there is no significant harm to the Conservation Area. The proposal is also considered under policies IMP 8 - Safe and Free Flow of Traffic and IMP 9 Residential Amenity. Policy TOU7 is also relevant here and applies a list of criteria, although this policy is only part consistent with the NPPF because it is less restrictive. 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. Any potential adverse impact on the conservation area has been carefully considered under the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The proposed use

5.4 Planning permission was granted in 2011 to convert the outbuildings at Thorpe Abbotts Place to 4 separate holiday lets and one dwelling (application number 2011/0118). This scheme included conversion of the storage building attached to the cottages into to one separate holiday let, the two cottages already being in residential use. With the exception of the smaller two-storey non-residential storage area at the west side of the building, the proposal is for continuation of existing residential use, within the existing building.

5.5 In view of the above the principle of conversion to residential use is acceptable under the requirements of policy TOU 7 of the South Norfolk Local Plan.

Design and impact on the character of the area

5.6 Policies JCS 2 and IMP 17 of the South Norfolk Local Plan require high quality design and that the design and materials of the scheme are sympathetic to the character and appearance of the building and overall quality of the surroundings.

5.7 The original submission has been amended to improve the appearance of the south and west elevations so that they sit more comfortably with the existing building. The building is not listed and whilst the proposed upvc window units are a material not in keeping with the traditional character of the building and its surroundings, taking into consideration the overall benefits they provide for the proposed residential use, on balance, they are considered acceptable although details of the new units are to be agreed under conditions

- Noise from large gatherings outside, particularly during the summer will carry across to the main part of the village.
- Thorpe Abbotts Place is covered by ENV 13 - a County Wildlife Site.
- Impact on the conservation area.
- Impact on protected species - bats.
- The proposed over development will have a significant impact on the village.
to ensure the best design of window in upvc is provided. The proposed dummy chimney will help to retain the traditional character of existing more distant views, in which the overall appearance of the building will remain much the same, with the exception of the larger first floor windows on the west elevation, which have been re-designed to provide a more sympathetic appearance.

5.8 The previously approved car park area has been extended to provide space for 11 cars. This requires the removal of two trees previously to be retained. The Landscape Officer has been consulted on this and has no objection to removal of the trees but has requested some new planting to help retain some of the existing natural character.

5.9 I therefore consider that the design and layout of the proposed scheme accords with policy guidance in the NPPF regarding heritage assets and satisfies the requirements of both Policy IMP 17 of the South Norfolk Local Plan and Policy 2 of the JCS.

Highways

5.10 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.

5.11 Local residents and the Parish Council have raised concerns regarding the increase traffic, insufficient parking provision and problems created by people parking on the road at the front of the site. However, notwithstanding these concerns, the Highways Authority has assessed the proposal, and subject to the imposition of conditions, it has raised no objection to the proposed development.

Residential Amenity

5.12 Saved Policy IMP 9 - 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.

5.13 With planning permission previously granted the cottages and attached converted storage area could potentially accommodate 12 people (in 6 bedrooms) without any further permission required. This proposal is to create two additional bedrooms by turning the two cottages and attached storage building into one single large holiday let. Although the applicant indicates that the proposed dwelling may be let for holiday purposes, any dwelling may be let in this manner without requiring further planning permission. The application should therefore be assessed as a large dwelling, albeit with potential to accommodate social events ancillary to that use.

5.14 Whilst the substantial size of the residential unit does give the potential for parties to take place the same could be said for any large dwelling and there is nothing about this proposal that shows that the accommodation is specifically designed as a party venue. The owner has been contacted about concerns raised and an informative note would be included on the decision notice to emphasize that the permission granted is for a dwelling and not specifically for a party venue.

5.15 I do not consider that it can be argued that the creation of the proposed large dwelling would inevitably lead to excessive noise or disturbance. As with any such property, this will depend on the residents at any particular time. In these circumstances I do not consider that the application could be refused on the grounds of harm to residential amenity and therefore the proposal does not conflict with policy IMP 9 of the South Norfolk Local Plan.
Protected Species

5.16 There is a bat maternity roost in the roof of the existing building. The application originally proposed that a new barn building would be erected to provide alternative accommodation for the roost. However, following comments from the Ecologist, this aspect of the scheme was not considered acceptable as it cannot be guaranteed that the same bats would use the new building. The proposal has therefore been amended to omit the new barn building and to leave the roost in its current location. The details of how this will be protected will be dealt with through licencing from Natural England and a planning condition is recommended to ensure that such a licence is in place before the development proceeds.

5.17 The site is situated outside the County Wildlife site.

5.18 In view of the above the proposal satisfies the requirements of policy ENV 15 regarding Species Protection.

Drainage

5.19 There is no mains drainage or main sewer in the Thorpe Abbotts and therefore the proposal will require a treatment plant facility and surface water drainage to be agreed under conditions.

Financial requirements

5.20 This application is liable for Community Infrastructure Levy (CIL).

5.21 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

6. Conclusion

6.1 The appearance and scale of the development are considered appropriate for its context and are an acceptable standard of design. The development will not adversely affect the character of the conservation area and ecology issues raised with the scheme have been addressed by the amended proposal. In terms of highways issues and impact on residential amenity the proposal does not conflict policies IMP 8 and 9 of the South Local Plan and therefore I recommend that Committee approve the application.

Contact Officer, Telephone Number Philip Whitehead 01508 533948
and E-mail: pwhitehead@s-norfolk.gov.uk
9. **Appl. No** : 2014/1760/F  
**Parish** : LONG STRATTON

Applicants Name : Mr Grenville Cooper  
Site Address : El Greco The Street Long Stratton Norfolk NR15 2XG  
Proposal : Demolition of existing kebab takeaway building and removal of existing tree. Erection of new replacement building with ground floor retail and a residential flat on the first floor.

Recommendation : Refusal  
1. Loss of tree harms the conservation area and outweighs the benefit of the proposal

This application is brought before committee at the request of the District Member.

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 01: Building a strong competitive economy  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 2 : Promoting good design  
Policy 5 : The Economy  
Policy 14 : Key Service Centres

1.3 South Norfolk Local Plan 2003  
SHO 2: Retail development - impact test (Part Consistent)  
EMP 6: Alterations and extensions to existing business premises  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
IMP 13: Alteration of Listed Buildings (Part Consistent)  
IMP 15: Setting of Listed Buildings  
IMP 18: Development in Conservation Areas.

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies  
DM2.1 Employment and business development  
DM4.9 Protection of Trees and Hedgerows  
DM3.12 Road safety and the free flow of traffic  
DM3.14 Amenity, noise and quality of life  
DM4.11 Heritage Assets

S66(1) Listed Buildings Act 1990 provides: “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
The Court of Appeal in *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC [2014]* has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise. Furthermore, less than substantial harm having been identified does not amount to a less than substantial objection to the grant of planning permission.

S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” It should be noted that the *Barnwell Manor* case principles (see above) are of similar application in the context of s72 duties, also, - i.e. considerable importance and weight must be given.

1.6 Supplementary Planning Document
Long Stratton Conservation Area Character Appraisal and Management Plan

2. Planning History

2.1 2014/1761 Demolition of existing kebab takeaway building and removal of existing tree. Erection of new replacement building with ground floor retail and a residential flat on the first floor. Approved

2.2 2003/0351 Change of use from A3 to A1/A2 and removal of extract flue approved

2.3 2002/0127 Advertisement on business premises approved

2.4 2001/1982 Display of illuminated advertisement on premises refused

2.5 2001/0356 Change of use from A1 & A2 to A3 & erection of chimney approved

3. Consultations

3.1 Parish Council No comments received

3.2 District Member Proposal will improve area and street scene, increase employment opportunities and choice of shops. Policy EMP 6 is relevant as is policy IMP 16 as it will improve the conservation area. Applicant could plant new trees to offset loss of protected tree.

3.3 Flood Defence Officer Recommend condition regarding surface water drainage.

3.4 Conservation Officer Proposed demolition will not result in loss of any important historic fabric, will enhance courtyard area. No adverse impact on character and appearance of listed building. Joinery, external finishes, roof lights and tiles could be agreed by condition.

3.5 NCC Highways Recommend condition to prevent doors or windows opening outwards over public rights of way.

3.6 Environmental Services (Protection) Recommend conditions regarding disposal of any waste generated by demolition, unidentified contamination, external lighting and advisory notes regarding foul water and noise attenuation.
3.7 Landscape Officer  
Lime tree is protected by a tree preservation order and significance in the conservation area is highlighted in the Conservation Area Character Appraisal. No information has been submitted regarding the tree's health to justify removal. This application should be refused as contrary to policy 2 of the Joint Core Strategy, policies IMP2 and ENV19 of the South Norfolk Local Plan and policy DM4.9 of the development management document of the emerging local plan.

3.8 Representations  
2 letters of objection
- Another residential unit will increase parking problems in the area, already major parking problem at Queens Court.
- Existing car park always full in evenings.
- Nearby parking designated for other commercial units.
- Oppose removal of tree. Proposal should retain tree and parking places.
- Type of proposed retail is unclear.

1 letter with following observations
- existing boundary wall to remain and be repaired and access to flats should be gated entry for residents only
- commercial bin outside of gated area
- agree to 3 flats only - no bedsit as will add to noise from existing flats
- object to any door or signage on footpath frontage
- concern regarding usage of proposed shop and noise from workshop area
- Queens Court residents should be allowed to buy land and extend gardens
- sunlight to garden and back of house affected
- lack of parking for retail customers and residents of flats
- additional traffic onto A140

2 letters of support

4 Assessment

4.1 The application site comprises the El Greco Kebab House which is sited on the west side of Coopers Court and is within the development boundary and defined central business area of Long Stratton. It is adjacent to Coopers Court which is in mixed commercial and residential use and is a grade II listed building. El Greco is a single storey addition of more recent construction. The site is bounded by residential development to the west and a public footpath, chip shop and car park to the south. A mature lime tree which is sited 3 metres to the front of this property is the subject of a tree preservation order.

4.2 Applications for planning permission and listed building consent have been submitted which propose the demolition of this building, removal of the protected lime tree and construction of a replacement two storey building with a retail unit at ground floor and a single residential unit at first floor. The proposed replacement building would have a width of 11 metres, a maximum depth of 7 metres and would be attached to and so would form an extension of the adjacent listed building. It would be set back 250mm from the edge of the public footpath along the southern boundary.

4.3 The corresponding application for listed building consent under reference no. 2014/1761 has been recommended for approval under delegated powers as no objections have been raised to the proposed alterations to the listed building.
Principle of proposed use

4.4 This site is within the central business area where the Council seeks to encourage shops and services. The loss of the existing hot food takeaway would not have an adverse impact on the central business area as it is already well served with similar businesses. It is considered that the nature and scale of the proposed retail unit is in keeping with the size of the settlement, would enhance its central business area and so accords with policy SHO2 of the South Norfolk Local Plan (SNLP). The application site is within the development boundary where there is a presumption in favour of residential development and such development above shops is encouraged by national guidance. Policy EMP6 permits the alteration or expansion of existing business premises providing that no adverse impacts are identified.

Design and appearance

4.5 The proposed building has been designed with a pitched roof and relatively low eaves height to reflect the scale, appearance and traditional character of the listed building in Coopers Court. The listed building officer has no objection to the demolition of the existing single storey building which is of poor quality and is satisfied that there would be no adverse impact on the character and appearance of this listed building.

Residential amenity

4.6 The proposed building would be set back 1.5 metres from the western boundary of the site to provide pedestrian access to the service area to the rear. As a result, it would maintain a distance of at least 7 metres from the side elevation of the residential property to the west. It is designed with low eaves along this side and so would not appear unduly prominent from or harm the residential amenity of the occupiers of this property by virtue of overshadowing. The proposed first floor residential unit would be served by two roof lights on this side to prevent the introduction of overlooking.

Parking

4.7 The applicant has confirmed that 8 existing parking spaces provided on the south side of Coopers Court will be retained as part of the development. Concern has been expressed by residents in Queens Court regarding ongoing street parking affecting their residential cul de sac. However, it is considered that the parking demand generated by the proposed development would be no greater than the existing use and NCC Highways have not raised any objections. Therefore, it is considered that the existing parking provision is adequate and the proposal would not adversely impact upon local highway conditions.

Impact of tree loss

4.8 This application includes the removal of the protected lime tree to allow the construction of the proposed building. Policy IMP2 of the SNLP and policy DM 4.9 seek the retention of existing landscape features which make a positive contribution to an area. Policy DM 4.9 of the emerging plan also seeks to safeguard protected trees unless the need for, and benefits of, a development clearly outweighs their loss. Policy IMP 18 of the SNLP resists development which would affect the character, appearance and setting of a conservation area. The Long Stratton Conservation Area Character Appraisal states that trees, both individual specimens and in groups, play an important visual role within the conservation area. This lime tree is surrounded by hard surfacing and close to buildings but it has survived this intrusion, adapted to its immediate environment and is now a mature tree of considerable height and attractive shape and form which is visible in views from the north and south along the A140 and from the west along the public footpath. This tree contributes to the visual amenity of the prominent open space between these buildings and makes a significant contribution to the character and appearance of the conservation area, both of which would be harmed by its removal.
CIL

4.9 This application would be liable for Community Infrastructure Levy (CIL) as a new residential unit is proposed.

4.10 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

5 Conclusion

5.1 Notwithstanding the grant of listed building consent for the proposed listed building alterations, the removal of the lime tree which is the subject of a tree preservation order would be harmful to the character, appearance and setting of the conservation area and so would be contrary to the aims of policy IMP2 and policy IMP18 of the SNLP. The applicant has not demonstrated that the benefits of the proposed development would outweigh the harm caused by the loss of this tree which is also contrary to policy DM 4.9 of the emerging South Norfolk Plan.

Contact Officer, Telephone Number Blanaid Skipper 01508 533985
and E-mail: bskipper@s-norfolk.gov.uk
10. **Appl. No**: 2014/1903/F  
    **Parish**: WYMONDHAM  

- **Applicants Name**: Mr Julian Freeman  
- **Site Address**: Little Dial Farm Station Road Spooner Row Wymondham NR18 9SP  
- **Proposal**: Change of use of Land for Self Storage Purposes (B8 usage) and the siting of Storage Containers

**Recommendation**: Refusal

1. **Planning Policies**

1.1 National Planning Policy Framework  
   - NPPF 01: Building a strong competitive economy  
   - NPPF 07: Requiring good design  
   - NPPF 10: Meeting the challenge of climate change, flooding and coastal change  
   - 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 5: The Economy  
   - Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan 2003  
   - IMP 8: Safe and free flow traffic  
   - IMP 9: Residential amenity  
   - ENV 8: Development in the open countryside (Part Consistent)

1.4 Emerging South Norfolk Local Plan  
   - Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies Document  
   - Policy 1.3 The sustainable location of new development  
   - Policy 2.1 Employment and business development

2. **Planning History**

2.1 There is no relevant planning history for this site.

3. **Consultations**

3.1 Parish Council: Recommend approval.  
3.2 District Member: To be reported if appropriate  
3.3 NCC Highways: No objections subject to conditions regarding parking and turning area and visibility splays.  
3.4 Ecologist: No objections.
3.5 Conservation Officer No objections - The location for the containers is some distance away from the farmhouse and outside of its immediate curtilage. The proposal would not cause harm to views of the farmhouse or its setting.

3.6 Environmental Services (Protection) No objections.

3.7 Representations One letter of objection from Gurney Reeve (company opposite) raising concerns regarding additional traffic and unsuitable access.

4 Assessment

Proposal

4.1 The proposal is for the change of use of the land for storage purposes (B8 use) and the installation of 38 storage containers for the purposes of providing self-storage facilities to both domestic and commercial customers at Little Dial Farm, Station Road, Spooner Row. The containers would be 6.09m long x 2.43m wide x 2.69m tall. Also proposed is a permeable roadway to access the containers, concrete bases and a new gate. The proposal would create one new full time job.

4.2 The proposed site is the northern part of an agricultural field, with Station Road immediately to the north east and London Road to the north west. It is approximately halfway between the towns of Wymondham and Attleborough, with the nearest village being Spooner Row. It is surrounded by mature hedgerows. Little Dial Farm, a grade II listed building occupied by the applicant lies to the south east, and the driveway for this property would also form the access to the site. The A11 is in close proximity to the south and opposite the site entrance are premises occupied by Gurney Reeve and Co., a company manufacturing sweeping and materials handling equipment. The land is designated as open countryside within the South Norfolk Local Plan.

4.3 The main considerations are the principle of development, visual impact of the development including on the listed building, impact on highways and impact on neighbouring occupiers.

Principle of development

4.4 Previously this type of proposal would have been considered under policies ENV 8 and EMP 4 of the South Norfolk Local Plan (SNLP), however these policies are not consistent with the NPPF in relation to employment development which promotes a less restrictive approach more to economic development proposals. Policy 17 of the Joint Core Strategy (JCS) states that farm diversification, home working, small and medium scale commercial enterprises where a rural location can be justified will be acceptable in the countryside. In addition some weight can be attached to policies DM 1.3 and DM 2.1 of the Development Management Policies Document (Proposed Submission Version).

4.5 Policy DM 1.3 requires proposals to positively contribute towards sustainable development. Proposals should be located on allocated sites or within the defined development boundaries of settlements. Where the proposal is for a new employment site within the countryside, Policy DM 2.1 emphasises a preference for proposals that: would re-use redundant rural buildings and hard standings; are located on sites well related to rural towns and villages and it is demonstrated that there are no sequentially preferable sites available; and that would create accessible jobs and business opportunities in the rural area.
The proposal is on a greenfield site and is not particularly well related to an existing town or village. No information has been provided as to whether there are alternative sites or premises within identified development limits which are suitable or available. In addition the proposed business is not one that demands a rural location, so there is no particular justification for the proposed siting within the countryside. The proposal therefore conflicts with the aforementioned policies. It would also lead to vehicle movements to a rural location which would not accord with guidance within the NPPF and policy 1 of the Joint Core Strategy, which seek to reduce carbon emissions and the causes of climate change.

Visual impact of the development including on the listed building

S66(1) Listed Buildings Act 1990 provides: “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

The Court of Appeal in Barnwell Manor Wind Energy Ltd v East Northamptonshire DC [2014] has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise. Furthermore, less than substantial harm having been identified does not amount to a less than substantial objection to the grant of planning permission.

The site is well screened from public view by mature hedgerows so there would be a limited visual impact on the wider countryside. Although there would be some visual impact in that it would affect the approach to the listed building, the location of the containers would be some distance away from the building and outside of its immediate curtilage. The Listed Building officer raises no objection in terms of the impact on the setting of the heritage asset. On balance, in terms of the visual impact, there is considered to be no material conflict with policy 2 of the Joint Core Strategy and policy ENV 8 of the South Norfolk Local Plan in so far as they safeguard the landscape character and appearance of the area.

Impact on Highways

The applicant estimates that 90% of the storage containers would be let for domestic clients wishing to store their possessions. The combined vehicle movements predicted therefore would be approximately 2.7 vehicle movements per day.

The Highway Officer raises no objection subject to conditions requiring confirmation of parking/turning areas within the site and an improved access/visibility splay. The land adjoining the access is within the control of the applicant and therefore adequate visibility would be achieved. The proposal complies with policy IMP 08 of the South Norfolk Local Plan in that it would not prejudice highway safety.

Impact on neighbouring occupiers

Policy IMP 9 of the South Norfolk Local Plan requires development proposals to safeguard residential amenity. Aside from the farmhouse there are no other residential properties within the immediate vicinity of the site. Given the low number of vehicle movements anticipated and relatively low noise impact of the proposal, it is considered there would be no material harm to neighbouring occupiers.

Conclusion

Whilst the proposal would lead to a modest benefit in that it would create one full time job, it would lead to the development of a greenfield site in open countryside for a use which does not require a countryside location. The proposal is therefore not consistent with relevant policies in national guidance and local planning policy which seek to ensure sustainable...
forms of development and a preference for locating employment on allocated sites, within
development boundaries, or by re-using previously developed buildings/land. It is
considered that this overrides the benefits of the scheme and as a result it is recommended
that planning permission be refused.

4.14 Under Section 143 of the Localism Act the council is required to consider the impact
on local finances. This can be a material consideration but in the instance of this
application the other material planning considerations detailed above are of greater
significance.

4.15 This application is not liable for Community Infrastructure Levy (CIL) as no new floor space
would be created.

5 Reasons for Refusal

5.1 The proposal is for the development of land in the open countryside for a business use which is
not related to the countryside and does not necessitate a rural location. It has not been
demonstrated that there are no alternative sites or premises within the identified development
limits of nearby towns and villages, and no other special justification has been made for the
location of the proposal. The proposal therefore does not constitute a sustainable form of
development and conflicts with policies 1 and 17 of the Joint Core Strategy for Broadland,
Norwich and South Norfolk, and policies 1.3 and 2.1 of the Development Management Policies

Contact Officer, Telephone Number Robert Webb 01508 533681
and E-mail: rwebb@s-norfolk.gov.uk
Agenda Item 7
Planning Appeals
Appeals received from 03 October 2014 to 4 November 2014

<table>
<thead>
<tr>
<th>Ref</th>
<th>Parish / Site</th>
<th>Appellant</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014/0025</td>
<td>Bramerton Land East Of Orchard House The Street Bramerton Norfolk</td>
<td>Mr Neil Walker</td>
<td>Proposed 8 no residential units, with associated garages, parking, garden and related infrastructure.</td>
</tr>
<tr>
<td>2014/1409</td>
<td>Diss 15 Vinces Road Diss Norfolk IP22 4HG</td>
<td>Mrs F Prior</td>
<td>Single bungalow being converted into two semi-detached bungalows.</td>
</tr>
</tbody>
</table>

Planning Appeals
Appeals decisions from 03 October 2014 to 4 November 2014

<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>2013/0105</td>
<td>Hempnall Land Surrounding Busseys Loke North Of Bungay Road, Hempnall And Including Land Adjacent To The B1527 And At The Junction Of The B1527 And B1332, Woodton, Norfolk</td>
<td>Streetwood Wind Farm Norfolk Limited</td>
<td>Erection of 3 wind turbines with a maximum height of 126.5m and associated development for a period of 25 years, including control building, electricity transformers, underground cabling, access tracks, crane hard standing, new vehicular access, culvert and off-site highway works</td>
<td>Development Management Committee</td>
<td>Appeal dismissed</td>
<td></td>
</tr>
<tr>
<td>Ref</td>
<td>Parish / Site</td>
<td>Appellant</td>
<td>Proposal</td>
<td>Decision Maker</td>
<td>Final Decision</td>
<td>Appeal Decision</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------</td>
<td>----------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>2013/0875 Barford 18 Chapel Street Barford Norfolk NR9 4AB</td>
<td>Mr James Bamford</td>
<td>Oak (T2 on TPO schedule) - for the owners of 14 Chapel Street to remove, whenever they wish and without reference to South Norfolk Council, any bough or branch which overhangs the curtilage of their property, in accordance with their rights under English Common Law and the principle of natural justice.</td>
<td>Delegated</td>
<td>Refusal</td>
<td>Appeal dismissed</td>
<td></td>
</tr>
</tbody>
</table>