Members of the Development Management Committee:

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

Liberal Democrats
Mr D Blake

South Norfolk Independent Grp
Mr J Herbert

Pool of Substitutes
Mr L Dale
Mrs V Bell
Mr K Weeks
Mr C Foulger
Mr B Riches
Mr R Savage
Mr G Walden

Pre-Committee Members’ Question Time
9.00 am
Blomefield Room

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.

Agenda

Date
Wednesday 4 March 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

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

Large print version can be made available
The Development Management process is primarily concerned with issues of land use and has been set up to protect the public and the environment from the unacceptable planning activities of private individuals and development companies.

The Council has a duty to prepare Local Plan Documents to provide a statutory framework for planning decisions. The Development Plan for South Norfolk currently consists of a suite of documents. The primary document which sets out the overarching planning strategy for the District and the local planning policies is the Joint Core Strategy for Broadland, Norwich and South Norfolk. The Strategy is broadly consistent with the National Planning Policy Framework (NPPF) and accompanying technical guidance and was adopted by South Norfolk Council in March 2011 (with amendments to the JCS being adopted in January 2014). It is the starting point in the determination of planning applications and as it is adopted, policies within the plan can be given full weight when determining planning applications.

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

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

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

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

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

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

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

THEREFORE we will:

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

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

LOCAL COUNCILS

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

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

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

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

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

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

4. Minutes of the meetings of the Development Management Committee held on 4 February 2015;
   (attached – page 9)

5. Planning Applications and Other Development Control Matters;
   (attached – page 16)

   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>2014/2322/F</td>
<td>HINGHAM</td>
<td>Land South Of Norwich Road Hingham</td>
<td>16</td>
</tr>
<tr>
<td>2</td>
<td>2014/2590/F</td>
<td>BAWBURGH</td>
<td>Land South Of Bawburgh Road Bawburgh</td>
<td>32</td>
</tr>
<tr>
<td>3</td>
<td>2014/2200/F</td>
<td>LODDON</td>
<td>1 Church Plain Loddon</td>
<td>41</td>
</tr>
<tr>
<td>4</td>
<td>2014/2201/LB</td>
<td>LODDON</td>
<td>1 Church Plain Loddon</td>
<td>41</td>
</tr>
<tr>
<td>5</td>
<td>2014/2331/CU</td>
<td>COSTESSEY</td>
<td>Aldreds Yard The Loke Longwater Lane Costessey</td>
<td>47</td>
</tr>
<tr>
<td>6</td>
<td>2014/2482/F</td>
<td>HINGHAM</td>
<td>38 - 39 Market Place Hingham</td>
<td>52</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 Reports
   (attached – page 57)

8. Planning Appeals (for information)
   (attached – page 62)

9. Date of next scheduled meeting – Wednesday 1 April 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

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

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Key to abbreviations used in Recommendations

| CNDP | Cringleford Neighbourhood Development Plan |
| J.C.S | Joint Core Strategy |
| LSAAP | Long Stratton Area Action Plan – Pre Submission |
| N.P.P.F | National Planning Policy Framework |
| P.D. | Permitted Development – buildings and works which do not normally require planning permission. (The effect of the condition is to require planning permission for the buildings and works specified) |
| S.N.L.P | South Norfolk Local Plan 2003 |
| S.N.S.A.P | Site Specific Allocations and Policies Document – Pre Submission |
| N.P.M.P.D | Development Management Policies Document – Pre Submission |
| WAAP | Wymondham Area Action Plan – Pre Submission |
DECLARATIONS OF INTEREST AT MEETINGS

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

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

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

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

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

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

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

Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE
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

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

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

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

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

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

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

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

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

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

Is it a matter I have been, or have lobbied on?
185. 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 2014/1440/D</td>
<td>COSTESSEY</td>
<td>All</td>
<td>Local Planning Code of Practice – Lobbied by Parish Council and objector</td>
</tr>
<tr>
<td>Item 3 2014/2429/F</td>
<td>HETHERSETT</td>
<td>All</td>
<td>Local Planning Code of Practice – Lobbied by Applicant &amp; Objector</td>
</tr>
<tr>
<td>Item 5 2014/1903/F</td>
<td>WYMONDHAM</td>
<td>All</td>
<td>Local Planning Code of Practice – Lobbied by Applicant</td>
</tr>
</tbody>
</table>

186. MINUTES

The minutes of the Development Management Committee dated 7 January 2015 were confirmed as a correct record and signed by the Chairman.
187. 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>
</table>
| Item 1      | COSTESSEY   | Ms H Elias, Parish Council  
Mr J Newby, Objector  
Mr T Reed, Objector  
Ms T Boucher, Objector  
Mr A Westby, Applicant  
Cllr V Bell, Local Member  
Mr P Barry, Applicant |
| Item 2      | WYMONDHAM   | Mr E Warnes, Applicant                                                     |
| Item 3      | HETHERSETT  | Mr J Utting, Objector  
Mr J Young, Objector  
Mr J Bird, Applicant  
Cllr L Dale, Local Member  
Cllr D Bills, Local Member |
| Item 6      | HETHERSETT  | Mr W Meynell, Agent for Applicant  
Cllr L Dale, Local Member  
Cllr D Bills, Local Member |
| Item 7      | FORNCETT    | Mr B Frith, Parish Council  
Cllr B McClennning, Local Member |

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.

188. ENFORCEMENT REPORT

Members considered the report of the Director of Growth and Localism regarding the enforcement case at Scole (ref: 2014/8068)

It was RESOLVED that  
Enforcement action be authorised to secure the removal of the shipping container and all stored items not incidental to the allotment use.

189. PLANNING APPEALS

Members noted the Planning Appeals.

(The meeting closed at 2.10 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  :  2014/1440/D  
Parish  :  COSTESSEY  
Applicants Name  :  Bennett PLC  
Site Address  :  Land at Townhouse Road, Costessey  
Proposal  :  Application seeks Reserved Matters approval for appearance, landscaping, layout and scale for 62 dwellings and associated works.

Decision  :  Members voted 8-0 (with two abstentions) to authorise the Director of Growth and Localism to APPROVE subject to no new material issues being raised in the remainder of the outstanding consultation period which expires on the 4 February 2015.

Approved with conditions

1  In accord with submitted drawings  
2  Details of pumping station to be agreed  
3  Landscaping scheme and external materials to be submitted as indicated  
4  Boundary treatment to be agreed(including around pumping station)  
5  Renewable Energy - Implementation  
6  Provision of parking, service as approved  
7  Tree protection as approved  
8  Secure deed of variation to S106 to amend the affordable housing figure to 32% from 33%  
9  Siting of garage to be agreed

Updates  
The Environment Agency, Anglian Water, SNC’s Environmental Protection Team have all confirmed that they have no objection to the revised proposal to re-locate the pumping station.

Costessey Town Council has confirmed that they are satisfied with the re-siting of the pumping station, but still object to the off-site highways works and wider drainage scheme not being shown. Although SNC wishes to deal with these at a later date by discharge of condition, Costessey TC still considers that they should be dealt with together or at least have plans provided as the off-site works will impact on the layout on-site. The application should be treated holistically with all elements included, otherwise piecemeal consideration could lead to issues being missed or the cumulative effect of drainage / layout / highways works being underestimated. Garages at Plots P18 & P17 are too close to the living quarters at Crane Hill. This is detrimental to the landscape character as the developers have wrongly drawn the residential boundary.

They have claimed to preserve boundary treatments, but at this location existing hedge will be removed and two garages built just over the boundary from Crane Hill’s living room. This area should be reconsidered as it is detrimental to the existing landscape character. The large house with separate garage on Plot 1 should be reduced to bungalow with garage on site, rather than with a separate garage. There is no location shown for the proposed bunds. The various Management plans have not been submitted.
Objections have been received from the occupiers of Crane Hill and Beech House, both of Townhouse Road.

Crane Hill continues to express concern at the close proximity of the garage block serving plots 17 & 18 to their boundary and dwelling and lack of space to plant any screening between the garage and their boundary. This issue is covered in the original committee report at paras 4.34 to 4.35 which is attached as appendix 2 of the current committee report.)

Beech House continue to object on the grounds of the applicant changing their mind on drainage issues and now seeking to deal with this at a later date, when the current scheme cannot fulfill the expectations of the Inspector. Approval would make a decision on the drainage proposals for the site. Protected species issues raised in the Environment Agency’s holding objection are the responsibility of the committee. Lifetime maintenance of the surface water drainage scheme is required in accordance with the wishes of the Inspector. The Inspector did not consider the proposed ditch in the Tud system which does not include soakaways. The applicant’s new drainage assessment some plots are suitable for soakaways but there is no indication of which plots. SuDS maintenance access and lifetime management must be incorporated into design stage. The original Bidwells FRA is considered to continue to be valid. Bidwells were aware of their being no construction within 15m of Carrs Hill Wood.

With regard to those matters related to surface water drainage, including future maintenance and management. The original committee report (appendix 2 of the current report) makes it clear that the relevant planning conditions are worded in such a way as they can be dealt with “prior to commencement of works” rather than as part of this reserved matters application. Furthermore, the report also makes it clear that the Council are not making a decision on matters related to drainage on the basis of the drainage details submitted to date and this will via a subsequent formal discharge of condition application which will involve input from the relevant technical bodies including the Env Agency.

With regard to the ecological buffer zone, there is to be no construction within the ecological buffer zone as part of this scheme.

**Major applications or applications raising issues of significant precedent**

<table>
<thead>
<tr>
<th></th>
<th>Appl. No</th>
<th>Parish</th>
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<tbody>
<tr>
<td>2</td>
<td>2014/1824/O</td>
<td>WYMONDHAM</td>
</tr>
</tbody>
</table>

Applicants Name: Mr Eric Warnes  
Site Address: Elm Farm Norwich Common Wymondham Norfolk  
Proposal: Proposed extension to Business Park for B1, B2, B8 and D1 uses  
Decision: Members voted unanimously for **APPROVAL**

Approved with conditions

1. Outline Permission Time Limit  
2. In accordance with submitted drawings  
3. Standard estate road construction – details to be agreed  
4. Cycle parking provision to be agreed  
5. Construction traffic parking  
6. Wheel cleaning facilities to be agreed  
7. Wheel cleaning facilities to be retained  
8. Off-site highway works – 3m wide footpath/cycleway  
9. Off-site highway works - road markings on B1172  
10. Completion of off-site highway works in condition 9  
11. Renewable energy – 10% from decentralised source  
12. Details of foul water disposal – management and maintenance to be agreed
Decision : Members voted 7-4 for REFUSAL (contrary to officer recommendation)

Reasons for Overturning Officer Recommendation

It was not considered to be sustainable development due to the extent of the loss of open space. The benefits of housing, affordable housing, open space provided and biodiversity enhancements do not outweigh the harm of the extent of loss of open space.

Updates
5 further letters of objection received on same/similar grounds already set out in the report.

Correction at para 4.9 page 62. 5 dwellings would be served from Queens Road. The remaining 17 from an extension to Jaguar Road.

In regards to affordable housing, members will note that 33% of the 22 dwellings would equate to 7.26 dwellings. As is set out in policy 4 of the JCS, numbers of affordable units will only be rounded upwards after 0.5 as such in this instance at 7.26 in accordance with policy the number is rounded down and the 7 affordable dwellings proposed complies with the policy.

Decision : Members voted 10-0 (with one abstention) to authorise the Director of Growth and Localism to APPROVE subject to no new material issues being raised in the remainder of the consultation period which expires on 5 February 2015.

Approved with conditions

1  Temporary 30 year permission
2  Decommissioning scheme
3  In accordance with plans
4  Construction worker parking
5  Construction Traffic Management and access plan
6  Wheel washing
Development Management Committee

7 Hours of construction
8 Construction Management Plan Noise and Dust
9 Surface Water Drainage
10 Landscaping details to be agreed
11 Landscape habitat management and maintain
12 Retention of trees and hedges
13 No external lighting unless agreed
14 Details of CCTV to be agreed
15 No loud speakers or warning devices
16 Scheme of archaeology
17 Tree protection

Updates
One additional letter received making no comment
Application number on site location plan incorrect should read 2014/2642

Other Applications

Parish : WYMONDHAM

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

Decision : Members voted 10-1 for REFUSAL

1 Unsustainable location of development
2 Inappropriate form and design of development in open countryside

Updates
Letter handed to all members from agent in support of the proposal

Parish : HETHERSETT

Applicants name : Mrs Alison Clarke
Site Address : Buildings At Twin Barn Farm, Ketteringham Lane, Hethersett Norfolk
Proposal : Demolish Barn 1 and replace with new dwelling. Conversion of existing Barn 2 to workshop, garage, machinery store and boiler room associated with the adjacent proposed new dwelling. Conversion of existing agricultural cart-sheds to 4 small scale workshops / starter units, for local trades and crafts (mixture of B1 and B8, see planning statement for more details).

Decision : Members voted 10-1 for REFUSAL

1 Contrary to policy ENV8 of SNLP and NPPF para. 55

Updates
Highway Officer:
No objections subject to conditions

Letter from agent sent to all members in support of the proposal
7 Appl. No : 2014/2378/RVC
Parish : FORNCETT
Applicants name : Orchard Developments
Site Address : Fourways Long Stratton Road Forncett St Peter Norfolk
Proposal : Variation of condition 5 of planning permission 2012/1615/F - Boundary Treatment and Removal of condition 13 of planning permission 2012/1615/F - Junction of Norwich Road with long Stratton Road. (Seeking approval of specific details for visibility splays and boundary treatments as shown on the submitted drawings in lieu of the conditions)

Decision : Members voted 8-2 (with one abstention) for APPROVAL

Approved with conditions

1 In accordance with approved details
2 External materials
3 Tree planting
4 Boundary treatment
5 Retention trees and hedges
6 Tree protection Plan
7 Access Gates - Configuration
8 Provision of parking, service
9 Surface Water Drainage
10 Foul sewage connection
11 No alterations to lose garage

Updates
Officer: Amended plan submitted reducing the length of the fence line and the height of the fence from 2.1m to 1.8m
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**: 2014/2322/F
   **Parish**: HINGHAM

   - **Applicants Name**: Mr Paul Legrice
   - **Site Address**: Land South Of Norwich Road Hingham Norfolk
   - **Proposal**: Erection of 88 new homes plus associated roads and landscaping

   **Recommendation**: Approval with conditions

   1. Full time limit
   2. In accordance with amended plans
   3. Details of the future management and maintenance of the streets within the development
   4. Detailed plans of the roads and footways
   5. Standard construction specification for highways
   6. Scheme for on-site parking for construction workers
   7. Detailed scheme for re-located field access and pedestrian refuges
   8. Detailed surface water scheme to be agreed
   9. Removal of permitted development (PD) rights for rear first floor windows plots 15, 16, 22, 23, 24 and 25
   10. Materials to be agreed
   11. Ecology mitigation in-line with submitted report
   12. Tree protection
   13. Hedge planting
   14. Detailed planting proposals
   15. Management plans for new and existing planting and vegetation
   16. Sustainable Construction, Code Level 4 for water conservation compliance and 10% on site renewable energy
   17. Reporting of expected contamination
   18. Surface treatment of public footpaths within the open space areas to be agreed
   19. No alterations to lose garage
   20. Hard surfaces in accordance with plans

   Subject to the completion of a S106 to cover affordable housing, open space and play space provision and management and maintenance of the open space

1. **Planning Policies**

1.1 **National Planning Policy Framework**
   - NPPF 04: Promoting sustainable transport
   - NPPF 06: Delivering a wide choice of high quality home
   - NPPF 07: Requiring good design
   - NPPF 08: Promoting healthy communities
   - NPPF 10: Meeting the challenge of climate change, flooding and coastal change
   - NPPF 11: Conserving and enhancing the natural environment
   - NPPF 12: Conserving and enhancing the historic environment
1.2 Joint Core Strategy
Policy 1: Addressing climate change and protecting environmental assets
Policy 2: Promoting good design
Policy 3: Energy and water
Policy 4: Housing delivery
Policy 6: Access and Transportation
Policy 8: Culture, leisure and entertainment
Policy 14: Key Service Centres

1.3 South Norfolk Local Plan 2003
ENV 8: Development in the open countryside (Part Consistent)
ENV 9: Nationally and locally important archaeological remains (Part Consistent)
ENV 14: Habitat protection
ENV 15: Species protection
ENV 19: Tree Preservation Orders
ENV 21: Protection of land for agriculture
IMP 2: Landscaping
IMP 5: Streetscape
IMP 6: Visual impact of parked cars (Part Consistent)
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
IMP 10: Noise
IMP 15: Setting of Listed Buildings
IMP 25: Outdoor lighting
LEI 7: Open space provision in new development
UTL 14: Waste collection and recycling
TRA 1: Provision of pedestrian links
TRA 3: Provision of cycling facilities
TRA 17: Off site road improvements
TRA 19: Parking standards

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

1.5 Development Management Policies
DM1.1 Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.2 Requirement for infrastructure through planning obligations
DM1.3 Sustainable location of development
DM1.4 Environmental Quality and local distinctiveness
DM3.1 Housing Quality
DM3.2 Meeting housing requirements and needs
DM3.9 Design Principles
DM3.11 Promotion of sustainable transport
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.16 Outdoor play facilities and recreational space
DM3.17 Improving the level of local community facilities
DM4.1 Building Fabric Energy Efficiency, Carbon Compliance and Allowable Solutions
DM4.2 Renewable Energy
DM4.3 Sustainable drainage and water management
DM4.4 Facilities for the collection of recycling and waste
DM4.9 Protection of Trees and Hedgerows
1.6 Site Specific Allocations and Policies
HIN1 Land south of Norwich Road

1.7 Supplementary Planning Document
South Norfolk Place Making Guide 2012

**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.”

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 2014/1791 Screening opinion for proposed residential development Environmental Impact Assessment Not Required

3. Consultations

3.1 Hingham Town Council No objection with the following comments:
- Not opposed to new dwellings but would have preferred to have seen smaller developments
- There are ongoing problems with the sewage pumping station in Seamere Road, which in heavy rainfall overflows into ditches and gardens. Further dwellings feeding into this is a concern.
- Better screening on the eastern and southern boundaries is requested.
- Applaud the two traffic islands adjacent to the site to make crossing the road easier. Footpath widths towards the town are however in places very narrow and this has safety concerns.

3.2 District Member To be determined by Committee if appropriate

3.3 Norfolk County Council Planning Obligations Co-Ordinator Funding for infrastructure including for education, libraries and Green Infrastructure will be secured through CIL. A condition is required for the provision of 2 fire hydrants.

3.4 Historic Environment Service No objection subject to condition
### 3.5 The Hingham Society

No objection to the principle of housing on the site but have objections relating to surface water drainage, sewerage capacity and inadequate screening to the eastern and southern boundaries, whether sufficient traffic calming is proposed along Norwich Road, whether the proposal sufficiently enhances biodiversity, and the design approach to the properties.

### 3.6 Anglian Water Services Ltd

The foul drainage from this development is in the catchment of Wymondham Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

### 3.7 SNC Design Officer

The scheme has been well thought out and results in a contemporary development with a locally inspired character that relates positively to its surroundings and Hingham. The scheme scores 11 out of 12 Greens in the BFL assessment.

### 3.8 County Ecologist

No objection – there should be no adverse impacts on biodiversity as a result of this proposal. Enhancements should be conditioned in line with the submitted report which includes new bird and bat boxes within the development.

### 3.9 SNC Environmental Services (Protection)

No objection subject to an informative note in respect of contamination.

### 3.10 NCC Highways

Original comments:

No objection in principle however a number of amendments and additional information requested which include visibility splays, details of the pedestrian refuges, no need for emergency access to the north west, amendments to the alignment of estate roads and junctions, parking and visitor parking minor amendments.

Comments on amended plans:

No objection to the amended plans subject to the imposition of conditions including details of the future management and maintenance of the streets within the development, detailed plans of the roads, footways, standard construction specification, scheme for onsite parking for construction workers, detailed scheme for re-located field access and pedestrian refuges.

Comments that in relation to the Oak trees, the current road widening scheme proposed would not affect the tree but as this is yet to be approved by County there is no guarantee that the road widening won’t need to be greater and therefore affect one or more trees.

### 3.11 SNC Affordable Housing Enabling & Strategy Manager

Identified a shortfall in affordable housing provision by one unit. Amended plans have subsequently proposed a further unit totalling 29 affordable units. On that basis there is no objection and the proposed mix and tenure is acceptable.
No objection but with the following comments:

**Surface water drainage**
Infiltration drainage will be a viable option for this site. An infiltration system based on percolation test results is proposed with surface water from dwellings discharging to shared soakaways and private drives and parking courts constructed using porous techniques. The adopted highway will drain to three soakaways located in the areas of public open space. The soakaways will be designed to accommodate flows up to the 1 in 100 year storm event including an allowance of 30% for climate change. The public open space will be set lower than surrounding levels to provide exceedance storage and flood routing will direct flows away from vulnerable areas.

Shared parts of the surface water drainage system will be managed by a Management Company.

The FRA advises that if it is found that following further infiltration testing ground conditions are not suited to infiltration drainage Anglian Water has confirmed (letter dated 21 November 2012 Appendix D) that they would accept a discharge rate of 5 l/s into their network in Seamere Road.

**Foul drainage**
Whilst Anglian Water have indicated they have available capacity within the sewage treatment works and the foul sewerage network, the Council is aware that there have been issues with surcharging form the Seamere Lane pumping station. We are aware that Anglian Water upgraded this sewage pumping station to overcome surcharging issues however we are aware that further concerns have been raised by local residents that not all capacity issues have been addressed and further surcharging has occurred since.

Further discussions with Anglian Water have taken place and they have repeated their comments that there is capacity available within the foul sewer network to accommodate flows from this development.

The Lead Local Flood Authority has been made aware of existing issues in Seamere Road through our Flood Reporting process. I have also made them aware of our concerns relating to this development following the advice from the Environment Agency.

This Service will not offer an objection to the proposed development on flood risk grounds. Anglian Water will be accountable to the Lead Local Flood Authority and residents should flood risk increase as a result of this development.

**3.13 NHS England**
No comments received

**3.14 SNC Open Space Officer**
No objection. Support the layout of the POS, the linear area to the east of the development can be well utilised for the purpose of trim trail and climbing equipment, with the possibility of some outdoor gym equipment. There would be the option for the POS to be adopted by either the Parish Council, SNDC or to be managed by a management company. Discussions are ongoing in this respect.
Original Comments:
The proposed site layout respects the TPO trees' RPAs, and their situation along the northern boundary means that shading will not be an issue to the new dwellings.

The proposed exclusion of the trees and the roadside hedge from individual plots will help ensure that the cumulative effect of these is managed in a coherent and appropriate manner. Retention of the less mature existing trees along the eastern boundary as part of a single landscape feature is welcomed too.

Further work is required to assess the importance of the hedgerow on the site frontage against the Hedgerow regulations.

With regards to the proposed planting, generally the concept is satisfactory. However, the site plan is not explicit with regards to the intention for the east boundary and I would wish to see a clear intention to plant this as a hedgerow with retained and additional trees.

To the south, my preference remains for the boundary to be planted with a hedge; the proposed willow hurdles can still be installed as per the developer’s scheme, but my view is that a hedge here is an important addition.

To summarise, I am broadly supportive of this application, but some additional information, clarification and adjustments are necessary. The only outstanding issue that might have some bearing on my support is the issue of H1’s ‘importance’ or otherwise, so this information is especially pertinent.

Comments on amended plan:
Additional information submitted confirms that the hedgerow along Norwich Road (H1) is ‘important’ as defined by the Hedgerow Regulations 1997, so its proposed partial removal is contrary to Policy DM4.9 of the Development Management Policies Document of the emerging South Norfolk Local Plan, which presumes in favour of the retention of ‘important’ hedgerows.

The length of ‘important’ hedgerow proposed for removal is in the region of 120 metres. I note that the intention now is to plant the southern boundary of the site with new hedgerow as per my previous remarks.

The eastern boundary is now proposed to have a hedge planted which is supported; such planting would essentially be restoration of a former hedge (in lieu of that lost from H1), would have undoubted ecological and wildlife benefits, and would provide shelter for those using the footpath and open spaces.

The revised AIA is acceptable.

If planning permission is granted, bespoke conditions will be required to cover compliance with tree protection measures; submission and implementation of detailed planting proposals; retention of vegetation; management plans for new and existing planting/vegetation.
### 3.16 Environment Agency
No objection subject to the imposition of conditions in respect of a surface water drainage strategy and an informative note regarding contamination of ground water.

### 3.17 Police Community Liaison Officer
No objection – a series of recommendations are made if the applicant wishes to achieve a Secured by Design Award.

### 3.18 Public Rights Of Way
No objection – The existing public right of way along the eastern boundary is to be retained. Any new footpaths within the proposed open space need consideration of their maintenance and ownership.

### 3.19 Other Representations
13 letters of representation received.

2 with comments only:
- Issues in respect of proximity of proposed dwelling to ‘Mandalay’ Bears Lane, have been addressed by the applicant
- Would appreciate mixed hedgerow planting where possible
- Careful consideration of position of street lighting is required
- Concern with the parking court in the south west corner of the site – this should be of permeable material to avoid increased surface water flooding and the boundary should be delineated by a 1.8m fence to prevent noise pollution.
- Suggest windows on plot 22 should face north rather than south to prevent undue overlooking.

9 letters of objection on the following grounds:
- Increased volume of traffic on public footpath running alongside 8 Seamere Road
- Increased surface water resulting in more risk of flooding
- Will exacerbate existing problems with the sewage treatment plant surcharging in large rainfall events.
- Increase in traffic which will cause road safety issues
- Landscape screening on the southern boundary should include trees to give a rural setting
- Design should be a high standard to enhance the area
- The shops and facilities in the town are not sufficient to support further housing
- Further housing will exacerbate current issues with GP capacity
- An additional junction so close to Bears close and Ringers Lane will cause highway safety issues
- Will adversely affect outlook from properties on Norwich Road
- Will devalue properties on Norwich Road
- There is insufficient child care provision in the village
- Concerned some of the buildings could be 3 storeys high
- Is there a guarantees that the oak trees along Norwich Road will be saved?
- The proposal does not enhance the character of Hingham a more innovative approach similar to Poundbury in Dorset or Joseph Rowntree housing trust scheme in Derwenthorpe York should be explored
- There are already sufficient houses for sale in Hingham
- Hingham already suffers from low mains volts and frequent long and short breaks in public electricity supply
- Hingham already encounters problems with water pressure
- a thorough review and cleaning of the drainage system through Hingham is required
- Automatic standby generators should be installed at the sewage works to enable it to function in the event of failure in the electricity supply
- All driveways should be constructed from porous materials
- A 10m screening and surface water catchment zone should be provided adjacent to existing development
- Better footpath links to the town avoiding the need to cross the road should be provided
- The site should not be used for social engineering – properties should be owner occupied and properties should not be bought for rental use.
- Construction traffic should be prevented from going through the town
- A wildlife survey should be carried out before and after construction at the sewage works discharge area
- Due to sewage/flooding concerns there should be no further developments of any kind within 250m of this site
- Visual intrusion when viewed from south
- Loss of agricultural land and impact on food security

2 letters of support with the following comments:
- The houses are well designed and in-keeping with the area
- They are sustainable constructed with solar panels and air source heating etc.
- There are traffic calming measures proposed on Norwich Road
- More residents makes the small businesses in the town more viable
- Only concern are impacts on the doctors

4. Assessment

Site description and proposal

4.1 The site comprises approximately 3.7Ha of agricultural land. It lies south of Norwich Road to the east of Hingham, immediately adjacent to existing residential development on Norwich Road to the north, and Bears Lane to the west.

4.2 A ditch and public footpath mark the eastern boundary, beyond which is open farmland. The proposed southern boundary is an arbitrary line within the existing agricultural field. There is a pronounced slope across the site, with the land dropping away just over 6m from north-east to south west.

4.3 There are no trees within the site, but there are several located around the perimeter, notably along the path and ditch to the east and the oak trees subject to Tree Preservation Orders along the Norwich Road frontage. The Norwich Road boundary is also delineated by a mature native hedge.

The application

4.4 The application is a full application and proposes the erection of 88 dwellings which would include a mix of 1 bed apartments, 1, 2, 3 and 4 bedroom houses and bungalows. These would comprise a combination of detached and semi-detached properties plus a small apartment block. The majority of properties are two storey with some single storey. 29 of the dwellings are proposed to be ‘affordable’. Of this 24 are to be affordable rented properties and 5 are for shared ownership.
4.5 A linear area of open space is proposed running north-south along the eastern boundary of the site, and extending centrally into the site. In addition a smaller area of open space is proposed at the site entrance to the north-west of the site.

4.6 A single point of access is proposed on to Norwich Road to serve the development. Off-site highway works include the provision of two new pedestrian crossings on Norwich Road, one to the north-west corner of the site, one to the north-east corner.

4.7 The application has been amended to address the Highway Authority’s requirements largely relating to additional information and minor amendments being made to the estate road layout and detail, visibility splays, and crossing areas. Furthermore the amendments include an additional native hedge to be planted along the eastern boundary of the site.

4.8 The main issues for consideration are the principle of the development; highway considerations; drainage; layout, scale and design; heritage assets; residential amenity; public open space and landscaping; and affordable housing.

Principle of development

4.9 Policy 14 of the JCS identifies Hingham as a Key Service Centre in which land will be allocated to provide for approximately 100 dwellings between April 2008 and March 2026.

4.10 A single site allocation is proposed in the emerging site allocations to deliver this growth identified in Policy 14 and this is Policy HIN1: Land south of Norwich Road.

4.11 The application site (approx. 3.85 Ha) comprises all of the land proposed for residential allocation in policy HIN1 of the site Specific allocations document.

4.12 Policy HIN1 sets out the requirements for development of the site and this is set out below:

4.13 Land amounting to some 3.85 Hectares is allocated for housing and associated infrastructure, landscaping and open space. This allocation could accommodate approx. 95 dwellings.

4.14 The policy requires the developer of the site to ensure the following:
- safe access to the B1108 and adequate foot paths to link the site to the town centre.
- protection of the public right of way running along the eastern boundary of the site
- 10m landscape belts to the eastern and southern boundaries to screen the development as viewed from Seamere Road
- Protection of TPO trees/hedgerow on the northern site boundary
- Open space provision in accordance with the Councils current adopted standards
- Wastewater infrastructure capacity must be confirmed prior to development taking place.
- No additional surface water drainage into the existing surface water drainage or land drainage network without mitigation. Mitigation required through the provision of improvements to the downstream land drainage network to include a new direct pipe under Seamere Road to connect to the existing land drainage ditch.

4.15 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. In this case there are no outstanding objections to the site and there were no issues raised during the examination or by the Inspector. Therefore whilst the Inspectors report is not due until Spring 2015, it is considered that consent on this site could be released prior to the Inspectors binding report. Accordingly the principle to develop the site for housing is established subject to compliance with other development plan policies.
Access/highway considerations

4.16 Saved policy IMP8 requires the safe and free flow of traffic, ensuring highway safety is maintained and the free flow of traffic on the highway network. Saved policy TRA1 also requires the provision of pedestrian links to ensure the connection of new development to existing services.

4.17 A single point of access is proposed on to Norwich Road to serve the development. Off-site highway works include the provision of two new pedestrian crossings on Norwich Road, one to the north-west corner of the site, one to the north-east corner.

4.18 Amended plans have been submitted to address the technical design amendments required by the Highway Authority. Based on these amended plans the Highway Authority indicate they have no objection to the application subject to the imposition of conditions which include details of the future management and maintenance of the streets within the development, detailed plans of the roads, footways, standard construction specification, scheme for onsite parking for construction workers, detailed scheme for re-located field access and pedestrian refuges.

4.19 The proposal is therefore, subject to the imposition of conditions, considered to provide safe access and ensure the free flow of traffic and provides appropriate pedestrian links and safe crossing towards the town, in accordance with policies IMP8 and TRA1 of the South Norfolk Local Plan 2003.

Drainage

Surface water drainage

4.20 The site lies within Flood Zone 1 which is low risk probability and as such the key issue for this site is the means of surface water drainage. The surface water from the development is proposed to be addressed by infiltration, with houses draining to private or shared soakaways, driveways to permeable paving and highways to large soakaways in the public open space. Both the Environment Agency and the Council's Flood Officer have confirmed that this approach is acceptable subject to a condition for a detailed surface water scheme to be agreed prior to the commencement of development including further infiltration testing, modelling and details of ownership, management and maintenance of the surface water system.

Foul water

4.21 The foul would be connected into the existing foul network.

4.22 Significant concern has been raised by local residents in respect of the capacity of the sewage pumping station on Seamere Road and surcharging that occurs during heavy rainfall.

4.23 Anglian Water has repeatedly confirmed to the Council that there is available capacity in the existing network, despite Officer's concerns to them that the recent works to upgrade the sewage pumping Station on Seamere Road does not appear to have been successful following reports of continued problems with surcharging in heavy rainfall.

4.24 Furthermore the Environment Agency has been contacted regarding the matter and again raise no objection.
4.25 This is clearly an existing problem and whilst the planning process can have regard to ensure that existing problems aren't exacerbated it cannot necessarily address existing problems. The surface water drainage strategy for the site is adequate to ensure that surface water from this development will not enter the sewage treatment works and will not therefore contribute to this existing problem.

4.26 Therefore whilst officers have concerns regarding the capacity of the sewage pumping station, as the statutory consultees raise no objection and Anglian Water who manage and maintain the pumping station maintain it has capacity, Officers cannot substantiate an objection to the application on this basis. The Council has highlighted the matter to the Lead Local Flood Authority and confirms that should there be continued issues that it will be Anglian Water’s responsibility to resolve.

4.27 On balance therefore and subject to the imposition of conditions as set out above the proposal is considered acceptable and accords with policy 1 of the JCS.

Layout, appearance and scale

4.28 Policy 2 of the JCS and section 7 of the NPPF requires all development to achieve good design.

4.29 The application proposes a main spine route running north-south and a series of smaller roads and private shared driveways generally running east-west. There are areas of open space at the entrance to the site and a linear area to the west opening up into the site.

4.30 The scheme respects its boundaries and neighbouring land uses as well as creating character throughout the site that add interest and variety to the proposals.

4.31 Detailed discussion prior to the submission of the application was had with the agent regarding the approach to be taken to both retain the existing hedgerow and trees, ideally in an area of open space where coherent management could be achieved, and to provide an active frontage on to Norwich Road.

4.32 The scheme proposes properties that have rear gardens facing Norwich Road, which is not ideal, however this does ensure that the TPO trees and hedge can be retained and are proposed to be separated from the dwellings by a 1m wide maintenance strip which will ensure their coherent maintenance. This would retain the green character of the road and approach to Hingham and therefore on balance is considered to be the best design solution and it is not considered that this would be significantly detrimental to the character of the streetscene.

4.33 Public open spaces provide a strong focus on the edges of the site as well as at the entrance to the development on Norwich Road, which helps to provide an attractive focal point overlooked by dwellings. The layout has strong visual links to the surrounding countryside to the east, which provides a positive transition from build form to the countryside.

4.34 The development proposals recognise the need for car parking that will provide spaces in direct relationship to the property they serve, which will be screened by low level landscaping to help minimise the impact of parked cars on the street scene. Parking levels are in accordance with the Councils parking standards. There is some tandem parking within the development. To achieve viable developments some tandem parking is sometimes required and in this case it is considered that there is a sufficient mix of parking arrangements to ensure that the tandem parking would not lead to any significant concern.
House types have been considered in the context of the wider surroundings to help reinforce and enhance the local character of Hingham. The house types use traditional forms and materials, yet have a distinctly contemporary appearance. Their height, scale and form is considered appropriate for the site and its context.

The overall density of the site is acceptable and inline with the expected quantum of development set out in Policy HIN1.

Overall, the scheme has been well thought out and results in a contemporary development with a locally inspired character that relates positively to its surroundings and Hingham. It is therefore considered that the requirements of Policy 2 of the JCS, section 7 of the NPPS and the South Norfolk Place-Making Guide SPD have been met.

Heritage assets

The setting of the Listed Buildings and the impact of the development on the setting of the conservation area requires consideration under saved policies IMP15 and IMP18 of the Local Plan respectively. The NPPF Section 12 also requires the level of harm to the significance of the heritage asset to be considered.

The Hingham Conservation Area is beyond the existing housing in Bears Close and as such it is not considered that the proposal would result in any adverse effect on the setting of the Conservation Area and would accord with policy IMP18 of the SNLP.

St Andrews Church to the west is Grade I Listed, however as the site is situated within a shallow hollow it is not visible from the listed building. There are glimpsed views of the church when approaching Hingham from the East, however given this shallow hollow and the scale limited to two storey properties, it is not considered that the proposal would result in any adverse harm to the setting of the Listed Building and would accord with Policy IMP15 of the SNLP.

In addition to the Development Plan policies, S66(1) Listed Buildings Act 1990 requires local planning authorities to 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. Furthermore S72 Listed Buildings Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

In consideration of the Council’s duties under those Acts it is considered, for the reasons set out in the paragraphs above, that the proposal would not adversely affect the special architectural or historic interest of the listed building (St Andrew Church) and nor would it harm the character or appearance of the Conservation Area.

Residential amenity

Policy IMP9 of the SNLP requires development to have regard to the impacts on residential amenity.

Potential impacts on residential amenity of existing properties largely relate to those properties to the west of the site. The majority of properties proposed to back on to the western boundary are bungalows with accommodation in the roof, with dormers facing east. Plots 1-4 are two storey however are sufficient distance to the existing on Drinkwater Close in addition to being partially screened by proposed single storey garaging to the rear, that no significantly adverse overlooking would result. Those existing dwellings on the northern side of Norwich Road are of sufficient distance and screened by existing mature hedge and tree planting to prevent any undue loss of privacy. In respect of the amenities of existing nearby properties, it is therefore considered that the proposal is acceptable.
4.45 In terms of the amenities of the future residents of the proposed dwellings, the relative position of the proposed dwellings is acceptable ensuring no adverse impact on amenity. Furthermore gardens of sufficient size and shape for their intended purpose are proposed and adequate space for on-site parking. The amenity of future residents is therefore considered acceptable.

Public open space and Landscaping

4.46 In respect of landscaping, open space and Public Rights of Way, policy HIN1 sets out the requirement for a 10m landscape belt to the eastern and southern boundaries to screen the development as viewed from Seamere Road, protection of TPO trees/hedgerow on the northern site boundary, open space in accordance with adopted standards and protection of the public right of way running along the eastern boundary.

4.47 Rather than 10m landscape belts to the southern and eastern boundaries to provide the landscape setting, the application uses hedge planting on these boundaries in addition to the location of the open space to the east and variety in house positions and forms to ensure that the development sits comfortably within its landscape setting.

4.48 The southern boundary of the site is not highly visible to the south due to topography and the boundary is proposed to be delineated by hedge and tree planting. Officers consider the approach to the southern boundary to be acceptable, as is not highly visible to the wider landscape to the south and would provide a natural transition to the agricultural fields beyond. There would therefore be no harm to the wider landscape or the setting of the development and the town by the landscape approach proposed.

4.49 The eastern boundary again rather than entirely screening the development, the application as amended includes the planting of a native hedge along the eastern side of the public right of way and the siting of the open space to the east to create a natural edge to the site. This approach ensures that the development has an appropriate landscape setting and transition to the agricultural fields beyond but also ensures that the built form will add some visual interest when approaching the town from the east. Officers therefore consider that again this approach provides a good landscape setting to the development at the town and is acceptable.

4.50 In respect of the mature TPO trees and hedgerow on the northern boundary, these are to be retained, save a section of hedge that needs to be removed for the visibility splay for the access, in line with the policy requirement. A maintenance strip to the south of the tree/hedge line and the proposed rear gardens of the dwellings is proposed at approx. 1m wide and this would ensure that the trees/hedges will remain in one ownership for a coherent approach to their management and maintenance.

4.51 The public right of way is to be retained along the eastern edge of the site and will be located within the new proposed open space.

4.52 The proposed open spaces provide a strong focus on the edges of the site as well as at the entrance to the development on Norwich Road. The layout has strong visual links to the surrounding countryside to the east, which provides a positive transition from build form to the countryside. The area of open space proposed complies with policy levels and children’s play areas are to be secured through the S106.

4.53 The proposal is therefore considered to be acceptable in respect of landscaping and landscape setting and the provision and location of open and play space in accordance with policies IMP2 and LEI7 of the South Norfolk Local Plan 2003.
Affordable housing

4.54 JCS Policy 4 requires 33% affordable housing with a mix of house types and tenure which meets local need. The application as amended proposes 29 affordable dwellings (24 for rent and 5 for shared ownership or shared equity) in accordance with the policy. The Councils Strategic Housing Officer has confirmed that the proposed mix and tenure is acceptable. Subject to a S106 to secure the affordable housing the proposal would accord with policy 4 of the JCS.

4.55 The location of the affordable dwellings is in two areas. The majority are to the northern part of the site, and 6 units are in the south-west corner of the site. It is considered that the location and distribution of affordable units is acceptable.

Protected species

4.56 The application is supported by an ecological survey which indicates that ecological impacts of the site primarily relate to the mature oak trees along Norwich Road. These trees are used by small numbers of single species bat (Common Pipistrelle) in the summer. As the trees are to be retained and protected during the course of development the County Ecologist considers that there would be no adverse impacts on protected species in this respect. Some hedgerow is to be removed, however subject to a condition in respect of timing of the hedgerow removal in regards to nesting birds, again there is no objection in this respect.

4.57 Ecological and biodiversity enhancements will be secured through the additional hedge and tree planting to the eastern and southern boundaries of the site, a maintenance green corridor along the TPO/hedge line to the northern boundary of the site and the provision of bird and bat boxes within the development.

4.58 It is therefore considered that subject to condition that the proposal would result in no adverse impact on protected species or habitats and would accord with policies ENV14 and ENV15 of the SNLP.

Contamination

4.59 Saved Local Plan policy UTL15 has regard to development and contamination. A contamination report has been submitted with the application which identifies no contamination is present at the site. The Environmental Protection Officer and the Environment Agency have both confirmed no objection in this respect subject to an informative note on any permission in the event contamination is found.

Sustainable construction/renewable energy

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

Section 106 Agreement and Community Infrastructure Levy (CIL)

4.61 The application is liable for CIL and a liability notice would be issued with any consent granted. Should consent be granted a S106 would need to be entered into to cover the following: Affordable Housing, open space and play space provision and a management and maintenance for the open space. Discussions are ongoing in order to complete the S106 agreement.
Environmental Impact Assessment

4.62 An Environmental Impact Assessment screening has been undertaken (our ref 2014/1791). This concluded that there would not be significant impacts to require a full Environmental Statement to accompany the application.

Financial considerations

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

5 Conclusion

5.1 The principle of the application is acceptable on this emerging allocation and is considered to represent a sustainable form of development. Although significant local concern has been raised in relation to surface and foul water drainage, on balance the recommended conditions are considered to result in an acceptable solution which would not merit refusal of the application on this ground. With the retention of the existing landscape features around the edge of the site and additional hedge and tree planting to the east and south, the proposed structural landscaping and landscape impacts are acceptable. The scheme delivers a high quality design and layout which is well considered for its rural edge location and the retention of the hedge along the northern boundary will ensure that the green, hedged approach to the town is maintained. All other matters are considered acceptable and subject to the imposition of conditions and a S106 obligation the application is recommended for approval.

Contact Officer, Telephone Number  Tracy Lincoln 01508 533814
and E-mail: tlincoln@s-norfolk.gov.uk
2. **Appl. No** : 2014/2590/F  
**Parish** : BAWBURGH

Applicants Name : Dr Stephen Rawsthorne - John Innes Centre  
Site Address : Land South Of Bawburgh Road Bawburgh Norfolk  
Proposal : 1. Field trials building to provide storage, seed processing, preparation, research rooms and staff facilities with associated on-site parking, service yards and electrical sub-station accessed via Bawburgh Road.  
2. Specialist crop scanning and measuring equipment (phenotyping) and 2 polytunnels in adjacent agricultural field.

Recommendation : Approval with conditions

1. **Time limit**
2. In accordance with plans
3. First 10m of the highway access in accordance with NCC specification
4. Visibility splays to be provided as on approved plan
5. Access, parking, turning, servicing, cycle parking to be provided
6. External lighting as in plan
7. 10% renewable energy to be provided
8. External materials as submitted
9. Detailed foul water scheme to be agreed
10. Surface water using SUDS to be agreed
11. Noise mitigation/restrictions
12. Planting scheme to be agreed
13. Tree protection measures to be agreed
14. Restrict use to B1(b) Agricultural Research

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 11: Conserving and enhancing the natural environment

1.2 **Joint Core Strategy**  
Policy 1 : Addressing climate change and protecting environmental assets  
Policy 2 : Promoting good design  
Policy 3 : Energy and water  
Policy 5 : The Economy  
Policy 17 : Small rural communities and the countryside

1.3 **South Norfolk Local Plan 2003**  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 21: Protection of land for agriculture  
IMP 9: Residential amenity  
IMP 10: Noise  
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
DM2.1 Employment and business development
DM2.7 Agricultural and forestry development
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM4.3 Sustainable drainage and water management
DM4.10 Incorporating landscape into design

1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History
2.1 None

3. Consultations
3.1 Parish Councils
   Bawburgh
   Object.
   Waste of agricultural land, too many access roads are required to be built, phenotyping equipment too close to properties, building is unsightly, CCTV impinge on privacy, noise will be generated, no noise assessment has been provided, increased traffic movements.
   Little Melton
   No objection.
   Concern at visibility of building from some directions, it should be re-located.

3.2 District Members
To be reported if appropriate

3.3 SNC Flood Defence Officer
No objection.

3.4 SNC Landscape Officer
Broadly acceptable in landscape terms, but I request confirmation of H5’s ‘importance’ status. The scheme may need to be adjusted in light of this. Bespoke conditions will be required if planning permission is granted to tie down the detail of the planting and confirm the tree protection measures. I also suggest that an overall future management plan for the landscape features would be a worthwhile requirement too.

3.5 SNC Environmental Services (Protection)
Lighting as shown and noise assessment/measures via conditions

3.6 Ecologist
No objection subject to mitigation.

3.7 Historic Environment Service
No objection.

3.8 Environment Agency
No objection.

3.9 Natural England
No objection

33
3.10 NCC Highways No objection subject to conditions.

3.11 Other Representations

7 objections have been received from local residents, these are summarised as below:

- Loss of good agricultural land
- Not the only viable option
- Option 2 highlighted in site selection information would have been less contentious option but equally suitable.
- Option 2 would also cause concerns for some residents.
- All the buildings were originally designed for Honingham Farms with their relocation to Bawburgh only in late 2014 with no consultation or communication with local residents.
- The separation between building and phenotyping equipment is significant which is inefficient, lacks security and causes unnecessary visual and amenity impact.
- Both the building and phenotyping equipment are some distance from Bawburgh Road which will necessitate unnecessary access roads to be constructed. Good agricultural land is wasted by needing to put in such roads, as is the land adjacent to the phenotyping equipment.
- Phenotyping equipment is close to existing properties on Watton Rd, and therefore, visually intrusive, out of character and affect the amenity of properties.
- The equipment will operate 24/7 which could cause noise disturbance (no noise data to assess) (Please note this has now been submitted)
- Phenotyping equipment, associated concrete runways and 2.4m high security fence are intrusive in rural setting
- CCTV/webcam would be detrimental to privacy
- The building is enormous, isolated from other buildings, is of low/poor architectural quality and looks like an industrial building only 180m from residents. Therefore visually dominating and intrusive.
- Operations in the building at night may have nuisance implications(noise and light)
- Poly-tunnels are large and unsightly and the application suggests expansion.
- Given the nature of the proposed use, vehicle movement data is questioned.
- Roads unsuitable for increased traffic.
- Insufficient data on noise and light implications
- No social or environmental benefits to residents/Parish
- Devaluation of property.
- Potential for further expansion/development

4 Assessment

Site Description

4.1 The site consists of an area of agricultural land used for crop production at Church Farm, Bawburgh. The fields are located to the south of the village of Bawburgh and lie between the Bawburgh Road (also known as Sparrows Hill) to the north which runs back to the village, and the B1108 Watton Road to the south. The existing boundaries to the fields largely comprise existing mixed hedging interspersed with trees.
4.2 The nearest buildings to the site are a number of residential properties along the Watton Road to the south, and a large agricultural storage barn to the north.

4.3 The surrounding land falls into the river valley, with an overall impression of a gently rolling rural landscape.

Proposal

4.4 The application seeks full planning permission for a field trials facility (Use Class B1 (b) for the John Innes Centre (JIC) which is an independent international centre of excellence in plant science and microbiology which seeks to generate knowledge of plants and microbes through innovative research and training. The proposal would consist of two elements, namely a field trials centre and phenotyping equipment.

Field Trials Centre

4.5 This building has a gross internal ground floor of 1690sqm and provides the following:
- Meeting room,
- Seed preparation and cleaning rooms,
- Staff toilets and mess room,
- Dry grain store,
- Freezer room,
- Server room,
- Deliveries and sorting area,
- Seed cleaning and threshing,
- Spray preparation and store,
- Vehicle storage,
- Electrics/emergency generator,
- Mezzanine storage area

4.6 The building is rectangular in shape and features a curved roof with oversailing barge and eaves detail. The building has a maximum height of 8.9m and eaves heights of 5.5m and 3.2m. The building is to be constructed with a varied palette of external materials consisting of red brickwork, Kingspan metal cladding system and metal louvres to parts of the walls, aluminium sheet roof and aluminium doors and windows.

4.7 The building would be accessed a newly constructed concrete access road which adjoins the Bawburgh Road to the north of the site and makes use of an existing access point. The access road feeds into the on-site car park which provides 20 spaces and a separate service access and service yard.

4.8 Outside of the building there are two proposed polytunnels to the south of the building and to the west of the premises are an electrical sub-station, waste and recycling enclosure, fuel enclosure and Calor gas enclosure.

4.9 In terms of the proposed drainage systems, surface water will employ a Sustainable Urban Drainage System (SUDS) system by using the existing on-site marl pit as a “swale” and foul water will be dealt with via a package treatment plant and associated reed bed.

4.10 The development proposes the removal of a stretch of hedgerow to the east of the premises (approximately 50m) for observation purposes.

Phenotyping equipment

4.11 Phenotyping is the observation of an organism growing, and how it responds to a particular environment. In this instance, the phenotyping equipment will photographically record the growth and development of plants.
4.12 The proposal would create a maximum of three bays, each measuring approximately 195m in length and 17m wide which would have concrete "runways" created on the ground around each bay. These "runways" facilitate the phenotyping equipment to move up and down each bay in order to observe and record data on the subject matter contained in each bay. The equipment consists of mobile scanning/measuring rig which have a width of 17.2m and maximum height of 5.5m.

4.13 The three bays would be enclosed by a 2.4m high mesh security fence which is to be coloured green with a single access point to the south. A webcam positioned at the northern end of the phenotyping site on a 8m high pole is also proposed.

Principle of development

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

4.15 The site occupies a rural location outside of any defined settlement limit or employment allocation and on this basis it is necessary to have regard to Policy EMP4 of the South Norfolk Local Plan (SNLP). This policy makes provision for employment development outside of settlement limits in a number of different ways including:

"for agriculturally related industry, which must be located close to the farms to which it relates"

4.16 Policy ENV8 of the SNLP also makes provision for development in the open countryside where it is linked to agriculture or justified to sustain economic activity in rural communities and demands a rural location. It is considered that, given the facility is associated with crop research and the land in question is presently used for crop production it satisfies the above policy requirement.

4.17 Policy EMP4 of the SNLP also seeks the re-use of existing or previously developed land in preference to green field sites. In this instance whilst the land does represent a "green field site", as set out above, there is a clear link between the land use and the purpose of the building whereby it is appropriate and as such to use green field land in this instance is considered appropriate.

4.18 With regard to the SNLP, Annex 1 of the National Planning Policy Framework (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.

4.19 In terms of Policy EMP4 of the SNLP, the NPPF is clear in seeking to build a strong, competitive economy, having regard for the need for this to be appropriately located, but recognising that this includes promoting the development of agricultural and other land based rural businesses. It is considered that Policy EMP4 is consistent with these aims. In terms of policy ENV8 of the SNLP, a recent inspectors decision has confirmed that this is consistent with NPPF.

4.20 In terms of emerging policy, Policy DM 2.1 of the Development Management Policies Document (DMPD) is relevant to employment and business development confirms that development which makes a positive contribution to employment opportunities will be supported unless there is significant adverse impact in terms of other policies of the Plan, and in particular, where new sites are created in the countryside, have regard to the Local Plan, with positive consideration given to proposals that re-use redundant rural buildings
and hard standings, proposals should be located on sites well related to towns and villages and it is demonstrated that there are no sequentially preferable sites available and create accessible jobs and business opportunities on the rural area.

4.21 It is considered that the proposal would make a positive contribution to employment opportunities and that the proposal represents no clear conflict with any particular policy within the DMPD. In terms of its countryside location, it is considered that the site is sufficiently well related to Bawburgh and is also in relatively close proximity and easily accessible from the A47 and nearby Norwich Research Park, and whilst a sequential assessment of sites has not been undertaken, it is not considered appropriate in this instance given the need for the development to be located with the land where research is been undertaken.

4.22 Policy DM2.7 of the DMPD looks at agricultural and forestry development and confirms that development will be permitted where it is necessary for the purpose of agriculture within the farm unit.

4.23 Paragraph 216 of Annex A of the NPPF sets out the weight attributable to emerging Plans, in this case the 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.

4.24 In this instance, Policies DM2.1 and DM2.7 are considered to be consistent with the aims of the NPPF, have been through public examination by a Planning Inspector and are not the subject of significant unresolved objections and as such can be afforded some weight in the decision making process.

4.25 In summary, with regard to the principle of the development, it is considered that there is sufficient justification for a rural location given the nature of the operations undertaken. It is considered appropriate to restrict the use of the site to B1(b) Agricultural Research Science purposes only given the rural location of the proposal.

Key planning issues

4.26 Having established that the principle of development is acceptable, the following are a list of the key planning issues, and these will be addressed in turn:
- Site selection
- Neighbour amenity (including noise)
- Highway safety
- Visual impact upon the character and appearance of the countryside
- Drainage

Site selection

4.27 A number of representations have made reference to the availability of other sites within land under the applicant's control. The supporting documentation includes details of the site selection process and provides specific detail of the “benefits” and “Risks/Issues” of sites (options 1, 1a, 2, 3, 4, 5). The current proposal being option 1a. A number of representations have made reference to option 2 representing a scheme which presents less harm and still being capable of providing a workable scheme.

4.28 In response to these concerns, and also to address a request for clarification on why the phenotyping equipment could not be relocated further north in the site to minimise the impact on neighbours and strengthen the linkage between the building and the phenotyping equipment by the case officer, the agent submitted further representations.
4.29 These representations sought to clarify that site selection was heavily driven by the need for the phenotyping equipment to use land of appropriate soil quality, and to minimise the loss of good quality land to the development, thereby focussing on the use of “poorer quality land”. The occupancy of the land over the last 15 years having allowed the JIC to build up a very detailed knowledge of the land.

4.30 It is considered that this represents an understandable basis for the site selection and there is no evidence to suggest that the site proposed does not follow this rationale. However, it should be stressed that this does not override the need to have due regard for all other planning considerations, and a scheme needs to be satisfactory in all respects regardless of this being the most suitable site to meet the JIC’s needs.

Neighbour amenity

4.31 Concern has been expressed at the impact the scheme would have on neighbour amenity, primarily in terms of noise, privacy.

4.32 With regard to the building, it is considered that this is sufficiently distanced from any residents so as to not result in any significant loss of privacy, outlook or light levels. In terms of the use of the building, it is considered that the operations undertaken, when having regard for the separation distances between it and neighbouring properties are such that nuisance (noise, smells, dust etc) would not be significantly harmful.

4.33 With regard to the phenotyping equipment, the size and nature of the equipment, including the webcam, when having regard to the separation distances to neighbours are such that it would not compromise amenity levels in terms of light, outlook or privacy. Concern has been expressed in relation to noise and the applicant has submitted an acoustic report in support of the application. This has been assessed by the Council’s Environmental Protection Team who have confirmed that they have no objection subject to conditions relating to controlling noise levels for the phenotyping equipment.

4.34 In conclusion, it is considered that subject to conditions, the scheme would not significantly compromise neighbour amenity.

Highway safety

4.35 Concern has been expressed at the ability of the local highway network to cope with the vehicle movements associated with the development. The Highway Authority (NCC) has assessed the proposal, having regard to the details submitted in respect of the suggested vehicle movements and confirmed that they have no objection subject to conditions relating to the upgrading of the access to NCC standard and visibility splays, parking, turning, servicing areas etc being provided as in approved plan.

4.36 By way of clarification, no access is proposed on to the Watton Road to the south of the site.

Visual impact upon the character and appearance of the countryside

4.37 With regard to the building, it is evident that it will be visible from a number of vantage points. However, it is considered that the building in itself represents an attractive design within the landscape. With the curved roof and associated oversail detail not only representing an attractive architectural feature, but also a means to help reduce the scale and mass of the building within the rural landscape.
Drainage

4.38 Following the Environment Agency issuing a holding objection in relation to the submitted Flood Risk Assessment, the agent has prepared further documentation which has been assessed by the Environment Agency and they have duly confirmed that they have no objection to the proposed foul and surface water strategies. The Council’s Flood Prevention Officer has confirmed that they have no objection.

Other issues

4.39 An external lighting scheme has been submitted and this is considered to be acceptable in the context of not resulting in excess light pollution to the countryside and safeguarding neighbour amenity.

4.40 An ecological survey has been submitted and both Natural England and the Council’s Ecologist have assessed it and confirmed they have no objection.

4.41 In response to the initial observations of the Council’s Landscape Officer, the agent has confirmed that hedgerow H5 is now to be retained as requested, with the height of the hedge limited to 600mm so as to provide the necessary observation of the phenotyping equipment. The Council’s Landscape Officer is satisfied with this approach. It has been confirmed that it is necessary to have conditions to agree full details of a hedgerow planting scheme, including retention and agree a tree protection plan. These are considered to be appropriate in this instance.

The existing public right of way through the site will not be affected.

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

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

5 Conclusion

5.1 The proposal is considered to be acceptable in planning terms, having regard to all relevant planning policies and all material considerations. Whilst the development would be in the open countryside, its location has been chosen carefully and the use relates to the surrounding agricultural use of the land. The impacts on residential amenity and landscape, on balance, are considered to be acceptable, as are those on highway safety, drainage and ecology. On this basis the application is recommended for approval subject to the recommended conditions being attached to any subsequent approval.

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

3. Appl. No: 2014/2200/F
   Parish: LODDON
   Applicants Name: Mr Andrew Pennington
   Site Address: 1 Church Plain Loddon Norwich NR14 6LX
   Proposal: To convert an existing grade 2 listed former Butchers Shop with additional land to the rear into an Opticians with 2 separate housing accommodation units including a flat and a semi-detached house.
   Recommendation: Approval with Conditions
   1. Full Planning permission time limit
   2. In accord with submitted drawings
   3. Specific details to be agreed
   4. Provision of parking, service
   5. No generators, air handling plant
   6. Water efficiency

   Parish: LODDON
   Applicants Name: Mr Andrew Pennington
   Site Address: 1 Church Plain Loddon Norwich NR14 6LX
   Proposal: To convert an existing grade 2 listed former Butchers Shop with additional land to the rear into an Opticians with 2 separate housing accommodation units including a flat and a semi-detached house.
   Recommendation: Approval with Conditions
   1. Listed Building Time Limit
   2. In accord with submitted drawings
   3. Specific details to be agreed

1. Planning Policies

1.1 National Planning Policy Framework
   NPPF 02: Ensuring the vitality of town centres
   NPPF 07: Requiring good design
   NPPF 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy
   Policy 2: Promoting good design
   Policy 4: Housing delivery
   Policy 5: The Economy

1.3 South Norfolk Local Plan 2003
   IMP 8: Safe and free flow traffic
   IMP 9: Residential amenity
   IMP 13: Alteration of Listed Buildings (Part Consistent)
   IMP 17: Alterations and extensions in Conservation Areas (Part Consistent)
   EMP 6: Alterations and extensions to existing business premises
   HOU 5: Residential development within the defined Development Limits of specified towns (Part Consistent)
1.4 Emerging South Norfolk Local Plan
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies
DM3.5 Residential extensions and conversions within Settlements
DM4.11 Heritage Assets

**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.”

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.”

2. Planning History

2.1 2003/0636 Demolition of lean-to barns and garage leaving boundary walls Approved

3. Appeal History

3.1 None

4. Consultations

4.1 Parish Council Refuse - Loss of amenity for neighbouring properties Highways issues lack of turning space.

4.2 District Member To be determined by committee

Concerns regarding overlooking to properties in Sale Court from rear facing windows of development. Problem with the garages to the rear which are not in the ownership of the applicant, but the users have a right of way over the land. If the space to the rear is to be used by the shop workers and occupants of the flat for parking then this would inhibit the use of the garages. The applicant would not be able to fulfil the requirements of the Highways Department which requires turning space to be provided. I still have reservations about the use of the access to the rear parking area and its potential increase in use. There is no visibility emerging from the access onto the footpath which puts pedestrians at risk. For the reasons stated.

4.3 SNC Flood Defence Officer No comments regarding surface water drainage arrangements.
4.4 NCC Highways
Support subject to parking and turning space being made available on the site prior to occupation.

4.5 SNC Environmental Services (Protection)
Support subject to a condition: No generator, compressor, chilling unit or cooling fan shall be installed on the site without precise details of the equipment being submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details as approved.

4.6 Other Representations
- 1 Letter of support subject to retaining access to the rear of property then no objections.
- 5 letters of objection (2 from same property adding further comments)
- Overlooking the back of property opposite.
- Loss of privacy to court yard garden and loss of natural light from increased height of flat roof.
- Lack of adequate access to buildings at rear of property.
- The rear window of the proposed new dwelling will have direct line of sight through our velux windows into our main bedroom. This would be unacceptable.
- Increased vehicle access and manoeuvring caused by the proposed parking spaces will affect us because the wall reduces in height from left to right as we look at it and any visitor and/or customer parking resulting from the proposal will mean cars being parked next to the wall at its lowest point (bordering the garden to no. 15 Sale Court). This will mean that all these vehicles will be visible towering over our garden and the drivers and passengers of these vehicles will have direct line of sight over the whole of our garden, into our conservatory and through to our lounge.
- Inadequate boundary wall to provide any privacy.
- Concern regarding the existing foundations of the site.

5. Assessment

5.1 The property forming 1 Church Plain is a Grade II listed building of late 18th early 19th century date, painted brick with a pantiled roof. It has an attractive shop front and together with its neighbouring properties, most of which are also listed, makes a positive contribution to the centre of the conservation area. The property comprises a shop and a series of store rooms on the ground floor. The shop was previously the local butchers and the rear stores were adapted to refrigerated units which extended into a one and a half storey building at the back. The limited space above the shop was also used for storage. Vehicular access to the rear of the premises is immediately to the south, via a single lane leading to an enclosed yard. The yard is largely hard surfaced and provides access to a row of garages owned by adjoining neighbours. To the extreme west the land falls away to Sale Court. There is a brick boundary wall defining the west of the site which, following the demolition of an outbuilding in the yard some years ago, was reduced to a varying height but generally only about one metre above the level of the yard.

5.2 The proposal is to convert the shop into an opticians which would extend back using some of the former store rooms. The rear one and half storey outbuilding would be converted into a house with one bedroom on the upper floor. A space has been left between these uses to provide access to a one bedroomed flat above. To make this possible, a first floor extension is proposed to accommodate a stair and kitchen with the bedroom positioned above the shop. Three car park spaces to serve the shop and house are shown in the yard with associated turning provision.
5.3 A number of objections have been raised at the implications of the proposal both in terms of the impact on neighbouring dwellings and on the parking and turning arrangements in the yard and the implications that would have on highway safety, existing access rights and overlooking.

Housing provision.

5.4 The provision of two units of accommodation makes more efficient use of the building and complies with local plan policy HOU 5 with new dwellings in development boundaries.

Employment/economic issues.

5.5 The re-use of the empty shop is to be welcomed in this sustainable location and complies with local plan policy EMP 6. Parking is provided for the shop in the rear yard, but there is a public car park in Church Plain and road parking is not restricted. As mentioned, the Highways Officer has no objections to the access or parking provision.

Neighbour impact.

5.6 The owner of 3 Church Plain, which adjoins the site to the north, is concerned about the impact of the first floor addition, and the potential for loss of light as the new build will infill a gap between taller buildings on the north boundary. They are also worried about the physical changes needed to convert the buildings but these are mostly matters that will be dealt with at building regulations stages. Other neighbours in Sale Yard are concerned about overlooking from a window proposed in the west gable end of the house. This would serve a bedroom. Given the differences in level between the ground floor of these houses and that of the yard, the window would align with their roof lights.

5.7 The first floor extension would be to the south and may result in a slight increase in overshadowing. However, the garden is within a town centre location and is already surrounded by a number of buildings. On balance, the increased impact is not considered significant enough to warrant refusal of the application, and it is considered no material harm would be caused.

5.8 Overlooking from the yard towards Sale Court is already possible and this application would not significantly increase this. The window on the gable end would be more than 25 metres from 13 Sale Court and this is considered an acceptable distance to ensure no material loss of privacy. The proposal is considered to comply with local plan policy IMP 9 in respect of impact on neighbour amenity.

Parking and turning.

5.9 Concern has been expressed about the access to the yard. This has limited visibility but there is no scope to improve that as it fits between two historic buildings. The concerns also relate to the increased use of the access, the consequent intrusion by additional users on the amenities of the occupiers in Sale Court, and the possible conflict with neighbour’s rights of access to the garage and store buildings which form the north boundary of the yard.

5.10 The Highways Officer does not object to the application provided the proposed parking and turning area is laid out prior to occupation.

5.11 The legal rights of the owners of the garages in respect of access and use are not a planning matter. However, the applicants have stated that regardless of the situation, their layout will not inhibit the current way the owners are using the buildings.
5.12 While the building is listed, it is in a poor condition and has been crudely altered to accommodate its previous use. The proposals would accommodate an opticians being relocated from elsewhere in the town, and provide an opportunity for much welcomed improvements both internally and externally. The design has been slightly modified to enhance this positive impact. To accommodate the house and flat, there will be a need for the floor levels to be lowered but this affects only later parts of the building and there would be no loss of historic fabric in that process. Such works would need to be carefully carried out to minimise the impact on the neighbours and the building as a whole.

5.13 Materials proposed are sympathetic to the area and specific choices can be the subject of a condition. The existing flat roofed section would be clad in timber and with the addition of a tiled roof, would improve the side elevation. The scheme would comply with policies IMP 13 and 17, paragraph 134 of the NPPF. Also it considered to comply with the requirements of sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as the alterations to the listed building would be sympathetic and enhance the special architectural and historic interest of the listed building when considering previous alterations undertaken, and the external appearance in-keeping with the form of development and character and appearance of the conservation area.

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

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

6 Conclusion

2014/220

6.1 The proposal would deliver new housing and would lead to the improvement of the listed building, conservation area, as well as providing employment. There would be no material harm to neighbouring occupiers or highway safety. The planning application complies with the relevant planning policies and is recommended for approval subject to conditions.

2014/2201

6.2 The listed building consent application is also recommended for approval subject to conditions as the alterations to the listed building would be sympathetic and enhance the special architectural and historic interest of the listed building.

Contact Officer, Telephone Number and E-mail: Steve Beckett 01508 533812 sbeckett@s-norfolk.gov.uk
Development Management Committee

Parish : COSTESSEY

Applicants Name : Mr M Ashby
Site Address : Aldreds Yard The Loke Longwater Lane Costessey Norfolk NR5 0TB
Proposal : Retrospective change of use of yard from manufacture/vehicle storage to storage and distribution including vehicle storage.

Recommendation : Refusal

1. Impact on residential amenity

 Authorise appropriate enforcement action to be taken

1. Planning Policies

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

1.2 Joint Core Strategy
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 5 : The Economy
Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes

1.3 South Norfolk Local Plan 2003
ENV 3: River Valleys
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
DM3.14 Amenity, noise and quality of life

2. Planning History

2.1 2008/0762 Retention of overnight parking for two lorries OR (but not together with) the use of the land for fencing panels manufacture as previously approved (1999/0072). Approved

2.2 2007/1014 Change of use to park 2-3 lorries. Refused

2.3 2007/0089 Change of use to park 2-3 lorries. Refused

3. Appeal History

3.1 2007/1014 Change of use to park 2-3 lorries. Appeal Dismissed.
4. Consultations

4.1 Parish Council  
Object - Concerns regarding:
- Unlawful use of the site which contravenes existing planning conditions
- Current operations have intensified use of the site with more frequent and larger vehicles
- Activities and vehicle movements are disturbing the nearby residents
- Unsuitable access
- Impact on the river valley landscape.
- Concern at potential for pollution of River Tud
If application is approved there should be restrictions placed on the weight and size limits and time restrictions.

4.2 District Member  
Object - the site is unsuitable for a change of use to storage and distribution, the road is unadopted and unsuitable for any increase in the volume of HGV traffic accessing onto a busy road. The intensification of commercial activities behind residential dwellings is unsustainable and uneighbourly.

4.3 SNC Environmental Services (Protection)  
No objection subject to condition relating to hours of work.

4.4 NCC Highways  
The site has a valid vehicle operator’s licence for the two 7.5 tonne vehicles and a highway objection to the use of the site by these vehicles is not possible. This is obviously subject to the number of two vehicles and the weight limit.

With regard to the storage and distribution, the means of access onto Longwater Lane was improved a few years ago by Anglian Water and is satisfactory in terms of construction, layout and visibility. The Loke is a private track without public rights and as such it is not within our remit to comment.

However, if consent is to be granted, in view of the constraints it may be appropriate for restrictions to be placed on the weight and size of vehicles permitted to use the site.

4.5 Other Representations  
8 letters of objection from neighbouring occupiers. Concerns regarding:
- Noise and visual impact of lorries using The Loke
- Loss of privacy to gardens from lorries
- Concern at hours of operation
- Impact of dust in the summer
- Impact of burning rubbish on the site
- Damage to grass verges from vehicles

5. Assessment

Site and proposal

5.1 The site is located to the rear of residential properties on Longwater Lane in Costessey, and is accessed by a private way known as The Loke. The site currently has permission for overnight parking for two lorries OR (but not together with) the use of the land for manufacture of fencing panels. The land is located outside of the development boundary for Costessey, and also has a
local landscape protection designation relating to the river valley. There are a number of residential properties on Longwater Lane immediately to the west, the gardens of which adjoin the site to the north, south and west, with agricultural land to the east, close to the river Tud.

5.2 The fencing manufacture business no longer operates from the land. The site, which contains a number of single storey buildings together with an open yard, has recently been used for the storage of redundant telephone boxes and bus shelters. This use does not comply with the permitted use of the site and therefore the Council requested that the applicant regularise the situation through the submission of a planning application. The application therefore seeks a change of use of the land to B8 (storage and distribution).

5.3 The application is required to be determined by planning committee because it would generate employment and the recommendation is one of refusal. The main issues to be considered are the impact on neighbouring occupiers, the impact on the local highway network, the impact on landscape character and the contribution the site makes to local employment.

Impact on neighbouring occupiers

5.4 The site is immediately adjacent to a number of residential gardens, and therefore there is the potential for significant impacts on neighbouring occupiers. For this reason the previous permissions have been particularly restrictive, in order to tightly control development on the site. Whilst it is recognised that the site can operate under the current permission in such a way that would cause a level of noise and disturbance, it is considered that an open permission for storage and distribution would have the potential to cause significantly adverse amenity impacts. This could arise in particular from noise and disturbance created by the unloading/loading operations of goods within the site and from the movement of heavy goods vehicles up and down The Loke.

5.5 Although it would be possible to control certain impacts by condition, such as the hours of operation, it would not be possible to apply enforceable conditions to control the number of vehicle movements or the volume of items being taken to and from the site. This would mean that should permission be granted, the planning authority would have very little control over the intensity of the use and the negative impact this could have on local residents. Although conditions have been suggested by the Environmental Protection team and the Highway Officer, these would not in themselves be sufficient to control all of the potential impacts. For this reason the proposal conflicts with saved policies IMP 9 and IMP 10 of the South Norfolk Local Plan.

Highway impact

5.6 The details given within the application suggest a relatively low number of vehicle movements related to the parking of two lorries overnight and the storage of bus shelters and telephone boxes. However it is understood that the latter use is due to cease and the applicant is seeking a more flexible B8 permission for the site.

5.7 The highway officer has taken account of the permitted use of the site and the fact that the visibility and access is considered suitable. The main vehicular impacts are on The Loke, which is not a public highway. As a result no highway objection has been raised; therefore the proposal does not conflict with policy IMP 8 of the South Norfolk Local Plan, in respect of the impact on the safe and free flow of traffic.

Landscape impact

5.8 The site is located within a designated ‘river valley’ where policy ENV 3 of the local plan requires that the landscape character should be protected and enhanced and that inappropriate development should not be permitted.
5.9 The site is partly screened by high fencing and a number of buildings; however some of the fencing is in a poor state of repair. The proposed use does not strictly comply with the requirements of ENV 3, because it cannot be said to enhance the landscape character of the river valley. However, on balance it is not considered that the proposed use would significantly increase the landscape and visual impact of the site over and above the permitted use for fence manufacture or the parking of two lorries. As a result it is considered that a reason for refusal on this ground cannot be substantiated.

The contribution of the site to local employment

5.10 The application states that four full time employees were working on the site at the time of the application. This number is likely to reduce due to the tenant who was operating the unauthorised storage use intending to leave. Nevertheless the site and proposal does provide the opportunity for a small level of local employment, which is a benefit, in line with the aims of the National Planning Policy Framework and policy 5 of the Joint Core Strategy. However, it is considered that this benefit does not outweigh the overriding concern that an open B8 use could cause significantly adverse impacts on neighbouring occupiers.

Other matters

5.11 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) because no new floor space would be created.

6. Conclusion

6.1 Although the proposal would lead to economic benefits in terms of providing a small number of jobs, and regard has been had to the permitted use of the site for fence manufacture/vehicle parking, there is the potential that an unrestricted B8 use would create significant adverse noise and amenity impacts on the occupiers of the residential properties close to the site, which it would not be possible to control by condition. The application therefore conflicts with saved policies IMP 9 and IMP 10 of the South Norfolk Local Plan, and is recommended for refusal.

7. Reason for refusal

7.1 The storage and distribution use has the potential to lead to significant adverse noise and residential amenity impacts on neighbouring occupiers arising from the movement of vehicles to and from the site and from the loading and unloading of goods within the site, in close proximity to residential dwellings. Even when considering the benefits of providing local employment opportunities, the proposal is not considered to form sustainable development due to the unacceptable impact on the neighbouring residential occupiers, which conflicts with the provisions of saved policies IMP 9 and IMP 10 of the South Norfolk Local Plan (2003), and paragraphs 14 and 17 of the National Planning Policy Framework (2012).

7.2 Authority is also sought to take appropriate enforcement action with regard to any current unauthorised use of the site.

Contact Officer, Telephone Number and E-mail: Robert Webb 01508 533681 rwebb@s-norfolk.gov.uk
Parish : HINGHAM

Applicants Name : Mr & Mrs Jeremy Dore
Site Address : 38 - 39 Market Place Hingham Norfolk NR9 4AF
Proposal : Change of Use of part of ground floor of premises from A1 retail to residential

Recommendation : Approval with conditions
1. Full planning permission
2. In accordance with submitted drawings

1. Planning Policies

1.1 National Planning Policy Framework
Chapter 2: Ensuring the vitality of town centres
Chapter 3: Supporting a prosperous rural economy
Chapter 7: Requiring good design
Chapter 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 4 : Housing delivery
Policy 14 : Key Service Centres

1.3 South Norfolk Local Plan 2003
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
EMP 7: The retention of rural employment and services (Part consistent)
SHO 8: Local and rural shops and services
IMP 13: Alteration of Listed Buildings (Part Consistent)
IMP 18: Development in Conservation Areas.

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

1.5 Development Management Policies
DM2.2 Protection of employment sites
DM2.5 Changes of use in town centres and local centres
DM3.17 Improving the level of local community facilities

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."
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.”

2. **Planning History**

2.1 2014/0020 Change of use of part of the ground floor of the property from (A1) post office and shop to residential accommodation. Refused

2.2 2014/0021 Change of use of part of the ground floor of the property from (A1) post office and shop to residential accommodation including removal of post box and internal fittings. Approved

2.3 2014/2456 Proposed repairs to remove part of the render from outside property and remains of rotten oak sole plate, insert new oak sole plate 2.43 x 0.18 x 0.18m, render outside and re plaster inside with lime plaster. Approved

2.4 2004/1074 Proposed replacement of existing windows Approved

3. **Consultations**

3.1 Parish Council No objections.

3.2 District Member To be determined by committee Concerns raised regarding the loss of such a prominent retail and service facility.

3.3 NCC Highways No highway objections.

3.4 SNC Environmental Services (Protection) To be reported

3.5 Other Representations 2 letters of objection, concerned at the loss of the retail use and the impact on the viability of the town centre and surrounding businesses. 1 letter of support - granting permission does not mean that a retail use would not be possible in the future.

4. **Assessment**

4.1 The proposal is for the change of a ground floor retail unit that was formerly the post office in Hingham to residential use. The property is a Grade II listed building, of timber framed brick construction with a pantiled roof, thought to date back to the 17th century, and also contains a dwelling. The post office has ceased trading and the applicant states that there is little prospect of the premises being sold with mixed residential and business use. No significant external changes are proposed, the main change is the internal conversion of the retail area to a dining and drawing room. Listed building consent has already been granted for the removal of the post box and internal fittings.
Planning permission was previously refused under application 2014/0020 due to concerns at the loss of the retail space and a failure to adequately demonstrate that the premises had been properly marketed for a retail use. The applicant has now carried out a marketing exercise and therefore this application seeks to overcome the previous reason for refusal, with the application accompanied by both a letter from a marketing agent and a financial report carried out by Humberstones, a national specialist agent and valuer.

Loss of retail premises and community facility

The Humberstones report concludes that the post office occupied a small retail space with an associated period residential property that is too large and too expensive for the size of the business. It is stated that the property does not easily lend itself to retail use given the small size of the retail area and its windows. It is further stated that the post office has struggled during recent years and is unlikely to be viable in the future, due to changes in the structure of the Post Office as an organisation.

The letter from Mullenger and Co. Estate Agents states that the premises has been on the market since April 2014, and advertised on the websites Rightmove and Zoopla, together with the company’s magazine and additional advertising within the Eastern Daily Press. Between April 2014 and the 7th January 2015 there were 5 viewings, with no offers. Those that had viewed the property were concerned there would not be sufficient profit within the shop to make the purchase viable.

Policies EMP 7 and SHO 8 of the South Norfolk Local Plan seek to safeguard employment and retail uses. Policy DM 3.17 of the emerging Development Management policies document sets out three criteria that should be met where the loss of a community facility is proposed. In addition policies DM 2.2 and DM 2.5 have been considered because they deal with the protection of employment sites and the change of use in town centres.

The Council’s property consultant has confirmed that the terms of the marketing used and the price advertised was reasonable. The information submitted with the application demonstrates that the marketing has taken place for a period in excess of six months and the evidence is sufficient to demonstrate there is no reasonable prospect of viable continued use of the premises for retail purposes. In addition there are no community plans which specifically require the safeguarding of the premises for a post office use.

Whilst the loss of the retail unit and post office facility is regrettable, it is considered that that the application has sufficiently demonstrated that there is no demand within the market to use the space for retail purposes, and that the continued use as a post office is unsustainable. It is therefore considered the proposal meets the requirements of policy DM 3.17 and also complies with the requirements of saved policies EMP 7 and SHO 8 of the Local Plan and DM 2.2 and DM 2.5 of the Development Management Policies document with regard to the loss of an employment and retail facility.

Two objections have been received, including one from the adjoining Butchers shop, concerned at the impact the loss of the unit would have on the footfall and vitality of the town and other retail premises. However given that the post office has already ceased trading and has been demonstrated to be unsustainable, it is considered the loss of the relatively small retail unit would not materially harm the viability and vitality of the town centre, nor would it lead to a concentration of non-retail uses, because the Market Place already contains a mix of retail and residential uses.
Impact on listed building and Conservation Area.

4.9 In accordance with Section 66 of the Act, there would be no material change to the external appearance of the building, and regard is had to the fact that Listed Building Consent for the related alterations has already been granted. The special historic interest of the building would not be compromised by this change of use given the minimal physical changes required to enable this use.

4.10 In addition due to there being no external alterations to the building being proposed the proposal would not have an adverse impact on the character or the appearance of the Conservation Area, as required by Section 72 of the Act. The proposal accords with policies IMP 13 and IMP 18 of the South Norfolk Local Plan with regard to impact on the listed building and Conservation Area.

Other matters

4.11 There would be no harm to highway safety or the residential amenity of neighbouring occupiers, therefore the proposal satisfies the requirements of policies IMP 8 and IMP 9 of the local plan.

4.12 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), due to there being no increase in floorspace.

5 Conclusion

5.1 Whilst the loss of the post office and retail premises is regrettable, sufficient evidence has been submitted to demonstrate that there is no realistic prospect of the continued operation of the post office and that there has been no firm interest in purchasing the premises as a mixed residential/retail proposition. In addition the proposal would cause no material harm to the special interest of the listed building and conservation area. The application is accordingly recommended for approval, subject to conditions.

Contact Officer, Telephone Number Robert Webb 01508 533681
and E-mail: rwebb@s-norfolk.gov.uk
Enforcement Report

1. **Enforcement Ref**: 2009/8199  
   **Parish**: CARLETON RODE

   **Site Address**: Fen Lakes Fishery, Fen Road, Carleton Rode, Norwich  
   **NR16 1RT**,

   **Development**: Standing and Residential Occupation of Caravan  
   **Developer**: Mr B Chetwynd

1. **Background**

   1.1 In April 2008 planning permission was granted at appeal for the erection of a dwelling (2007/0167) in connection with the operation of the fishery. This was subject to a condition which restricted the occupancy of the dwelling to a person solely or mainly employed or last employed in the recreational fishery business on the site.

   1.2 In July 2009 the Council investigated complaints regarding the siting of caravans and their use. The owner confirmed that a caravan had stood on Fen Lakes Fishery since the late 1990's. A static caravan had been bought to replace the previously sited caravan, to provide temporary accommodation and on site security. It was proposed that the original caravan would be retained to provide a workers rest area for the duration of the construction of the new house approved under references 2007/0167 and 2009/0260, and then removed. The Council took the view that the uses set out by the owner would be ancillary to the use of the fishery and did not require planning permission. The original caravan was removed in September 2009.

   1.3 In June 2010, following further investigation, the owner confirmed that that the static caravan provided temporary accommodation and on site security ancillary to the use of the fishery. He stated that his primary residence remained in Thetford. The Council again confirmed that on the basis of the information provided the use of the caravan did not require the submission of a planning application.

   1.4 In April 2011 the Council served a Planning Contravention Notice to which the owner replied stating that the caravan was not used for residential purposes and that in relation to how often the caravan had been used for overnight stays, stated that the usage had not been recorded but the nature and intensity of the use had not changed since the correspondence in June 2010. The Council noted that this and notified the owner that should the intensity of use or nature of accommodation change, a planning application may be required.

   1.5 In November 2014 the owner stated that the caravan was being used for residential purposes and has been since 2009. He set out that the original intention was for this to be on a temporary basis while he constructed the dwelling approved in connection with the fishery, but actions in relation to unauthorised development on adjoining land, had resulted in funds not being available to complete the dwelling.

   1.6 Clarification has been sought regarding the use of the caravan through a further Planning Contravention Notice and correspondence in which the owner states that the caravan has been used for residential purposes every night since June / July 2009.
1.7 The owner states that the ongoing actions in relation to the unauthorised development on adjoining land have significantly affected his business, rendering it incapable of supporting a mortgage and the refusal to remove the occupancy condition has left him with no option but to continue to reside in the static caravan. He confirms that the caravan has been their sole residence since 7 July 2011 and resulted in Council tax being initiated on the property. He also confirms that the functional requirements for a dwelling on site (as approved under reference 2007/0167) are currently being met through his residence in the static caravan.

2 Planning Policies

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

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

2.3 South Norfolk Local Plan
ENV8: Development in the open countryside (Part Consistent)
HOU8: Agricultural and forestry dwellings
IMP8: Safe and free flow traffic
IMP9: Residential amenity

2.4 Emerging South Norfolk Local Plan
Development Management Policies
DM2.7: Agricultural and forestry development
DM3.12: Road safety and free flow of traffic
DM3.0 Design principles

3 Planning History

3.1 2006/0130/F Improvements to rural enterprise and extensions to existing ponds Withdrawn

3.2 2006/0131/F Improvements to rural enterprise - erection of toilet/information/utility building Withdrawn

3.3 2006/0132/O Improvements to rural enterprise - Erection of 2 storey dwelling Withdrawn

3.4 2006/1577/LE Coarse fishing lakes used for angling on a membership/day ticket basis running competitive matches and available for bookings from other angling clubs Approved

3.5 2007/0144/F Restoration of Fen as part of the development of rural business Refused

3.6 2007/0167/O Improvements to rural enterprise - erection of utility building and erection of dwelling Refused Appeal Allowed

3.7 2008/2449/F Improvement to rural enterprise - erection of one and a half storey dwelling and utility building Withdrawn

3.8 2009/0260/D Single storey dwelling with attic bedroom Approved
3.9 2013/0397/F Removal of condition 6 (restricting occupancy of dwelling to persons employed in the adjoining fishery) of planning application 2007/0167/O granted on appeal by the Inspector's letter dated 17 April 2008 Appeal for Non determination Appeal Dismissed

4  Assessment

4.1 The site has a lawful use as a recreational fishery as established by the Certificate of Lawfulness (2006/1577/LE) and this is considered to be the primary use of the land. Ancillary or incidental uses to that primary use may take place so long as, as a matter of fact and degree, they are not sufficient to amount to a material change of use of the planning unit.

4.2 Rest shelters and storage facilities even where used for occasional night stays for the purposes of the primary use have long been held not to have required planning permission and to be lawful and not necessarily a breach of control. I therefore consider, from the information up to 2011 that the opinion expressed by officers was correct. Furthermore, the owner had confirmed that his primary address remained in Thetford. No breach of control was therefore then taking place in respect of that static caravan at that time.

4.3 In November 2014, the owner stated that “the caravan has been our sole residential use since 7 July 2011”. Full residential use of the caravan from 7 July 2011 would have taken use of the caravan outside the above category and would, from that date, have required planning permission and have amounted to a breach of control, notwithstanding any continuing claimed relationship with the fishery business.

4.4 There appears no evidence of the caravan having been converted to a “building” and therefore potentially “dwelling house” and as such, the immunity period for such breach (use as a caravan site for residential caravan) would be ten years.

4.5 Planning permission has been granted for a dwelling on the site in association with the operation of the fishery (2007/0167), which includes a restrictive occupancy condition. An application for the removal of the occupancy condition was refused and a subsequent appeal dismissed (2013/0397). The owner has confirmed that the functional requirements for a dwelling on site are currently being met through his residence in the static caravan. Given that the site is in an open countryside location where there is a presumption against new dwellings unless required in connection with an existing rural enterprise, I consider that it is necessary to control the occupancy of the caravan to a person solely or mainly employed or last employed in the recreational fishery business on the site.

4.6 The owner has been invited on several occasions to submit a planning application for the retention of the residential use of the caravan in connection with the operation of the fishery but has to date not submitted an application.

4.7 I therefore consider that in order to ensure that the caravan does not become established as an unrestricted residential caravan, but to allow the owner to continue to live on site to establish the fishery business it is necessary to serve an Enforcement Notice which controls the occupancy of the caravan. It should also ensure that the residential occupancy of the caravan ceases upon the approved dwelling being first occupied.
5 Recommendation

5.1 To serve an enforcement notice which sets out that:

5.2 The occupation of the caravan shall be limited to a person solely or mainly employed or last employed in the recreational fishery business occupying the plot edged blue on the site plan (scale 1:2,500) attached to and forming part of the application for planning permission (2007/0167), or a widow or widower of such a person, or any resident dependants.

5.3 Upon first occupation of the dwelling approved under references 2007/0167 and 2009/0260, (or any planning permission replacing the same) the residential occupation of the caravan shall cease and it shall be used for ancillary or incidental uses to the recreational fishery or be removed from the land.

Contact Officer, Telephone Number and E-mail: Martin Burrows, 01508 533843 mburrows@s-norfolk.gov.uk
### Planning Appeals

#### Appeals received from 24/01/2015 to 23/02/2015

<table>
<thead>
<tr>
<th>Ref</th>
<th>Parish / Site</th>
<th>Appellant</th>
<th>Proposal</th>
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</table>
| 2014/0451 | Alburgh  
Land East Of Hope Cottage Station  
Road Alburgh Norfolk | Mr Mark Thompson | Erection of code level 6 dwelling, including an observatory. |
| 2014/2009 | Poringland  
49 Howe Lane Poringland Norfolk  
NR14 7LH | Ms Jill Finnie | Storm porch, ground and first floor extension |

### Appeals decisions from 24/01/2015 to 23/02/2015

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<th>Parish / Site</th>
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<th>Proposal</th>
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<th>Final Decision</th>
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| 2013/2192 | Shelton  
Land Between Corner Farm And Ash Lodge  
The Street Hardwick Norfolk | Mr & Mrs Owen-Jackson | Outline Planning Permission for a Detached Two Storey New Home and a Detached Single Storey Garage (Revised Proposal) | Delegated | Refusal | Appeal dismissed |
| 2014/0239 | Poringland  
Subdivision Of Garden Of 85 The Street  
Poringland Norfolk | Mr D Morley | Proposed bungalow to rear of 85 The Street                                                                 | Delegated | Refusal | Appeal dismissed |
| 2014/1325 | Caistor St Edmund  
Land West Of 78 Caistor Lane Caistor St Edmund Norfolk | Mr Andrew And Mrs Jill Halsey | Outline permission (with all matters reserved) for a four bedroom, single storey dwelling. | Delegated | Refusal | Appeal dismissed |