Development Management Committee

Members of the Development Management Committee:

<table>
<thead>
<tr>
<th>Conservatives</th>
<th>Liberal Democrats</th>
<th>South Norfolk Independent Grp</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr J Mooney (Chairman)</td>
<td>Dr M Gray</td>
<td>Mr J Herbert</td>
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<tr>
<td>Mr D Blake (Vice-Chairman)</td>
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<tr>
<td>Mrs Y Bendle</td>
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<tr>
<td>Mrs F Ellis</td>
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<tr>
<td>Mr C Gould</td>
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<tr>
<td>Mr L Hornby</td>
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<tr>
<td>Dr C Kemp</td>
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<tr>
<td>Dr N Legg</td>
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<tr>
<td>Mrs L Neal</td>
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</tr>
</tbody>
</table>

Pool of Substitutes

<table>
<thead>
<tr>
<th>Mr L Dale</th>
<th>Mrs V Bell</th>
<th>Mr K Weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr C Foulger</td>
<td></td>
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<tr>
<td>Mr B Riches</td>
<td></td>
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<tr>
<td>Mr R Savage</td>
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<tr>
<td>Mr G Walden</td>
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</tr>
</tbody>
</table>

Pre-Committee Members' Question Time

9.00 am Blomefield Room

Agenda

Date
Wednesday 7 January 2015

Time
10.00 am

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

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

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

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

The order of the agenda may change at the discretion of the Chairman, so it is advisable to arrive at the commencement of the meeting if you are intending to speak.

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

Large print version can be made available

23/12/2014
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**

**OCASIONALLY, 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 8)

4. Minutes of the meetings of the Development Management Committee held on 10 December 2014;
   (attached – page 10)

5. Planning Applications and Other Development Control Matters;
   (attached – page 24)
   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>2014/0799/O</td>
<td>WYMONDHAM</td>
<td>Wymondham Rugby Club and Land West of Elm Farm Norwich Common</td>
<td>24</td>
</tr>
<tr>
<td>2</td>
<td>2014/0889/F</td>
<td>MARLINGFORD AND COLTON</td>
<td>Viking Nurseries Ltd, The Old Fruit Farm, High House Farm Lane Colton</td>
<td>56</td>
</tr>
<tr>
<td>3</td>
<td>2014/1440/D</td>
<td>COSTESSEY</td>
<td>Land at Townhouse Road Costessey</td>
<td>67</td>
</tr>
<tr>
<td>4</td>
<td>2014/1857/F</td>
<td>GREAT MOULTON</td>
<td>Post Office Hallowing Lane Great Moulton</td>
<td>88</td>
</tr>
<tr>
<td>5</td>
<td>2014/1365/F</td>
<td>BRESSINGHAM</td>
<td>Bressingham Hall Low Road Bressingham</td>
<td>92</td>
</tr>
<tr>
<td>6</td>
<td>2014/1366/LB</td>
<td>BRESSINGHAM</td>
<td>Bressingham Hall Low Road Bressingham</td>
<td>92</td>
</tr>
<tr>
<td>7</td>
<td>2014/2262/F</td>
<td>BRESSINGHAM</td>
<td>Bressingham Hall Low Road Bressingham</td>
<td>102</td>
</tr>
<tr>
<td>8</td>
<td>2014/2269/RVC</td>
<td>HETHERSETT</td>
<td>32A Mill Road Hethersett</td>
<td>109</td>
</tr>
<tr>
<td>9</td>
<td>2014/2282/F</td>
<td>COSTESSEY</td>
<td>Pitch 3 Roundwell Caravan Site Dereham Road Costessey</td>
<td>113</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. Enforcement Proceedings Quarterly Report (for information)
   (attached – page 116)
8. Planning Appeals (for information) (attached – page 120)

9. Date of next scheduled meeting – Wednesday 4 February 2015
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

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Key to abbreviations used in Recommendations

<table>
<thead>
<tr>
<th>CNDP</th>
<th>Cringleford Neighbourhood Development Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>J.C.S</td>
<td>Joint Core Strategy</td>
</tr>
<tr>
<td>LSAAP</td>
<td>Long Stratton Area Action Plan – Pre Submission</td>
</tr>
<tr>
<td>N.P.P.F</td>
<td>National Planning Policy Framework</td>
</tr>
<tr>
<td>P.D.</td>
<td>Permitted Development – buildings and works which do not normally require planning permission. (The effect of the condition is to require planning permission for the buildings and works specified)</td>
</tr>
<tr>
<td>S.N.L.P</td>
<td>South Norfolk Local Plan 2003</td>
</tr>
<tr>
<td>S.D.</td>
<td>Site Specific Allocations and Policies Document – Pre Submission</td>
</tr>
<tr>
<td>N.D.</td>
<td>Development Management Policies Document – Pre Submission</td>
</tr>
<tr>
<td>WAAP</td>
<td>Wymondham Area Action Plan – Pre Submission</td>
</tr>
</tbody>
</table>
DEclarations of interest at meetings

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

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

YES

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

NO

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

YES

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

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

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

Is it a matter I have been, or have lobbied on?

NO

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

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday 10 December 2014 at 10.00 am.

Committee Members Present: Councillors J Mooney (Chairman), Y Bendle, D Blake, F Ellis, C Gould, M Gray, L Hornby, C Kemp, N Legg and L Neal

Apologies: Councillor J Herbert

Substitute Members: Councillor K Weeks

Officers in Attendance: The Development Manager (H Mellors), the Place-Shaping and Major Projects Team Leader (J Hobbs), the Planning Decisions and Enforcement Team Leader (C Trett), Senior Planning Officers (C Raine T Lincoln and R Webb) and the Planning Officer (H Bowman)

(63 members of the public were in attendance)

175. 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>Item 1 2013/1793/O</td>
<td>CRINGLEFORD</td>
<td>All</td>
<td>Local Planning Code of Practice – Lobbied by Parish Council</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C Kemp</td>
<td>• Other interest – Subscribing member of English Heritage</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Local Planning Code of Practice – Lobbied by Colney Parish Meeting</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Declaration under s.25 Localism Act</td>
</tr>
<tr>
<td>Item 3 2014/1302/O</td>
<td>CAISTOR ST EDMUND</td>
<td>L Neal</td>
<td>Local Planning Code of Practice – Lobbied by Applicant</td>
</tr>
<tr>
<td>Item 4 2014/1342/D</td>
<td>FRAMINGHAM EARL</td>
<td>L Neal</td>
<td>Local Planning Code of Practice – Lobbied by Objector</td>
</tr>
<tr>
<td>Item 5 2014/1642/O</td>
<td>SWARDESTON</td>
<td>L Neal</td>
<td>Local Planning Code of Practice – Lobbied by Objector</td>
</tr>
<tr>
<td>Item 7 2014/2278/RVC</td>
<td>LONG STRATTON</td>
<td>Y Bendle</td>
<td>Local Planning Code of Practice – Cabinet member (left the meeting)</td>
</tr>
<tr>
<td>Item 8 2014/0096/O</td>
<td>WYMONDHAM</td>
<td>All</td>
<td>Local Planning Code of Practice – Lobbied by Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>L Hornby</td>
<td>Other interest - Member was previously a customer of Applicant</td>
</tr>
<tr>
<td>Application</td>
<td>Parish</td>
<td>Councillor</td>
<td>Declaration</td>
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<td>-------------------------------------------------</td>
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<tr>
<td>Item 10</td>
<td>THURLETON</td>
<td>All</td>
<td>Local Planning Code of Practice – Lobbied by Local Member</td>
</tr>
<tr>
<td>2014/2077/F</td>
<td></td>
<td>D Blake</td>
<td>Local Planning Code of Practice – Lobbied by Objector</td>
</tr>
<tr>
<td>Item 12</td>
<td>BERGH APTON</td>
<td>D Blake</td>
<td>Local Planning Code of Practice – Lobbied by Applicant and Objector</td>
</tr>
<tr>
<td>2014/2117/F</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Enforcement 1</td>
<td>TIVETSHALL ST</td>
<td>C Kemp</td>
<td>Other – Applicant is known to the member</td>
</tr>
<tr>
<td>2013/8230</td>
<td>MARGARET</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**176. MINUTES**

The minutes of the Development Management Committee dated 14 November 2014 were confirmed as a correct record and signed by the Chairman.

**177. 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>Item 1</td>
<td>CRINGLEFORD</td>
<td>Prof M Wagstaff, Cridgeford Parish Council</td>
</tr>
<tr>
<td>2013/1793/O</td>
<td></td>
<td>Dr G Martin, Colney Parish Council</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr P Biggs, Agent for Applicant</td>
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<td></td>
<td></td>
<td>Cllr G Wheatley, Local Member</td>
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<tr>
<td></td>
<td></td>
<td>Cllr J Virgo, County Councillor</td>
</tr>
<tr>
<td>Item 2</td>
<td>TIVETSHALL ST MARY</td>
<td>Mr T Jollans, Parish Council</td>
</tr>
<tr>
<td>2014/1305/O</td>
<td></td>
<td>Mr E Kirby, Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mrs C Kirby, Objector</td>
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<tr>
<td></td>
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<td>Cllr M Wilby, Local Member</td>
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<td>Item 3</td>
<td>CAISTOR ST EDMUND</td>
<td>Mr T Loveday, Parish Council</td>
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<td>2014/1302/O</td>
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<td>Mr N McNab, Agent for Applicant</td>
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<td>Cllr T Lewis, Local Member</td>
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<td>Item 4</td>
<td>FRAMINGHAM EARL</td>
<td>Ms J Sykes, Parish Council</td>
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<td>2014/1342/D</td>
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<td>Mr A Presslee, Agent for Applicant</td>
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<td>Mr V Douglas, Agent for Applicant</td>
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<td>Cllr J Overton, Local Member</td>
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<td>Item 5</td>
<td>SWARDESTON</td>
<td>Mr D Futter, Agent for Applicant</td>
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<td>Item 6</td>
<td>COSTESSEY</td>
<td>Mr T Hull, Applicant</td>
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<td>2014/2031/O</td>
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<td>Item 8</td>
<td>WYMONDHAM</td>
<td>Ms B Birkhill, Objector</td>
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<td>2014/0096/O</td>
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<td>Mr M Howe, Agent for Applicant</td>
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<td>Cllr C Foulger, Local Member</td>
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<td>Item 9</td>
<td>WYMONDHAM</td>
<td>Mr P Dimoglou, Objector</td>
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<td>2014/1851/F</td>
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<td>Mr N Binks, Applicant</td>
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<td>Mr D Futter, Agent for Applicant</td>
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<td>Item 10</td>
<td>THURLETON</td>
<td>Mrs H Longman, Parish Council</td>
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<td>2014/2077/F</td>
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<td>Mr R Smith, Agent for Applicant</td>
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<td>Item 12</td>
<td>BERGH APTON</td>
<td>Mrs S Lawrence, Objector</td>
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<td>2014/2117/F</td>
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<td>Mr G Lewin, for the Applicant</td>
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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.

178. ENFORCEMENT REPORTS

Members considered the report of the Director of Growth and Localism regarding the enforcement case at Tivetshall St Margaret (ref: 2013/8230).

It was RESOLVED to authorise enforcement action to cease the residential use of the building.

Members considered the report of the Director of Growth and Localism regarding the enforcement case at Needham (ref: 2014/8238).

It was RESOLVED to authorise enforcement action to cease the residential use of the site.

179. PLANNING APPEALS

Members noted the Planning Appeals.

(The meeting closed at 4.00 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.

Applications referred back to Committee

| 1 | Appl. 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 Norfolk |
|   | 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 6-5 for APPROVAL |

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 is liable for Community Infrastructure Levy, which will be collected at the reserved matters stage.

Note: There is potential for this 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

Letter from Cringleford Parish Council submitted to all members of Development Management Committee raising the following issues:
- Report is inconsistent with earlier published report.
- Weight given to policies should be reconsidered.
- Weight attributed to neighbourhood development plan should be more important
- Coordinated approach not shown across two application sites

Officer response: The comments are noted but the compliance with the Cringleford Neighbourhood Development Plan has been considered in full. The previous report considered the application in the previous context of no five year land supply as required by the National Planning Policy Framework, now one can be demonstrated the report revises the consideration to align with the correct paragraphs of the NPPF.

The previous report identified the development was considered to comply with the neighbourhood development plan, to which this report also concurs.

The coordinated approach was considered in full, along with the housing density and numbers, and remains as reported in the previous report.
Two additional letters of representation received since the committee report was written:
- Concern relating to compliance with the neighbourhood plan, coordinated approach and total number of dwellings
- Impact on highway function with additional traffic
- Capacity of schools

Officer response: The compliance with the neighbourhood plan has been fully considered in the report, along with the impact on highway function and safety. There are no further comments to those already published on these issues. The availability of school places has also been raised. This matter was given consideration by Norfolk County Council Education Services, and subject to securing land for an extension to the primary school through the accompanying Section 106 there was considered to be sufficient capacity for both primary and secondary school places (paragraph 4.15 of original report, page 28 of agenda).

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<tr>
<th>2</th>
<th>Appl. No</th>
<th>2014/1305/O</th>
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<tr>
<td></td>
<td>Parish</td>
<td>TIVETSHALL ST MARY</td>
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<td></td>
<td>Applicants Name</td>
<td>Mrs Elaine Peacock</td>
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<td>Site Address</td>
<td>Land South East Of Shangri-la The Street Tivetshall St Mary Norfolk</td>
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<td>Proposal</td>
<td>Outline application for the erection of 2 No. 3 or 4 bedroom dwellings</td>
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<td>Decision</td>
<td>Members voted 9-0 (with one abstention) to Authorise the Director of Growth and Localism to APPROVE</td>
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Approved with conditions

1 Outline Permission Time Limit
2 Reserved matters
3 Height restrictions - plot 1 (single story)
4 In accordance with plans
5 Standard Highway details required
6 Foul drainage to main sewer
7 Surface water drainage details required
8 Water efficiency standard to be met
9 Access direct to The Street, not through adjacent site

Updates
Further indicative plans received
A further letter and accompanying indicative plans have been received from the planning agent. The letter makes the following points:

- The scale of development has been reduced to reflect local concerns and a further indicative layout has been submitted
- The dwellings are shown as single storey only further reducing the impact on neighbouring occupiers
- The proposed development would not affect the overall grain and visual amenities of the area and would sit quite comfortably within both the immediate and wider context of the village.

Change to Applicant
The name of the applicant has been amended to Mrs Elaine Peacock.
### Major applications or applications raising issues of significant precedent

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<tr>
<th>No</th>
<th>Appl. No</th>
<th>Parish</th>
<th>Applicants name</th>
<th>Site Address</th>
<th>Proposal</th>
<th>Decision</th>
<th>Updates</th>
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<tr>
<td>3</td>
<td>2014/1302/O</td>
<td>CAISTOR ST EDMUND</td>
<td>Mrs Val Hope</td>
<td>Land North Of Heath Farm Caistor Lane Caistor St Edmund Norfolk</td>
<td>Erection of 16 dwellings (5 affordable, 11 market) and proposed access to the south of Caistor Lane.</td>
<td>Members voted unanimously for <strong>REFUSAL</strong></td>
<td>1. Development outside development boundary and contrary to local plan policy ENV8</td>
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| 4  | 2014/1342/D | FRAMINGHAM EARL           | Charles Church Ltd      | Land North-west Of Pigot Lane Framingham Earl Norfolk | 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 | Members voted 6-5 (there was one abstention and the Chairman used his casting vote) for **APPROVAL** | Approved with conditions  
1. In accordance with plans  
2. External materials as in accordance with submitted schedule  
3. The development shall be constructed in accordance with the tree protection plan hereby submitted  
4. Surface water drainage details to be agreed with technical advice provided  
5. Management of surface water attenuation features  
6. Removal of permitted development rights for bungalows to west of plot, relating to roof alterations and dormer windows  
7. Removal of permitted development rights to prevent garages being converted to living accommodation  
Subject to confirmation from the Environment Agency and Anglian Water that they have no objection to the scheme. |

**Updates**

The following are the comments of Framingham Earl Parish Council, unfortunately these were mistakenly not included in the current report despite being received prior to the report being published (those shown at paragraph 3.1 are from Framingham Pigot Parish Council which is the neighbouring Parish Council to the development).

1. **Site Layout:** This village site is in the countryside adjacent to open fields and woodland with an exit from a narrow tree-lined country lane. The Council therefore does not approve the layout of mainly straight rows of dwellings which is not in keeping with the setting and the surrounding environment of the site.

Officer response: As highlighted in paragraph 4.11 of the committee report, condition no. 3 of the outline approval required the agreement of a masterplan for the site prior to the submission
of any reserved matters application. This was duly considered and approved under 2014/0790. It is considered that the current scheme reflects that agreed under the masterplan in having due regard to the key components of the site such as the established field patterns which border and run through the site, and the frontage development of Pigot Lane.

2. Access and Exit Roads: The Council’s concerns regarding the proposals for three exits from the site, replacing one exit on the approved outline application, still stand. Pigot Lane is a narrow country lane and is well used as a route by vehicles and cyclists between the A146 road and Poringland. Dog walkers and pedestrians regularly use this lane as part of a circular route. Traffic will be increased even further when the new EACH hospice is built on the opposite side of Pigot Lane to this development. The Council envisages there could be several vehicles exiting from the site into Pigot Lane all at the same time and within close proximity. It is not only residents’ vehicles but also their visitors, service engineers, goods deliveries, refuse collectors, mail delivery, health visitors, etc. The Council, therefore, is concerned about accidents which could potentially be caused by having three exits from the site, all in near proximity, instead of the one originally approved.

Officer response: As highlighted in the committee report at paragraph 4.14, the proposed arrangement has been assessed by the Highway Authority (NCC) who are satisfied that this would not compromise highway safety or the free flowing of traffic on the local highway network.

3. Junction of Pigot Lane with Long Road near the roundabout on the B1332: The dangerous situation at this junction was emphasised [with photographs, distances, and accounts of accidents and near misses which had already taken place at this junction] in the presentation by our Chairman at the Planning Committee when the Outline Planning Application was being considered. The Council requested that consideration should be given to improve this junction in order to prevent further accidents when traffic would be greatly increased from development in Pigot Lane as well as from the hospice. This request still stands.

Officer response: As highlighted by the Parish Council above, this issue was assessed at the appropriate time, namely in the consideration of the outline application. Paragraph 4.14 of the committee report assesses highway safety related concerns.

4. Arboricultural Impact Assessment Report: The Council notes that trees are being removed from ‘open spaces’ and being replaced in people’s gardens which over time could become intrusive to the property with the result that owners may fell them. In the report, Item 8.1, it is noted that advice is to be obtained on whether there are any Tree Preservation Orders in place. It is the Council’s wish for consideration to be given to TPOs being placed on newly planted trees if relevant.

Officer response: As highlighted in paragraph 4.10, there has been discussions between the Council’s Officers and the agents with regard to ensuring that as many existing trees are retained as possible, including all which are considered to be of most significance and benefit to the area. These discussions have also resulted in a suitable programme of protection for the trees to be retained on-site. It is not considered appropriate to attach TPO’s to the new trees proposed as part of this scheme.

5. Drainage: The Council’s concerns about the surface water from Oaklands causing problems both in Oaklands and on the new development appears to be dealt with by the conditions recommended in the letter from the Environment Agency [dated 5th April 2012 under planning application ref. 2011/1284] being observed and that the responsibility for maintenance of the surface water detention basin is clarified.
Officer response: The Parish Council are correct in that the conditions attached to the outline approval do require the agreement of an appropriate drainage scheme. This point has been reiterated in a more detailed set of conditions for drainage which are recommended in the current committee report. Paragraph 4.7 of the committee report addresses this point.

6. Public footpath from the site to Long Road: The extent of the footpath on the site plan is not as stated within planning application condition 11 under planning application ref 2011/1284 of a footpath 1.8 m wide from the site linking up with the footpath on Long Road. The present plans show it terminating at the end of the site. It is in the interest of safety that the path should be extended to Long Road.

Officer response: Condition 11 from the outline approval for this site remains applicable in requiring the details of a footpath alongside Plgot Lane between the site and the junction with Long Road. It should be noted that the layout plan submitted does highlight that this is to be provided. Paragraphs 4.16 and 4.17 highlight the position in relation to this point and other highway related conditions attached to the outline approval.

Condition 5 in the committee report is not required in light of condition 6 of the outline approval for the site being sufficient to deal with foul water drainage prior to commencement of development.

5  
Appl. No : 2014/1642/O  
Parish : SWARDESTON

Applicants name : Jenkinson Properties Ltd  
Site Address : Land Off Bobbins Way Swardston Norwich NR14 8DT  
Proposal : Outline application with all matters reserved except for access for demolition of existing buildings, residential redevelopment and ancillary works

Decision : Members voted unanimously for REFUSAL

Refused

1. Development outside development boundary and contrary to local plan policy ENV8

Updates

Representation: One additional letter of objection received via MP from a household which had already written in.
Officer response: No new issues raised

Norfolk County Council Highways: Raised issues over surface water disposal capacity of ditches.
Anglian Water: Will not be commenting in time for committee.
Officer response: Further investigatory work is required to establish the Surface Water Drainage Strategy given the Environment Agency have removed their objection it is considered that further investigation could be covered by a suitably worded condition.
Development Management Committee 10 December 2014

6  Appl. No : 2014/2031/O
Parish : COSTESSEY

Applicants name : Mr Tony Hull
Site Address : Costessey Junior School Three Mile Lane Costessey Norfolk NR5 0RR
Proposal : Outline application for the erection of new extension block to create new classroom building for years R, 1 and 2. New pedestrian and emergency vehicular access to Upper Breckland Road.

Decision : Members voted 10-0 for APPROVAL

Approved with conditions

1 Outline time limit
2 Reserved matters to be agreed
3 In accordance with approved plans
4 Surface Water Management Strategy
5 Provision of relocated sports pitches
6 External lighting details to be agreed
7 Provision of emergency vehicular access
8 Access in accordance with approved plans
9 Vehicular access gradient
10 Provision of emergency access visibility
11 Provision of parking area
12 Off-site highway works for pedestrian access
13 Completion of off-site highway works
14 Securing Traffic Regulation Order 1
15 Securing Traffic Regulation Order 2
16 Review of existing school travel plan

Major applications on land owned by and submitted by South Norfolk Council

7  Appl. No : 2014/2278/RVC
Parish : LONG STRATTON

Applicants name : South Norfolk Council - Mr Stuart Bizley
Site Address : Cygnet House Swan Lane Long Stratton Norfolk NR15 2UY
Proposal : Variation of conditions 2, 3, 7, 8, 10, 11, 12, 14, 15, 16, 17, 20, 22, 23, 28, 30, 31 of planning permission 2013/0265/O to enable demolition prior to commencement of development and variation of condition 29 to vary red line for alterations to access

Decision : Members voted 7-0 for APPROVAL

Approved with conditions

1 Time limit
2 Reserved matters
3 Details of roads
4 Standard Estate Road
5 Construction of roads
6 Parking for commercial units
7 Cycle parking
8 Contamination
9 External lighting - details required
10 Details of noise sensitive development
11 Foul and sewage details
12 Surface water drainage scheme
13 Code level for water
14 Ecological mitigation
15 Archaeology
16 Finished floor levels
17 Boundary treatments
18 Hard and soft landscaping
19 Tree survey/AIA
20 Landscape management plan
21 Implementation tree protection measures
22 Provision of fire hydrant
23 Retaining walls - details required
24 Commercial B1 Office only
25 Pedestrian link to St Andrews close
26 Energy efficiency
27 No hardstanding until surface water strategy approved
28 Materials - details to be submitted
29 Submitted/amended plans
30 Masterplan
31 Affordable housing
32 Demolition in accordance with plans and specific methodology

Updates

Ecologist comments: The key issue with varying the permission to allow demolition prior to discharge of condition for ecology is the presence of bats. A very low risk of bats being present has been identified and as such it is considered that the level of risk of adverse impacts on protected species from demolition works is low. There is therefore no objection subject to additional wording being added to condition 14 to read “demolition should proceed with caution and in the unlikely event of bats being encountered works should stop immediately and a suitably qualified ecological consultant be contacted”.

Parish Council comments received: No objection or comments

Two letters of support received with the following comments:
- Why isn’t there another crossing at Swan Lane over to the School? Would like to see measures to support the existing hedgehog population on the site.

Other Applications

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<td>2014/0096/O</td>
<td>WYMONDHAM</td>
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Applicants name: Mr T Skitmore
Site Address: Land South East Of 9 Spinks Lane Spinks Lane Wymondham
Proposal: Erection of five new dwellings and garages with associated works to existing highway

Decision: Members voted 10-0 for REFUSAL

Refused
1. Development outside development boundary and within open land maintaining a physical separation between settlements, contrary to local plan policies ENV8 and ENV2.
2. Insufficient foul water drainage information
Updates

**Drainage: additional reason for refusal:** Insufficient information has been received to provide a sufficient basis for an assessment to be made of the risks of pollution to the water environment arising from foul water disposal from the proposed development. The council is therefore not satisfied that the proposed development would comply with paragraphs 100 and 103 of the National Planning Policy Framework (2012) and paragraph 16 of the National Planning Practice Guidance (2014).

Comments have been received from the Environment Agency objecting to the proposed development as submitted because it involves the use of a non-mains foul drainage system in a sewered area but no assessment of the risks of pollution to the water environment (including surface and ground waters) has been provided by the applicant.

The application indicates that foul drainage is to be discharged to a non-mains drainage system. In these circumstances National Planning Practice Guidance advises that a full and detailed consideration be given to the environmental in order to justify the use of non-mains drainage facilities. In this instance no such information has been submitted.

The application does not, therefore, provide sufficient information for an assessment to be made of the risks of pollution to the water environment arising from the proposed development and is recommended for refusal.

**Affordable Housing:** The layout proposes one affordable 2 bed bungalow, which the Housing Enabling and Strategy Officer has confirmed as being in accordance with the agreed housing package and policy requirement. However, following a recent ministerial statement, new national planning guidance has been introduced that exempts developments that comprise ten or fewer homes from section 106 affordable housing contributions. The ministerial statement is a material consideration which is more recent than the adopted JCS policy 4. This takes precedence over the relevant part of policy 4. As this site comprises of fewer than 11 dwellings, S106 affordable housing contributions will not be sought.

**Neighbour comments received:** Email from Mr Parker of Field View Barn, Spinks Lane sent to Development Management Committee Members asking members to review comments on file plus signatures dated 14 February 2014 and to support officer recommendation for refusal. Key issues raised in letter responded to in DMC paper as reported.

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| 9 | Appl. No : 2014/1851/F  
Parish : WYMONDHAM  
Applicants name : Orchard Developments Ltd  
Site Address : Land Behind 1 Cantley Villas Station Road Spooner Row Norfolk  
Proposal : Sub-division of site, demolition of outbuildings, erection of 7 dwellings, garages and ancillary works.  
Decision : Members voted 9-0 for REFUSAL  
Refused |
|---|---|
| 1 | Development in the open countryside, contrary to policy ENV 8 of the South Norfolk Local Plan and guidance within the NPPF  
2 | Impact on neighbouring occupiers, contrary to policy IMP 9 of the South Norfolk Local Plan. |
Updates

Overlooking: A further plan has been received from the Applicant which seeks to overcome the overlooking issue from the affordable dwellings. This does however cause some concern because it includes bedrooms with rooflights instead of windows.

10  Appl. No : 2014/2077/F
Parish : THURLTON

Applicants name : Tredwell Developments Ltd
Site Address : Land Rear Of Norman Close Thurlton Norfolk
Proposal : Erection of 7 bungalows: 4 x 2-bed semi-detached bungalows (Plot 7 to be affordable in perpetuity) and 3 x 3 bed detached bungalows.

Decision : Members voted 6-0 (with two abstentions) for REFUSAL

Refused

1 Development in open countryside contrary to policy ENV 8 of the South Norfolk Local Plan

Updates

Affordable Housing: The layout proposes one affordable bungalow, which the Housing Enabling and Strategy Officer has confirmed as being in accordance with the agreed housing package and policy requirement. However, following a recent ministerial statement, new national planning guidance has been introduced that exempts developments that comprise ten or fewer homes from section 106 affordable housing contributions. The ministerial statement is a material consideration which is more recent than the adopted JCS policy 4. This takes precedence over the relevant part of policy 4. As this site comprises of fewer than 11 dwellings, S106 affordable housing contributions will not be sought.

11  Appl. No : 2014/2087/F
Parish : SAXLINGHAM NETHERGATE

Applicants name : Mrs Hilary Goodfellow
Site Address : Cargate Lodge Cargate Lane Saxlingham Nethergate Norfolk NR15 1TS
Proposal : Proposed single storey dwelling

Decision : This item was DEFERRED to a future meeting of the Development Management Committee

Updates

Deferred at applicant’s request
12  Appl. No : 2014/2117/F  
Parish : BERGH APTON  

Applicants name : Mrs H Lewin  
Site Address : West Five, Mill Road Bergh Apton Norfolk NR15 1BQ  
Proposal : To use one room in house as a hairdressing salon - retrospective.  

Decision : Members voted 7-0 for APPROVAL  

Approved with conditions  

1. Retain use in accordance with plans  
2. Personal permission – no additional employees  
3. Hours of operation Mon, Thurs, Fri (9.00am – 12.00pm and 1.00pm – 5.00pm) and Sat (9.00am – 1.00pm)  
4. Retention of car parking  
5. Scheme of fencing to be implemented within 3 months – details to be agreed by officers  

Updates  

Local Member comments  

- Impact to neighbour will be greater because this is a terraced property.  
- Hours of use should be limited to those requested by the applicant on the application forms (Monday, Thursday and Friday 9am-12pm and 1pm-5pm with no opening Tuesdays and Wednesdays. Plus Saturday mornings presumably 9am-12pm. In total 21 hours per week)  
- Other interested parties have not had opportunity to comment on revised hours  
- Officer recommended hours are too extensive – Total 42 hours per week.  

If applicant will not accept restriction based on hours requested in application form, then should defer to consult neighbours on revised hours applicant proposes/agrees or refuse application due to impact on neighbour.
PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

Report of Director of Growth and Localism

Major applications or applications raising issues of significant precedent

1. **Appl. No**: 2014/0799/O  
   **Parish**: WYMONDHAM

   Applicants Name: Wymondham Rugby Football Club (WRFC), Landstock Estates Ltd And Landowners Group Ltd  
   Site Address: Wymondham Rugby Club And Land West Of Elm Farm Norwich Common Wymondham Norfolk  
   Proposal: Outline application for up to 90 dwellings at Tuttes Lane, including the demolition of existing Wymondham Rugby Club buildings and sports pitches and closure of existing access; up to 300 residential dwellings at Norwich Common with multiple access points, including the demolition of 63 Norwich Common; a replacement rugby club (use class D1) with sports pitches including an artificial pitch, floodlighting, clubhouse, car parking and accesses including an emergency only access from Melton Road; and associated works including open space, sustainable urban drainage systems, landscaping, infrastructure and earthworks.

   Recommendation: Refusal  
   1. Outside of settlement limit for Wymondham Policy and unjustified development in the open countryside contrary to local plan policies HOU4 and ENV8.  
   2. Harmful to the strategic gap local plan policy ENV2.  
   4. Premature and highly prejudicial to the outcome of the Wymondham Area Action Plan.

1. **Planning Policies**

1.1 National Planning Policy Framework  
   NPPF 01: Building a strong competitive economy  
   NPPF 03: Supporting a prosperous rural economy  
   NPPF 04: Promoting sustainable transport  
   NPPF 06: Delivering a wide choice of high quality home  
   NPPF 08: Promoting healthy communities  
   NPPF 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 3: Energy and water  
   Policy 4: Housing delivery  
   Policy 5: The Economy  
   Policy 6: Access and Transportation  
   Policy 7: Supporting Communities  
   Policy 8: Culture, leisure and entertainment  
   Policy 9: Strategy for growth in the Norwich Policy Area  
   Policy 10: Locations for major new or expanded communities in the Norwich Policy Area
1.3 South Norfolk Local Plan 2003
ENV 2: Areas of open land which maintain a physical separation between settlements within the Norwich Area (Part Consistent)
ENV 8: Development in the open countryside (Part Consistent)
ENV21: Protection of land for agriculture
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes
IMP 2: Landscaping
TRA 1: Provision of pedestrian links
LEI 7: Open space provision in new development

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 (Submission version, 2013)
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
DM2.9 Rural tourist and recreational destinations
DM3.2 Meeting housing requirements and needs
DM3.11 Promotion of sustainable transport
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
DM3.17 Improving the level of local community facilities
DM4.3 Sustainable drainage and water management
DM4.8 Strategic gaps between settlements within the Norwich Policy Area
DM4.9 Protection of Trees and Hedgerows
DM4.11 Heritage Assets

1.6 Wymondham Area Action Plan (Submission version, 2013)
WYM 8: Rear servicing of commercial premises in the central area of Wymondham
Green Infrastructure requirements for new developments in north Wymondham
WYM 13: Protecting the setting of Wymondham Abbey
WYM 14: Public open space allocations in Wymondham
WYM21 Wymondham Development Boundary

1.7 Supplementary Planning Document
South Norfolk Place-Making Guide (2012)

2. Planning History

2.1 2013/2033 Scoping Opinion for up to 450 dwellings and relocation of Wymondham Rugby Football Club Environment Impact Assessment Required

3. Consultations

3.1 Parish Council:
Wymondham Town Council
- Refuse
- Outside development boundary
- Contrary to ENV12, ENV8 and IMP8
<table>
<thead>
<tr>
<th>Great Melton Parish Council</th>
<th>Refuse</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Contrary to Wymondham Area Action Plan</td>
</tr>
<tr>
<td></td>
<td>• Encroachment on green belt land</td>
</tr>
<tr>
<td></td>
<td>• Flooding risk to surrounding farm land</td>
</tr>
<tr>
<td></td>
<td>• Light and noise pollution to Great Melton</td>
</tr>
<tr>
<td></td>
<td>• Increase in traffic through Great Melton</td>
</tr>
<tr>
<td></td>
<td>• Emergency access road could potentially be</td>
</tr>
<tr>
<td></td>
<td>access from the site</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>3.2 District Member</th>
<th>To be determined by Committee</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>• Great concern locally regarding capacity</td>
</tr>
<tr>
<td></td>
<td>for surface water and flash flooding</td>
</tr>
<tr>
<td></td>
<td>• Extra development would make current</td>
</tr>
<tr>
<td></td>
<td>situation worse</td>
</tr>
</tbody>
</table>

| 3.3 Historic Environment   | No comments received                       |
| Service                   |                                            |

| 3.4 Anglian Water Services Ltd | An appropriate planning condition for    |
| Services Ltd                | habitable buildings and their associated  |
|                            | high amenity areas, such as gardens,      |
|                            | should be kept at least 15 metres from the |
|                            | compound perimeter of the Greenland       |
|                            | Avenue sewage pumping station. Development |
|                            | on parcel B & C will lead to an          |
|                            | unacceptable risk of flooding downstream. |
|                            | Anglian Water has worked with the         |
|                            | applicant to identify that mitigation will |
|                            | be required. An appropriate planning       |
|                            | condition requiring the drainage strategy  |
|                            | covering these issues to be agreed.       |
|                            | Request trade effluent note to be         |
|                            | attached to any permission granted        |

<table>
<thead>
<tr>
<th>3.5 Design Officer</th>
<th>No objection subject to condition</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>3.6 Ecologist</th>
<th>No objection subject to condition</th>
</tr>
</thead>
</table>

<p>| 3.7 Environment Agency     | No objection subject to appropriate       |</p>
<table>
<thead>
<tr>
<th></th>
<th>planning conditions</th>
</tr>
</thead>
</table>

<p>| 3.8 NCC Highways           | No objection subject to conditions and a   |</p>
<table>
<thead>
<tr>
<th></th>
<th>S106 to secure a travel plan</th>
</tr>
</thead>
</table>

<p>| 3.9 Housing Strategy       | No objection subject to S106 to secure    |</p>
<table>
<thead>
<tr>
<th>Manager</th>
<th>affordable housing</th>
</tr>
</thead>
</table>

| 3.10 ES Waste Operations   | To be reported if appropriate             |
| Manager                    |                                           |

| 3.11 NCC- Planning         | Education objection                      |
| Obligations                | County Council would be unable to        |
|                            | guarantee high school places in Wymondham |
|                            | Long term accommodation of children in    |
|                            | the next nearest school Hethersett       |
|                            | Academy is also constrained by known      |
|                            | housing allocations for its area.         |

| 3.12 Technical Manager     | To be reported if appropriate             |
| (Parks and Amenities)      |                                           |
3.13 Police Architectural Liaison Officer
Believe all parts of these developments have the capacity to achieve a full Secured by Design award, however a number of elements would be necessary to meet the standards contained in Secured by Design - New Homes, such as:
- Would be against any overall design that favours 'leaking' (footpath/cycle path linked) cul-de-sacs over true cul-de-sacs.
- Wherever possible rear gardens back onto other rear gardens.
- Due to higher than average level of reported crime in this part of Wymondham consider it necessary to have higher standards Physical Security. Most importantly exterior doors and ground floor windows.
- Vitally important that rear and side perimeters are protected by at least 1.8m high fencing.
- The addition of 300mm high wooden trellis on rear garden fencing facing outwards, abuts footpaths, or provides a perimeter not between adjacent gardens, with all rear garden gates to be the same height and fitted with bolts top and bottom and padlocks.
- Security lighting outside all external doors.
- Primary recommendation for the clubhouse is that is does not incorporate a flat roof

3.14 Public Rights Of Way
No comments received

3.15 Natural England
No objection

3.16 Norfolk Fire Service
An appropriate planning condition for 9 fire hydrants

3.17 National Planning Case Unit
Acknowledge receipt of consultation

3.18 Flood Officer
No objection subject to conditions

3.19 SNC: Conservation Officer
No objection
Proposal will not adversely impact on any listed buildings, scheduled monuments, historic parkland or on any non-designated heritage assets

3.20 Sport England
Support with conditions
Will secure an enhanced facility for this long established and growing club,

3.21 NCC Minerals And Waste Planning Officer
No comments received

3.22 Environmental Services (Protection)
No objection subject to conditions

3.23 Highways Agency
No objection

3.24 Representations
115 letters of support:
- Move of the Rugby Club will encourage further integration of the Beckets Grove area into the Wymondham community.
- Great to provide more dwellings and new rugby club.
• Will bring much need finance to South Norfolk Area - jobs and influx of wealth and disposable income.
• Enable Rugby Club to become more valuable asset to the town;
• The existing Rugby Club has out grown its current facilities - New pitches and club house desperately needed.
• As the existing Rugby Club is surrounded by houses and cannot offer facilities needed, makes sense to allow it for housing development.
• Rugby Club could become a centre of excellence in South Norfolk which will benefit local community and wider population of South Norfolk.
• Dire shortage of housing in this area.
• Will not only benefit Rugby but also the development of other sports and clubs locally.
• The existing provision of sports facilities is appalling.
• Makes more sense to build on the fringes of other new developments rather than open up new sites.
• Tuttle's Lane gets busy on Sunday mornings for rugby - relocating the club would remove this problem.
• Will create an extremely attractive sporting venue/facility for the area.
• Will release further prime building land.
• There is a proven housing need in South Norfolk and this site provides a feasible and sustainable alternative with limited effects on the local environment.
• Rugby Club is supported by 1300 club members and desperately needs a much larger location.
• There is a shortage of housing and sports facilities - The Council should do all it can to take advantage of this clever scheme.
• Additional housing will allow the community to continue to grow and prosper.
• Sufficient infrastructure to cope with the increase in population - the road and sewage systems are being improved in the area.
• New sites must provide affordable houses for Wymondham's young people.
• Will result in an outstanding asset for the community and badly needed additional housing in Norfolk.
• Plans are logical and well thought out.
• Development is on the outskirts of Wymondham so inhabitants to gain easy access to the A11 without "clogging" up central Wymondham.
• Waterlogged pitches, inadequate changing facilities and insufficient parking hamper the Rugby Clubs progress.
• Housing on the current rugby club site would be within walking distance of shops, amenities and schools.
• The town has a win-win opportunity here - develop much needed housing in most unobtrusive and obvious site possible and develop its fantastic community asset – WRFC.
• Very rare that a town like ours gets the opportunity to have such an excellent sporting venue.
• Building of new homes will bring much needed work and investment to the town.
• WRFC is one of the most dynamic and successful organisations in the community and is far more than just a sporting body.
• Proposed site for the rugby club is in an unobtrusive location.
• New housing on Tuttles Lane will merge well with the Whispering Oaks development.
• The location of 300 houses at Norwich Common will blend well in a discreet manner with the new rugby club and new homes in the area.
• Rugby club development will put Wymondham on the map as a first class sporting venue.
• This area is better suited for more housing than other designated areas in Wymondham.
• Urge SNDC to support the application and hold it up as an example of good responsible community partnership with a developer.
• At a time we are trying to encourage children to play sport, it is vital that they have the space and facilities to do this - The proposed site for the relocation of the club would solve all the problems and allow it to grow.
• Should not under-estimate the contribution rugby makes to the local community.
• Would provide houses to address the 5 year housing supply in a popular part of Norfolk with good access to the city, UEA, Norwich Research Park and further afield.
• Will benefit local businesses.
• Wymondham's young people need new affordable houses to live in now - New sites must provide affordable houses.

33 letters of objection

• Why are the principles of the new Local Plan, incorporating the Wymondham Area Action Plan to maintain the strategic gap between Wymondham and Hethersett not being upheld?
• Understand Rugby Club needs to expand.
• Do not object to the Rugby Club having a bigger site but strongly object to housing.
• Development is the sort of "creeping urbanisation" that is against planning principle in the Wymondham Area Action Plan.
• Feel that 300 dwellings on the fields would spoil the landscape.
• People would not be able to take advantage of the wonderful countryside and go for walks encouraging good health.
• Are more houses at the cost of spoiling Wymondham really worth more than our health and well being.
• Will not create more jobs locally as subcontractors and builders are drafted in from afar.
• Proposed development is outside the 2,200 homes proposal contained in the Wymondham Local Area Plan.
• Not practical nor realistic to use Greenland Avenue and Lavender Road as a sole access.
• Seems incredible that the 90 dwellings at Tuttle's Lane can be considered without access from Tuttle's Lane.
• Already hold ups at existing junction which is too near to the Waitrose roundabout.
• Roads already stretched to breaking point with bottlenecks at A11/B1135 junction.
• Perhaps more consideration should be given to existing residents and business and another access road planned further north of Wymondham?
• No more houses - we need schools, doctors and dentists.
• Existing infrastructure is insufficient.
• Unnecessary for the rugby club to have new premises - Only used at weekends.
• Loss of areas for walking.
• 'Emergency only access for Melton Road' will become a rat run if not gated.
• WAAP seems to stand for very little - 1 major aim identified was to maintain the distinction and gap between Hethersett and Wymondham.
• Development should take place in area identified within the WAAP.
• Lavender Road access is right next to a children's playground - increased flow of traffic will cause significant safety issues for children.
• Lavender Road not wide enough for two cars to safely pass each other or for emergency vehicular access.
• Transport Assessment unrealistic.
• Object to houses on Parcel B area - Understood this was for the new Rugby Club and a care home.
• Option of access route through Whispering Oaks estate wholly unsuitable and totally unacceptable (noise, increased vehicle movements).
• Plans relating to access to the Tuttle's Lane site do not accurately reflect the current layout of the Whispering Oaks estate - Roads shown as much bigger and houses much smaller than they actually are.
• Greenland Avenue used by workers of nearby businesses to park during the day turning this access road into a single lane chicane.
• Junction of Lavender Road and Fushia Court severely restricted with no visibility splay - Potential accident hotspot from increase in traffic.
• Tuttle's lane entrance far more accessible and safer to the public than Lavender Road.
• Shortfall in the 5 year land supply should not mean the first application submitted must be accepted, whatever its character and regardless of its impact on local people.
• Would be tantamount to negligence for the District Council to grant permission, given that the land west of Elm Farm has not been allocated for housing in the Site Specific Allocations for Wymondham, before the Planning Inspector consideration.
Development Management Committee  
7 January 2015

- Will the many mature trees around the present rugby club site be retained?
- Will the present hedge between Whispering Oaks and the rugby club be retained?
- Unfair and impractical to expect the Whispering Oaks residents to endure lorries, diggers etc.
- Will the shelter belts between the Charles Church development and the proposed rugby club remain?
- Footpath from Norwich Common through to Melton Road must remain.
- No need for parcel B to have 300+ houses other than to finance a ‘free’ parcel of land for the Rugby Club.
- Rugby Club was intended to be on parcel B - which there were no objections.
- This side of Wymondham has had more than its fair share of developments - Please preserve the last bit of green.

Wymondham Heritage Society

The club house sitting extends too far in the direction of Great Melton and Hethersett, eroding the space between these settlement and Wymondham which the South Norfolk Local Plan aims to protect

Support the detailed objections to the traffic arrangements and density of development

Rugby Football Union

- Support the relocation of Wymondham RFC.
- Will not just benefit rugby union but will provide a community hub for sport and recreation.
- Current facilities unable to sustain the level of activity the club has generated.
- Current provision are overused and in a poor state.
- New location will offer far larger site to deliver an increase in playing pitches.
- The new clubhouse will provide changing facilities that will satisfy safeguarding objectives and obligations to its membership.
- Will provide new revenue avenues that the current facilities cannot.

4 Assessment

Site description and proposal

4.1 The application seeks outline planning permission for development across three parcels of land within Wymondham which are referred to as Parcels A, B and C. Each parcel consists of, and proposes, the following:

Parcel A

4.2 The site is approximately 3.84ha in size and lies to the north of Tuttles Lane East on the northern edge of Wymondham. The site is accessed via Tuttles Lane East and is presently the home ground of Wymondham Rugby Football Club (WRFC). The facility consists of multiple pitches with associated clubhouse and on-site parking.

4.3 To the north of the site is an area of open countryside with residential dwellings further afield (Downham Grove). To the east of the site is a large section of the open space associated with the Whispering Oaks development and a number of a number of residential dwellings from this development located towards the south-eastern part of this boundary.
along with further properties accessed directly from Tuttles Lane East, Lavender Road and Fuchsia Court. To the south-west, between Parcel A and the Tuttles lane East carriageway is a wooded area which is used as overspill parking. To the west of the site is the Homestead Nursery Centre and Caravan Storage Depot.

4.4 It should be noted that Parcel A currently benefits from an extant permission for use as a retirement care community facility comprising 2 x 2 bedroom retirement homes, 66 x two bedroom retirement apartments, an 80 bedroom nursing home, on-site admin and staff facility and communal facilities (restaurant, bar, surgery, pharmacy, shop etc) application number 2012/1883. This proposal was granted permission on the basis that it was enabling development, and at the time planning permission was granted the proposal funded the relocation of WRFC.

4.5 It is proposed to construct 90 dwellings on Parcel A and these would be accessed via Lavender Road which adjoins Greenland Avenue and in turn Tuttles Lane East. The development would necessitate the demolition of the existing buildings associated with WRFC and the loss of the existing pitches. The existing access onto Tuttles Lane which serves WRFC would be permanently closed. The outline nature of the proposal means that there are no details of layout or house types for this parcel of land, however, a thorough Design and Access Statement accompanies the application providing guidance on how the site is envisaged to be developed.

Parcel B

4.6 The site is approximately 12.07 ha in size and lies to the north-west of Norwich Common on the north-eastern edge of Wymondham. The site predominantly consists of agricultural land along with a residential dwelling known as 63 Norwich Common, which is a detached dwelling with associated outbuildings. To the north is open countryside, including an area known as “The Wong” which is a rectangular area of mature trees which runs northwards from the site. To the east is a further area of open countryside including a small pocket of trees, and the Elm Farm Business Park which consists of a collection of premises occupied by a number of commercial enterprises. This represents the “entrance” to Wymondham as you approach the town from Hethersett. To the south are a number of residential dwellings accessed via the adjacent Norwich Common carriageway (B1172) including a scheme for 11 dwellings currently under construction (app no. 2013/1533). To the west of the site is the Becketts Grove residential development, which is presently under construction.

4.7 It is proposed to construct 300 dwellings on Parcel B. Furthermore, there is also the site known as Carpenters Barn to the west which benefits from outline approval for 350 dwellings (app no. 2012/0839). Development has not commenced on this site, as a reserved matters application has been submitted but is yet to be approved.

4.8 This would be developed for 300 dwellings and would be accessed via Norwich Common (B1172). The development would necessitate the demolition of an existing dwelling known as 63 Norwich Common. The outline nature of the proposal means that there are no details of layout or house types for this parcel of land, however, a thorough Design and Access Statement accompanies the application providing guidance on how the site is envisaged to be developed.

Parcel C

4.9 The site is approximately 13.56ha in size and lies between Melton Road to the north-west and Norwich Common (B1172) to the south-east in the open countryside outside of Wymondham. To the north, east and west are areas of open countryside. To the south is the approved Carpenters Barn residential development which benefits from outline approval, but is yet to commence on-site as reserved matters approval is required.
4.10 This parcel of land is proposed to facilitate the relocation of WRFC from their existing site on Tuttles Lane (Parcel A). The development would provide sports pitches including an artificial pitch, floodlighting, clubhouse and associated parking. The relocated WRFC would be accessed via a continuous route through the adjacent Carpenters Barn development which adjoins Parcel B which in turn adjoins the Norwich Common carriageway (B1172). The relocated WRFC could also potentially be accessed through the Becketts Grove development if a link between it and the adjacent Carpenters Barn development is secured. This is as yet unknown as reserved matters consent has not been agreed for Carpenters Barn. There is also provision to include an “emergency access” onto Melton Road. The outline nature of the proposal means that there are no details of the proposed clubhouse, however, an indicative layout sets out the likely arrangement of pitches and position of the clubhouse.

Assessment

Current policy background

4.11 Planning law requires that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in determining planning decisions.

4.12 With regard to the Adopted South Norfolk Local Plan (SNLP), Annex 1 of the NPPF at paragraph 215 states that where a plan is adopted pre 2004, such as is the case with the SNLP, decision makers should give due weight to policies in existing plans according to their consistency with the NPPF. Therefore, where reference is made to SNLP policies within this assessment, the level of weight for each policy will be set out.

4.13 By way of clarification, the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS), which also forms part of the Development Plan, was adopted in March 2011, with amendments in 2014, and as such paragraph 215 of Annex A of the NPPF as above is not applicable to the JCS.

4.14 Paragraph 216 of Annex A of the NPPF goes onto address the weight attributable to emerging Plans, in this case we have the Wymondham Area Action Plan (WAAP) and Development Management Policies Document (DMPD), depending on the stage of preparation of said documents, extent of unresolved objections to policies within the said documents and the degree of consistency with the NPPF.

4.15 With regard to the NPPF, paragraph 49 confirms that:

“Housing applications should be considered in the context of the presumption in favour of sustainable development.”

4.16 Paragraph 14 of the NPPF confirms that:

“for decision-taking this means:
Approved development proposals that accord with the development plan without delay;
and
Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or

Specific policies in this Framework indicate development should be restricted.”
The NPPF confirms that sustainable development has three roles, 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.

4.17 Paragraph 49 of the NPPF also confirms that:

“Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.”

Development limits set out in the SNLP

4.18 Parcels A and B lie outside of the development limit for Wymondham and as such are contrary to Policy HOU4 of the SNLP. By way of clarification, Policy HOU4 does not apply to Parcel C as residential development is not proposed on this land.

4.19 Policy HOU4 seeks to locate development of residential development within the defined settlement limits of settlements within the Norwich Policy Area, of which Wymondham is one. On this basis the proposed 390 dwellings would not accord with this policy.

4.20 With regard to establishing the weight attributable to Policy HOU4 in light of the requirements of paragraph 215 of Annex 1 of the NPPF, Policy HOU4 is considered to be fully consistent with the NPPF as it is consistent with positive planning for new development, and provides sufficient land for supplying housing for present and future generations as set out in paragraph 7 of the NPPF by virtue of the Council being able to demonstrate a 5 year housing land supply including a the 5% buffer. The Council’s current position is that it has a 5.1 year supply as of the 1st of December.

4.21 Policy ENV8 is applicable to residential development outside of defined settlement limits. It states that:

“Permission for development in the open countryside, outside the development limits and village boundaries of existing settlements and areas identified for development in the Plan, will only be granted if it:

i) Is requisite for agriculture or forestry; or
ii) Is justified to sustain economic and social activity in rural communities, and demands a rural location; or
iii) Is for the suitable adaptation and re-use of an existing rural building.

All such development must

iv) Respect the intrinsic beauty, the diversity of landscape, the wealth of natural resources, and the ecological, agricultural and recreational value of the countryside; and
v) Be sensitively integrated into its rural surroundings in terms of siting, scale and design, while avoiding creating ribbon development or an unduly fragmented pattern of development.

4.22 As referred to above, given that this was adopted pre 2004, it is necessary to establish how much weight can be attributed to those in the decision making process by assessing its consistency with the NPPF. It is evident that this matter was recently considered by the Secretary of State (SoS) and Planning Inspectorate in the Appeal decision for Chapel Lane, Wymondham (2012/1434) in which the SoS agreed with the Inspector’s observation at paragraph 101 which stated:
“With regard to Local Plan Policy ENV8, I accept that is, to some degree, the ‘other side’ of Local Plan Policy HOU4 that allows housing within Development Limits[54]. However, on its face it is a policy that is designed to protect the countryside, rather than being one of the ‘relevant policies for the supply of housing’154. As such, I consider it is not out-of-date, though I accept that, in the absence of evidence to the contrary, addressing a housing land shortfall may well necessitate conflicting with this policy.”

4.23 Therefore, in the context of no housing land shortfall it is considered that Policy ENV8 continues to carry significant weight in the decision making process and the proposal is unacceptable as it does not satisfy any of the above stated criterion, and would lead to unacceptable residential development in the countryside.

4.24 SNLP policy ENV21 also seeks to protect agricultural land from inappropriate uses.

4.25 It is evident that in the context of the Development Plan, the scheme conflicts with policies HOU4 and ENV8 of the SNLP.

4.26 The principle of the leisure use of the WRFC in the strategic gap has been considered. Policy ENV2 requires inappropriate development which would erode gaps or undermine the general quality of the openness of these gaps to be resisted. The proposals relating to the rugby club are at outline stage at the moment, but it is envisaged that there would be minimal built form, with the majority of land use relating playing pitches. In this instance the proposed use is considered to be acceptable in the strategic gap. The recent Inspector’s letter dated 17th December 2014 (Appendix 1) identified this land to be removed from the strategic gap. At present, this letter is given minimal weight as it will still be subject to consultation through the examination process.

Sustainable development

4.27 Paragraph 14 of the NPPF states that the presumption in favour of sustainable development should be seen as the golden thread running through both plan making and decision taking. On this basis it is necessary to establish whether the current proposal represents sustainable development in the context of the NPPF as a whole. The following seeks to establish this.

4.28 Firstly, it is considered appropriate and beneficial to establish the benefits of the scheme which will in turn be included in the following assessment. These are set out as follows:

- The scheme would provide 390 new homes, including 33% affordable housing units at a mix and tenure that complies with the requirements of Policy 4 of the JCS in terms of affordable housing provision. The Council’s Housing Enabling and Strategy Officer has no objection to the proposal in respect of the affordable housing provision offered.
- The scheme would facilitate the relocation of WRFC to a larger home to meet their current and future aims. It is evident that the desire to relocate has been a long standing ambition as evidenced by previous consents for a re-located facility (Parcel B currently benefits from an extant permission for a re-located rugby club 2012/1833 which remains so until 12th September 2016). Unfortunately, this has not been delivered due to viability issues. In order to satisfy the Local Planning Authority (LPA) that best endeavours have been made to deliver the current extant permission, the applicant has provided a viability assessment. This report has been assessed by the LPA, and it is accepted that the quantum of development available from parcel A (existing rugby club) could not raise sufficient revenues to deliver the current extant scheme on Parcel B. Furthermore, it is also evident that the quantum of development available from parcel A (existing rugby club) could not raise sufficient revenues to
deliver the proposed re-located WRFC (parcel C), and that the additional revenues which would be produced from parcel B would be necessary to make the re-location to Parcel C viable. However, it is apparent that the current proposed level of residential development (390 dwellings) is not the minimum required to make the relocation viable. The re-location of WRFC is supported by both Sport England and the RFU. A number of representations have been received confirming support for the proposal.

- The scheme would deliver a footway/cycleway link between Hethersett and Wymondham to facilitate a safe access to and from Hethersett Academy and would also be of benefit to the wider community in providing a safe link between the two settlements.

4.29 Paragraph 7 of the NPPF confirms that sustainable development has three dimensions, economic, social and environmental, and defines these as the economic, social and environmental roles. It goes on to stress that these are not to be undertaken in isolation, because they are mutually dependent. With this in mind it is considered appropriate to firstly assess the scheme in the context of each of these roles. Each of the three assessments also includes reference to other policies as necessary.

Economic implications

4.30 Paragraphs 18 -22 of the NPPF highlight the government’s commitment to securing sustainable economic growth, and defines the economic role as:

“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure.”

In local planning policy terms:

4.31 Joint Core Strategy (JCS) Policy 9 Strategy for growth in the Norwich Policy Area, Policy 10 Locations for new major development in the Norwich Policy Area and Policy 19 The hierarchy of centres highlight that Wymondham is identified as a key area for growth.

SNLP policy EMP1 allocates 25.4 hectares of employment land in Wymondham.

4.32 The emerging Wymondham Area Action Plan (WAAP) sets out an employment objective of delivering 20ha of land to support local employment opportunities and economic growth. WYM21 seeks to locate development within the development boundary for Wymondham unless it meets specific policy requirements within the Council’s Development Management Policies document (DMP).

4.33 The emerging DMP contains section headings which replicate the three roles of Sustainable development as referred to in the NPPF. The section applicable to the economic role contains Policy 2.1 which supports development proposals which provide for or assist the creation of new employment opportunities, inward investment and or provide for the adaptation and expansion of existing business.

4.34 It is evident that both adopted and emerging policies as set out above are consistent with the aims of the NPPF in terms of economic implications in highlighting the importance of economic growth and that a location such as Wymondham will play a key role in achieving this objective. Although it is acknowledged that the “emerging” policies referred to above have limited weight at the present time.
4.35 With regard to the economic implications of the scheme, in the short and medium term, the construction of 390 dwellings and the rugby facility would make a contribution to the local economy. This would be via the associated construction works which could employ local tradesman etc. and also through the inevitable associated spend in the locality, shops etc.

4.36 In the medium and long term, the relocated WRFC would offer enhanced facilities on those presently available at WRFC(sited on parcel A) and as such would make a contribution in economic terms (events facility etc) and would also create employment opportunities within the club.

4.37 Also in the medium and long term, the occupants of the new dwellings and the strong likelihood of increased membership at the WRFC and likely to increased spending within the locality.

4.38 It is also considered that the application sufficiently demonstrates that the scheme is capable of being delivered.

4.39 However, it is evident that the NPPF makes particular reference to:

"sufficient land of the right type is available in the right places and at the right time to support growth and innovation". With this in mind it is evident that the Council does have an up-to-date 5 year housing land supply as highlighted above in the report and as such it is considered that sufficient land does exist now and in the right places, thus leading to the opinion that the benefits of presenting more land for housing is of less benefit than would be the case if the Council did not have sufficient housing land within the Norwich Policy Area.

4.40 In summary, it is considered that the scheme would be of some economic benefit to the local area and meets local and national policy in this respect.

Social implications

4.41 The NPPF confirms the social role as:

"supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being."

4.42 Paragraphs 18-22 of the NPPF highlight the Government’s commitment to economic growth which in turn contributes towards creating strong, vibrant and healthy communities. Paragraphs 29 – 41 confirm the Government’s commitment to promoting sustainable transport which assists with improved health. Paragraphs 47 – 55 highlight the need to deliver high quality housing. Paragraph 69 – 78 highlight the need to promote healthy communities.

4.43 National Planning Policy Guidance (PPG) on Health and Wellbeing highlights that built and natural environments are major determinants of health and wellbeing.

4.44 The PPG on Open space, sports and recreation facilities, public rights of way and local green space highlights the important role open space plays in contributing to health and wellbeing.
In local planning policy terms:

4.45 JCS Policy 7: Supporting communities expects new development to maintain or enhance the quality of life and wellbeing of communities. SNLP Policy LEI 7 open space provision in new developments and Policy TRA 1 Provision of pedestrian links confirm the need to secure sufficient open space and need to provide suitable pedestrian links within developments emphasising the importance role both play in achieving health and wellbeing.

4.46 With regard to the WAAP, WYM8 and WYM9 green infrastructure would assist in achieving health and wellbeing. WYM13 new recreation provision in Wymondham, WYM14 relocation of WRFC both specifically relate to WRFC which currently, and as a consequence of this application, continue to play a role in achieving goals relating to health and wellbeing.

4.47 With regard to the Development Management Policies, as previously highlighted, this contains section headings which replicate the three roles of sustainable development as referred to in the NPPF. The relevant policies from the section associated with the social role are 3.2, meeting housing requirements and needs, 3.9 design principles applying to all development, 3.14 amenity, noise and quality of life, 3.15 pollution, health and safety, 3.16 outdoor play facilities and recreational space and 3.17 improving the level of local community facilities.

4.48 It is important to stress that these policies carry limited weight at this time.

4.49 From a policy perspective, it is clear that both local and national policy are consistent with one another in seeking to improve the quality of life for everyone, and highlight the important role housing plays in this, as well as providing services and facilities that reflect people’s needs. It is also important to be able to access these services and facilities.

4.50 With regard to the proposal, the provision of 390 houses would increase the supply of housing. However, it is necessary to have regard to the fact that the Council does have an up-to-date 5 year housing supply, and as such it is considered that the Council has fulfilled the requirement of the social role insofar as it is required to provide “the supply of housing required to meet the needs of present and future generations”. Therefore, the benefits of providing further land for housing beyond that already provided is less than would be the case if there was not an up-to-date 5 year housing land supply.

4.51 The application has confirmed its commitment to provide 33% affordable housing which complies with the requirements of Policy 4: Housing delivery of the JCS, and with a mix of house types and tenure which meet local need as recognised by the Housing Strategy and Enabling Officer. From the documentation presented it would also appear that there are no clear reasons why the site could be “delivered” in the near future.

4.52 It is clear that the site lies on the north-eastern edge of Wymondham which has an extensive range of facilities and services which are all easily accessible by a wide range of modes of transport (public transport, cycling, walking and private vehicles).

4.53 The consultation response of Norfolk County Council (NCC) addresses the capacity at Wymondham High Academy. The Masterplan for Wymondham High Academy to cope with the demands of 2200 additional dwellings and no more. NCC has confirmed that sufficient consents already exist to absorb this increased capacity at Wymondham Academy. It is not considered possible to create greater capacity within the confines of the existing Wymondham Academy site and the landlocked nature of the current sites means it is not possible to increase the size of the current site.
4.54 The possibility of disaggregating the high school function from the sixth form college function has been highlighted, but there is an unwillingness on the part of Wymondham Academy to pursue this option as they consider that it is undesirable in education terms. From the County Council’s point of view matters of affordability are not addressed by this proposal. It is also important to consider that academy status limits the power/authority the Local Education Authority (Norfolk County Council) has to enforce a change of structure (should it consider it desirable) such as separating out the sixth form element from the high school into separate campuses.

4.55 On the basis of the above factors it is clear that there is no reasonable prospect of capacity being made available at Wymondham High Academy to accommodate more children than is currently planned for and consequently it is not possible for Wymondham Academy to accommodate children from the proposed development, which lies within its traditional catchment area.

4.56 This notwithstanding the applicant’s contention that alternative solutions could and should be found in Wymondham, and that the local authorities (Norfolk County Council and South Norfolk Council) should play a more proactive role in addressing this issue.

4.57 The applicant has put forward Hethersett Academy as an alternative establishment for secondary education. Norfolk County Council has highlighted in its response that whilst there is presently capacity at Hethersett Academy, this will not be the case in the longer term due to known/committed housing growth within the catchment of Hethersett Academy. This catchment includes not only Hethersett, but Cringleford and Mulbarton where growth is planned. Norfolk County Council have also confirmed that the Hethersett Academy site, including the additional land secured through a S106 legal agreement for an expanded school site, is only sufficient to accommodate a school which meets with forecasted need (9FE school) when taking account of central government space standard guidance. The need to accommodate more children at Hethersett Academy could result in the need to depart from guidance on space standards which is considered to be unacceptable.

4.58 If children were not able to attend secondary school in close proximity to where they live there would be an adverse impact on the social cohesion of local communities. Children would live at some distance from other children attending the same schools as them, which would not help the social cohesion of new communities delivered through the proposed housing development.

4.59 The applicant has confirmed their agreement to deliver a footpath and cycleway link along the B1172 carriageway between Wymondham and Hethersett to facilitate a safe route to school to Hethersett Academy from Wymondham. This would provide a suitable link and would be delivered through a suitably worded condition. Norfolk County Council consider that even if there was capacity at Hethersett, notwithstanding the delivery of a new footway/cycleway, there is a strong likelihood that children would be driven to school leading to increased local traffic movements, which would not be sustainable.

4.60 For the purposes of clarification, NCC has confirmed that there are no such concerns relating to nursery, infant and junior schools in terms of capacity, given that capacity in the town will be supplemented by a complete new school at Silfield.

4.61 With regard to the re-location of the WRFC, it is clear that there would be social benefits. It would not only improve the situation for present members/users, but also lead to the likely increase in members/users/visitors which would be of further benefit to the people of Wymondham and further afield. The re-location of the WRFC is supported by both Sport England and the Rugby Football Union (RFU). A number of local residents have also written in to support the proposal.
4.62 It is also evident that the desire to relocate has been a long standing ambition as evidenced by previous consents for a re-located facility (Parcel B currently benefits from an extant permission for a re-located rugby club 2012/1833 which remains so until 12th September 2016). Unfortunately, this has not been delivered due to viability issues. In order to satisfy the LPA that best endeavours have been made to deliver the current extant permission, the applicant has provided a viability assessment. This report has been assessed by the LPA, and it is accepted that the quantum of development available from parcel A (existing WRFC) could not raise sufficient revenues to deliver the current extant scheme on Parcel B. Furthermore, it is also evident that the quantum of development available from parcel A (existing WRFC) could not raise sufficient revenues to deliver the proposed re-located WRFC (parcel C), and that the additional revenues which would be produced from parcel B would be necessary to make the re-location to Parcel C viable. It should be noted however that the total quantum of development proposed here (390 dwellings) is not the minimum necessary to secure the delivery of the new rugby club facility on Parcel C.

4.63 The applicant has amended the submission to provide a level of open space that is satisfactory in the context of the Council’s adopted guidance on open space.

4.64 In terms of creating a high quality built environment, the outline nature of the proposal results in there being limited capacity to fully assess the quality of the built environment and the role this would play in creating a positive environment for future occupiers and visitors, however, there is no planning reason why this could not be secured at reserved matters stage. The Council’s Design Officer has confirmed that further regard would need to be had to the impacts of the scheme in visual terms, but that it is not unreasonable for this to be done via a suitably worded condition requiring the agreement of a Design Code before any reserved matters application is submitted. All comments raised by the Police Architectural Liaison Officer would be addressed at the reserved matters stage.

4.65 Provision of open space and playspace is also considered to be feasible, and if the application were recommended for approval this would be secured through reserved matters, appropriate conditions and a Section 106 agreement.

4.66 In summary, whilst the scheme would result in some positive aspects from a social perspective, most notably an improved WRFC, the lack of adequate secondary education facilities within Wymondham, having regard to the constraints applicable at Wymondham High Academy or long term capacity at Hethersett Academy having regard to central government guidance on space standards would cause concerns from a social perspective. Furthermore, in the event children did have to attend Hethersett Academy, otherwise than through parental preference, this would be detrimental to the structure of the local Wymondham educational community.

Environmental implications

4.67 The NPPF confirms the environmental role as

“contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

4.68 Paragraph 17 of the NPPF identifies a core planning principle of decision making to be taking “account of different roles and character of different areas …… recognising the intrinsic character and beauty of the countryside…” Paragraphs 29 – 41 highlight promotion of sustainable transport modes and reduce the need to travel therefore reducing use non-renewable natural resources. Paragraphs 109 – 125 confirm the need to conserve and enhance the natural environment. Paragraphs 126 – 141 confirm the need to conserve and enhance the historic environment.
4.69 The National Planning Policy Guidance (PPG) on Conserving and enhancing the historic environment confirms the importance of protecting and enhancing the historic environment.

4.70 The PPG on the Natural environment highlights the need to recognise the intrinsic character and beauty of the countryside.

In local planning policy terms:

4.71 JCS Policy 1 Addressing climate change and protecting environmental assets requires all development to be located and designed to use resources efficiently, minimise emissions and adaptable to climate change. Policy 3 energy and water minimise reliance on non-renewable energy sources. Policy 10 of the JCIs identifies “extensive levels of green infrastructure to create a ‘Ketts Country’ pastoral landscape, which will strengthen landscape setting of the town and strategic gaps, particularly towards Hethersett.”

4.72 With regard to the SNLP, ENV2 prevents “inappropriate development” in areas of open land which maintain a physical separation between settlements in the Norwich Policy Area. ENV8 prevents development within the open countryside unless specific criterion are met. IMP2 landscaping requires development to incorporate a high standard of landscaping.

4.73 It is considered that the adopted policies are consistent with the aims of national policy in respect of the environment, as identified in paragraph 17 of the NPPF.

4.74 With regard to the emerging WAAP, WYM8 and WYM9 deal with green infrastructure

4.75 With regard to the emerging DMP, this contains section headings which replicate the three roles of Sustainable development as referred to in the NPPF. The relevant policies from the environmental section are DM4.3 sustainable drainage and water management, DM4.8 Strategic Gaps between settlements within the Norwich Policy Area, DM4.9 Protection of Trees and hedgerows and DM4.11 Heritage Assets. It is important to stress that these emerging policies carry limited weight at this time.

4.76 It is considered that national policy and local policy, both adopted and emerging, are consistent with the aim of Central government as expressed in national policy and guidance.

4.77 Parcels B and C lie within the an area covered by Policy ENV 2 of the Adopted Local Plan which are defined as areas of open land which contribute towards maintaining physical separation between settlements within the Norwich Area. The settlements in this instance are Wymondham and Hethersett. The policy confirms that “inappropriate development” and other development which would erode the gaps between the built up limits of settlements, or which would otherwise undermine the general quality of the openness of these gaps will not be permitted.

4.78 Inappropriate development is defined as new buildings for any purpose other than agriculture and forestry, essential facilities for outdoor sports and recreation, limited extension, alteration or replacement of existing dwellings, limited infilling or redevelopment of major existing developed sites identified in adopted plans.

4.79 The application includes a comprehensive Landscape and Visual impact Assessment.

4.80 The Council requested that landscape consultant, Chris Blandford Associates, assessed the proposal given their long term involvement on providing advice on this matter to the Council through the local plan production process. Their observations are as follows and based upon assessment of the following documents, Design and Access Statement - April 2014, Chapter 6, Landscape and Visual Impact Assessment of the Environmental Statement - April 2014 and South Norfolk Local Landscape Designations Review, Strategic Gaps Important Breaks – 2012:
“The countryside between Wymondham and Hethersett is predominantly flat and open with medium to large scale arable fields bordered by trimmed hedges with occasional hedgerow trees. In addition there are small woodland blocks/tree belts located mainly within the western part of the gap bordering Wymondham. The effectiveness of the countryside as a strategic gap is largely as a result of the lack of inter-visibility between the two settlements and the lack of intra-visibility (the ability to see both settlement edges from a single point). However given the relative openness of the landscape between Wymondham and Hethersett the distance between the settlements is a key factor in maintaining openness and preventing settlement coalescence. Currently the strategic gap between Wymondham and Hethersett covers a distance of approximately 2.4km The Carpenter’s Barn Development site on the eastern side of Wymondham will reduce the effective gap by approximately 500m to just under 2km. The development of Parcel B will erode a further 400m leaving a significantly diminished gap of approximately 1.5km in width.

4.81 It is likely that new development within Parcel B on the scale envisaged, would result in inter-visibility between the settlements and intra-visibility from publicly accessible areas such as the permissive routes within the remaining gap. It would also result in a component of development “sprawl” as the development would extend the limits of the existing built development associated with the eastern boundary of Wymondham (including the Carpenter’s Barn Site) further into the rural landscape that provides the setting for Wymondham. In addition to the proposed residential development on Parcel B, the relocation of the Rugby Club on land known as Parcel C will add further impacts on the landscape of the gap. Whilst it is acknowledged that this type of development is not usually considered harmful to the ‘openness’ of the landscape, there are concerns over the scale of the planned development and in particular the associated infrastructure and lighting. In itself, the impact of the relocated sporting facilities on the function of the gap is unlikely to be significant, but it would result in a cumulative impact on the gap.

4.82 Given the significant further reduction in the width of the gap, resulting in the increase in visibility between the two settlements, loss of openness and erosion of rural setting to Wymondham it is considered that the function of the strategic gap would be significantly harmed by increasing settlement coalescence and reducing the openness of the landscape within the gap.”

4.83 In the recent examination of the council’s local plan the Inspector has released a letter dated 17th December 2014 (Appendix 1) identifying the land within Parcel C of this application to be removed from the gap, whilst Parcel B is to be retained as strategic gap. Concern is still therefore raised at the principle of development in the strategic gap, particularly in relation to Parcel B. The Inspector’s letter is given limited weight at present as this will be subject to consultation through the examination of the local plan.

4.84 The Council’s Ecologist, Listed Buildings Officer and Historic Environmental Services (formerly Norfolk Landscape Archaeology) have no objections to the scheme subject to the imposition of appropriate conditions. In particular relation to the impact upon existing trees and hedges only, the Council’s Landscape Officer has confirmed that he has no objection subject to conditions.

4.85 With regard to drainage, the Environment Agency, Anglian Water and the Council’s Environmental Protection Team have all been consulted. They have all confirmed that there are no fundamental objections in respect of either foul or surface water drainage subject to the imposition of conditions. Furthermore, the Environment Agency and the Environmental Protection Team have confirmed they have no objection in terms of ground contamination subject to conditions.

4.86 The agent has confirmed their commitment to providing sources of decentralised and renewable or low carbon energy to cover at least 10% of the schemes expected energy requirements and meeting the water efficiency requirements as required by Policy 3 of the JCS.
4.87 It is considered that the proposal would have no significant harmful impact upon ecology, trees, archaeology or any heritage assets or the locality in terms of drainage or contamination implications. However, it is considered that the proposed development in respect of parcel B would cause significant harm to the character and appearance of the countryside which forms part of the “strategic gap” and as such the environmental role is not fulfilled.

4.88 As referred to above, car movements to Hethersett Academy from residents of Wymondham brought about by a lack of school places at Wymondham High Academy would, notwithstanding the provision of cycleway/footpath link as offered, would have detrimental environmental impacts in terms of use of non-renewable fuel sources and air pollution. The absence of places at Hethersett Academy would then also lead to further car journeys to schools that are further afield.

4.89 In terms of the environmental role, it is considered that aforementioned concerns in respect of the detrimental impacts upon the Strategic Gap and car movements to Hethersett from Wymondham means that the proposal conflicts with the environmental role of the NPPF.

4.90 Paragraph 8 of the NPPF makes it clear that the dimensions to sustainable development are not to be undertaken in isolation, as they are mutually dependent. Therefore, in making a judgement on whether the scheme represents sustainable development, it is necessary to make a rounded judgement, based upon the merits of the scheme when considered against the aims of the NPPF. This is considered further in the conclusion to this report.

Other issues

4.91 Undermining of the Wymondham Area Action Plan (prematurity)

Planning Policy Guidance entitled “Determining a Planning Application” Paragraph 014 Reference ID: 21b-014-20140306 explains:

“how weight may be given to policies in emerging plans. However in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Plan; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.”

4.92 It is considered that the proposal is substantial (390 homes), and if approved, would undermine the plan-making process in relation to the WAAP, which is presently at an advanced stage (the formal Hearing stage was held between 21st October and 10th
December 2014 but the Examination is not yet complete, with consultation on Proposed Main Modifications to start in (probably) February 2015. The key concern of the LPA relates to the impact the proposal would have in potentially pre-determining matters relating to the scale and location of new development in Wymondham.

4.93 This application would promote additional growth in the WAAP area, which is currently subject to examination. The Inspector is considering whether a 2,200 dwelling limit for the WAAP is appropriate and he has requested that a sustainability appraisal addendum be prepared relating to the spatial distribution of the “floating” allocation of at least 1,800 dwellings set out in Joint Core Strategy Policy 9 (see Inspector’s letter to South Norfolk Council dated 17th December 2014, Appendix 1). Depending on the outcome of this work and the reflections on it, it is possible – but far from certain – that a further residential allocation (or allocations) may be proposed to be made in the WAAP (subject to the consultation responses made to the Proposed Modifications). Given the uncertainty on this point, it is considered that only limited weight can be afforded to the potential for additional allocations needing to be made in Wymondham at this time.

4.94 However, even if it proves to be that additional allocation(s) are proposed to be made, the principle, scale and location of any additional allocations would be subject to consultation as Proposed Main Modifications (as detailed above). To grant consent for the application sites now would therefore be wholly premature and highly prejudicial to the outcome of the plan-making process.

Traffic implications

4.95 The scheme has been assessed by both the Highways Agency and Norfolk County Council in their capacity as Highway Authority.

4.96 The Highways Agency has confirmed that it has no objection to the scheme in respect of implications for the nearby A11.

4.97 The Highway Authority has had extensive negotiations with the agent concluding in an agreed position being reached. This position would provide the following improvements:

- The signalisation and re-shaping of Tuttles lane roundabout,
- A footway/cycleway from a point close to the Becketts Grove development to David James Cars (Hethersett),
- A new roundabout providing access to the proposed residential development at Elm Farm and additional access to Becketts Grove and Carpenters Farm developments, and,
- A Travel Plan contribution of £150,000 which would enable the Elm Farm residential development to benefit from the travel plan initiatives that are currently being developed for the Becketts Grove development.

4.98 The above improvements would be delivered through conditions with the exception of the Travel Plan which would be via a S106 legal agreement.

4.99 The agent has confirmed that they have no objection to the aforementioned request.

4.100 Concern has been raised in relation to the creation of an emergency exit from the relocated rugby club (Parcel C) onto Melton Road. Whilst in highway safety terms, there is little justification for this, it does not create a significant level of harm in highway safety terms. However, in order to discourage the use of this for anything other than in an emergency this will be restricted to a 3.5m – 3.7m wide gravel track which will be gated. It is also proposed to attach a condition stating this is not to be used as an access under any circumstances.
As this application is at outline stage, all details relating to parking, cycle storage and refuse storage and collection areas would be considered at the reserved matters stage if the application were to be approved.

Residential Amenity

A number of objections to the scheme have been received from local residents in the vicinity of Parcel A (the existing WRFC site) which express concern at vehicle movements associated with the re-development of the site into 90 homes, in terms of both construction traffic and post occupation vehicle movements from future residents and visitors, and how these would compromise levels of safety for pedestrians, lead to congestion and unacceptable noise levels. In terms of highway safety and traffic flows, the Highway Authority has no objection to additional volumes of traffic going through the Whispering Oaks development.

Appropriate Assessment and Environment Impact Assessment

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.

The proposals and submitted Environmental Statement have been considered against the Environmental Impact Assessment (EIA) Regulations 2011. The environmental, social and economic impacts have all been considered and are considered to be adequately addressed as detailed in the above report and subject to the recommended conditions.

This application is liable for Community Infrastructure Levy (CIL), the amount of which would be calculated at the reserved matters stage.

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.

Conclusion and reasons for refusal

Planning law requires that applications must be determined in accordance with Development Plan, unless material considerations indicate otherwise.

As set out above the scheme is contrary to policies HOU4, ENV2 and ENV8 of the SNLP which as set out above continue to be up to date and carry significant weight in the decision-making process.

In the presence of a five year land supply housing policies in the local plan area considered to be up-to-date. In accordance with paragraph 49 there is a presumption in favour of sustainable development, which this report has considered in detail.

The scheme does present a number of benefits namely the deliverability of housing, including 33% affordable housing, the opportunity to re-locate WRFC and the delivery of a footpath and cycleway link between Wymondham and Hethersett.
5.5 However, the limitation to the benefit of the relocated WRFC must be considered, as whilst the current permission for the relocation of the rugby club has been demonstrated to not be viable (application reference 2012/1883), the proposed dwellings in this application are in excess of what would be required to ensure the rugby club could viably locate. This is considered to limit the weight given to this benefit in this application.

5.6 The presence of a five year land supply also limits the benefit of additional housing land than if the council did not have sufficient housing land within the Norwich Policy Area.

5.7 It is considered that the acknowledged benefits are outweighed by the negative impacts resulting from the lack of available secondary school places within Wymondham and in the longer term Hethersett given anticipated levels of growth in both school catchments, and subsequent adverse impact on sustainable transport to schools and social cohesion of local communities, unacceptable development within the strategic gap and undermining of the WAAP and as such the scheme is not considered to represent sustainable development in terms of the NPPF as a whole.

On this basis the scheme is recommended for refusal for the following reasons:

5.8 1. In the opinion of the Local Planning Authority the principle of residential development on parcels A and B is not acceptable, by virtue of the site being outside existing and emerging development boundaries, there being a five-year land supply within the Norwich Policy Area and the development not therefore on balance being considered sustainable development. In the absence of an exception justification relating to affordable housing, agriculture, forestry or sustaining economic or social activity in the surrounding area the proposed development is not considered to be a sustainable form of development and is considered to be contrary to saved policies ENV8 and HOU4 of the adopted South Norfolk Local Plan (2003), policy 10 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amended in 2014) and paragraphs 14 and 55 of the National Planning Policy Framework (2012).

3. The development is considered to by inappropriate development which would erode and further reduce the strategic gap between Wymondham and Hethersett, result in inter-visibility between the settlements and intra-visibility from publicly accessible areas such as the permissive routes within the remaining gap, lead to a loss of openness and extend the limits of the existing built development associated with the eastern boundary of Wymondham further into the rural landscape that provides the setting for Wymondham. In the absence of an exception justification relating to agriculture and forestry, essential facilities for outdoor sports and recreation, limited extension, alteration or replacement of existing dwellings, limited infilling or redevelopment of major existing developed sites identified in adopted plans, it is considered that the function of the strategic gap would be significantly harmed by increasing settlement coalescence and reducing the openness of the landscape within the gap and the development proposed on Parcel B conflicts with policy ENV2 of the South Norfolk Local Plan (2003) and policy 10 of the adopted Joint Core Strategy (2011, amendments adopted 2014).

4. The proposal has been assessed against the three dimensions of sustainable development as set out in paragraph 7 of the National Planning Policy Framework (NPPF) (2012), in acknowledgement of paragraph 49 of the NPPF which requires the consideration of housing applications in the context of the presumption in favour of sustainable development and paragraph 14 of the NPPF which confirms that the presumption in favour of sustainable development should be seen as a golden thread that runs through decision taking.

It is considered that the acknowledged benefits of the scheme namely the delivery of housing, including 33% affordable housing, the opportunity to re-locate Wymondham Rugby Football Club and the delivery of a footpath and cycleway link between Wymondham and Hethersett are outweighed by the negative impacts of the lack of available secondary school places within Wymondham or Hethersett and subsequent adverse impact on sustainable transport to schools and social cohesion of local communities, unacceptable development within the strategic gap and
undermining of the Wymondham Area Action Plan, having due regard to the existence of a five year housing land supply within the Norwich Policy Area, and as such the scheme is not considered to represent sustainable development in the context of the NPPF when taken as a whole.

5. The proposed development represents a substantial development, which, if approved, would undermine the plan-making process in relation to the Wymondham Area Action Plan (Submission version 2013), which is presently at an advanced stage of preparation. The development, if approved at the present time, would potentially pre-determining matters relating to the scale and location of new development in Wymondham. To grant consent for the application sites now would therefore be wholly premature and highly prejudicial to the outcome of the plan-making process in respect of the Wymondham Area Action Plan (2013) and not in accordance with Planning Policy Guidance entitled “Determining a Planning Application” Paragraph 014 Reference ID: 21b-014-20140306.

Contact Officer, Telephone Number and E-mail:  
Chris Raine 01508 533841  
   craine@s-norfolk.gov.uk

Jo Hobbs 01508 533674  
   jhobbs@s-norfolk.gov.uk

Adam Nicholls 01508 533809  
   anicholls@s-norfolk.gov.uk
Development Management Committee

2. **Appl. No**: 2014/0889/F  
   **Parish**: MARLINGFORD AND COLTON

Applicants Name: Mr Kjetil Titelstad  
Site Address: Viking Nurseries Ltd The Old Fruit Farm High House Farm Lane  
Colton Norfolk  
Proposal: Erection of new glasshouses.

Recommendation: Approval with conditions
1. Full permission time limit
2. In accordance with amended plans
3. Landscaping – further information to be submitted to clarify proposed landscape plan
4. Surface water drainage strategy to be submitted and approved in line with the submitted FRA

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 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 5: The Economy  
   Policy 6: Access and Transportation

1.3 **South Norfolk Local Plan 2003**
   ENV 8: Development in the open countryside (Part Consistent)  
   IMP 2: Landscaping  
   IMP 8: Safe and free flow traffic  
   IMP 15: Setting of Listed Buildings  
   EMP 6: Alterations and extensions to existing business premises  
   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  
   DM1.3 Sustainable location of development  
   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  
   DM4.3 Sustainable drainage and water management  
   DM4.10 Incorporating landscape into design  
   DM4.11 Heritage Assets
1.6 Supplementary Planning Document
South Norfolk Place Making Guide

1.7 Statutory duties relating to Listed Buildings, setting of Listed Buildings and Conservation Areas:

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.

2. Planning History

2.1 None

3. Consultations

3.1 Parish Council Recommend refusal – drainage and landscaping issues

3.2 District Member To be reported if appropriate.

3.3 Anglian Water Services Ltd No comments received

3.4 Landscape Officer Comments on revised landscape scheme - Whilst including non-native species are not ideal, given that these are already in place on balance the scheme is acceptable.

Comments on original submission:
My view is that this will only be acceptable if the northern site boundary can be augmented with new planting to provide screening of the new structures. I consider that it is important to have an indication of what might be achievable here (it may be necessary to reduce the size of the structures slightly to allow for an increased margin); a visualisation of the anticipated effect at, say 5 and 10 years would be helpful too.

3.5 Ecologist No comments or objection.

3.6 Broadland District Council No comments received

3.7 Environment Agency Comments on original application: (summarised)
Holding objection in the absence of an acceptable Flood Risk Assessment (FRA). Comments as follows:
The FRA submitted with this application does not comply with the requirements set out in paragraph 9 the Technical Guide to the National Planning Policy Framework. The submitted FRA does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to:

- Adequately consider the effect of a range of extreme rainfall events on onsite flood risk, taking into account the existing flooding problems.
- Correctly take the impacts of climate change into account in the design of the surface water drainage scheme.

The objection can be overcome with a revised FRA in regards to the above and which demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall.

Concerns with the FRA are:

- No details of retained water level in the basin which is proposed to accommodate surface water from this development
- Details of rate of irrigation and half drain time are required
- Concern with levels in basin in event of no irrigation
- Existing flooding from basin – further investigation needs to be had as to the source of surface water flooding on church Lane. Is the basin of an adequate size? Is seeping occurring? Is it the ditch network and culvert? Is the basin an adequate size to accommodate the proposed development?
- Impermeable area needs correctly identifying and modelling
- Modelling to account for 30% climate change allowance not 20% is required given assumed the lifetime of the development of 75 years.

Comments on revised FRA: (summarised)
Withdraw previous holding objection subject to condition.

The FRA details that the proposals have been revised to provide restricted outfalls from the basin at lower level, to allow some retained water, but to ensure that the water is constantly drained away enough to provide significant empty storage volume available to receive the surface water from the existing and proposed developments.

The basin has been designed with two outfalls, one for when the greenhouse roof is open, while the second outfall is at a higher level, and so will come into effect when the roof is closed.

The basin is of a sufficient capacity to accommodate the development taking account the 1 in 100 year event plus climate change. The basin will also half empty in less than 24 hours so will be able to accept subsequent rainfall events without flooding.

The FRA looks into the existing flooding problem. Basin overtopping is not the cause of the flooding problem. With the new lower level outfalls the basin should be at even less risk of overtopping, and should not get to within 0.3m of the top except in an extreme 1 in 100 year climate change event when the roof is closed.
The FRA states that the existing ditch will be cleared to try to reduce the flooding problem. As it is an existing flooding problem and the proposed development should not worsen this as it will be positively drained to the basin then this is not a material planning consideration. The landowner should seek to find a solution to rectify this problem and reduce the risk of the road flooding from the ditch.

The FRA states that the surface water drainage scheme; lagoon, pipes and outfalls; as well as the culvert; will be regularly maintained by the applicants, and includes a maintenance schedule in Appendix C. It should be ensured that this is carried out to prevent an increase in flood risk.

No objection subject to a condition:

The development hereby permitted shall not be commenced until such time as a surface water drainage scheme, in line with Flood Risk Assessment Addendum A (Plandecil, November 2014), has been submitted to, and approved in writing by, the local planning authority. The scheme shall include:

1. Modelling demonstrating that the discharge rates from the site are restricted to no greater than the existing Greenfield runoff rates in the equivalent 1 in 1 year, 1 in 30 year and 1 in 100 year rainfall events as specified in the FRA.
2. Modelling and drawings showing provision of sufficient storage in the basin above the retained water level for the 1 in 100 year climate change event for the entire development including the closed greenhouse roof.
3. Modelling of the conveyance network in the 1 in 30 year event to show no above ground flooding, and modelling of the conveyance network in the peak duration 1 in 100 year climate change event to calculate volumes of above ground flooding and submission of plans showing where the water will flow and be stored to prevent flooding of buildings or offsite flows.
4. Topographic plans of the proposed development depicting exceedance flow paths to show no flooding of buildings or offsite flows.
5. Details of who will maintain each element of the surface water system for the lifetime of the development, and submission of a maintenance schedule.

The scheme shall be fully implemented and subsequently maintained, 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.

3.8 Flood Defence Officer

Comments on original application: (summarised)

- Request that further consideration be given to the existing drainage regime and details identifying drainage features and maintenance schedules be submitted.
- Request that the “Open Sky” structure be included in the surface water drainage strategy and Flood Risk Assessment.
- Request that the applicant considers how the development might help reduce existing local flood risk.
- Concur with the comments and recommendations made by the Environment Agency and would have no objection once these and the points above have been met.
Comments on the revised FRA: (summarised)
No objection. Recommend conditions to any permission.
Comments as follows:

- The irrigation pond has sufficient capacity for extreme rainfall plus climate change
- The installation of two outfall pipes will allow the pond to provide storage for times when the open sky building roof is closed and also manage the volume of storage for irrigation purposes.
- The FRA Addendum advises that the discharge to the southern boundary ditch will be equivalent to or less than the existing greenfield run-off rates.
- The FRA Addendum advises that the existing flooding and drainage issues in Church Road are not contributed to by over-topping of the irrigation pond which as 300mm of freeboard nor by seepage from the pond banks.
- In order to reduce flood risk maintenance of the ditch and culvert will be carried out to improve flow rates away from the site. It is important that regular inspection and maintenance of the flow controls and receiving watercourse is carried out to ensure flood risk is not increased.
- The FRA Addendum advises that maintenance of the flow controls, attenuation pond, boundary ditches and downstream culvert will be incorporated into the site management schedule.
- This Service supports the use of an irrigation lagoon and open sky structure to maximise rainwater re-use and water conservation.

3.9 NCC Highways
With reference to the additional information submitted in respect of the above development proposal. The officer indicates that it is likely that the traffic levels will not change to any degree from the current levels as there are saleable plants currently outside on the areas that will be covered by the new glasshouses. Whilst this may be the case there is still concern regarding potential additional traffic on High House Farm Lane owing to the very narrow status. It is accepted however that if the development does not materially generate any degree of additional traffic that an objection can be raised.

3.10 Representations
13 letters of objection received from 8 properties on the following grounds:
- There will be a decrease in visibility on the road, particularly at the blind bends between the pub and Colton Grange.
- Concern with increased HGV traffic as a result of the proposed glasshouses and the impacts on highway safety in an area with narrow rural roads.
- The road is already struggling to cope with existing vehicular use from the farm
- The scale of the glasshouses will dramatically change the landscape and natural character of the area.
- Negative impact on views from residential properties. Further screening would be needed if approved.
- The existing buildings are already unsightly and not suitable for a quiet country village
- No amount of screening would disguise the height and extent of the proposed structures
• Machinery noise is already a problem at certain times of year
• Further impermeable surfaces would exacerbate existing drainage problems on the site.
• The drains on the north and east boundaries leads to major build-up of water in the north-east corner of the ditch with no exist for this currently or possible for the proposed system. The proposal will therefore require at least one increasingly deep ditch running north/south.
• Suggest a site visit by members to assess drainage issues
• No consideration given to drainage on northern and north eastern boundaries
• The drainage survey has not taken into consideration the existing ditches surrounding the site with a view to their ability to carry the current or envisaged increased flow of water
• Briar cottage to the north of the site has suffered from severe flooding as a result of run-off from the adjacent land
• There is already a problem with surface water on the roads and surrounding area
• The ditch network is not maintained and this is causing flooding problems

4 Assessment

The application and site

4.1 The site is located to the south-west of the main part of the village of Colton and to the north of the church. There are a number of residential properties to the southern and western boundaries and some to the north and east however these are located a greater distance from the application site.

4.2 The site is well screened in the wider landscape. In respect of boundary screening, a mature hedge delineates the western boundary of the site, with some gaps, sporadic tree and hedging to the north, trees and hedging to the west and a mature hedge to the south.

4.3 The application proposes the erection of two glass houses. One would measure 80m x 100m and would be fully glazed and similar to the existing glass house. The second would measure 100m x 100m and would have glazed perimeter walls and a retractable transparent polythene roof sheet.

4.4 These new structures would be located to the north and north-east of the existing glass houses on the site. The land is currently used for growing plants as part of the nursery business.

Key issues for consideration

4.5 The Key issues for consideration are the principle of the development, highway impacts, design, landscape impact, drainage and residential amenity.

Principle

4.6 The application proposes two additional glasshouses on the existing site as an extension to the existing business. Policy EMP6 of the South Norfolk Local Plan 2003 advises that alterations and extensions to existing businesses will be permitted subject to the size and design being in-keeping with the existing building and its surroundings; existing landscaping not being seriously compromised and inclusion of full and effective landscaping; and all parking, servicing and access can be accommodated on site. Subject to the scheme satisfying those criteria which are detailed below, the principle of the development is acceptable.
Design

4.7 Policy 2 of the JCS and section 7 of the NPPF requires all development to achieve good design. The proposed buildings are functional in their design, appearance and materials for their intended use. This is not out of keeping with the use of the land. The height of the buildings in addition to attention to gaps in landscaping to ensure that they should assimilate in to their setting.

Impact on setting of listed building

4.8 The church is located on the southern side of the road and the field opposite forms (application site) forms part of the immediate setting of the listed building.

4.9 The wider field boundary (directly adjacent to Church Lane) provides a good level of screening to the church.

4.10 Some of the proposed buildings are located to the north of existing structures and will be no taller than those existing structures. The second ‘open-sky’ building protrudes further east in the field than the existing structures but is located approx. 300m to the north of the church.

4.11 Given the existing intervening structures and landscaping features, the distance between the proposal and the church in addition to the limited height of the structures, it is not considered that the proposed glass houses would result in any significantly adverse impact on setting of the listed building in terms of its character or appearance.

Landscape Impact and Ecology

4.12 The site is well contained with a number of intervening landscape features to break any views in the wider landscape. As such any impacts of the proposed buildings are limited to its immediate setting. The boundary of the application site is delineated by a mature hedge and trees but with some gaps. Subject to further gapping up and replacement hedging where identified in the landscape plan, it is considered that this would adequately contain views into and out of the site.

4.13 The buildings are large and their cumulative impact with the existing buildings needs to be considered. As the site is well screened to the wider landscape and the buildings are of a limited height, whilst the scale of the buildings are significant, it is not considered that these proposed buildings or the cumulative impact with existing structures would result in any significantly adverse impact on the character of the landscape and would accord with planning policy.

4.14 In respect of Ecology, the glass houses will be placed on land already cultivated for the nursery and boundary treatments are largely being retained and augmented. As such it is considered that there would be no net biodiversity loss on the site.

Form and rural character of the area

4.15 The rural character of the area is a consideration, and it is acknowledged that the proposed glasshouses and nursery use is more intensive in terms of the structures on the site than an agricultural field would be, however these buildings are for purposes of agricultural use, necessary to facilitate the working of the land in this manner and views to the wider area are limited. As such and as detailed above, that the site is not overly prominent in the wider landscape, it is not considered that the proposal would be detrimental to the rural character of the area.
Impact on neighbouring amenity

4.16 It is acknowledged that the proposed glasshouses would have an effect on the views from Grange House, with views of a large expanse of glass houses, however right to a view is not a material planning consideration. The site is fairly well screened to this boundary, save some gaps. Subject to these gaps being filled in it is not considered that the proposed glass houses would result in any significantly adverse overbearing impacts on that property to justify a refusal of the application.

4.17 Concern of noise has been raised by an objector, however given that the majority of properties are some distance from the site and the equipment used on site is not such that it produces significant noise it is not considered that the proposed glasshouses would result in any significantly adverse impact on neighbouring amenity in respect of noise to justify a refusal or any conditions.

Drainage

4.18 Significant concern has been raised by local residents in respect of existing flooding problems caused by surface water from the site and poor maintenance of ditches around the site and the ability of the system and the existing pond to cope with the additional glass houses.

4.19 The amended Flood Risk Assessment (FRA) proposes a number of measures to accommodate surface water from the development. The existing irrigation pond will be used, two outfall pipes to the pond will be installed to provide additional storage and discharge to the southern boundary ditch will therefore be equivalent to or less than the existing greenfield run-off rates.

4.20 The FRA addendum advises that the existing flooding and drainage issues in church road are not contributed by over-topping of the irrigation pond. In order to reduce flood risk maintenance of the ditches and culvert will be carried out to improve flow rates away from the site. The Environment Agency (EA) do however indicate that as the proposed development would not worsen the existing problem, as is to be positively drained to the basin, that it is not strictly a material planning consideration. The EA advise that the landowner should seek to find a solution to rectify this problem.

4.21 Both the Environment Agency and the Council’s Flood Officer has confirmed there is no objection to the amended Flood Risk Assessment and approach proposed subject to a further condition to require a surface water drainage scheme to be submitted and approved in line with the FRA prior to the commencement of development. This includes matters such as modelling to demonstrate discharge rates are restricted to greenfield rates; modelling and drawings showing provision of sufficient storage in the basin; modelling of the conveyance network; topographic plans of the proposed development depicting exceedance flow paths; and details of who will maintain each element of the surface water system for the lifetime of the development and submission of a maintenance schedule.

Highway matters

4.22 Concern has been raised by local residents regarding road safety, the existing issues with large vehicles navigating this narrow bendy road and the impact additional vehicles that may result from further buildings would have.

4.23 The Highway Authority has indicated that the application suggests that it is likely that the traffic levels will not change to any degree from the current levels as there are saleable plants currently outside on the areas that will be covered by the new glasshouses. He advises that whilst this may be the case there is still concern regarding potential additional traffic on High House Farm Lane owing to the very narrow status. The Highway Authority
accepts however that if the development does not materially generate any degree of additional traffic that an objection can be raised. They therefore raise no objection to the application.

4.24 In respect of highway flooding, the FRA Addendum submitted proposes a surface water drainage strategy that should address run-off from the site onto the highway. As such in so far as is material to this planning application, the surface water issues on to the highway are considered acceptable. Maintenance of the downstream drainage system is also proposed. The council’s flood officer has also advised that regular routine management of the watercourse is a requirement under the Land drainage Act and can be enforced by Norfolk County Council or the Highway Authority under the Highway’s Act.

Renewable Energy

4.25 Policy 3 of the JCS requires on schemes of commercial floor space of 1000sqm or greater, 10% of the schemes expected energy requirements to be from renewable or decentralised sources where viable and practicable. Furthermore it requires all development to seek to maximise water efficiency.

4.26 In this case, there would be very little energy requirements for the glasshouses and this would not be significantly greater than what is required to cultivate the land. As such on this development it is not considered necessary nor practicable to provide renewable energy on site.

4.27 Water efficiency is maximised through the retractable roof system of the larger glasshouse, allowing natural watering through rainfall, in addition to the use of an irrigation system from the attenuation pond on the site.

Environmental Impact Assessment (EIA)

4.28 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.

Financial considerations

4.29 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.

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

5. Conclusion

5.1 Whilst the large scale of the proposed buildings would impact the rural character of the area, given the limited height of the structures, the limited impact on the wider landscape setting, the need for the business to have a rural location and imposition of conditions to ensure existing boundary planting is augmented, the proposal would not significantly affect the rural character of the area or its landscape setting.

5.2 It is acknowledged there are existing drainage problems in the surrounding area; largely it appears from poor maintenance of drainage ditches. However in respect of the proposed development, the measures proposed including a drainage pond and outfalls would not result in any increased flow to these ditches above greenfield run-off rates and as such will
not exacerbate this existing problem. On that basis and subject to a condition for further information in respect of the surface water strategy, the EA and the Councils Flood Officer are satisfied that the proposal would not result in an increased risk of flooding to the surrounding area.

5.3 Given that the proposals are unlikely to engender significant additional traffic movements there is no objection from the Highway Authority and the proposal is not considered to endanger the safe and free flow of traffic.

5.4 Whilst large in scale the proposed glass houses, subject to augmented boundary planting, would not be unduly overbearing on neighbouring residential properties.

5.5 On balance and subject to the imposition of conditions the proposal to extend this existing business is considered acceptable and accords with the Development Plan.

Contact Officer, Telephone Number Tracy Lincoln 01508 533814
and E-mail: tlincoln@s-norfolk.gov.uk
3. **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**: Approval with conditions  
   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 3 external materials as in submitted schedule  
   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.  
   7. Tree protection to be implemented as shown in submitted plan

Subject to securing a deed of variation to the original S106 agreement to amend the affordable housing figure to 32% from 33%

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 (2012)

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 Refused 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:
Object.
All aspects of the development should be considered together. Piecemeal consideration and separate approval of surface water drainage, highway re-alignment, gas mains pipeline, pumping station, ecological protection zone and other ecological issues

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cannot deliver holistic scheme as required by the Inspector. All elements are interlinked. Piecemeal approvals risks contravening the conditions imposed by the Inspector. The developer seems to be attempting to circumnavigate the requirements of the conditions at present. Costessey Parish Council accept the Inspector’s decision and expects the Council to ensure the conditions are complied with, the only way to do this is to deal with all matters simultaneously.

Condition 7 SuDS, it is not acceptable to replace SuDS surface water treatment by piping it into a ditch which then discharges into the River Tud. Water will be dirtier if piped than if it percolates through a SuDS system to the detriment of the River Tud. Norfolk Wildlife previously had no objection on the basis no water would be discharged into the River Tud. There is no indication as to who might maintain or pay for maintenance of the ditch. Anglian Water’s response has not been received.

Conditions 11 and 18 Highways, loss of trees and hedgerows brought about by realigned highway and drainage ditch would have significant impact upon locality. There appears to be no comment from the Highway Authority. As this forms part of the drainage strategy it should be included and shown for consideration. It is not acceptable to label part of the drainage strategy as part of the highway works.

High pressure gas pipeline, the surface water drainage strategy would cross the main high pressure as pipeline. No comments from the National Grid have been provided.

Lack of management plan for the ecological protection zone, these should be submitted as there are no indications of who would manage it or bear the cost.

Pumping Station Although some attempt has been made to mitigate the impact, the issue of proximity to existing properties and the smells have not been. This should be relocated away from dwellings.

Conditions 2, 5c and 12 the design and access statement makes reference to bunds but gives no indication of these.

Crane Hill (neighbouring property) has been misrepresented. Plot 1 the property is too large and should be a single storey dwelling like others adjacent to the boundary.

Condition 20 play area no details submitted

Condition 19 fire hydrant no details submitted

Previous schemes:
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 respect of the submission. 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  To be determined by Committee
Cllr T East  To be determined by Committee due to its ongoing controversial nature and weight of public concern

3.3 Anglian Water Services Ltd  Comments are to be reported orally to the Development Management Committee.

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 on the basis that condition 7 of the outline approval is not being agreed/discharged as part of this reserved matters application. This will need to be discharged separately at a later date (prior to commencement of development) and we should be consulted on the matter before a decision is made on the acceptability of the surface water drainage strategy.

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  To be reported if appropriate

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. Tree protection details to be followed via planning condition.
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  13 objections were received in total, with some objectors commenting more than once to the additional information as received on the application. A summary of these is as follows:

- Unacceptable to build right up against our property (Crane Hill).
- Failure to comply with Inspectors decision.
- Reports accompanying the outline application were used to inform the 5 day public inquiry, how can it now be the case that these are not relevant/workable into the reserved matters application?
- Concern over surface water drainage
- SUDS is essential and Inspector views on this should not be abandoned/lost
- What has happened in the last 5 years to make the Bidwells Flood Report incorrect?
- It is hoped that the matter is not being allowed to pass without proper consideration by the Council.
- Condition 18 was to allow detailed issues relating to off-site works to be agreed and not significant additional matters such as adding a drainage ditch next to the carriageway.
- 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 than existing development.
- 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
Request a site visit by the planning Committee
Increase in noise and disturbance to existing residents.
Additional traffic would cause highway safety concerns.
Old and New Costessey will be joined.
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.
Condition on archaeology exists.
Site area is different to that on outline.
Previously promised soakaways cannot be delivered due to density of houses.
Part of the site is too dense.
Insufficient parking based on NCC comments.
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.
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.
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.
• Surface water drainage is an integral part of the Reserved Matters Application and is described in the Design and Access Statement and the Drainage Strategy document submitted with the application.

• Surface water drainage is stated as "principally based on positive discharge to the River Tud via a new ditch".

• The site layout is based on this method of discharge rather than SUDS infiltration within the site.

• Direct discharge into the Tud will be a potential risk to water quality and protected species in the river.

• If the Reserved Matters application is approved by South Norfolk it will imply acceptance of direct drainage irrespective of any details later submitted in compliance with condition 7.

• For all of the above and the reasons stated in our previous objection we would request that the application continues to be deferred. This should be until all the drainage details are submitted and a WFD assessment is undertaken in consultation with the Environment Agency.

• The NERC Act requires public bodies to have regard for biodiversity conservation. Surface water drainage 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

• 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.

• 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.
Costessey Society

• 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).

These would be provided on plots 20 to 39.

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).
Compliance with conditions

4.7 There has been significant concern expressed by neighbours and interested party representations at the perceived failure to comply with the requirements of the Inspector’s schedule of conditions within this reserved matters application, with particular concern at the lack of detail in respect of off-site highway works, surface water drainage and ecology. With this in mind it is considered appropriate to clarify the position of the Council in respect of the Inspector’s decision and how these need to be considered in the context of this reserved matters application.

4.8 The Inspector imposed a comprehensive list of conditions. A number of these conditions require the submission of full details to be agreed with the Council. Where a condition requires the submission and agreement of details, it is necessary for that condition to include a “trigger” for the submission and agreement of the matters to which they relate. In this particular instance, it is evident that the majority are worded so that “No development shall take place” (condition nos. 2, 4, 5, 6, 7, 10, 11, 12, 14, 16, 18, 19 and 20), with the exceptions being condition 13 which is referred to directly in paragraph 4.33 of the committee report and conditions 9, 15 and 17 which are worded that “before the first dwelling is occupied”.

4.9 Where the details to be agreed are to be done either “before development takes place” or “before the dwelling is first occupied”, the applicant is not required to submit the details to which they relate as part of a reserved matters application, as is the case here.

4.10 With this in mind, and notwithstanding the desire to have the details now to consider in the context of the application, the Council cannot insist upon this.

4.11 It should be noted that had the Inspector felt it necessary to have any of the details covered by conditions 2, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19 and 20 submitted as part of a reserved matters application, then they could have worded the conditions to that effect, as was the case with condition no. 13.

4.12 Notwithstanding the above scenario, the Council are mindful of the need to ensure that the details of the scheme being considered (the layout of the scheme and the nature of the proposed units) would not compromise the ability to comply with these conditions in order that when the developer wishes to provide the necessary details through the discharge of condition procedure there will not be a conflict between the scheme approved under this reserved matters application and the ability to comply with the outstanding conditions form the outline approval.

4.13 The planning issues identified in the following part of the assessment, will where appropriate, make reference to how the scheme does not conflict with the ability to comply with the relevant condition from the outline approval.

4.14 Having regard to the fact that the principle of residential development has been established for this site, 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

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

4.16 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.

4.17 With regard to visual intrusion, 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. It should be noted that condition 2 as recommended in this report would agree precise details of the pumping station based on the current details and condition 4 as recommended in this report will ensure an appropriate boundary treatment is put around the pumping station.

4.18 With regard to neighbour amenity, 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 is requirement. 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, see condition 2 as recommended in this report. 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.

4.19 It should be noted that connecting into the main foul water system and the use of a pumping station does not conflict with any of the Inspector’s conditions.

4.20 In respect of surface water drainage, significant concern has been expressed at the submitted drainage strategy not complying with the outline condition no. 7 in respect of “incorporating sustainable drainage principles” and the details submitted under the outline application.

4.21 Firstly, the condition requires the agreement of the details prior to commencement, and the Council is not as part of this approval, seeking to agree the details of a detailed surface water drainage scheme, as can be noted by the list of conditions proposed at the start of the report. It is apparent that the existing conditions will need to be addressed through a formal discharge of condition application which will involve consultation with relevant parties (Environment Agency (EA), SNC Flood Prevention Officer).
4.22 Secondly, the condition does not include any reference to the need to have particular regard to any of the documents submitted as part of the outline application and therefore the developer is in no way required to comply with any particular strategy outlined in any document e.g. that within the Bidwells Flood Risk Assessment (FRA). The condition is clear that it has to have regard to “sustainable drainage principles”.

4.23 It is considered that the likely reason for the Inspector choosing not to not require strict compliance with the Bidwells document, is due to the need to have a more detailed assessment, taking into account the detailed scheme submitted as part of any subsequent reserved matters application which would need to have regard for not just this issue but any others raised by their decision e.g. the need to provide a 15m ecological buffer zone (this was not taken into account within the Bidwells Report or included within Appendix G of the Bidwells Report which indicated a SuDS scheme for the indicative layout). It should be noted that the Bidwells Report was produced without any knowledge of such a provision being required.

4.24 Nevertheless, it is reiterated that a detailed scheme will be submitted and agreed by the Council. Furthermore, if the submitted details are not acceptable to the Council then the details do not have to be agreed.

4.25 The layout of the scheme does not compromise the ability to deliver a detailed surface water drainage system that complies with the requirements of condition no. 7 of the outline approval.

4.26 Both the Environment Agency and the Council's Flood Protection Officer have no objection at this time.

4.27 Reference has also been made to the Water Framework Directive (WFD). There is no requirement as part of the consideration of a reserved matters application to undertake and assessment in association with WFD. On this basis it is not considered appropriate to require one at this time.

Trees

4.28 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. Reference has been made to the need to protect existing trees, and this would be secured through a suitably worded condition (condition 7 of this report). This is in addition to condition 11 of the outline approval which requires tree protection at the site frontage only.

4.29 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 outline consent for one dwelling at land adjacent to Beech House, Townhouse Road which became Holkham House), however this can only relates to land within that 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

4.30 An indicative scheme of landscaping for the site is included in the most recent layout, this includes planting along the southern and western perimeter of the ecological protection zone and the eastern boundary of the site which is to provide an ecological corridor, thus providing a continuous link from one end of the site to the other. There would also be additional planting within the layout. The location of all planting is 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 can be done via a suitably worded condition (condition 3 of this report).

4.31 The layout as proposed here in no way compromises the ability to comply with condition nos. 4, 10 of the outline approval in respect of planting/landscaping.

Neighbour amenity

4.32 The current layout shows 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 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.

4.33 In respect of the properties adjacent to the western perimeter of the site, 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.

4.34 The occupants of Crane Hill has expressed particular concern at the relationship between it, and the adjacent proposed plot 18, including the garage proposed on this plot and its associated risks in relation to crime.

4.35 The bungalow has been designed to minimise the impact of this upon the residents of Crane Hill. The southern side elevation of the bungalow on plot 18 which faces towards this property only includes openings to non-habitable rooms (bathroom and en suite) which further assists with protecting privacy levels. Furthermore, the Council are proposing to attach a planning condition to this approval which will require the agreement of a suitable boundary treatment to further aid the safeguarding of amenities. With regard to the garage, it is considered that its position in relation to Crane Hill would have no significant impact upon neighbour amenity in terms of light, outlook or privacy, and with regard to the concerns regarding potential criminals using it to access their property, it is considered that the distance between the garage and Crane Hill coupled with a robust boundary treatment between the properties (this is to be secured via condition) would minimise any risks in respect of crime.

4.36 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. 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.
4.37 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.

4.38 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**

4.39 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.

4.40 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.

4.41 This condition also requires a protection plan and method statement for the existing protected trees (Carr’s 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.

4.42 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.

4.43 The layout as proposed here in no way compromises the ability to comply with conditions 4 and 10 of the outline approval in respect of ecology.
Design and landscape impact

4.44 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, 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. There are 62 dwellings proposed on-site and none of the dwellings have more than two storeys or exceed 8m in height.

4.45 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.

4.46 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.

4.47 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.

4.48 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 bene kept to a minimum and has been attempted to be broken up by planting as part of the landscaping scheme.

4.49 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

4.50 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

4.51 The affordable housing proposed on this scheme is acceptable to the Council's Housing Strategy and Enabling Officer in that it secures 20 units from the 62 units proposed, which equates to 32.258%. However, it is evident that the S106 associated with the outline approval requires 33%. Given that there is no way to deliver precisely the equivalent of 33% affordable units across 62 dwellings units, a deed of variation to the existing S106 is required to address this issue. This is currently being progressed with the applicant.

4.52 The affordable units are to be provided in the western section of the site. This is acceptable on the basis that the size of the units in terms of the number of bedrooms to be provided reflect the housing needs of this part of the District which is generally to see smaller units. This also reflects the implications of changes to welfare reform and to position some of the smaller and therefore denser affordable units elsewhere would not result in such a good quality of design of the layout, especially if they were to go in the eastern part of the site which is particularly prominent in the wider locality. The present scheme has looked to provide lower density development in the eastern part of the site which is more visible from the surrounding area.

Open Space Requirements

4.53 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.

4.54 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."
4.55 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

4.56 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.

4.57 By way of clarification, the scheme provides a total of 152 parking spaces across the development (62 dwellings in total) and has regard for Highway Authority standards in terms of providing 2 spaces for 2 and 3 bedroom units and 3 spaces for 4 or more bedroom units.

Other issues

4.58 Reference has been made to archaeology and there is a condition in respect of archaeology (condition 6), however, this is to be complied with prior to commencement, rather than as part of a reserved matters application. The layout as proposed here in no way compromises the ability to comply with this condition.

4.59 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 a 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.

4.60 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.

4.61 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.

4.62 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 Carr’s Hill Wood. The proposal is, therefore, considered to accord with the relevant national and local plan policies as detailed in this report.

5.2 It is acknowledged that a number of detailed issues are yet to be resolved and these will be done so through the appropriate mechanism, namely discharge of condition application, which will be the subject of consultation with appropriate bodies at that time.

Contact Officer, Telephone Number and E-mail: Chris Raine 01508 533841
craine@s-norfolk.gov.uk
Appendix 2
Other Applications

Parish : GREAT MOULTON
Applicants Name : Mrs Christine Wheal
Site Address : Post Office Hallowing Lane Great Moulton Norfolk NR15 2AA
Proposal : Change of use of closed shop and post office to residential dwelling with 2no garages
Recommendation : Approval with conditions
1. Full Planning permission time limit
2. In accord with submitted drawings

1. Planning Policies

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

1.2 Joint Core Strategy
    Policy 5 : The Economy

1.3 South Norfolk Local Plan 2003
    EMP 7: The retention of rural employment and services (Part

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
    DM2.2 Protection of employment sites
    DM3.17 Improving the level of local community facilities

2. Planning History

2.1 1995/0747 Retention of 1.2m satellite dish Approved

2.2 1992/1533 Erection of double garage/store Approved

3. Consultations

3.1 Parish Council No views or comments.

3.2 District Member Can be delegated.

3.3 NCC Highways No highway objections.

3.4 Environmental Services (Protection) No comments to make.

3.5 Representations 2 Letters in support.
4  
4.1  The site is a post office and shop within what was formerly the ground floor accommodation and garages to a cottage. The proposal seeks consent for the change of use from A1 to residential to enable the ground floor rooms to be incorporated into the adjoining house and the garages reinstated, requiring no structural alterations to the exterior of the building. The building fronts Hallowing Lane a country lane outside any defined development limits on the edge of the village of Great Moulton within a cluster of dwellings but otherwise surrounded by open fields.

4.2  Although neither the market strategy, nor the valuation procedure were agreed in advance with the Council, evidence of marketing has been submitted with the application to demonstrate the property was advertised from September 2009 to early 2014 with commercial agents, the price being reduced by £150,000 over that time and was ultimately marketed at £275,000 for nine months until April 2014. Despite extensive marketing this resulted in only 3 viewings and no offers and the agents concluded that it was 'virtually an unsaleable business'. As a consequence the applicant placed the business and adjoining house on the market with local residential agents in January 2014. During that time two offers were received, one at the asking price but subject to change of use of the shop and the other in September below the asking price from a prospective purchaser who wished to run a business from the premises. The second purchaser has withdrawn her interest having found a more suitable property.

4.3  Policy EMP7 of the South Norfolk Local Plan 2003 states the use of employment land and buildings for non-employment purposes will only be permitted if, amongst other criteria, 'The retention of the site for employment use has been fully explored without success'. The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework. The emerging Development Management policies DM2.2 and DM3.17 also provide that change of use in these circumstances will only be permitted where it can be demonstrated that the possibility of re-using or redeveloping the premises for a range of alternative business purposes or existing community facility have been fully explored and it can be demonstrated that the site is no longer economically viable or practical to retain for an employment use.

4.4  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.

4.5  This application is not liable for Community Infrastructure Levy (CIL) as there is no increase in floor area and the existing shop is still in use.

5  
5.1  Despite the applicant not agreeing the marketing strategy or asking price prior to the marketing of The Post Office, it was undertaken by a reputable commercial agent (Christies) at a reasonable value for nine months and, as reported above, they regarded the business as virtually unsaleable. Only one potential commercial buyer showed an interest and they have now withdrawn. Therefore the market for the property has been tested in a reasonable manner even though it was not strictly in accordance with our normal practice.

5.2  Furthermore, the premises are not conventional commercial premises, being largely a residential dwelling with an element of business use. There will be other residential properties in the area that could be similarly adapted should there be demand, so the loss of this particular employment site would not prevent a similar business being set up elsewhere. It should also be noted that no objections to the change of use have been raised by local people.
5.3 On balance, it is considered the proposal does not significantly conflict with the purpose of current and emerging policies and the change of use is consequently recommended for approval.

Contact Officer, Telephone Number and E-mail: Helen Cox 01508 533832 hcox@s-norfolk.gov.uk
5. **Appl. No**: 2014/1365/F  
**Parish**: BRESSINGHAM

**Applicants Name**: The Bloom Family  
**Site Address**: Bressingham Hall Low Road Bressingham Diss IP22 2AA  
**Proposal**: Creation of a wedding and function venue through the conversion of curtilage buildings to the rear of the Grade II listed hall, construction of a reception building, laying out of car park and access, and demolition of ancillary buildings.

**Recommendation**: Approval with conditions

1. Full Planning permission time limit  
2. In accord with submitted drawings  
3. No live or amplified music outside buildings  
4. Boundary noise level  
5. Sound attenuation measures as in noise assessment  
6. Detailed Management Plan to be agreed  
7. No marquees or temporary buildings unless agreed  
8. Contaminated land - submit scheme  
9. Demolish existing buildings on site  
10. Details of foul water disposal  
11. Surface Water  
12. Provision of parking  
13. Signage around the site to approved access/exit  
14. Highways - Visibility splay  
15. Highways – access & surface drainage  
16. Highways – Access gates  
17. Highways – parking/turning  
18. Ecology Mitigation  
19. External materials to be agreed  
20. Specific details to be agreed  
21. External joinery details to be agreed  
22. Details of all plant & equipment to be agreed

6. **Appl. No**: 2014/1366/LB  
**Parish**: BRESSINGHAM

**Applicants Name**: The Bloom Family  
**Site Address**: Bressingham Hall Low Road Bressingham Diss IP22 2AA  
**Proposal**: Full planning application for the creation of a wedding and function venue through the conversion of curtilage buildings to the rear of the Grade II listed hall, construction of a reception building, laying out of car park and access, and demolition of ancillary buildings.

**Recommendation**: Approval with Conditions

1. Listed Building Time Limit  
2. In accord with submitted drawings  
3. External materials to be agreed  
4. Specific details to be agreed  
5. External joinery details to be agreed
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
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 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
IMP 10: Noise
IMP 11: Demolition of Listed Buildings
IMP 13: Alteration of Listed Buildings (Part Consistent)
IMP 15: Setting of Listed Buildings
EMP 3: Adaptation and re-use of rural buildings for employment
ENV 8: Development in the open countryside (Part Consistent)
ENV 15: Species protection
TRA 13: Corridors of movement
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
DM1.3 Sustainable location of development
DM2.1 Employment and business development
DM2.10 Conversion and re-use of buildings in the Countryside for non-agricultural use
DM3.9 Design Principles
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM3.15 Pollution, health and safety
DM4.11 Heritage Assets
DM1.1 Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM2.9 Rural tourist and recreational destinations
DM3.11 Promotion of sustainable transport
DM3.13 Provision of vehicle parking

1.6 Statutory duties relating to Listed Buildings and the setting of listed buildings:

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.”
1.7 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.

2. Planning History

2.1 2014/2262 Erection of a marquee as first phase of creation of wedding and function venue To be determined

3. Consultations

3.1 Parish Council
First consultation
Unable to provide comments until further information is available.
Concern about noise levels and exit route onto main road.

Second consultation
Refusal - due to noise levels

3.2 District Member
First consultation
No comment received

Second consultation
To be determined by Planning Committee due to range of concerns about noise levels

3.3 Waveney Valley Internal Drainage Board
No comments received

3.4 NCC Highways
No objection but suggest conditions for any approval

3.5 Ecologist
No objection but subject to conditions

3.6 Landscape Officer
No objection

3.7 Environmental Health
First consultation
Unable to comment due to insufficient information regarding noise

Second consultation
No object subject to conditions to ensure noise levels are at an acceptable level.

3.8 Representations

First Consultation
Objections - 4 responses received objecting to the proposal for the following reasons:

- Noise, revelry and socializing from wedding parties.
- Wedding parties spilling out into wider garden area.
- Impact of noise from vehicle traffic on Bressingham Lodge along the proposed exit route.
- Disturbance to Bressingham Lodge from guests looking for the hall.
- Impact of proposal on road safety in terms of additional traffic onto A1066 and in encouraging drink driving due to lack of proposed accommodation at the hall.
- Impact of traffic on access to Bressingham Lodge from private road which is proposed as exit route.
- Inaccuracies in application regarding visibility of Bressingham Lodge from the proposed venue hall and no reference made to the Lodge in detailed information provided on land surrounding the hall.
- Contrary to the supporting statement in the application, residential properties along the A1066 are in direct proximity to the site.
- Proposals are contrary to policies IMP9, IMP10, ENV8, DM2.9, DM14
- Impact on wildlife in the area
- Earlier consultations should have involved neighbours prior to submission of application.

Second Consultation

Objections - 21 responses received, all objecting to the proposal for the following reasons:

- Object to delegated approval and application should go to Committee as Officers have indicated to the applicant that they have no problems with the development.
- Noise assessment in AJA report is for music only and does not take into account other noise disturbance.
- Conclusion from independent noise assessment carried out by IEC Ltd should fundamentally alter the Councils approach to the application proposal.
- Noise assessment for music only and not taking into account the human factor and other noises such as generators
- Noise assessment provided with proposal does not meet requirements set out in letter from Environmental Health Officer.
- Noise measurements carried out on a night when there was an evening event at Bressingham Steam & Gardens. There are very few evening events at the Gardens so does not provide a realistic level of background noise on most evenings.
- Where there have been approvals for similar wedding developments these have proven to be detrimental to the amenity of local residents and a statutory noise nuisance.
- Application should include a viability assessment/business plan enumerating the monetary and employment benefits the proposal will have directly to the neighbourhood.
- Previous proposed layout, which was not acceptable, was better suited to dealing with noise levels and provides a more coherent design solution. Proposed arrangement of buildings provides poor relationship with the hall.
- No staff facilities indicated.
- Noise report based on assumptions in terms of building structure, number of open windows, behaviour of guests and the measurement and control of sound by staff. Any of these could be false.
- AJA Report does not take into account that sound in rural areas is an issue of ‘ambience’ which is an essential quality of the surrounding natural heritage.
- Concern that the railway running around the Hall site will be used by wedding guests at night.
- Likely amount of low level frequency noise
- Road safety issues with traffic from venue entering onto busy road.
- Noise from guests leaving venue – shouting, car doors slamming
- Very few residents have been consulted on the application. Some are elderly and do not have access to the internet.
• The impact of proposal particularly on residents at Bressingham Lodge.
• Junction at School Road frequently used as a roundabout by those missing the Bressingham Steam & Garden Entrance – this will only increase.

4 Assessment

4.1 Bressingham Hall is located immediately south of the A1066 in Bressingham in a semi-rural setting, which forms part of the Waveney Valley. The Hall is grade II listed, dating from the late 18th century and is set some distance back from the road with ancillary buildings to the rear. The ancillary buildings include a large timber frame barn, constructed in red brick and flint with slate roof, and a granary building, also in red brick. The site is surrounded by mature gardens of international renown to the north, west and southwest sides with trees screening views from the north and west sides. There are also a large number of mature trees within the site. The gardens provide a particularly attractive setting for the house, enhancing its character and appearance. The gardens around the house have been developed since the mid-20th century resulting in the site no longer being used for farming. Other than the main barn, ancillary buildings are largely late 19th century and 20th century structures that have been built over what was once a large rear courtyard serving the farm. Immediately adjacent to the east side of the hall site is the Bressingham Steam Museum and Garden Centre (both in separate ownership), which are open to the public daily providing rides on a steam railway line that runs around the gardens of Bressingham Hall. Access to the Gardens is via the Garden Centre.

4.2 These applications seek listed building consent and planning permission for creation of a wedding and function venue at Bressingham Hall. The proposal is for the demolition and conversion of ancillary buildings to the rear of the hall together with the construction of a new barn as a reception building and provision of car parking area and new access arrangements at the existing entrance to the site.

4.3 The proposed scheme is to be in three phases. The first involves the demolition of existing structures, refurbishment of the existing barn and erection of a temporary marquee. The proposed marquee is the subject of application 2014/2262 also to be presented at this Development Management Committee. The second phase involves the construction of a new timber frame barn with WC block. The third phase completes the development with refurbishment works to ancillary buildings and new links built to connect the separate blocks.

4.4 As the hall is listed the proposal is assessed against policies IMP 13 and IMP 15 of the South Norfolk Local Plan. These policies require the proposal to be designed to preserve the special architectural or historic interest of the building and that special attention is given to the design, scale and impact of the scheme on the existing setting. The proposal is also assessed against policies IMP8 - Safe and Free Flow of Traffic, IMP 9 - Residential Amenity and IMP10 - Noise. The following other policies from the local plan also apply: IMP 11, EMP3, ENV8, ENV15, TRA13 and TRA19. The policies in the Joint Core Strategy, Local Plan and the requirements of the National Planning Policy Framework seek to ensure that the proposal is of a good design and does not adversely affect the residential amenity of the neighbouring properties. The assessment of these applications gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent with the published National Planning Policy Framework. Emerging DM Policies 1.1, 1.3, 2.1, 2.9, 2.10, 3.9, 3.11, 3.12, 3.13, 3.14, 3.15 and 4.11 are also relevant here. The potential for any adverse impact on the character and appearance of the listed building and its setting has been carefully considered under the requirements of section 66 of the Planning (Listed Building and Conservation Areas Act) 1990.
4.5 The principle of proposed use

Policy guidance under section 3 of the National Planning Policy Framework states the following:

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- Promote the development and diversification of agricultural and other land-based rural businesses;
- Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

4.6 The hall is currently used as bed and breakfast, the adjacent barn and other ancillary buildings to the rear of the hall are in low key use for storage. The proposed scheme retains and restores the more important ancillary buildings bringing them back into full use and provides further employment opportunity. The changes to the existing layout of buildings together with the design of the new barn building are very much in keeping with the rural character of the site and wider setting. The benefit of the existing gardens will be an added attraction to the proposed new use and will also complement both the existing tourist/leisure facilities provided by Bressingham Steam Museum and Gardens. Whilst there are some alterations to the rear of the main barn that are perhaps less sympathetic to the traditional detailing of agricultural buildings, the ancillary buildings to remain can be suitably adapted for the proposed re-use and overall the proposed demolitions and alterations will enhance the character and appearance of the setting of the hall to the rear. The Highways Officer has not raised any issues regarding the road access serving the proposed development and the proposed use would not lead to dispersal of activity on such a scale as to prejudice the vitality of any towns or villages in this part of the district.

4.7 It is therefore considered that the proposal meets the requirements of policy EMP 3 of the South Norfolk Local Plan regarding Adaptation and Re-use of Rural Buildings for Employment Purpose and this policy reflects requirements in the NPPF for supporting a prosperous rural economy. The requirements of policy ENV 8 regarding development in the open countryside and also policy EMP7 regarding the retention of rural employment and services are also met.

Design, layout and impact on character of listed building and its setting

4.8 The scale, design and traditional material finishes of the new barn will allow it to sit comfortably on the site with no adverse impact on views. The proposed scheme follows the original linear pattern of development and overall will enhance the setting of the house, particularly in views from the south and east sides. The proposed demolitions will re-establish a rear courtyard area and open up views of the more interesting buildings that are to be retained. The orientation of the new barn will allow guests direct access to the gardens, a unique attraction for such a venue. Joinery details and external finishes, including new ground surfacing are all to be agreed under conditions.

4.9 The proposed scheme will greatly improve views of the rear of the site from the south and east sides and the conversions together with the new barn building have be designed in terms of their scale, details and material finishes to be sympathetic to the historic character of the site and its setting. It is, therefore considered that the proposal has been given proper consideration in respect of the requirements of Section 66 of the Planning (Listed
Buildings and Conservation Areas) Act 1990. The proposal also meets the requirements of JCS policy 2 and policies IMP 13 and IMP 15 of the South Norfolk Local Plan.

Highway safety

4.10 The original scheme was for the exit onto the main road to be adjacent to Bressingham Lodge at the end of the existing track to the west side of the Bressingham Hall site. The amended scheme uses the existing entrance only but with improvements to allow traffic to both enter and exit the site. The Highways Officer has raised no objection to the scheme but has recommended conditions regarding, drainage, new gates, visibility splay, parking, turning and new signage. It is therefore considered that highways issues have been given proper consideration and meet the requirements of policy IMP 8.

Residential Amenity

4.11 Residents closest to the site are situated along the A1066, specifically Hall Cottages, Bressingham Lodge, and to the southwest side at Foggy Bottom (in the same ownership as Bressingham Hall), which are all approximately 200 metres from the proposed new venue. There have been a large number of objections to the proposal including those from Bressingham Lodge and Hall Cottages.

4.12 As mentioned above, the original scheme for vehicles exiting the site was via the track to the west side of the site. In order to address potential residential amenity issues at Bressingham Lodge the scheme has been amended so that only the existing site entrance is used for vehicles going to and from the proposed venue.

4.13 The main point of objection to the proposal is the potential noise impact on nearby residential properties and wider area, particularly with regard to music levels and other noise disturbance caused by people accessing the gardens later in the day and leaving the site. Related to this a number of objections/concerns have also been raised about the lack of information provided in the acoustics report and the basis on which the assessment of background noise levels was carried out. Background noise levels were recorded over a relatively short period of time and on a night which did not reflect a typical evening, due to an event being held at the steam museum.

4.14 Having considered all the objections regarding noise levels together with the information provided in both the applicant’s acoustic report and the independent noise report provided IEC Ltd, it was considered that issues needed to be addressed concerning the following: the robustness of the background noise assessment, low frequency noise levels, the use of external doors, the use of a warning devices rather than limiters, noise calculations presenting ‘best case scenario’ figures and the likely noise levels coming from the proposed marquee. It was also pointed out that noise levels not only had to meet the Council’s requirements in terms of impact on residential amenities but also had to be realistic for the use proposed.

4.15 Following further discussion with the agent, the Council completed its own assessment in order to clarify background noise levels and this backs up the calculations provided in the applicant’s initial acoustic report. The agent has provided an additional technical memorandum for noise assessment together with an outline management strategy to address other issues raised. These documents provide details on proposals to upgrade both the existing and proposed barn, including the glazed link, in order to mitigate noise levels. High levels of insulation are proposed together with additional internal doors and sound proof windows with compressed seals in order to help reduce noise breakout from openings. An access control system is to be in place for proper control of the doors together with associated internal ventilation system. Noise limiters will be used inside buildings instead of warning systems originally proposed.
4.16 Music noise levels have been calculated from the nearest residence at Bressingham Lodge and based on readings have also been calculated for residencies opposite the site to the northeast. The additional information provided in the memorandum confirms that up to 23:00hrs music noise levels at the nearest noise sensitive premises will not exceed background noise levels for both phases of the development. It also confirms that after 23:00hrs music noise levels would be below the background noise level. The Environmental Health Officer has recommended that these calculated levels of noise are conditioned with any approval of the applications.

4.17 The acoustic reports specifically address music noise levels which are the most likely source of significant and prolonged noise disturbance. Conditions are recommended to control details of plant and equipment to ensure they do not cause noise problems. Noise from vehicles and people is less easy to predict with any precision and assessing this aspect is a matter of judgement. Whilst it is recognised there will be some noise disturbance caused by vehicles and people, this is not likely to be at an unreasonable level or frequency in its occurrence. Relevant to this judgement are a number of circumstances in this case including, the character of the area adjacent a major road (A1066); adjacent significant visitor attractions (Steam Museum and Blooms Garden Centre); the size of the site; the separation of the proposed venue from neighbouring dwellings; and the fact that the gardens are already open to the public. The requirement for a Management Plan to guide the management of the site will also assist in minimising unreasonable noise or disturbance.

4.18 The Environmental Health Officer, having considered the further information provided for the noise assessment, considers that it is possible for music to be played at an acceptable level in the proposed venue without giving rise to an unacceptable impact on residents of the area and that it is also possible for other noise sources to be controlled by good management of the venue. It is recommended that conditions are imposed in respect of noise levels not to be exceeded and implementation of the features that will contribute to noise limitation to meet these restrictions and avoid unreasonable disturbance.

4.19 It is considered that the further information provided in the additional noise assessment and proposed outline management plan provides a sufficiently robust scheme to ensure that noise generation can be kept at an acceptable level and therefore the proposal satisfies the requirements of policies IMP9 and IMP 10 regarding residential amenity and noise.

Ecology

4.20 The Ecologist is satisfied that, provided the mitigation for Great Crested Newts specified in the submitted report is followed, it would be unlikely that any offence would be committed. With regard to bats the Ecologist is satisfied that the proposed development could proceed under an EPS licence but recommends that the mitigation provided in the Ecological Survey is conditioned with any approval. With regard to protected species the scheme therefore satisfies the requirements of policy ENV15.

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

5. Conclusion

2014/1366/LB

5.1 The existing buildings are suitable for the proposed use and overall the scheme is sympathetic to the existing character and appearance of the listed building, its setting and wider landscape. As there will be no adverse impact on the architectural or historic interest of the listed building and its
setting, the proposal is acceptable under the requirements of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and satisfies the requirements of relevant policies in the South Norfolk Local Plan and JCS regarding listed buildings and design.

2014/1365/F

5.2 Satisfactory measures have been put forward to deal with protected species and the proposal meets requirements in terms of the safe and free flow of traffic. The proposal also provides opportunity for further employment in the area to help ensure a prosperous rural economy. Whilst it is recognised there will be some impact on the immediate area in terms of noise levels, measures put forward in the applications are considered sufficiently robust to ensure that noise levels are maintained at an acceptable level.

5.3 The existing buildings are suitable for the proposed use and overall the scheme is sympathetic to the existing character and appearance of the listed building, its setting and wider landscape. As there will be no adverse impact on the architectural or historic interest of the listed building and its setting, the proposal is acceptable under the requirements of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and satisfies the requirements of relevant policies in the South Norfolk Local Plan and JCS regarding listed buildings and design.

5.4 I therefore recommend to the Development Management Committee that the applications are approved subject to the conditions included in this report.

Contact Officer, Telephone Number Philip Whitehead 01508 533948
and E-mail: pwhitehead@s-norfolk.gov.uk
7. **Appl. No**: 2014/2262/F  
**Parish**: BRESSINGHAM

Applicants Name: Bloom Family  
Site Address: Bressingham Hall Low Road Bressingham Diss IP22 2AA  
Proposal: Erection of a marquee as first phase of creation of wedding and function venue

Recommendation: Approval with conditions

1. Three year temporary permission  
2. In accord with submitted drawings  
3. No live or amplified music unless agreed  
4. Boundary noise levels  
5. Sound system details to be agreed  
6. Detailed Management Plan to be agreed  
8. No other marquees or temporary buildings unless agreed  
9. Details of foul water disposal  
10. Signage around the site to approved access/exit  
11. Phasing – access and parking before marquee use  
12. Details of all plant & equipment to be agreed  
13. Ecology mitigation

1. **Planning Policies**

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

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 5: The Economy  
Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan 2003  
IMP 10: Noise  
IMP 11: Demolition of Listed Buildings  
IMP 15: Setting of Listed Buildings  
EMP 7: The retention of rural employment and services (Part  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 15: Species protection  
TRA 13: Corridors of movement  
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  
DM1.3 Sustainable location of development  
DM2.1 Employment and business development  
DM2.9 Rural tourist and recreational destinations  
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
DM4.11 Heritage Assets

1.6 Statutory duties relating to Listed Buildings and their setting of Listed Buildings:

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.

2. **Planning History**

2.1 2014/1365
Creation of a wedding and function venue through the conversion of curtilage buildings to the rear of the Grade II listed hall, construction of a reception building, laying out of car park and access, and demolition of ancillary buildings.

2.2 2014/1366
Full planning application for the creation of a wedding and function venue through the conversion of curtilage buildings to the rear of the Grade II listed hall, construction of a reception building, laying out of car park and access, and demolition of ancillary buildings.

3. **Consultations**

3.1 Parish Council
Refuse - inadequate nature of noise surveys, lack of information in application

3.2 District Member
To be reported if appropriate

3.3 NCC Highways
Further information required regarding access and car parking

3.4 Ecologist
No objection - see comments for 2014/1365

3.5 Landscape Officer
No objection

3.6 Waveney Valley Internal Drainage Board
No comments received

3.7 Representations
9 Objections received expressing the following concerns:

- Potential impact of noise from music late into the night
- Noise levels cannot be properly controlled
- Impact of traffic to and from site on road safety
- No indication as to how long marquee would be in use
• Should have been wider consultation
• Bass frequencies not addressed in noise report
• In terms of noise control the noise report has no specific proposals with limiting conditions
• Music levels specified in report for marquee contradict Design & Access Statement which states that marquee will be used ‘for meals and other lower noise activities.

4 Assessment

4.1 Bressingham Hall is located immediately south of the A1066 in Bressingham in a semi-rural setting, which forms part of the Waveney Valley. The Hall is grade II listed, dating from the late 18th century and is set some distance back from the road with ancillary buildings to the rear. The ancillary buildings include a large timber frame barn, constructed in red brick and flint with slate roof, and a granary building, also in red brick. The site is surrounded by mature gardens of international renown to the north, west and southwest sides with trees screening views from the north and west sides. There are also a large number of mature trees within the site. The gardens provide a particularly attractive setting for the house, enhancing its character and appearance. The gardens around the house have been developed since the mid-20th century resulting in the site no longer being used for farming. Other than the main barn, ancillary buildings are largely late 19th century and 20th century structures that have been built over what was once a large rear courtyard serving the farm. Immediately adjacent to the east side of the hall site is the Bressingham Steam Museum and Garden Centre (both in separate ownership), which are open to the public daily providing rides on a steam railway line that runs around the gardens of Bressingham Hall. Access to the Gardens is via the Garden Centre.

4.2 This application seeks planning permission for the erection of a marquee at Bressingham Hall as part of the first phase for a new wedding and function venue. The proposal also includes some temporary landscaping to the courtyard area following demolition of existing ancillary buildings. This application has been assessed as part of the wider scheme of development proposed in applications 2014/1365 & 1366 and therefore assumes provision of the more critical elements put forward in these applications.

4.3 As the hall is listed the proposal is assessed against policy IMP 15 of the South Norfolk Local Plan. This policy requires that special attention is given to the design, scale and impact of the scheme on the existing setting. The proposal is also assessed against policies IMP8 - Safe and Free Flow of Traffic, IMP 9 - Residential Amenity and IMP10 - Noise. The following other policies from the local plan also apply: IMP 11, EMP3, ENV8, ENV15, TRA13 and TRA19. The policies in the Joint Core Strategy, Local Plan and the requirements of the National Planning Policy Framework seek to ensure that the proposal is of a good design and does not adversely affect the residential amenity of the neighbouring properties. The assessment of these applications gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent with the published National Planning Policy Framework. Emerging DM Policies 1.1, 1.3, 2.1, 2.9, 2.10, 3.9, 3.11, 3.12, 3.13, 3.14, 3.15 and 4.11 are also relevant here. The potential for any adverse impact on the character and appearance of the listed building and its setting has been carefully considered under the requirements of section 66 of the Planning (Listed Building and Conservation Areas Act) 1990.

The principle of proposed use

4.4 Policy guidance under section 3 of the National Planning Policy Framework states the following:

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:
• Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
• Promote the development and diversification of agricultural and other land-based rural businesses;
• Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

4.5 The marquee forms part of a larger scheme that retains and restores the more important ancillary buildings, bringing them back into full use and providing further employment opportunity. The whole scheme is to be implemented in three phases. The first phase involves the demolition of existing structures, part refurbishment of the existing barn and erection of a temporary marquee. The second phase involves the construction of a new timber frame barn with WC block. The third phase completes the development with refurbishment works to ancillary buildings and new links built to connect the separate blocks.

4.6 The marquee is proposed for a period of 3 to 5 years in order to provide financial stimulus to fund completion of the full scheme. As a temporary structure it will therefore enable implementation of a permanent, larger scheme of development which it is considered will sit comfortably in the existing setting and wider landscape, improving views and providing further employment opportunity for the district, thus meeting the requirements of policies EMP 3 and ENV 8 of the South Norfolk local plan. EMP 3 of the South Norfolk Local Plan regarding Adaptation and Re-use of Rural Buildings for Employment Purpose reflects the requirements in the NPPF for supporting a prosperous rural economy. The Committee Report for applications 2014/1365 & 1366 provide further details on the proposed use of the permanent scheme.

Design, layout and impact on character of listed building and its setting

4.7 Although the demolition of later ancillary buildings will greatly improve views within the site and the marquee is positioned where it will have the least impact on views of the main hall, it will still have some adverse impact on the character and appearance of the house and its setting. However, as it is only a temporary structure to facilitate a larger more permanent scheme of development, which will enhance the overall appearance of the site, improving views as well as ensuring a long-term future for the more important curtilage buildings, on balance, it is considered that the overall benefit of the scheme outweighs any temporary adverse impact from the marquee and therefore the application is considered acceptable under the requirements of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990. It is also considered acceptable under the requirements of policy IMP 15 of the local plan and policy 2 of the JCS. A temporary permission for a 3 year period is recommended to provide an opportunity to review progress on the larger scheme and any need for the marquee to be retained for any further time.

Highway safety

4.8 The Highways Officer has raised no objection to the whole scheme of development but has recommended conditions regarding, drainage, new gates, visibility splay, parking, turning and new signage. It is therefore considered that highways issues for the whole scheme of development have been given proper consideration and meet the requirements of policy IMP 8.

4.9 In terms of this marquee proposal, the Highways Officer has requested that car parking and changes to the existing entrance should be specified as well as for applications 2014/1365 & 1366. These details can, however, be dealt with under conditions, which would require that the proposal could not be implemented unless other works for car parking and vehicle
access have been completed as included in applications 2014/1365 & 1366 for the wider permanent scheme.

Residential Amenity

4.10 Residents closest to the site are situated along the A1066, specifically Hall Cottages, Bressingham Lodge, and to the southwest side at Foggy Bottom (in the same ownership as Bressingham Hall), which are all approximately 200 metres from the proposed new venue. There have been a large number of objections to the proposal including those from Bressingham Lodge and Hall Cottages.

4.11 The original scheme for vehicles exiting the site was via the track to the west side of the site. In order to address potential residential amenity issues at Bressingham Lodge the scheme has been amended so that only the existing site entrance is used for vehicles going to and from the site.

4.12 The main point of objection to the scheme is the potential noise impact on nearby residential properties and wider area, particularly with regard to music levels and other noises disturbance provide by people accessing the gardens later in the day and leaving the site. Related to this a number of objections/concerns have also been raised about the lack of information provided in the acoustics report and the basis on which the assessment of background noise levels was carried out. Background noise levels were recorded over a relatively short period of time and on a night which did not reflect a typical evening, due to an event being held at the steam museum.

4.13 Following further discussion with the agent the Council completed its own assessment in order to clarify background noise levels and this backs up the calculations provided in the applicants initial acoustic report.

4.14 The submitted acoustic report indicates that the marquee will only be suitable for moderate-level background music and will not be able to be used for high-level foreground music or live bands without giving rise to noise issues with residents of the area. The outline management strategy submitted confirms that the marquee will be closed off for evening events and that wedding guests will be actively discouraged from accessing the gardens during evening celebrations. A noise level warning system was proposed with the initial proposal but further information provided confirms that a more robust system of music noise control in the form of an automatic music limiter is to be installed in the marquee sound system, all the details of which are to be agreed under conditions.

4.15 The acoustic reports specifically address music noise levels which are the most likely source of significant and prolonged noise disturbance. Conditions are recommended to control details of plant and equipment to ensure they do not cause noise problems. Noise from vehicles and people is less easy to predict with any precision and assessing this aspect is a matter of judgement. Whilst it is recognised there will be some noise disturbance caused by vehicles and people, this is not likely to be at an unreasonable level or frequency in its occurrence. Relevant to this judgement are a number of circumstances in this case including, the character of the area adjacent a major road (A1066); adjacent significant visitor attractions (Steam Museum and Blooms Garden Centre); the size of the site; the separation of the proposed venue from neighbouring dwellings; and the fact that the gardens are already open to the public. The requirement for a Management Plan to guide the management of the site will also assist in minimising unreasonable noise or disturbance.

4.16 It is considered that the further information provided in the additional noise assessment and proposed outline management plan provides a sufficiently robust scheme to ensure that noise generation can be kept at an acceptable level and therefore the proposal satisfies the requirements of policies IMP9 and IMP 10 regarding residential amenity and noise.
Ecology

4.17 The Ecologist has confirmed that he has nothing to had to comments provided for application 2014/1365. He is satisfied that, providing the mitigation for Great Crested Newts specified in the submitted report is followed, it would be unlikely that any offence would be committed. With regard to bats the Ecologist is satisfied that the proposed development could proceed under an EPS licence but recommends that the mitigation provided in the Ecological Survey is conditioned with any approval. With regard to protected species the scheme therefore satisfies the requirements of policy ENV15.

4.18 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.

4.19 This application is not liable for Community Infrastructure Levy (CIL) as the marquee is a temporary structure and CIL requirements will be dealt with under application 2014/1365.

5 Conclusion

5.1 Whilst it is recognised that as a temporary structure the marquee will have some adverse impact on views of the listed building, it will enable implementation of a permanent, larger scheme of development which it is considered will sit comfortably in the existing setting and wider landscape, improving views of the listed building and its setting as well as providing further employment opportunity for the district. Therefore, taking into consideration the improvements to views by the proposed demolitions and the overall benefits of the permanent scheme it is considered that the application is acceptable under the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and accords with relevant polices in the SNLP as detailed in this report. The marquee is proposed for a temporary period in order to provide financial stimulus to fund completion of the full scheme put forward in applications 2014/1365 & 1366, which will provide further employment opportunity for the district. Satisfactory measures have been put forward to deal with protected species and the proposal meets requirements in terms of the safe and free flow of traffic. Whilst it is recognised there will be some impact on the immediate area in terms of noise levels, measures put forward in the application are considered sufficiently robust to ensure noise levels are maintained at an acceptable level. In view of the above I recommend to the Development Management Committee that the application is approved subject to the conditions included in this report.

Contact Officer, Telephone Number and E-mail: Philip Whitehead 01508 533948 pwhitehead@s-norfolk.gov.uk
8. **Appl. No** : 2014/2269/RVC  
**Parish** : HETHERSETT  

Applicants Name : Miss L Tang  
Site Address : 32A Mill Road Hethersett Norfolk NR9 3DP  
Proposal : Variation of Condition 2 of planning permission 2013/1026/F  
(Change of use from office to cafe/tea room) - to allow cafe to remain open from 8:00am till 8:00pm, Monday to Sunday, as there is a demand for evening meals  

Recommendation : Refusal  
1. Unacceptable disturbance in residential area contrary to Policy IMP9 and IMP10 of the SNLP

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 01: Building a strong competitive economy

1.2 Joint Core Strategy  
Policy 5 : The Economy  
Policy 14 : Key Service Centres

1.3 South Norfolk Local Plan 2003  
SHO 11: Class A3 uses - control over hours of operation  
SHO 10: Class A3 uses outside the defined Central Business Areas  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
IMP 10: Noise

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  
DM2.6 Food, drink and hot food takeaways  
DM3.12 Road safety and the free flow of traffic  
DM3.14 Amenity, noise and quality of life

2. **Planning History**

2.1 2013/1026 Change of use from office to cafe/tea room Approved

3. **Consultations**

3.1 Parish Council No views or comments

3.2 District Members  
Cllr D Bills Can be delegated, Supports application  
Cllr L Dale Concerns with regard to progression from cafe to take away and location is inappropriate
3.3 Environmental Services (Protection) Increase in hours may have the propensity to cause disturbance
Planners may wish to consider a temporary planning condition to allow situation to be reviewed

3.4 NCC Highways No objections

3.5 Representations 2 letter of support – one however thinks the hours are excessive
perhaps opening for evening meals Friday to Sunday.

3 letters of objection
• Parking
• Ventilation and odour
• Noise
• Sunday hours should not be allowed.

Petition with 134 signatures in support of the proposal was submitted with the application

4 Assessment

4.1 This application seeks consent to vary Condition 2 of 2013/1026 to allow the cafe to remain open from 8 am to 8pm Monday to Sunday at 32A Mill Road Hethersett. The site is located off Mill Road with an in/out drive arrangement. Residential properties adjoin all three boundaries to the north east, north west and south west. The site is within both the existing and proposed development boundaries for Hethersett.

4.2 The property is a single storey premises which was historically used as a bakery. It was then operated as an office stationery suppliers with few visitors to the site with most of the business being conducted by telephone/internet. The property was vacant from December 2012 until permission was granted in 2013 for the change of use from office to cafe/tea room.

4.3 Policies in the JCS, Local Plan and requirements of the NPPF seek to ensure that proposals are for an appropriate use, and do not have an adverse impact on the privacy and amenities of neighbouring properties or the safe and free flow of traffic. 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 or part consistent with the published National Planning Policy Framework.

4.4 The cafe/tea room serves breakfasts, main meals together with sandwiches etc. The proposed variation in hours of use is to enable the applicant to serve evening meals and open on Sundays.

4.5 At the time of the change of use application (2013/1026) the applicant had asked for opening hours 8:00 to 16:00 Monday to Friday and 08:00 to 16:00 on Saturdays. However as a planning condition should only restrict the development to the extent that is necessary and reasonable to make the development acceptable, it was considered that the location of the building was not unduly sensitive to additional activity beyond the hours of trading actually proposed and permission was granted stating "the premises would not be open to customers except between the hours of 8:00 and 18:00 Monday to Saturday inclusive. The premises shall not be open to customers on Sundays". This was agreed as a balance between supporting a viable business and protecting the residential amenities of the neighbouring properties.

4.6 The Environmental Protection Officer has raised concerns that the increase in hours may cause disturbance to the neighbouring residential properties although it is suggested that consideration could be given to a temporary consent to allow the situation to be reviewed.
4.7 Concerns have been raised that the parking spaces required on the previous planning approval have not been marked out and this is being investigated separately.

4.8 Concerns have also been raised by local residents in terms of noise and disturbance from the vehicles and customers using the premises. The site is surrounded by residential properties with no other commercial premises in the immediate vicinity. The local residents do not therefore experience significant commercial noise disturbance on Sundays or outside the existing opening hours of 8:00 to 18:00. The additional opening of 2 hours in the evening and all day Sunday would significantly increase the potential for noise and disturbance to local residents detrimental to their amenities.

4.9 SNLP policy SHO11 suggests opening hours on Sundays and in the evenings may be acceptable for Class A3 uses, but this is subject to consideration of factors such as the character of the surrounding area. In this case the residential nature of the surrounding area suggests that more restrictive hours of opening are appropriate. Whilst consideration has been given to the applicant’s commercial requirements, these do not outweigh the harm the proposal would have to the amenities of the neighbouring properties.

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. This application is not liable for Community Infrastructure Levy (CIL).

5 Conclusion

5.1 The assessment of this application hinges on the balance between supporting additional business activity and the benefits that brings, against the potential harm to local residents as a result of noise and disturbance. In the circumstances of this case it is considered that the hours of use already approved (08.00-18.00 Mon-Sat) strike an appropriate balance and to extend the hours further would cause unjustifiable harm to the amenities of neighbours. The proposal therefore conflicts with Policies IMP9 and IMP10 of the South Norfolk Local Plan and I recommend the application be refused.

6 Reasons for Refusal

6.1 The hours of opening set by condition 2 of the original permission 2013/1026 had regard to the criteria set out in policy SHO11 of the South Norfolk Local Plan 2003. The increase in opening hours to include Sunday and evening opening, including the movement of customer traffic during these times, would give rise to additional unacceptable disturbance and harm to the amenities enjoyed by nearby residents which was a material consideration when assessing the original opening hours. The increase in the opening hours would therefore result in conflict with policies IMP9 and IMP10 of the South Norfolk Local Plan 2003.

Contact Officer, Telephone Number and E-mail: Lynn Armes 01508 533821 larmes@s-norfolk.gov.uk
Application on land owned by South Norfolk Council

9.  

<table>
<thead>
<tr>
<th>No</th>
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</table>
|   | **Appl. No** : 2014/2282/F  
|   | **Parish** : COSTESSEY  

| Applicants Name | Ms Sally Smith  
| Site Address | Pitch 3 Roundwell Caravan Site Dereham Road Costessey Norfolk  
| Proposal | Erection of day-room extension for disabled person  

| Recommendation | Approval with conditions  
| | 1. Full permission time limit.  
| | 2. Occupancy restricted to gypsies and travellers.  
| | 3. Use incidental to pitch 3, not independent.  

1. **Planning Policies**

1.1 CLG : Planning Policy for Traveller Sites 2012

1.2 South Norfolk Local Plan 2003  
**IMP 9**: Residential amenity  
**HOU 19**: Extensions to existing dwellings

1.3 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.

1.4 Development Management Policies  
DM3.4 Gypsy and Travellers sites

2. **Planning History**

2.1 2004/2682  
**Proposed extension of existing utility blocks to provide new kitchens**  
Approved

2.2 1979/1938  
**Proposed Use Of Land (Shown Edged Red On The Attached Plan) As A Permanent Site For Caravans Occupied By Gypsies Together With Associated Working Space For The Storage And Sorting Of Scrap Materials.**  
Approved

3. **Consultations**

3.1 Parish Council  
**Approve**

3.2 District Member  
**Can be delegated decision.**

3.3 NCC - Children's Services  
**No comments received**

3.4 Gypsy Liaison Officer  
**No comments received**

3.5 Representations  
**None received**
4 Assessment

4.1 This application is referred for determination by the Development Management Committee because the land in question is owned by South Norfolk Council.

4.2 Although the site is outside the Costessey Development Limit, it is one of the pitches on the long established Roundwell Park caravan site providing accommodation for gypsies and travellers. In such circumstances I consider there is no objection in principle to appropriate support buildings being erected on the site. National policy on Traveller sites supports the provision of suitable accommodation so that Travellers can access health and welfare infrastructure and the definition given of Gypsies and Travellers includes those who have ceased to travel temporarily or permanently on grounds of health needs. Emerging local plan policy DM 3.4 is of relevance, but is the subject of objections so cannot be given significant weight at the present time.

4.3 The applicant’s 9 year old son has a severe medical condition which makes it essential for him to have additional secure space, with supervision by a carer and this cannot be provided in the family’s caravan. Medical information is treated in confidence, but the particular needs of the family have been confirmed with the relevant support services and in a visit to the site.

4.4 The pitches on this site have a modest amenity block providing only a basic kitchen and bathroom (approximately 16sqm). The proposed extension to this would provide an additional dayroom of approximately 38sqm (including a small sitting room for carer with glazed partition to provide supervision). Although this is larger than many amenity blocks on caravan sites, it is not considered to be excessive in view of the particular needs of the family concerned.

4.5 The proposed building is of single storey with materials to match the existing amenity block. The site is not conspicuous in the wider area and the proposed building would not significantly change the general character and appearance of the site (which also contains a larger community building). I consider the design and visual impact of the building is acceptable.

4.6 The proposed extension adjoins another residential pitch, but the extension has no windows facing that direction and its single storey form with low pitched roof will minimise its impact on the amenities of adjacent residents. In these circumstances I consider the proposal is consistent with SNLP policy IMP9.

4.7 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. This application is not liable for Community Infrastructure Levy (CIL).

5. Conclusion

5.1 The application should be approved because it provides necessary ancillary accommodation for the needs of the family occupying this pitch. The proposed extension has an acceptable design, it will not unacceptably harm the amenities of other residents and in these circumstances is consistent with national and local policy.

Contact Officer, Telephone Number and E-mail:  
Chris Trett 01508 533794 ctrett@s-norfolk.gov.uk
This report schedules progress on outstanding enforcement cases

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<tr>
<th>LOCATION</th>
<th>ALLEGED BREACH</th>
<th>DATE OF COMMITTEE AUTHORITY</th>
<th>ACTION TAKEN</th>
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<td>DICKLEBURGH</td>
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<td>24.04.07</td>
<td>Enforcement Notices served and initially complied with, ongoing investigation</td>
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<td>Erection of Decking</td>
<td>26/10/09</td>
<td>Enforcement Notice served Compliance date 12/12/10 Application for revised</td>
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ENF-PROC
12/12/2014
Agenda Item: 8

Planning Appeals
Appeals received from 2 December 2014 to 17 December 2014

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Planning Appeals
Appeals decisions from 2 December 2014 to 17 December 2014

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