Development Management Committee

Members of the Development Management Committee:

Conservatives   Liberal Democrats

Mr J Mooney     Dr M Gray
(Chairman)       (Vice-Chairman)
Mrs L Neal      Mrs A Thomas
(Vice-Chairman) (Acting Vice-Chairman)

Mrs Y Bendle
Mrs F Ellis
Mr C Gould
Dr C Kemp
Mr G Minshull
Mr B Stone
Mr V Thomson

Pool of Substitutes
Mr P Broome     Mrs V Bell
Mr L Dale
Mr J Hornby
Dr N Legg
Mr B Riches
Mr G Wheatley

Pre-Committee Members’ Question Time
9.00 am          Blomefield Room

Agenda

Date
Wednesday 19 August 2015

Time
10.00 am

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

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

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

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

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

If you 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 8)

4. Minutes of the Meetings of the Development Management Committee held 22 July 2015
   (attached - page 10)

5. Planning Applications and Other Development Control Matters;
   (attached – page 14)
   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>2014/0096/O</td>
<td>WYMONDHAM</td>
<td>Land South East of 9 Spinks Lane Spinks Lane Wymondham</td>
<td>14</td>
</tr>
<tr>
<td>2</td>
<td>2014/1642/O</td>
<td>SWARDESTON</td>
<td>Land off Bobbins Way Swardenst Norwich NR14 8DT</td>
<td>32</td>
</tr>
<tr>
<td>3</td>
<td>2015/0436/O</td>
<td>SCOLE</td>
<td>Land West of Norwich Road Scole Norfolk</td>
<td>48</td>
</tr>
<tr>
<td>4</td>
<td>2015/1221/F</td>
<td>MULBARTON</td>
<td>Land South of Brick Kiln Lane Mulbarton Norfolk</td>
<td>61</td>
</tr>
<tr>
<td>5</td>
<td>2015/1233/RVC</td>
<td>LITTLE MELTON</td>
<td>Land South East Of The Gardens Mill Road Little Melton</td>
<td>73</td>
</tr>
<tr>
<td>6</td>
<td>2015/1281/RVC</td>
<td>MULBARTON</td>
<td>Land East of Long Lane Mulbarton Norfolk</td>
<td>92</td>
</tr>
<tr>
<td>7</td>
<td>2015/0290/F</td>
<td>HETHERSETT</td>
<td>Former Allotment Land Canns Lane Hethersett Norfolk</td>
<td>108</td>
</tr>
<tr>
<td>8</td>
<td>2015/0744/F</td>
<td>MUNDHAM</td>
<td>Land North West of Birchview Mundham Common Road Mundham Norfolk</td>
<td>114</td>
</tr>
<tr>
<td>9</td>
<td>2015/1051/H</td>
<td>COSTESSEY</td>
<td>7 Silvo Road Costessey Norfolk NR8 5EL</td>
<td>122</td>
</tr>
<tr>
<td>10</td>
<td>2015/1289/H</td>
<td>HINGHAM</td>
<td>Hillfields, Hardingham Road, Hingham Norfolk NR9 4LX</td>
<td>126</td>
</tr>
<tr>
<td>11</td>
<td>2015/1619/H</td>
<td>HEMPNALL</td>
<td>Cydonia Field Lane Hempnall Norfolk NR15 2PB</td>
<td>131</td>
</tr>
</tbody>
</table>
6. **Sites Sub-Committee;**

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

7. **Planning Appeals (for information)** (attached – page 134)

8. **Date of next scheduled meeting – Wednesday 16 September 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 much time you have used 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 left or right 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

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

Key to abbreviations used in Recommendations

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


### DECLARATIONS OF INTEREST AT MEETINGS

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

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

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.

<table>
<thead>
<tr>
<th>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</th>
</tr>
</thead>
<tbody>
<tr>
<td>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</td>
</tr>
</tbody>
</table>

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

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FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

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

What matters are being discussed at the meeting?

Do any relate to an interest I have?

A Have I declared it as a pecuniary interest?
OR
B Does it directly affect me, my partner or spouse’s financial position, in particular:
   - employment, employers or businesses;
   - companies in which they are a director or where they have a shareholding of more than £25,000 face value or more than 1% of nominal share holding
   - land or leases they own or hold
   - contracts, licenses, approvals or consents

YES

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

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

NO

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

YES

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

NO

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

YES

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

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

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

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

NO

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

Minutes of a meeting of the Development Management Committee of South Norfolk District Council held at South Norfolk House, Long Stratton, on Wednesday 22 July 2015 at 10.00 am.

Committee Members Present: Councillors L Neal (Chairman for the meeting), A Thomas (Acting Vice-Chairman), Y Bendle, F Ellis, C Gould, M Gray, C Kemp, G Minshull, B Stone and V Thomson

(Cllr Neal left the meeting after consideration of agenda item 5, application 7. Cllr Thomas took the chair for the remainder of the meeting, except for application 8 which was chaired by Cllr Kemp. After consideration of Item 5, Application 13, Cllrs Bendle, Ellis and Gray left the meeting)

Apologies: Councillor J Mooney

Substitute Members: Councillor C Foulger (for J Mooney)

Officers in Attendance: The Development Manager (H Mellors), the Planning Decisions and Enforcement Team Leader (C Trett) and the Senior Planning Officers (C Curtis, T Lincoln, C Raine and R Webb)

Also in Attendance: (38 members of the public and the press were in attendance)
211. DECLARATIONS OF INTEREST

The following members declared interests 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 2) 2014/2380/F</td>
<td>BIXLEY</td>
<td>All</td>
<td>Local Planning Code of Practice Lobbied by Objector</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C Kemp</td>
<td>Other interest – Member is subscribing member of English Heritage</td>
</tr>
<tr>
<td></td>
<td></td>
<td>L Neal</td>
<td>Other interest – Member was present when item discussed at Parish Council meeting</td>
</tr>
<tr>
<td>(Item 6) 2015/0595/F</td>
<td>BRESSINGHAM</td>
<td>B Stone</td>
<td>Local Planning Code of Practice Lobbied by Applicant and Objector</td>
</tr>
<tr>
<td>(Item 7) 2015/0707/F</td>
<td>ALPINGTON</td>
<td>V Thomson</td>
<td>Other interest – Applicant is known to member</td>
</tr>
<tr>
<td></td>
<td></td>
<td>G Minshall</td>
<td>Other Interest – Member is former director of Saffron Housing and did not vote on this item</td>
</tr>
<tr>
<td>(Item 8) 2013/1630/F</td>
<td>HEMPNALL</td>
<td>All (except for C Foulger and Y Bendle)</td>
<td>Local Planning Code of Practice Lobbied by Objector</td>
</tr>
<tr>
<td>(Item 10) 2015/0321/F</td>
<td>BROCKDISH</td>
<td>All</td>
<td>Local Planning Code of Practice Lobbied by Applicant</td>
</tr>
<tr>
<td>(Item 11) 2015/0582/F</td>
<td>CHEDGRAVE</td>
<td>C Kemp</td>
<td>Other interest – Member is subscribing member of English Heritage</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C Gould</td>
<td>Other Interest – Member is on Chedgrave Parish Council</td>
</tr>
<tr>
<td>(Item 13) 2015/0901/F</td>
<td>LODDON</td>
<td>All except C Foulger</td>
<td>Local Planning Code of Practice Lobbied by Applicant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C Kemp</td>
<td>Other interest – Member is subscribing member of English Heritage</td>
</tr>
<tr>
<td>(Item 14) 2015/0961/F</td>
<td>COSTESSEY</td>
<td>G Minshall</td>
<td>Other Interest – Member is former director of Saffron Housing and did not vote on this item</td>
</tr>
<tr>
<td>(Item 15) 2015/0385/D</td>
<td>LONG STRATTON</td>
<td>Y Bendle</td>
<td>Local Planning Code of Practice Applicant is South Norfolk Council and member is on the Council’s Cabinet. Member was not present whilst this item was considered</td>
</tr>
<tr>
<td>Other Report 2011/1804/0</td>
<td>HETHERSETT</td>
<td>All</td>
<td>Local Planning Code of Practice Lobbied by Objector</td>
</tr>
</tbody>
</table>

212. MINUTES

Subject to a minor amendment, the minutes of the Development Management Committee dated 3 June 2015 were confirmed as a correct record and signed by the Chairman.

The minutes of the Development Management Committee dated 24 June 2015 were confirmed as a correct record and signed by the Chairman.
213. **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</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(Item 1)</strong>&lt;br&gt;2014/2041/F</td>
<td>BROOKE</td>
<td>Mr E Jenks, Objector&lt;br&gt;Mr P Griffin, Objector&lt;br&gt;Mr B Belton, Agent for Applicant&lt;br&gt;Mr J Fuller, Local Member</td>
</tr>
<tr>
<td><strong>(Item 2)</strong>&lt;br&gt;2014/2380/F</td>
<td>BIXLEY</td>
<td>Ms L Faber, Trowse Parish Council&lt;br&gt;Mr C Bussey, Stoke Holy Cross Parish Council&lt;br&gt;Ms S Osman, Objector&lt;br&gt;Ms J Hunting, Agent for Applicant</td>
</tr>
<tr>
<td><strong>(Item 3)</strong>&lt;br&gt;2015/0130</td>
<td>WYMONDHAM</td>
<td>Ms N Roe, Agent for Applicant</td>
</tr>
<tr>
<td><strong>(Item 4)</strong>&lt;br&gt;2015/0132</td>
<td>WYMONDHAM</td>
<td>Ms N Roe, Agent for Applicant</td>
</tr>
<tr>
<td><strong>(Item 6)</strong>&lt;br&gt;2015/0595/F</td>
<td>BRESSINGHAM</td>
<td>Ms J Delasalle, Bressingham Parish Council&lt;br&gt;Mr N Styles, Agent for Applicant&lt;br&gt;Mr D Aves, Applicant</td>
</tr>
<tr>
<td><strong>(Item 7)</strong>&lt;br&gt;2015/0707/F</td>
<td>ALPINGTON</td>
<td>Mr J Wells, Applicant</td>
</tr>
<tr>
<td><strong>(Item 8)</strong>&lt;br&gt;2013/1630/F</td>
<td>HEMPNALL</td>
<td>Mr Tilford, Objector&lt;br&gt;Mr J Hollis, Applicant&lt;br&gt;Mrs A Thomas, Local Member (Mrs Thomas reverted to her role as local member for the duration of this item)</td>
</tr>
<tr>
<td><strong>(Item 10)</strong>&lt;br&gt;2015/0321/F</td>
<td>BROCKDISH</td>
<td>Mr E Baskerville, Applicant&lt;br&gt;Mrs J Wilby, Local Member</td>
</tr>
<tr>
<td><strong>(Item 12)</strong>&lt;br&gt;2015/0712/F</td>
<td>REDENHALL WITH HARLESTON</td>
<td>Ms N Lewis, Applicant&lt;br&gt;Mr B Riches, Local Member&lt;br&gt;Mr N Legg, Local Member</td>
</tr>
<tr>
<td><strong>(Item 13)</strong>&lt;br&gt;2015/0901/F</td>
<td>LODDON</td>
<td>Ms R Gibbs, Agent for Applicant</td>
</tr>
<tr>
<td><strong>(Item 14)</strong>&lt;br&gt;2015/0961/F</td>
<td>COSTESSEY</td>
<td>Mr S Lee, Agent for Applicant</td>
</tr>
<tr>
<td><strong>(Item 15)</strong>&lt;br&gt;2015/0385/D</td>
<td>LONG STRATTON</td>
<td>Mr I Hill, Agent for Applicant</td>
</tr>
</tbody>
</table>

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

Members considered the report of the Director of Growth and Localism regarding the enforcement case at Crownthorpe (ref: 2015/8005).

It was RESOLVED to authorise officers to serve a positive enforcement notice (subject to legal advice if required) requiring the removal of the mobile home once the mobile home is no longer occupied by the current named occupiers.

215. OTHER REPORTS

Members considered the report of the Director of Growth and Localism regarding the recommendation to secure a Deed of Variation to Section 106 Agreement at Hethersett (ref: 2011/1804/0)

It was RESOLVED by a vote of 6-0 (with one abstention) to authorise officers to enter into a Deed of Variation to the Section 106 Agreement.

216. PLANNING APPEALS

Members noted the Planning Appeals.

217. ENFORCEMENT PROCEEDINGS QUARTERLY REPORT

Members noted the Enforcement Proceedings Quarterly Report

(The meeting closed at 5.10pm)

________________________
Chairman
Applications referred back to Committee

Parish : WYMONDHAM

Applicants Name : Mr T Skitmore
Site Address : Land South East of 9 Spinks Lane Spinks Lane Wymondham
Proposal : Erection of five new dwellings and garages with associated works
to existing highway

Recommendation : Agree that the scheme is now acceptable in planning terms and consequently to agree that officers confirm to the Planning Inspectorate that the Council do not wish to contest the current appeal.

Introduction

The purpose of this report is to seek the views of the Development Management Committee in respect of application number 2014/0096 for a residential development of 5 dwellings (full application) at land on Spinks Lane, Wymondham which was refused on the 12th December 2014 following the recommendation made to the Development Management Committee on the 10th December 2014. This decision was made upon the Council being able to demonstrate a 5 year housing land supply at that time (December 2014). Given that the Council has recently confirmed that it no longer has a 5 year supply within the Norwich Policy Area, it is necessary to re-assess the proposal as it is now the subject of an appeal to the Planning Inspectorate.

1. Planning Policies

1.1 The planning policies and planning history are as previously presented in the committee report presented to the Development Management Committee on 10th December 3014. This report is attached as Appendix 2.

2. Consultations

2.1 The consultation responses are as previously presented in the committee report presented to the Development Management Committee on 10th December 3014. This report is attached as Appendix 2.

3. Assessment

Revised planning assessment

3.1 Given the Council cannot now demonstrate a 5 year housing land supply, its housing supply related policies are considered to no longer be up to date in accordance with the requirements of paragraph 49 of the NPPF. Paragraph 49 also confirms that housing applications must be assessed in the context of the presumption in favour of sustainable development. With this in mind it is necessary to establish whether the current scheme represents sustainable development. Sustainable development has three dimensions, economic, social and environmental. The NPPF goes on to stress in paragraph 8 that these are not to be undertaken in isolation, because they are mutually dependent. The NPPF also sets out 13 themes for delivering sustainable development but considers its meaning of Sustainable Development to be taken as the NPPF as a whole.
3.2 The following is an assessment of whether the scheme can be considered to represent sustainable development. It should be noted that this approach was adopted in assessing the scheme previously with a copy of the committee report from December 2014 attached as Appendix 2.

Economic Role

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

3.4 The previous committee report confirmed that the weight of the benefit of providing additional dwellings in Wymondham was reduced as the Council could demonstrate that it had an up to date 5 year housing land supply of deliverable sites at that time (December 2014) and had already provided “sufficient land of the right type” in respect of housing as required by the NPPF. Given that this is now not the case, the benefit of providing 5 new dwellings is greater than previously considered, and this needs to be reflected in re-assessing the proposal in the context of establishing whether the scheme is considered to be a sustainable development. It is evident however that 5 dwellings in itself does not make a significant contribution to the lack of housing supply on its own. As previously stated the scheme would continue result in some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants.

In summary it is considered that the scheme would bring forward a level of economic benefit, and this is greater than previously expressed in the committee report from December 2014, although it is only for 5 new additional dwellings.

Social Role

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

3.7 The previous committee report considered that given the Council could demonstrate an up to date 5 year housing land supply at the time of writing (December 2014), this meant that this largely satisfied the requirements set out in respect of the social role in that it could provide sufficient housing in the context of the social role of the NPPF, and therefore the social benefits of this scheme were limited.

3.8 As confirmed above, the Council cannot now demonstrate a 5 year housing land supply and therefore the social benefits are now considered to be greater than previously expressed.

3.9 Whilst Wymondham has a significant range of facilities, there is a lack of available secondary school places within Wymondham when taking into account committed developments in the town. This would potentially necessitate accessing secondary school places outside of Wymondham which is considered to be likely to result in unsustainable transport practices and compromise social cohesion. These concerns were expressed in the previous committee report. In this instance, it is considered that the limited scale of the development proposed would be likely to result in very low numbers of children and as such would be unlikely to have any significant detrimental impacts in terms of unsustainable transport practices or social cohesion. This view was also confirmed as part of the previous committee report at paragraph 4.24.
In summary, it is considered that as the scheme would contribute additional housing, albeit a limited amount, where there is a need there would be greater social benefits than previously expressed in the committee report from December 2014, and despite the limitations of the scheme in terms of the likely lack of secondary school places in Wymondham in the future (having due regard to known growth), this does not result in a scheme which does not fulfil the social role in the context of the NPPF.

Environmental Role

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

3.12 As set out in the previous committee report, the site continues to be outside the existing or proposed development limit (contrary to Policy ENV8 of South Norfolk Local Plan) and also lead to the loss of part of the defined strategic gap (contrary to Policy ENV2 of the South Norfolk Local Plan).

3.13 It is considered that this encroachment in to the open countryside, which also forms part of the strategic gap, represents a level of harm in environmental terms.

3.14 With regard to Policy ENV8 officers would wish to highlight that it is considered necessary to have regard to paragraph 4.9 of the previous committee report which in establishing the level of weight to be given to Policy ENV8 Officers highlighted an Inspector’s decision for Chapel Lane, Wymondham, and in particular, this highlighted that despite Policy ENV8 not being out of date, it was likely that addressing a housing land shortfall may well necessitate conflicting with such a policy.

3.15 In the context of ENV2 it is clear that this residential scheme would result in some erosion of the strategic gap and does fall to be considered as “inappropriate development” when having regard to the definition defined in the South Norfolk Local Plan.

3.16 In terms of the strategic gap, the emerging Development Management Policy (DM 4.8) carries limited weight in the decision-making process by virtue of it still being the subject of challenge via the local plan process. The policy allows for development within the strategic gap where it would not erode or otherwise undermine the openness of the strategic gap. Whilst giving limited weight to this policy here in the decision-making process, it is apparent that this proposal for 5 dwellings broadly represents an infill development between existing residential units adjacent to Spinks Lane and does not represent the significant erosion of the strategic gap or significantly compromise its openness.

3.17 This view is reinforced in South Norfolk Council’s South Norfolk Local Landscape Review Strategic Gaps/Important Breaks September 2012 paragraph 4.6.5 which states that:

3.18 Photographs D and E, taken from Spinks Lane, illustrate clusters of buildings along this north-south orientated lane on the western edge of the gap. These residential properties have a close visual and physical connection with other properties within the Wymondham built-up area and their rear garden boundaries provide an appropriate western boundary for the gap/break. The block of trees and scrub located between these two clusters provides an important contribution to the rural character of the gap/break.

3.19 The proposed scheme would replicate the exiting arrangement of frontage development onto Spinks Lane which displays a close visual and physical connection to Wymondham and retain the block of vegetation referred to which acts as an appropriate western boundary to the strategic gap.
In summary, there would be some environmental harm brought about by the scheme as it does represent a level of encroachment into the open countryside and the strategic gap, contrary to the provisions of ENV2 and ENV8. This position remains the same as that previously expressed in the committee report from the 10th December 2014.

Summary of sustainable development consideration

Having due regard to the above assessment made in the context of not having a demonstrable 5 year housing land supply, it is considered that the benefits of providing additional housing, albeit not a significant amount of new housing, is sufficiently high that the concerns regarding encroachment into the countryside, including the strategic gap is outweighed by the benefits and as such, when considered as a whole, the scheme represents sustainable development. Whilst this a different conclusion to that reached previously, it is considered that the changing land supply figure is sufficient justification for reaching the conclusion set out in respect of establishing whether the scheme is sustainable.

Having established that the scheme represents a sustainable development in the context of the NPPF, it is necessary to have regard for paragraph 14 of the NPPF in respect of the presumption in favour of development for decision-taking. This states that:

“where the development is absent, silent or relevant policies are out of date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole; or
- Specific policies in this framework indicate development should be restricted.”

As set out above, it is accepted that the Council’s housing related policies are out of date by virtue of not being able to demonstrate an up to date 5 year housing land supply, and therefore the Council should only prevent granting planning permission if the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies of the NPPF when taken as a whole or specific policies of the NPPF indicate restricting the development.

In this instance, it is considered that the concerns set out in respect of the encroachment in to the countryside, including the strategic gap does not represent harm that significantly and demonstrably outweighs the benefits of providing additional housing where there is a need to do so, acknowledging that the scheme is for a limited number of new dwellings.

The previous refusal expressed concern at the failure to demonstrate that adequate provision for dealing with foul water drainage (reason 2). Since the decision has been issued the Council has received further information in respect of foul water drainage and is now satisfied that a suitable foul water drainage system can be put in place. A planning condition would be recommended to be attached to any subsequent approval to agree the exact details of the foul water drainage system.

It is also evident that there are no other concerns in respect of any other planning related matters as set out in the previous committee report for example highway safety or neighbour amenity when considering the change in housing land supply position. Furthermore, it is also considered that the scheme does not conflict with any specific policies within the NPPF whereby permission should be restricted which must be established in considering a proposal in the context of paragraph 14 of the NPPF.

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

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

4.1 The change in the council’s current position in respect of housing land supply from that at December 2014, when the decision was issued, whereby there is no longer an adequate supply in the Norwich Policy Area, leads officers to the view that the scheme can now be considered to represent sustainable development in the context of the NPPF. Consequently, in establishing this position, it is considered that the level of harm identified, namely encroachment into the countryside, including the strategic gap is not sufficient to represent harm that significantly and demonstrably outweighs the benefits of providing additional housing within the Norwich Policy Area where the Council does not have a 5 year supply.

4.2 In the context of the current appeal lodged with the Planning Inspectorate, the aforementioned position means that it is suggested that Members agree that the Council do not contest the current appeal and we confirm this position to the Planning Inspectorate. If this position is then it would be necessary to provide a copy of suggested conditions to the Planning Inspectorate to assist them in reaching their decision along with advancing discussions with the appellant in respect of S106 matters eg affordable housing. A list of conditions and contributions to be sought will be presented in updates to the committee meeting.

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

Development Management Committee 10 December 2014

Other Applications

Parish : WYMONDHAM

Applicants Name : Mr T Skittmore
Site Address : Land South East Of 9 Spinks Lane Spinks Lane Wymondham
Proposal : Erection of five new dwellings and garages with associated works to existing highway

Recommendation : Refusal:
1. Development outside development boundary and within open land maintaining a physical separation between settlements, contrary to local plan policies ENV6 and ENV2.

1. Planning Policies

1.1 National Planning Policy Framework
NPPF 04: Promoting sustainable transport
NPPF 06: Delivering a wide choice of high quality homes
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 9: Strategy for growth in the Norwich Policy Area
Policy 15: Service Villages
Policy 20: Implementation

1.3 South Norfolk Local Plan 2003
TRA1: provision of pedestrian links
TRA 3: provision of cycling facilities
TRA 17: Off-site road improvements
TRA 18: Parking standards
ENV 6: Development in the open countryside (Part Consistent)
ENV 9: Nationally and locally important archaeological remains (Part Consistent)
ENV 14: Habitat protection
ENV 15: Species protection
UTL 14: Waste collection and recycling
IMP 2: Landscaping
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity
IMP 25: Outdoor lighting
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes
Development Management Committee

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 2016. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

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

1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012
Wymondham Area Action Plan

2. Planning History

2.1 2013/0111 Erection of 7 new dwellings and garages Withdrawn

3. Consultations

3.1 Parish Council
Objects
- Outside of development boundary
- Concerns over the safety and free flow of traffic in a single width lane.
- Concern over drainage.
- Out of character with the rural setting of Spinks Lane.

3.2 District Member
To Committee
- Outside of development boundary.
- Traffic generated by the approved site ref 2012/1385 coming onto Norwich Road plus those coming from the Becketts Grove and Carpenters Barn developments.
- Developers of site 2012/1385 paid particular attention to the sensitivity of Spinks Lane and its existing dwellings by the types of their proposed dwellings bounding Spinks Lane as well as not permitting any vehicular access onto the lane.

3.3 Planning Policy
Raise following concerns
- The location of this site is within the strategic gap and the particular reference made to the site in the 2012 Chris Blandford.
- Concerns over secondary school capacity.
3.4 NCC Highways  
No objection
- The highway improvements now being proposed are considered as satisfactory to cater for the additional traffic that will result from the development and to overcome the highway objection on these grounds.
- The visibility splay has been amended to show access from the site entrances onto Spinks Lane.

3.5 Landscape Officer  
First consultation response: Objects
- Requires further information about impacts on trees and hedgerows.
- An assessment against the Hedgerows Regulations criteria should be carried out.

Second consultation response: Objects
- Potential to adversely affect T1 and its root system and encroachment within the key tree’s Root Protection Area.
- Still no assessment of the frontage hedge against the criteria of the Hedgerows Regulations.
- The revised site plan (5338/20/A) implies that all the hedgerow will need to be removed contrary to emerging Policy DM 4.9 (Protection of Trees and Hedgerows).

Third consultation response: Supports
- No objections to the amended proposed site layout (Rev H)

3.6 County Ecologist
- No protected species on site found
- Hedgerows have been assessed as important. In approving a breach, new planting on the boundary to the east and south would provide compensation.
- Would be better to remove the field access to the east as is unnecessary for the management of the field.
- Should these areas be brought forward for development, the ponds would need retaining as they are important habitat to protection.
- Recommends that 5 Swift boxes and 2 sparrow terraces are incorporated into the design of the houses and that a planting plan is submitted and agreed before development commences.

3.7 Housing Strategy Officer
No objection
- An affordable housing package has been agreed with the applicants.

3.8 Flood Defence Officer  
First consultation:
- A surface water drainage scheme for this site should be prepared based on the principles of sustainable drainage prior to any development taking place.

Second consultation:
- Further information still needs to be provided that addresses the comments dated 20 August 2014.
- Those comments that remain relevant relate to inaccuracies in information about the existing drainage in the submitted Drainage Strategy Report.

Third consultation
- No objection subject to conditions
Development Management Committee

3.9 Environmental Services (Protection)  
- No objection. In the event that contamination was not previously identified it must be reported in writing immediately to the Local Planning Authority.

3.10 Local Residents  
42 letters of objection received:  
- Harm to the rural character of the area.  
- Adverse impact on highways and safety of pedestrians on Spinks Lane.  
- Increase in traffic on Spinks Lane, which is single track.  
- Part of the designated strategic gap identified in the Wymondham Area Action Plan.  
- Outside of the development boundary for Wymondham.  
- Removes existing hedgerows and trees.  
- Increased flood risk and surface water.  
- Impact on wildlife and habitat.  
- Conflicts with Chris Blendford Associates Landscape Designations Review.  
- Impact on residential amenity.  
- Inaccuracies in the Drainage Strategy Report and correspondence from Andrew Bingham Associates.  
- Does not show a true picture of the layout of the existing ditches.  
- Concerns about proximity of plot 1 to the neighbouring property to the north (no. 9 Spinks Lane) in relation to residential amenity.

4. Assessment

Location and Description of Site

4.1 The application site consists of approximately 0.4 hectares of agricultural land located on the east side of Spinks Lane in Wymondham. The site is outside the built up area of Wymondham and within a local strategic gap. To the north of the site is a group of residential properties and to the south a series of barn conversations now used for residential purposes. To the west of the site is an area of land that has been granted outline planning permission for 275 dwellings between Norwich Road, Spinks Lane and the A11 outside of the strategic gap (ref 2012/1241). A location plan of the site is attached as Appendix 1.

The Proposal

4.2 The application seeks outline planning permission for the erection of 5 dwellings including access with all other matters reserved for future approval. Access into the site is proposed off Spinks Lane. This is a revised application following withdrawal of an application in March (ref 2013/0111). The revised scheme proposes one less dwelling than the previous scheme and the widening of Spinks Lane at two ‘passing bays’ along the site frontage to a minimum of 4.5 meters to allow cars to pass and increased visibility splays.

Key Considerations

Planning Issues

4.3 The main considerations are the principle of development and policy considerations, highway matters, residential amenity, drainage, trees and hedges, and ecology.

Principle of Development

4.4 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.
4.5 With regard to the Adopted South Norfolk Local Plan (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 here, decision makers should give due weight to policies in existing plans according to their consistency with the NPPF.

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

4.7 The site is located outside the development limit for Wymondham in the 2003 adopted South Norfolk Local Plan (SNLP). Where a site lies outside of an existing defined development boundary, policy ENV6 in respect of development in the countryside applies.

4.8 This policy excludes new residential development within the open countryside unless specific criterion is met. In this case none are met. On this basis the proposed dwellings would not accord with Policy ENV6 and policy 17 of the JCS.

4.9 With regard to Policy ENV6, as referred to above, given that this was adopted pre 2004, it is necessary to establish how much weight can be attributed to those in the decision making process by assessing its consistency with the NPPF. It is evident that this matter was recently considered by the Secretary of State (SoS) and Planning Inspectorate in the Appeal decision for Chapel Lane, Wymondham (2012/1434) in which the SoS agreed with the Inspector’s observation at paragraph 101 which stated:

"With regard to Local Plan Policy ENV8, I accept that is, to some degree, the ‘other side’ of Local Plan Policy HOU4 that allows housing within Development Limits[54]. However, on its face it is a policy that is designed to protect the countryside, rather than being one of the relevant policies for the supply of housing[54]. As such, I consider it is not out-of-date, though I accept that, in the absence of evidence to the contrary, addressing a housing land shortfall may well necessitate conflicting with this policy."

4.10 Therefore, it is considered that Policy ENV8 continues to carry significant weight in the decision making process and the proposal is unacceptable as it would lead to unacceptable residential development in the countryside.

4.11 The site is also in the strategic gap as identified under saved policy ENV2 of the SNLP, which seeks to resist inappropriate development which would erode the gaps or undermine the general quality of openness of these gaps, in this case between Wymondham and Hethersett.

4.12 With regard to Policy ENV2, as referred to above, given that this was adopted pre 2004, it is necessary to establish how much weight can be attributed to those in the decision making process by assessing its consistency with the NPPF.

4.13 It is considered that ENV2 is consistent with the NPPF by virtue of it following the aims of section 11 of the NPPF in seeking to protect valued landscapes.

4.14 Therefore, it is considered that Policy ENV2 continues to carry significant weight in the decision making process and the proposal is unacceptable as it would lead to unacceptable residential development in the strategic gap to the detriment of its functionality.

4.15 It should also be noted that Policy 10 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk requires proposed development at Wymondham to be accommodated whilst maintaining the strategic gap to the north and north east of the town and as such the scheme is contrary to this. As stated above, the JCS was adopted after 2004 and as such an assessment against paragraph 215 of the NPPF is not necessary.
Emerging Policy

4.16 Paragraph 216 of the NPPF sets out how to determine the weight attributable to emerging Plans, 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. In this instance we have policy DM1.3 which seeks to direct development to sustainable locations within development boundaries or on allocated sites. It is considered that this policy has significant weight, due to there being no objections to the heart of the policy and the Local Plan Examination now having taken place.

4.17 The site also lies outside of the proposed development boundary for Wymondham and as such Policy WYM21 of the WAAP is applicable. This seeks to restrict development outside of the development boundary unless it complies with specific criteria within the Council’s Development management Policies Document. It is considered that the scheme does not comply with any particular criteria from this document and as such the proposal is contrary to Policy WYM21.

4.18 Having regard to paragraph 216 of the NPPF as referred to above, it is evident that this policy has been challenged and as such does not carry sufficient weight to represent a reason for refusal at this time.

4.19 The WAAP also allocates a maximum of 2,200 new dwellings to Wymondham due to secondary education capacity constraints at Wymondham High School. This 2,200 limit has now been reached on sites with planning permission allocated in the WAAP and although this site is not of a significant size cumulatively any further sites permitted in Wymondham could have the potential to cause difficulties with the provision of secondary education.

4.20 JCS Policy 10 notes that “Secondary education provision remains to be resolved but may require the relocation of the existing secondary school to another site”. This has been superseded by further investigation into school provision, with making maximum use of the Wymondham High Academy site chosen course of action. Some expansion of Wymondham High Academy is possible, but due to its land-locked position, this cannot go beyond the pupils expected to arise from 2,200 additional dwellings in Wymondham. An expansion masterplan to grow the school to accommodate this level of growth has been agreed by Norfolk County Council Children’s Services with Wymondham High Academy, and the initial phase of the masterplan has been implemented.

4.21 It has therefore been advised by both SNC Planning Policy and NCC Children’s Services that Wymondham does not have sufficient secondary school places for more than 2,200 dwellings to be provided in Wymondham and as such the 2,200 should be viewed as a maximum at least until longer-term (i.e. for the period beyond 2026) consideration of secondary schooling has been undertaken.

4.22 Paragraph 72 of the NPPF directs that local authorities should work proactively to provide for school places within growth areas. However, the local secondary school is now an academy and outside the control of NCC Children’s Services. Wymondham High Academy has advised the Council through the Local Plan process that, due to site constraints, it cannot expand further (beyond the agreed masterplan to accommodate 2,200 new dwellings in Wymondham). Nor does it wish to re-locate either its Sixth Form element or its playing fields off-site; either outcome would be “highly undesirable educationally and would not be in the best interests of our students and staff”.

4.23 It would therefore have to be assumed that should the application be approved the children associated with this development which would require secondary school places would have to be transported from the town to the nearest available places, which could be some distance away.
Consideration is given to whether this would result in unsustainable pressure being placed on the education resources of the town and unsustainable transport practices being introduced and poor social cohesion if children are not at a school where they live. It is considered in this case, that due to the very low numbers of children associated with this development, the proposals would not lead to a significant impact in terms of community cohesion, education provision and transport movements and is therefore acceptable when assessed against the NPPF.

NPPF and Sustainable Development

As highlighted above it is necessary to have regard for all material considerations within the decision-making process, and the NPPF is one such material consideration.

Paragraph 55 of the NPPF sets out when specific exemptions should apply to allow sustainable residential development in rural areas. The applicant has not tried to demonstrate compliance with Para 55 notwithstanding this it is considered by officers that the proposal meets these exceptions and as such a departure from the development plan is not justified on this basis.

Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. It should be noted at this time that paragraph 49 also makes reference to how relevant policies in relation to housing are out of date if it cannot demonstrate a five year supply of deliverable housing sites. In this instance the council has recently published a revised position indicating that a five year land supply can be demonstrated within the Norwich Policy Area and therefore as stated above Policy ENV8 continues to carry significant weight.

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

The following is an assessment of whether the scheme can be considered to represent sustainable development:

Economic Role

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

Whilst it is acknowledged that the site is adjacent to the development boundary of Wymondham which is designated as a “main town” under Policy 13 of the JCS. It is apparent that the Council can demonstrate that it has an up to date 5 year housing land supply of deliverable sites. Therefore, in the context of the economic role, and the need to provide “sufficient land of the right type” it is considered that the Council has met this requirement in respect of residential development and therefore the economic benefits of the scheme are limited when having regard to the NPPF. Although it is acknowledged that the scheme would bring some short term economic benefits as part of any construction work and in the longer term benefits through local spending from the future occupants.
Development Management Committee 19 August 2015

Social Role

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

4.33 As highlighted above, given that the Council can now demonstrate an up to date 5 year housing land supply, it is considered that this largely satisfies the requirements set out above in respect of being able to provide sufficient housing in the context of the social role of the NPPF, the social benefits of this scheme are therefore limited.

4.34 It should also be noted that notwithstanding the availability of a range of services in Wymondham, there is acknowledged secondary school capacity issues as outlined above in the report. This failure to be able access secondary education within an acceptable distance would lead to the need to travel further afield. This causes concerns in relation to unsustainable transport practices being used and poor social cohesion if children are not at the school where they live.

Environmental Role

4.36 The NPPF confirms the environmental role as "contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

4.36 The site is outside the existing or proposed development limit and would result in encroachment into the open countryside. This unacceptable encroachment is reinforced by the fact that the site lies within the designated strategic gap between Wymondham and Hethersett. With this in mind the proposal would not protect or enhance the built or natural environment.

4.37 On balance, the scheme presents harm in respect of both the environmental and social roles as set out above, and the economic benefits do not outweigh these. On this basis the scheme is not considered to represent sustainable development.

Other issues

4.38 A number of other issues have been raised by local objections and Wymondham Town Council. These are as follows:

- Affordable Housing
- Trees and hedgerows
- Design and layout
- Access and Highways
- Ecology and Protected Species
- Drainage and Flood Risk
- Residential Amenity
- Renewable construction and energy efficiency

Affordable Housing

4.39 The site proposes two affordable homes on the site, which meets the policy requirement of the JCS Policy 4 requiring 33% of the development to be affordable dwellings. The Housing Enabling and Strategy Officer has confirmed that an affordable housing package in accordance with policy has been agreed.
Development Management Committee

Trees and Hedgerows

4.40 An Arboricultural Assessment has been submitted showing how the design of the site has tried to consider the existing trees and how the retained vegetation will be protected beyond the development phase. The Arboricultural Assessment confirms that the requirement to widen Spinks Lane has the "potential to adversely affect T1 and its root system".

4.41 Since this application was submitted, South Norfolk Council has served a Tree Preservation Order (TPO) for trees on and near to land at Spinks Lane, which include T1. The justification for serving the TPO is the contribution that these trees make to the landscape character and amenity value of Spinks Lane. Following extensive negotiations with the Landscape Officer, the layout has been amended to remove the requirement to widen Spinks Lane within the Root Protection Area (RPA) of the protected tree T1. The Landscape Officer has confirmed that the amended site layout is now acceptable in terms of ensuring that structures are located outside the RPAs of the trees to be retained.

4.42 An assessment of the frontage hedge against the criteria of the Hedgerows Regulations has been carried out. The hedgerow is classed as protected under the Hedgerow Regulations 1997. The revised site plan (533B20H) shows that the majority of the frontage hedgerow is to be retained. However, a small section of the hedgerow is proposed to be removed to obtain the viability plan for the access to site. The hedgerow assessment confirms that the section to be removed is the poorest section in terms of species richness, and that whilst it contains a similar number of tree/shrub species, the bulk of the hedgerow is dominated by Hawthorn in this location. To mitigate against this loss it is proposed that a new native hedgerow will be planted back behind the visibility plan. The Landscape Officer has carried out a review of the development and has no objection to the amended proposals.

4.43 It is considered that by ensuring that structures are located outside the RPAs of trees to be retained and the retention of the majority of the hedgerow at the front of the site as well as additional planting, demonstrates that the site can be developed in a sympathetic and respectful manner to the existing landscape characteristics and accords with Local Plan Policy IMP2 (Landscaping).

Design and Layout

4.44 Whilst this application is for outline planning permission only with matters relating to design being reserved, the applicants Design and Access Statement and indicative site plan and elevations demonstrates how the scheme could achieve a high quality design by having appropriate regard to the site context. The scheme aims to do this by proposing dwellings of traditional construction and finished in materials found in the local area that relate to the rural character found on Spinks Lane.

4.45 The scheme has been evaluated against the South Norfolk Place-Making Guide and Building for Life criteria and has the potential to achieve a high quality design, subject to any reserved matters application being submitted in accordance with the Design and Access Statement and indicative site layout.

Residential amenity

4.46 The amenity of existing residents must be considered under saved policy IMP9 of the Local Plan. The key concern at the outline stage would be whether the development layout in combination with the proposed scale could be accommodated on the site without detriment to the outlook, privacy or direct daylight or sunlight of existing residential properties.

4.47 Concerns have been raised by some residents about the proximity of plot 1 to the neighbouring property to the north (no. 9 Spinks Lane) in relation to overshadowing and residential amenity.
4.48 Having assessed the site layout and scale of dwellings it should be noted that plot 1 has been amended to a bungalow. It is considered that the development has been designed in such a manner to avoid any direct overlooking or adverse impacts in terms of overshadowing of habitable rooms of the nearby residential properties. Proposed properties are located an acceptable distance away from existing neighbouring dwellings and are of a scale that will avoid any unacceptable loss of sunlight to rear gardens.

4.49 The proposal is only outline at present, but indicative information has been submitted. The design and position of the properties along the boundaries shows how it helps to minimise any direct impact on the amenity of existing properties and as such is considered acceptable. In a similar way, where the development sides on to existing properties it is felt that there is an acceptable distance between the existing properties and the proposed development. I am therefore satisfied that the development could accord with policy IMP9 of the SNLP at reserved matters stage.

Sustainable construction and water conservation

4.50 Policy 3 of the JCS required the sustainable construction of the building and the compliance with Code Level 4 for water conservation. Compliance could be secured by way of condition if the application were to be approved.

Access and Highways

4.51 The application proposes that Spinks Lane be widened in two locations along the frontage of the site to a width of 4.5 metres, approximately 1 metre each side of the existing road, to allow vehicles to pass each other. An amended plan shows how viability splays from the proposed new access will also be achieved to provide safe access to the site.

4.52 Norfolk County Council Highways has assessed the scheme and conclude that whilst the scheme is not as favourable as the original submission which provided the 4.5m road width, in view of the requirements to protect the roots protection areas of the oak tree (T1), the latest design is considered as acceptable to cater for the additional traffic that will result from the development and raise no objection.

4.53 Access into the site is provided off Spinks Lane that links to the primary vehicular access into the site to the north. Pedestrian access continues to be provided along Spinks Lane, which has no footpaths, together with pedestrian access into the site along its primary access. Due to the relatively low number of vehicles that use this section of Spinks Lane and the small increase in additional traffic anticipated from this development, Norfolk County Council Highways have confirmed that they have no objections in terms of vehicle and pedestrian safety and that the proposals meet with the necessary highway safety standards.

4.54 In terms of transport sustainability, the site is within the 400 metres walking distance recommended for access to public transport stops on Norwich Road and has good road access to local facilities in Wymondham. A footway/cycleway is also proposed along the south side of Norwich Road from Spinks Lane westwards as part of the approved development to the west ref 2012/1385, which could benefit the development. The site is therefore considered to be acceptable in terms of transport sustainability only.

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

4.56 The Highways Authority has suggested a number of conditions prior to the first occupation of the development relating to: details of vehicular access to be provided and retained at the position shown on the approved plan; arrangements made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway; visibility splay measuring 2.4 m x 43 metres to be provided each side of the access; on-site car parking and turning area be laid out, levelled, surfaced and drained in accordance with the
approved plan; no works to commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing number 5338 20 RevG; and off-site highway improvement works completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

4.57 Whilst it is noted that local objection on highways grounds has been received, the County’s technical consultees have found no reason to object to the development, and therefore the development is considered acceptable on the grounds of highway impact and the saved Local Plan Policy IMP8.

Ecology and Protected Species

4.58 An Ecological Assessment of the site and immediate locality has been undertaken and no further work is identified as being required beyond the reports prepared and submitted. The County Ecologist has reviewed the proposals and notes that no protected species have been found on site. A reptile survey and great crested newt preliminary assessment has also been made and the nearby ponds are deemed to have a low likelihood of great crested newts using them. The County Ecologist has identified that there is a chance of transient reptiles using the site, however mitigation is proposed to manage the ground vegetation before and during the construction phase.

4.59 The County Ecologist notes that it is important to consider the newly proposed ‘field access’ to the east of the site and feels that it would be a better solution to remove this field access, as it is unnecessary for the management of the field. However, members should note that this is the only access into the field from the site and is essential that the area of land behind the site is accessible off the proposed development. It is suggested that maintenance will need to be carried out from time to time, especially to the ditch system, and to avoid the area to the rear becoming inaccessible, providing a field gate access at this point is required. It is therefore proposed to retain the field access as shown on the revised site plan in order to provide access to the east for the purposes of management and maintenance of the field beyond the development to the east.

Having considered this against the hedgerows survey it is concluded that the development will not have an adverse impact on the hedge as assessed under the Hedgerow Regulations and is therefore considered acceptable.

4.60 The County Ecologist has recommended a condition requiring that 5 Swift boxes and 2 sparrow terraces are incorporated into the design of the dwellings and a planting plan is submitted and agreed by the planning authority before the construction commences.

4.61 Having considered the comments from the County Ecologists and reviewed the information submitted with this application I am of the opinion that the development accords with policy ENV14 (Habitat protection) and ENV15 (Species protection) of the SNLP.

Drainage and Flood Risk

4.62 Revised drainage information has been submitted in response to initial concerns being raised. The revised details have been assessed by the Council’s Flood Defence Officer and they have confirmed that they have no objection subject to the imposition of conditions relating to the agreement of surface water details.

Other matters

4.63 The Historic Environment Service has carried out an assessment of the proposals and has confirmed that based on the information currently available, the proposal does not have any implications for the historic environment and they do not wish to make any recommendations for archaeological work.

4.64 The Environmental Protection Team raises no objection to the proposals but a condition is suggested that in the event that contamination was not previously identified is found at any time during carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority.
Development Management Committee 10 December 2014

4.65 This application would be liable for Community Infrastructure Levy (CIL) which would be collected at the reserved matters stage.

4.66 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.

4.67 The proposals have been considered against the Environmental Impact Assessment (EIA) Regulations 2011. The environmental, social and economic impacts have all been considered and are adequately addressed as detailed in the above report and the proposal is not considered EIA development.

5. Conclusion

5.1 The development is within the open countryside, outside of existing and emerging development boundaries for Wymondham where policy ENV8 of the South Norfolk Local Plan and policies 10 and 13 of the Joint Core Strategy apply. Furthermore, the site lies within the designated strategic gap between Wymondham and Hethersett and as such is contrary to Policy ENV2 of the South Norfolk Local Plan.

5.2 Policies ENV2 and ENV8 of the local plan and policies 10 and 13 of the JCS exclude new residential development within the open countryside unless specific criteria are met. In this case none are met, therefore the proposal is contrary to these policies.

5.3 It is also evident that the scheme also fails to represent sustainable development in the context of the NPPF by virtue of the modest economic and social benefits of the scheme being outweighed by the harm to the environment identified, which is the conflict with Policies ENV 2 and ENV6 and its intentions of protecting the landscape setting of villages and the overall rural character of the plan area.

5.4 The application is considered to be unacceptable in planning terms and is therefore recommended for refusal.

6. Reason for refusal

6.1 The principle of residential development on this site is not acceptable, by virtue of the site being outside existing and emerging development boundaries, there being a five-year land supply within the Norwich Policy Area and the development not therefore on balance being considered sustainable development. In the absence of an exception justification relating to affordable housing, agriculture, forestry or sustaining economic or social activity in the surrounding area the proposed development is not considered to be a sustainable form of development and is considered to be contrary to saved policies ENV8 and ENV2 of the adopted South Norfolk Local Plan (2003), policies 10 and 13 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amended in 2014), emerging policy 1.13 of the Development Management Policies Document (Submission document November 2013) and paragraphs 14 and 55 of the National Planning Policy Framework (2012).

Contact, Telephone Number and Email: Chris Watts 01508 533765 cwatts@e-norfolk.gov.uk
2. **Appl. No**: 2014/1642/O  
**Parish**: SWARDESTON

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

**Recommendation**: Agree that the scheme is now acceptable in planning terms and consequently to agree that officers confirm to the Planning Inspectorate that the Council do not wish to contest the current appeal.

**Introduction**

The purpose of this report is to seek the views of the Development Management Committee in respect of application number 2014/1642 for residential development (outline application for 39 dwellings) at land off Bobbins Way, Swardeston which was refused on the 12th December 2014 following the recommendation made to the Development Management Committee on the 10th December 2014. This decision was made upon the Council being able to demonstrate a 5 year housing land supply at that time (December 2014). Given that the Council has recently confirmed that it no longer has a 5 year supply within the Norwich Policy Area, it is necessary to re-assess the proposal as it is now the subject of an appeal to the Planning Inspectorate.

1. **Planning Policies**

1.2 The planning policies and planning history are as previously presented in the committee report presented to the Development Management Committee on 10th December 2014. This report is attached as Appendix 2.

2. **Consultations**

2.1 The consultation responses are as previously presented in the committee report presented to the Development Management Committee on 10th December 2014. This report is attached as Appendix 2.

3. **Assessment**

Revised planning assessment

3.1 Given the Council cannot now demonstrate a 5 year housing land supply, its housing supply related policies are considered to no longer be up to date in accordance with the requirements of paragraph 49 of the NPPF. Paragraph 49 also confirms that housing applications must be assessed in the context of the presumption in favour of sustainable development. With this in mind it is necessary to establish whether the current scheme represents a sustainable development. Sustainable development has three dimensions, economic, social and environmental. It goes on to stress that these are not to be undertaken in isolation, because they are mutually dependent. The NPPF also sets out 13 themes for delivering sustainable development but considers its meaning of Sustainable Development to be taken as the NPPF as a whole.

3.2 The following is an assessment of whether the scheme can be considered to represent sustainable development. It should be noted that this approach was adopted in assessing the scheme previously with a copy of the committee report from December 2014 attached as Appendix 2.
Economic Role

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

3.4 The previous committee report confirmed that the weight of the benefit of providing additional dwellings in Swardeston was reduced as the Council could demonstrate that it had an up to date 5 year housing land supply of deliverable sites at that time (December 2014) and had already provided “sufficient land of the right type” in respect of housing as required by the NPPF. Given that this is now not the case, the benefit of providing 39 new dwellings is greater than previously considered, and this needs to be reflected in reassessing the proposal in the context of establishing whether the scheme is considered to be a sustainable development. As previously stated the scheme would continue result in some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants.

3.5 In summary it is considered that the scheme would bring forward a level of economic benefit, and this is greater than previously expressed in the committee report from December 2014.

Social Role

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

3.7 The previous committee report considered that given the Council could demonstrate an up to date 5 year housing land supply at the time of writing (December 2014), this meant that this largely satisfied the requirements set out in respect of the social role in that it could provide sufficient housing in the context of the social role of the NPPF, and therefore the social benefits of this scheme were limited.

3.8 As confirmed above, the Council cannot now demonstrate a 5 year housing land supply and therefore the social benefits are now considered to be greater than previously expressed.

3.9 The concerns previously expressed in respect of despite there being a range of facilities within the village, there is no primary school or health care facilities within the village, with the nearest available being in Mulbarton. It is considered that whilst this is not ideal, the 2km journey to Mulbarton would not be significantly harmful in planning terms. It is also evident that there were, and continue, to be concerns over the long term capacity available at Hethersett Academy beyond known/consented growth within its catchment. This would then lead to the need to travel further afield to access secondary education. On this point, as previously expressed, it is considered that the relatively limited scale of the development does not lead significant concern.

3.10 In summary, it is considered that as the scheme would contribute additional housing where there is a need there would be greater social benefits than previously expressed in the committee report from December 2014, and despite the limitations of the scheme in needing to access some key facilities outside of Swardeston previously expressed remaining, these do not result in the scheme overall representing a scheme that does not fulfil the social role in the context of the NPPF.
Environmental Role

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

3.12 As set out in the previous committee report, the site continues to be outside the existing or proposed development limit and will result in encroachment on the open countryside. It is considered that this represents a level of harm in environmental terms. Officer’s however, would wish to highlight the site in itself has existing development on three sides and lies behind development when viewed from the nearest main road (B1113). Whilst the site lies in the open countryside where ENV8 of the adopted South Norfolk local Plan applies, It is considered necessary to have regard to paragraph 4.11 of the previous committee report which in establishing the level of weight to be given to Policy ENV8 officers highlighted an Inspectors decision for Chapel Lane, Wymondham, and in particular, this identified that despite Policy not being out of date, it was likely to that address a housing land shortfall development within the open countryside may well be necessary.

3.13 In summary, there would be some environmental harm brought about by the scheme as it does represent a level of encroachment into the open countryside, contrary to the provision of ENV8, however, in considering the merits of the scheme as a whole it is considered appropriate to acknowledge that developing such a site is highly likely to contribute to meeting the Council’s housing land target.

Summary of sustainable development consideration

3.14 Having due regard to the above assessment made in the context of not having a demonstrable 5 year housing land supply, it is considered that the benefits of providing additional housing is sufficiently high that the concerns regarding encroachment into the countryside and the need to access some key facilities beyond Swardeston are outweighed by the benefits and as such, when considered as a whole, the scheme represents a sustainable development. Whilst this a different conclusion to that reached previously, it is considered that the changing land supply figure is sufficient justification for reaching the conclusion set out in respect of establishing whether the scheme is sustainable.

3.15 Having established that the scheme represents a sustainable development in the context of the NPPF, it is necessary to have regard to paragraph 14 of the NPPF in respect of the presumption in favour of development for decision-taking. This states that:

“where the development is absent, silent or relevant policies are out of date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole; or
- Specific policies in this framework indicate development should be restricted.”

3.16 As set out above, it is accepted that the Council’s housing related policies are out of date by virtue of not being able to demonstrate an up to date 5 year housing land supply, and therefore the Council should only prevent granting planning permission if the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies of the NPPF when taken as a whole or specific policies of the NPPF indicate restricting the development.

3.17 In this instance, it is considered that the concerns set out in respect of the encroachment in to the countryside and the lack of certain facilities being available within Swardeston (education and healthcare) do not represent harm that significantly and demonstrably outweighs the benefits of providing additional housing where there is a need to do so. It is
also evident that there are no other concerns in respect of any other planning related matters as set out in the previous committee report for example highway safety or neighbour amenity when considering the change in housing land supply position. Furthermore, it is also considered that the scheme does not conflict with any specific policies within the NPPF whereby permission should be restricted which must be established in considering a proposal in the context of paragraph 14 of the NPPF.

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

This application is liable for Community Infrastructure Levy (CIL)

4. Conclusion

4.1 The change in the council’s current position in respect of housing land supply from that at December 2014, when the decision was issued, whereby we no longer have one, leads officers to the view that the scheme can now be considered to represent a sustainable development in the context of the NPPF. Consequently, in establishing this position, it is considered that the level of harm identified, namely encroachment in the countryside and the lack of certain facilities within Swardeston, are not sufficient to represent significant and demonstrable harm that outweighs the benefits of providing additional housing within the Norwich Policy Area where the Council does not have a 5 year supply.

4.2 In the context of the current appeal lodged with the Planning Inspectorate, the aforementioned position means that it is suggested that Members agree that the Council do not contest the current appeal and we confirm this position to the Planning Inspectorate. If this position is then it would be necessary to provide a copy of suggested conditions to the Planning Inspectorate to assist them in reaching their decision along with advancing discussions with the appellant in respect of S106 matters e.g. affordable housing and open space contributions. A list of conditions and contributions to be sought will be presented in updates to the committee meeting.

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

5. **Appl. No**: 2014/1642/G
   **Parish**: SWARDESTON

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

   **Recommendation**: Refusal
   1. Development outside development boundary and contrary to local plan policy ENV8

1. **Planning Policies**

1.1 **National Planning Policy Framework**
   - NPPF 04: Promoting sustainable transport
   - NPPF 05: Supporting high quality communications infrastructure
   - NPPF 07: Requiring good design
   - NPPF 06: Delivering a wide choice of high quality homes
   - NPPF 08: Promoting healthy communities
   - NPPF 10: Meeting the challenge of climate change, flooding and coastal change
   - NPPF 11: Conserving and enhancing the natural environment

1.2 **Joint Core Strategy**
   - Policy 1: Addressing climate change and protecting environmental assets
   - Policy 2: Promoting good design
   - Policy 3: Energy and water
   - Policy 4: Housing delivery
   - Policy 5: Access and Transportation
   - Policy 6: Supporting Communities
   - Policy 7: Culture, leisure and entertainment
   - Policy 8: Strategy for growth in the Norwich Policy Area
   - Policy 15: Service Villages
   - Policy 17: Smaller rural communities and the countryside
   - Policy 20: Implementation

1.3 **South Norfolk Local Plan 2003**
   - ENV 8: Development in the open countryside (Part Consistent)
   - ENV 14: Habitat protection
   - ENV 15: Species protection
   - ENV 21: Protection of land for agriculture
   - IMP 2: Landscaping
   - IMP 8: Safe and free flow traffic
   - IMP 9: Residential amenity
   - IMP 10: Noise
   - LEI 7: Open space provision in new development
   - TRA 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
- DM1.2 Requirement for infrastructure through planning obligations
- DM1.3 Sustainable location of development
- DM1.1 Ensuring Development Management contributes to achieving sustainable development in South Norfolk
- DM1.4 Environmental Quality and local distinctiveness
- DM3.1 Housing Quality
- DM3.2 Meeting housing requirements and needs
- DM3.9 Design Principles
- DM3.11 Promotion of sustainable transport
- DM3.12 Road safety and the free flow of traffic
- DM3.13 Provision of vehicle parking
- DM3.16 Outdoor play facilities and recreational space
- DM4.1 Building Fabric Energy Efficiency, Carbon Compliance and Allowable Solutions
- DM4.3 Sustainable drainage and water management
- DM4.4 Facilities for the collection of recycling and waste
- DM4.9 Protection of Trees and Hedges

1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

2.1 2014/1642 Screening Opinion for development of 40 dwellings
Environmental Statement not required

3. Consultations

3.1 Parish Council
- Refuse
  - Development is outside the development limit
  - Size of development is too big, Swardeston which has limited facilities
  - Create further congestion on the main road
  - No evidence for the need for the additional dwellings
    Swardeston was allocated 20 new homes based on the ability for the village to grow
  - Forms part of an existing dwelling which is already constructed
  - Far more development will be provided than allocated in local plan
  - Undermine the local plan

3.2 District Member
To be determined by committee
- Major development outside the development limit

3.3 NCC Highways
- Amended plans
  Support with conditions

- Original application
  - Amended plans required
    - Swardeston is a small village children will need to be transported to infant and junior schools in Mulbarton, but accept that there is a continuous, if narrow footpath between the two villages and good links with Norwich
Development Management Committee

- On balance could not substantiate a recommendation in the principle of development in Swardeston
- 2.4x 59 metre viability splay required in both directions
- Number of dwelling plus the nursery would justify the provision of a 5.5 metre wide carriageway and 1.8 metre wide footpaths

3.4 NCC-Planning Obligations
Funding would be via CIL Contributions through CIL would be sought for Mulbarton Infant school

3.5 Anglian Water Services Ltd
No objection
- Mains sewage capacity is available
- Surface Water not relevant to Anglian Water and highway drain outside our jurisdiction
- Need to seek views of the Environment Agency

3.6 Environment Agency
Amended application
Support with conditions
- Wish to withdraw objection subject condition being imposed
- Suggest further clarification on Surface Water Strategy should be sought prior to determination from the County Council and Anglian Water

Original application

Holding Objection

- Flood Risk Assessment (FRA) does not comply with the requirements of paragraph 103 of the NPPF
- FRA fails to demonstrate offsite flood risk will not be increased when compared with greenfield runoff rates
- Provide details of modelled surface water drainage strategy
- Demonstrate the principle of discharging surface water to the highway drainage system is acceptable from the County Council
- Give priority to use of sustainable drainage systems and confirm principle that Anglian Water will adopt features.

3.7 Flood Defence Officer
Amended proposal

- System could do more to improve ground water recharge and water quality consideration needs to be given to creating more above ground drainage features.
- Not clear whether the proposed increase in size of the soakaway onto private land will not increase flood risk
- No information has been provided on the adequacy of existing receiving watercourse to deal with increased flows from the highway and from the development site
- Clarification on adoption of underground attenuation tank and hydro-break control device
- Condition is suggested.

Original application

- System could do more to improve ground water recharge and water quality consideration needs to be given to creating more above ground drainage features.
- Not clear whether the proposed increase in size of the soakaway onto private land will not increase flood risk
- No information has been provided of the adequacy of existing receiving watercourse to deal with increased flows from the highway and from the development site
- Clarification on adoption of underground attenuation tank and hydro-break control device clarification of discharge into highway drain.
- Condition is suggested.

3.8 Environmental Services (Protection)  Conditional support

3.9 Technical Manager (Parks and Amenities)  No objection
- No concern over the proposed layout of the public open space
- Quantity is in keeping with the size of the development and location is well overlooked by residential properties.
- Off-site contribution will be required for older children's adult play

3.10 Ecologist  Support with conditions
- Satisfactory Ecology report has been submitted
- Piggery building and large area of spoil need to be searched prior to removal for bats and reptiles

3.11 Housing Strategy Manager  No Objection
- Proposed affordable housing provision, mix of types and tenures of property is acceptable

3.12 Planning Policy  Site allocation put forward under site specifics on this land is larger than the application site
- Scale of development would overwhelm services, some concern was expressed by highway over the access in relation to scale of the development
- Would have resulted in loss of farm shop
- Also potential deliverability issues
- Partial allocation was considered but dismissed as less favourable site than the one put forward as the preferred site

3.13 Design Officer  Raised concern about the indicative layout
- Potential for the scheme to score well against the building for Life criteria
- As it stands the scheme does not satisfies the design principles in the South Norfolk Place Making Guide.

3.14 Representations  Two letter of support:
- More growth needed in the village
- Offers a familiar style of development as proposed rather than the site going up for auction
- Access is owned by applicant's/site owner's family
Fourteen letters of objection

- Development is outside the development boundary
- There is already a large development in the pipeline for the village
- Limited services in village, no school or post office, no health care facilities
- Development is too large in one place for the village
- Village does not have infrastructure including roads, would cause problem with congestion with junction with Ipswich Road
- The land is higher than surrounding area will significantly overlook existing dwellings and be dominant
- No evidence to support the need for housing
- Loss of village sense of community
- Density of the development is too high
- Site needs to be better screened
- Could result in further development
- Devaluation of property
- Backland development
- Question affordable housing provision
- Loss of outlook
- Query as to whether Bobbins Way would be gravel or tarmac

4 Assessment

Site and proposal

4.1 The site is approximately 1.76 hectares in area and has been used as a growing area by Bobbins Nursery, but is currently used as agricultural grazing land and forms part of a larger field. The site is set back from the main B1113 road which is to the west. The site lies to the east of Cavell Close and to the north of properties on Wood Lane. The greenhouses relating to Bobbin's Nursery and the farm shop are located to the north of the site. The land to the east of the site is agricultural. The access to the site is via Bobbin's Way which currently serves three bungalows, five recently constructed dwellings and three dwellings under construction and there is planning permission for two further dwellings, this in turn joins the B1113. Bobbin's farm shop and nursery are also served off this access.

4.2 The site slopes gently upwards from north to south and there is also a change in level between the site and properties in Cavell Close, the properties being at a lower level.

4.3 Swardeston is defined as a service village within the Joint Core Strategy and an allocation for new dwellings has been put forward as part of the site specific allocations. This site does not form part of the allocation.

4.4 The application is an outline application for residential development with access being via the B1113, access is the only matter to be considered as part of this application. An indicative layout has been provided which shows 39 dwellings being provided.

Planning Issues

4.5 The main considerations are the principle of development and policy considerations, highway, design of the development including residential amenity and open space, drainage, affordable housing, landscape impact and ecology.

Principle of development

4.6 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.
Development Management Committee 10 December 2014

Adopted policy

4.7 With regard to the Adopted South Norfolk Local Plan (SNLP), Annex 1 of the National Planning Policy Framework (NPPF) at paragraph 215 states that where a plan is adopted pre 2004, such as in the case here, decision makers should give due weight to policies in existing plans according to their consistency with the NPPF.

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

4.9 Whilst Swardeston is a ‘service village’ as defined by policy 15 of the JCS, where a small allocation of development as well as infill development is acceptable, the site lies outside of the existing defined development boundary, and the emerging development boundary, where policy ENV8 in respect of development in the countryside applies.

4.10 This policy excludes new residential development within the open countryside unless specific criterion is met. In this case none are met. On this basis the proposed dwellings would not accord with Policy ENV8 and policy 17 of the JCS.

4.11 With regard to Policy ENV8, as referred to above, given that this was adopted pre 2004, it is necessary to establish how much weight can be attributed to those in the decision making process by assessing its consistencies with the NPPF. It is evident that this matter was recently considered by the Secretary of State (SoS) and Planning Inspectors in the Appeal decision for Chapel Lane, Wymondham (2012/1434) in which the SoS agreed with the Inspector’s observation at paragraph 101 which stated:

"With regard to Local Plan Policy ENV8, I accept that is, to some degree, the ‘other side’ of Local Plan Policy HQU4 that allows housing within Development Limit[s]54. However, on its face it is a policy that is designed to protect the countryside, rather than being one of the ‘relevant policies for the supply of housing’54. As such, I consider it is not out-of-date, though I accept that, in the absence of evidence to the contrary, addressing a housing land shortfall may well necessitate conflicting with this policy."

4.12 Therefore, it is considered that Policy ENV8 continues to carry significant weight in the decision making process and the proposal is unacceptable as it would lead to unacceptable residential development in the countryside.

4.13 With regard to Policy 17 of the JCS, this policy restricts residential development outside development boundaries unless it is affordable housing. This Policy was adopted after 2004 and therefore paragraph 215 of the NPPF as referred to above does not apply. The proposal conflicts with this Policy.

Emerging Policy

4.14 Paragraph 216 of the NPPF sets out how to determine the weight attributable to emerging Plans, 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. In this instance policy DM1.3 seeks to direct development to sustainable locations within development boundaries or on allocated sites. Furthermore adopted policies in the Joint Core strategy set out the growth strategy for the area including designating Swardeston as a ‘service village’.

4.15 The site also lies outside of the proposed development limit for Swardeston in the emerging Local Plan and as such is contrary to Policy DM1.3 of this document.
It is considered that this has significant weight, due to there being no objections to the heart of the policy and the Local Plan Examination now having taken place. As a result of the significant weight it can form part of the reason for refusal.

NPPF

As highlighted above it is necessary to have regard for all material considerations within the decision-making process, and the NPPF is one such material consideration.

Paragraph 56 of the NPPF sets out when specific exemptions should apply to allow sustainable residential development in rural areas. The applicant has not tried to demonstrate compliance with Para 55 notwithstanding this it is considered by officers that the proposal does not meet these exceptions and contrary to the NPPF.

Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development.

It should be noted at this time that paragraph 49 also makes reference to how relevant policies in relation to housing are out of date if it cannot demonstrate a five year supply of deliverable housing sites. In this instance the Council has recently published a revised position indicating that a five year land supply can be demonstrated within the Norwich Policy Area and therefore as stated above Policy ENV8 continues to carry significant weight.

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

The following is an assessment of whether the scheme can be considered to represent sustainable development:

Economic Role

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

Whilst it is acknowledged that the site is adjacent to the development boundary of Swardeston and the village has a range of local services such as a public house (closed at the time of the site visit), bakery, farm shop, village hall and garage and has a regular bus service. It is apparent that the Council can demonstrate that it has an up to date 5 year housing land supply of deliverable sites. Therefore, in the context of the economic role, and the need to provide “sufficient land of the right type” it is considered that the Council has met this requirement in respect of residential development and therefore the economic benefits of the scheme are limited when having regard to the NPPF. Although it is acknowledged that the scheme would bring some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants.

Social Role

The NPPF confirms the social role as “supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”
4.26 As highlighted above, given that the Council can now demonstrate an up to date 5 year housing land supply, it is considered that this largely satisfies the requirements set out above in respect of being able to provide sufficient housing in the context of the social role of the NPPF, the social benefits of this scheme are therefore limited.

4.27 It should also be noted that notwithstanding the availability of a range of services in the village, there is no primary school or health care facilities with the nearest available facilities in Mulbarton. There is also no long term capacity available at Hethersett Academy beyond known/consented growth within its catchment. This failure to be able access secondary education in its catchment school would lead to the need to travel further afield. This causes concerns in relation to unsustainable transport practices being used and poor social cohesion if children are not at the school where they live.

4.28 Having regard to the NPPF, consideration should be given to whether this would result in unsustainable transport practices and poor social cohesion if children are not at a school where they live. It is considered in this case, that due to the low numbers of children associated with this development, the proposals would not lead to a significant impact in terms of community cohesion and transport movements that would merit a reason for refusal.

Environmental Role

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

4.30 The site is outside the existing or proposed development limit and will result encroachment on the open countryside. With this in mind the proposal would not protect or enhance the built or natural environment.

4.31 On balance, the scheme presents harm in respect of both the environmental and social roles as set out above, and the economic benefits do not outweigh these. On this basis the scheme cannot represent sustainable development.

Highways

4.32 A number of concerns have been raised about impact of the traffic generated by the proposal in particularly on the B1113. The Highway Authority has asked for amendments to increase the visibility splay in light of it being likely that the 85%ile speeds through the village will be in excess of 30mph. The proposal has been amended to reflect this. The Highway Authority also requested the widening of the access road which has not been provided due to land ownership issues. Although desirable, the Highway Authority does not wish to raise an objection on the failure to widen the road.

Design, open space and residential amenity

4.33 The NPPF, Policy 2 in the Joint Core Strategy and the South Norfolk Place Making Guide all promote a high standard of design. The Design Officer has reviewed the indicative layout submitted with the application under the Buildings for Life Criteria and considers that the scheme fails to meet a number of the criteria and does not satisfy the design principles in the South Norfolk Place Making Guide, but has potential for the scheme to score well against the Buildings for Life criteria. The submitted layout is only indicative and as this is only an outline application with appearance, layout, landscaping and scale all being reserved it is not considered appropriate to refuse the application on design grounds.
4.34 A number of concerns have been raised by residents in terms of loss of amenity particularly in relation to loss of privacy and dwellings adjacent to the west boundary having an over bearing impact on neighbouring properties. As discussed above the layout is only indicative, and therefore there is capacity to provide a scheme that makes it acceptable. However, it is reasonable to resolve these amenity issues at reserved matters stage.

4.35 The Council’s adopted guidance in respect of open space, entitled “Recreational Open Space Requirements for Residential Areas” requires on schemes of 25-50 dwellings a minimum of 1000sqm of children’s play space and 2000sqm of older children/adults recreation space. The application proposes the policy requirement area of children’s play space, and this along with details of how this will be equipped, would be secured by way of S106 agreement. With regard to older children/adults recreation space, the adopted guidance does make provision for the Council to receive a financial contribution in lieu off on-site provision if this deemed more appropriate. In this instance, following discussions with the Council’s Technical Manager (Parks and Amenity) it is considered more appropriate to secure a financial sum which can be spent on improving existing sites within the village. This would also be secured through a S106 agreement.

Sustainable construction and energy efficiency

4.36 Policy 3 of the Joint Core Strategy requires sustainable construction, 10% energy need to be delivered by decentralised and renewable or low carbon energy. In addition the development would need to achieve Code level 4 water efficiency; these can be secured by condition.

Affordable Housing

4.37 Policy 4 in the JCS requires 33% affordable housing to be provided on the site. The indicative layout proposes 39 dwellings, with the application proposing 14 affordable dwellings, therefore complying with aforementioned policy requirement. The affordable housing provision takes account of the requirement of the S106 agreement on application 2013/0238 required the two dwellings granted under that consent (adjacent to the site) to be taken into consideration in any affordable housing requirement for any subsequent dwellings given permission. The percentage of affordable housing would be secured through a S106 agreement along with the mix and tenure of the proposed affordable units. This is in line with the requirements of the Housing Strategy Manager.

Drainage

4.38 Foul water disposal is proposed to be via the main sewer and Anglian Water has confirmed that there is capacity within the sewer.

4.39 In terms of surface water drainage, the proposed surface water strategy is to attenuate water within the site and then discharge the water on a controlled basis into the highway drain. After the submission of a revised Flood Risk Assessment the Environment Agency has removed its objection subject to a condition being imposed. They have suggested further clarification needs to be sought from the County Council with regard to discharging water to the highway drain and the adoption of SUDS areas by Anglian Water. These will be updated to committee orally.
Development Management Committee 10 December 2014

Environmental considerations

4.40 A satisfactory contaminated land report has been submitted with the application. Environmental Services have suggested a condition to restrict external lighting given that the location is particularly sensitive. I do not consider that it would be reasonable to impose this as the lighting would only be in association with residential dwellings which would be quite localised.

Ecology

4.41 A satisfactory ecology report has been submitted with the application any potential impact on protected species can be dealt with by means of a condition

Other considerations

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

4.44 This application is liable for Community Infrastructure Levy (CIL) which would be calculated and collected at reserved matters stage

5. Conclusion

5.1 The site is outside any existing or proposed development boundary, and therefore in the absence of any special circumstances is contrary to policy ENV8 of the South Norfolk Local Plan, policies 15 and 17 of the Joint Core Strategy, policy DM1.3 of the emerging Local Plan or paragraph 55 of the NPPF.

5.2 Policy ENV8 and 17 excludes new residential development within the open countryside unless specific criterion are met. In this case none are met, therefore the proposal is contrary to these policies.

5.3 It is also evident that the scheme also fails to represent sustainable development in the context of the NPPF by virtue of the modest economic and social benefits of the scheme being outweighed by the harm to the environment identified, which is the conflict with Policy ENV8 and its intentions of protecting the landscape setting of villages and the overall rural character of the plan area.

5.4 The application is considered to be unacceptable in planning terms and is therefore recommended for refusal.

6. Reason for refusal

6.1 The principle of residential development on this site is not acceptable, by virtue of the site being outside existing and emerging development boundaries, there being a five-year land supply within the Norwich Policy Area and the development not therefore on balance being considered sustainable development. In the absence of an exception justification relating to affordable housing, agriculture, forestry or sustaining economic or social activity in the surrounding area the proposed development is not considered to be a sustainable form of development and is considered to be contrary to saved policy ENV8 of the adopted South

Contact Officer, Telephone Number and E-mail: Helen Bowman 01508 533833 hbowman@s-norfolk.gov.uk
Major applications or applications raising issues of significant precedent

3. **Appl. No**: 2015/0436/O  
**Parish**: SCOLE

**Applicants Name**: Mr B Tunmore  
**Site Address**: Land West of Norwich Road Scole Norfolk  
**Proposal**: Construction 17 no. dwellings and access road, village hall and parking, open space recreation and wildlife areas

**Recommendation**: Refusal

1. Outside settlement boundary, harmful to the open countryside  
2. Does not represent sustainable development  
3. Insufficient justification for there being no affordable housing  
4. Harmful to setting of a listed building (St Andrews Church) whereby there are insufficient public benefits to outweigh the harm NPPF test  
5. Harmful to setting of Conservatino Area and Listed building (St Andrews Church)  
6. Insufficient information in respect of archaeology  
7. Insufficient information in respect of trees  
8. Highway safety concerns

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 01: Building a strong competitive economy  
NPPF 03: Supporting a prosperous rural economy  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design  
NPPF 11: Conserving and enhancing the natural environment  
NPPF 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
Policy 7: Supporting Communities  
Policy 8: Culture, leisure and entertainment  
Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan 2003  
ENV 8: Development in the open countryside (Part Consistent)  
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 18: Development in Conservation Areas.  
LEI 2: Village halls and small scale leisure facilities  
LEI 7: Open space provision in new development

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Autumn 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
DM3.1 Housing Quality
DM3.2 Meeting housing requirements and needs
DM3.3 Meeting rural housing needs
DM3.9 Design Principles
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM3.16 Outdoor play facilities and recreational space
DM3.17 Improving the level of local community facilities
DM3.18 Sustainable drainage and water management
DM3.9 Protection of Trees and Hedgerows
DM4.11 Heritage Assets

1.6 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.”

2. Planning History
2.1 No planning history

3. Consultations
3.1 Parish Council
Original comments
Approve subject to conditions relating to surface water drainage.
Comments on the most recent revised and additional information to be reported

3.2 District Member
To be determined by Development Management Cttee given the level of public interest.

3.3 SNC Conservation Officer
Original comments
Object.
Comments on the most recent revised and additional information to be reported
3.4 SNC Landscape Officer

Original comments
Further work required in respect of arboricultural implications.

Comments on the most recent revised and additional information to be reported

3.5 Environment Agency

Original comments
No objection

Comments on the most recent revised and additional information to be reported

3.6 Natural England

Original comments
No objection

Comments on the most recent revised and additional information to be reported

3.7 Historic England

Original comments
Harmful to the setting of the Church and Conservation Area. It is for the Council to establish whether the benefits of the scheme outweighs the harm caused.

Comments on the most recent revised and additional information to be reported

3.8 Historic Environment Service

Original comments
Further work required prior to determination of the application.

Comments on the most recent revised and additional information to be reported

3.9 Anglian Water Services Ltd

Original comments
No comments received

Comments on the most recent revised and additional information to be reported

3.10 SNC Design Officer

Original comments
Object

Comments on the most recent revised and additional information to be reported

3.11 NCC Ecologist

Original comments
No objection

Comments on the most recent revised and additional information to be reported

3.12 SNC Flood Defence Officer

Original comments
No objection subject to conditions

Comments on the most recent revised and additional information to be reported

3.13 SNC Environmental Services (Protection)

To be reported
3.14 NCC Highways

Original comments
Object

Comments on the most recent revised and additional information to be reported

3.15 NHS Clinical Commissioning Group

No comments received

3.16 NHS England

No comments received

3.17 SNC Affordable Housing Enabling & Strategy Manager

Original comments
Insufficient justification for there being no affordable housing

Comments on the most recent revised and additional information to be reported

3.18 Representations

14 objections received. A summary of these is as follows:

- Outside settlement boundary
- Undermine site allocation process
- Compromise the development of allocated sites
- Question the economic viability of 17 dwellings being able to fund the community facility which is an integral part of the proposal
- Flooding concerns
- Existing community centre with plans for an extension
- Insufficient need for another community facility
- The cost implications of an underused facility have not been considered
- Increased traffic flow
- Detrimental to Conservation Area
- The hall would not be provided, just a contribution which would fall short of the costs needed
- Neighbour amenity (privacy, overlooking)
- Loss of habitat for wildlife

10 letters of support have been received highlighting the village hall would be an asset to a growing village and meet local need. There are limited facilities at present in the village. It would address an overgrown site which is an eyesore

1 neutral letter has been received.

A number of bodies/groups have made representations. These are as follows:

Village Hall Committee – Support the proposed facility including the car park at the front of the site as it would allow for extra security.

St Andrews Church – Support the proposal including the positon of the car park.

Scole and District Gardeners Club – Support

Ramblers Association – No objection existing PROW should be retained
Diss First Responders – Support

Scole Old Boys Club - Support

Scole Women’s Institute - Support

It should also be noted that prior to the submission of the application (August 2014) a consultation process was undertaken by the applicants.

487 of 563 properties in the civil parish were contacted which equates to 86.5% of all households. In response 482 said yes (95.2%) and 24 said no (4.7%).

Any further comments on the most recent revised and additional information received by third parties will be reported orally.

4 Assessment

Proposal and site description

4.1 The application seeks outline planning permission with all matters reserved for the following:

- construction of 17 no. dwellings,
- land for a new village hall with associated car park and recreation area and allotments

4.2 The village hall site and 16 of the proposed dwellings would be accessed via a new vehicular access onto Norwich Road which lies to the east of the site. The remaining proposed 2 dwelling units would be served via Low Road which lies to the west of the site.

4.3 The application indicates that 9 of the dwellings would be 3 bedroom units and 9 would be 4 bedroom units. The application proposes no affordable housing.

4.4 The land for the proposed village hall, associated car park, recreation area and allotments would be given to the parish Council and the applicant proposes to provide £300000 to be spent towards the cost of the village hall which is estimated by the agent to be £750000.

4.5 Whilst the application is outline form with all matters reserved, an indicative layout for the site has been provided.

4.6 The site is 1.6ha of grassland located on the north-western edge of the village of Scole. The site is falls from the north-east towards the southwest and is bordered by Norwich Road to the east and Low Road to the west. To the north of the site is a builders yard and to the north-east are neighbouring residential properties. To the east, are existing residential properties and the Grade II* St Andrew Church. To the south and west of the site are further residential properties. The site also lies within the Scole Conservation Area.

Key planning issues

Policy background

4.7 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.
4.8 With regard to the Adopted South Norfolk Local Plan (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 here, decision makers should give due weight to policies in existing plans according to their consistency with the NPPF.

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

4.10 Paragraph 216 goes onto address the weight attributable to emerging plans, in this case we have 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.

4.11 Firstly, the site lies outside of the development limit for Scole and as such is contrary to Policy ENV8 of the SNLP on the basis that none of the criterion within this policy are met by the proposal.

4.12 As referred to above, given that this was adopted pre 2004, it is necessary to establish how much weight can be attributed to those in the decision making process by assessing its consistency with the NPPF. It is evident that this matter was recently considered by the Secretary of State (SoS) and Planning Inspectorate in the Appeal decision for Chapel Lane, Wymondham (2012/1434) in which the SoS agreed with the Inspector's observation at paragraph 101 which stated:

"With regard to Local Plan Policy ENV8, I accept that is, to some degree, the 'other side' of Local Plan Policy HOU4 that allows housing within Development Limits[54]. However, on its face it is a policy that is designed to protect the countryside, rather than being one of the 'relevant policies for the supply of housing'. As such, I consider it is not out-of-date, though I accept that, in the absence of evidence to the contrary, addressing a housing land shortfall may well necessitate conflicting with this policy."

4.13 Therefore, it is considered that Policy ENV8 continues to carry significant weight in the decision making process and the proposal is unacceptable as it does not satisfy any of the above stated criterion, and would lead to unacceptable residential development in the countryside.

4.14 As stated above it is also necessary to have regard for the NPPF in the decision-making process. Paragraph 49 confirms that in respect of housing proposals they:

"should be considered in the context of the presumption in favour of sustainable development."

4.15 The NPPF confirms that sustainable development has three roles, economic, social and environmental. It goes on to stress that these are not to be undertaken in isolation, because they are mutually dependent. The NPPF also sets out 13 themes for delivering sustainable development.

4.16 Paragraph 49 of the NPPF also confirms that :

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

Firstly, in respect of housing land supply, South Norfolk Council can demonstrate a 9.11 year supply within the rural area which is applicable to Scole, and as such its housing related policies are considered to be up to date (ENV8).
Secondly, in terms of establishing whether the scheme represents sustainable development it is considered appropriate to assess the scheme in the context of the three roles set out in the NPPF, and this assessment should have regard to the other components of the scheme, namely the village hall land, amenity land and allotments in reaching a balanced view of whether the scheme is sustainable or not.

Economic implications

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

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

In local planning policy terms:


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

It is evident that both adopted and emerging policies as set out above are consistent with the aims of the NPPF in terms of economic implications in highlighting the importance of economic growth. As stated above, the emerging policies are considered to carry some weight in the decision making process.

With regard to the economic implications of the scheme, in the short term, the construction of 17 dwellings would make a contribution to the local economy. This would be via the associated construction works which could employ local tradesman etc, and also through the inevitable associated spend in the locality, shops etc. It should be noted that given that the Council has well in excess of a 5 year housing land supply in the rural part of the District it is considered that the benefits of more housing in such circumstances are not significant.

In respect of the village hall, given that the proposal only proposes to deliver the site and a contribution towards the build costs the potential benefits in economic terms are unknown as there is no certainty that the hall would be ultimately delivered. The same applies to the economic benefits that the use of the hall would bring e.g. revenue from events held there. In summary, it is considered that the scheme would be of some economic benefit to the local area and meets local and national policy aspirations in this respect.

Social implications

The NPPF confirms the social role as:

"supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."
4.25 Paragraphs 18-22 of the NPPF highlight the Government's commitment to economic growth which in turn contributes towards creating strong, vibrant and healthy communities. Paragraphs 29 - 41 confirm the Government's commitment to promoting sustainable transport which assists with improved health. Paragraphs 47 - 55 highlight the need to deliver high quality housing. Paragraph 69 - 78 highlight the need to promote healthy communities.

4.26 The Planning Practice Guidance (PPG) on health and wellbeing highlights that built and natural environments are major determinants of health and wellbeing.

4.27 The PPG on open space, sports and recreation facilities, public rights of way and local green space highlights the important role open space plays in contributing to health and wellbeing.

4.28 In local planning policy terms:

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

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

4.30 These emerging policies are considered to carry some weigh at this time given the advanced stage that the Local plan is at.

4.31 From a policy perspective, it is clear that both local and national policy are consistent with one another in seeking to improve the quality of life for everyone, and highlight the important role housing plays in this, as well as providing services and facilities that reflect people's needs. It is also important to be able to access these services and facilities. With regard to the proposal, the provision of 17 houses would provide the supply of housing, however this is a relatively modest amount and would be delivered when the Council can point to delivery of housing well in excess of the 5 year housing land supply target for the rural area. This does limit the level of benefit that can be attached to providing more housing in this location. The lack of any affordable housing within the scheme also has a negative impact upon the merit of the scheme.

4.32 In respect of the village hall and associated recreation land and allotments, as previously stated, the scheme would not lead to the delivery of the village hall. It would only provide the land to facilitate the hall and proposes a moderate sum of money (£300000) towards the scheme when seen in the context of what would be significant costs to produce a village hall. On this point the application does not provide any basic cost for constructing a village hall as indicated on the illustrative plan. The submission provides no evidence that there is money available to fund the project from any other source e.g. the Parish Council. The submission does indicates that the Parish would have access to CIL money brought about by the development, whilst this is correct the figure suggested is not correct and it would be likely to be closer to £15000 depending on the exact size of any development brought forward at reserved matters stage which in itself would not represent a significant amount in the context of the development cost of the facility.
While a new village hall would make a positive social contribution within the village, the application fails to provide any certainty or likelihood that the village hall would be delivered and as such it is not considered appropriate to attach significant weight to this part of the application when seen within the context of the social role. In respect of the housing component, the benefits of 18 additional houses, none of which are affordable units, when seen within the context of the fact that the Council presently has a housing land significantly above the 5 year target are also limited.

The Council's open space standards as referred to in Policy LEI07 of the South Norfolk Local Plan could be achieved through a reserved matters application, with the indicative scheme indicating a level of open space which meets the Council's requirements. Maintenance and management arrangements for any open space could be dealt with via a S106 legal agreement.

In summary, the scheme would present limited benefits from a social perspective.

Environmental implications

The NPPF confirms the environmental role as:

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

Paragraphs 29 - 41 of the NPPF highlights promotion of sustainable transport modes and reduce the need to travel therefore reducing use non-renewable natural resources. Paragraphs 109 - 125 confirm the need to conserve and enhance the natural environment. Paragraphs 126 - 141 confirm the need to conserve and enhance the historic environment.

The PPG on conserving and enhancing the historic environment confirms the importance of protecting and enhancing the historic environment. The PPG on the natural environment highlights the need to recognise the intrinsic character and beauty of the countryside.

In local planning policy terms:

JCS Policy 1 Addressing climate change and protecting environmental assets requires all development to be located and designed to use resources efficiently, minimise emissions and adaptable to climate change.

JCS Policy 3 Energy and Water: To minimise reliance on non-renewable energy sources.

With regard to the South Norfolk Local Plan, ENV8 prevents development within the open countryside unless specific criterion are met. IMP2 landscaping requires development to incorporate a high standard of landscaping.

It is considered that the adopted policies are consistent with the aims of national policy in respect of the environment.

With regard to the emerging DMP, this contains section headings which replicate the three roles of sustainable development as referred to in the NPPF. It is considered that national policy and local policy, both adopted and emerging, are consistent with the aim of Central government as expressed in national policy and guidance.
4.43 Historic England (formerly English Heritage) have confirmed that whilst the most recent amended scheme, represents a less harmful scheme than the originally submitted scheme in the context of harm to the Grade II* listed St Andrews Church and the Conservation Area there nevertheless continues to be a level of harm and as such paragraphs 132 and 134 of the NPPF are to be have regard to.

4.44 Paragraph 132 of the NPPF confirms that any harm to a designated heritage asset needs "clear and convincing justification". Paragraph 134 of the NPPF requires the Council to weigh the level of harm against the public benefits of the scheme.

4.45 With the above in mind, it is evident that there are significant concerns about the deliverability of the village hall and the delivery of a relatively small number of dwellings, with no affordable housing provision, where the Council can demonstrate a land supply significant in excess of the 5 year target and this leads to the conclusion that there is no clear and convincing justification for the scheme in terms of public benefit that could be considered to outweigh the acknowledged harm to the setting of St Andrews Church and the Conservation Area, even though it is acknowledged that the level of harm is less in the amended illustrative layout than was previously the case for the originally submitted indicative layout.

4.46 The Council's Senior Conservation and Design Officer also considers that the scheme continues to represent a level of harm to both the listed church and the Conservation Area.

4.47 Historic Environmental Services has confirmed that there is potential that heritage assets with archaeological interest will be present at the site and that their significance will be affected by the proposed development. A heritage statement has not been submitted, and a desk based archaeological assessment and quote for a trial trench evaluation are considered to be insufficient in this instance. On this basis further work should be done prior to a decision being issued.

4.48 In respect of arboricultural impacts, in view of the concern expressed by the Council's Landscape Officer at the lack of information submitted a further arboricultural report has been submitted and this is being assessed by the Landscape Officer, their views will be reported orally to the Development Management Committee.

4.49 In terms of the environmental role, it is considered that the scheme would represent a significant level of harm by virtue of the impact on the setting of the Grade II* Listed Church and the Conservation Area and the lack of sufficient information in respect of archaeology. There is also a potential arboricultural issue, but the weight attributed to this will depend on the views of the Council's Landscape Officer which will be reported as noted above.

4.50 In conclusion, in reaching a decision in respect of whether a scheme represents a sustainable development or not, paragraph 8 of the NPPF makes it clear that the dimensions to sustainable development are not to be undertaken in isolation, as they are mutually dependent. With this in mind, it is considered that the limited economic and social benefits of the scheme are outweighed by the significant environmental harm that would be caused by the development. On this basis the scheme cannot be considered to represent a sustainable development in the context of the NPPF when taken as a whole.

Other issues

4.51 Whilst reference has been made to the concerns in respect of the impact upon the St Andrews Church, the Conservation Area, archaeology, and possibly trees, in reaching a decision as to whether the scheme is sustainable, it is necessary to determine whether these in their own right would justify separate reasons for refusal.
4.52 Sections 66(1) and 72 of the Listed Buildings Act 1990 require assessment of the affect upon listed buildings and its setting and the impacts of development upon Conservation Areas. As set out above it is considered that the scheme would be harmful to both the setting of St Andrews Church and the character and appearance of the Scole Conservation Area and as such is contrary to the above provisions.

4.53 The harmful nature of the scheme in respect of St Andrews Church and the Scole Conservation Area also means that the proposal is contrary to the provisions of Policies IMP15 and 18 and section 12 of the NPPF.

4.54 Despite the most recent submission, insufficient information has been submitted in respect of archaeology in the opinion of Historic Environment Services and as such this is considered to represent a reason for refusal.

4.55 Depending on the findings of the Council's Landscape Officer, which are to be reported orally, the arboricultural report submitted recently may or may not resolve previous concerns surrounding the impacts upon trees.

4.56 In terms of highway safety, the most recent submission has sought to deal with the numerous concerns raised by the Highway Authority (NCC). They have been re-consulted and their comments will be reported orally to the committee, however, it is apparent that the revised scheme continues to have dwellings served via Low Road which has not to date been acceptable to the highway authority and there is no reason to expect this position to change. In light of this it is envisaged that this would be a reason for refusal in the context of Local Plan Policy IMP8, regardless of whether the most recent plan addresses their other concerns.

4.57 Policy 3 of the JCS requires major planning applications such as this to providing sources of "decentralised and renewable or low carbon energy to cover at least 10% of the schemes expected energy requirements and meeting the water efficiency requirements of level 4 of the Code for Sustainable Homes. Both of these can be met through appropriately worded planning conditions.

4.58 Given the outline nature of the proposal it is not possible to undertake a detailed assessment of the impacts of the layout of the scheme on neighbours in respect of light, outlook, privacy etc, however, it is apparent that a layout could be provided that does adequately safeguard neighbour amenity in respect of light, outlook and privacy and that this could be done via any subsequent reserved matters application in the event members are minded to approve the application.

4.59 With regard to ecology, the Council's ecologist has confirmed that they have no objections in respect of likely impacts ecology, including protected species.

4.60 The proposals have been considered against the Environmental Impact Assessment (EIA) Regulations 2011 (as amended).

4.61 The environmental, social and economic impacts have all been considered and as detailed in the above report the impacts have been given due consideration. Whilst there are no significant environmental impacts that would require an Environmental Statement to be submitted with the application the above issues in relation to sustainability remain.

4.62 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.

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

5.1 It is evident that the site lies outside of the defined development limit for Scole, which given the Council's position in respect of housing land supply, means that the proposal is contrary to policy ENV8 which continues to carry significant weight in the decision-making process. In the context of the NPPF, the scheme is not considered to represent a sustainable development as set out in the assessment above including giving due weight to the acknowledged benefits of the scheme. The scheme would be harmful to both the Conservation Area and the setting of the adjacent listed St Andrews Church. The scheme also proposes to provide access via Low Road for both allotments and new residential properties which would be detrimental to local highway safety and a lack of details on plans in respect of highway matters are apparent.

5.2 Furthermore, the scheme also lacks sufficient details in respect of archaeology and trees.

5.3 For the above reasons, the application is recommended for refusal.

6 Reasons for refusal

6.1 The development is located outside of the development limit for Scole and as such is contrary to Policies ENV8 of the South Norfolk Local Plan.

6.2 It is considered that the limited economic and social benefits of the scheme are outweighed by the significant environmental harm that would be caused by the development. On this basis the scheme cannot be considered to represent a sustainable development in the context of the NPPF when taken as a whole.

6.3 It is considered that there are significant concerns about the deliverability of the village hall and the delivery of a relatively small number of dwellings, with no affordable housing provision, where the Council can demonstrate a land supply significant in excess of the 5 year target and therefore there is no clear and convincing justification for the scheme in terms of public benefit that could be considered to outweigh the acknowledged harm to the setting of St Andrews Church and the Conservation Area, contrary to the provisions of paragraph 132 and 134 of the NPPF.

6.4 The development would be detrimental to the setting of both St Andrews Church and the Conservation Area contrary to the provisions of Policy 2 of the Joint Core Strategy and policies IMP15 and IMP 18 of the South Norfolk Local Plan and Sections 66(1) and 72 of the Listed Buildings Act 1990.

6.5 Insufficient information has been submitted to demonstrate that archaeology has been properly considered and as such is contrary to paragraph 128 of the NPPF.

6.6 The use of Low Road to serve the development would lead to highway safety concerns through the intensification of an unsuitable junction with limited visibility contrary to Policy IMP8 of the South Norfolk Local Plan.

6.7 Insufficient justification for there being no affordable housing contrary to the provisions of Policy 4 of the Joint Core Strategy.

6.8 Depending on the comments of the Council’s Landscape Officer, the reasons for refusal may also include that insufficient information has been submitted to demonstrate that the implications for trees on-site have been properly considered and as such is contrary to Policy IMP2 of the South Norfolk Local Plan.

Contact Officer, Telephone Number Chris Raine 01508 533841 and E-mail: craine@s-norfolk.gov.uk
4. **Appl. No**: 2015/1221/F  
**Parish**: MULBARTON

Applicants Name : Lightsource SPV 27 Ltd  
Site Address : Land South of Brick Kiln Lane Mulbarton Norfolk  
Proposal : Installation and operation of a solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, fence and pole mounted security cameras, for the life of the solar farm.

Recommendation : Approval with conditions  
1. Temporary permission for 25 years removal of all equipment from site before expiry of time period. Not less than 12 months prior to the expiry or within 3 months of the cessation of electricity production a decommissioning plan shall be submitted.  
2. Decommissioning shall be in accordance with a decommissioning statement.  
3. In accordance with plans  
4. Construction traffic management plan  
5. Construction Traffic (Parking)  
6. Archaeological work to be agreed  
7. Ecology mitigation to be agreed  
8. Submission of Construction Environment Management Plan  
9. Surface Water  
10. Noise control management plan  
11. Dust control management plan  
12. Restrict hours of construction  
13. No loud speakers or warning devices  
14. Landscaping scheme to be submitted  
15. Landscaping management plan  
16. Replacement of dead or defective landscaping within 25 year time period.  
17. Retention trees and hedges  
18. Tree protection  
19. No external lighting unless agreed  
20. Details CCTV to be agreed including colour finish of poles

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 03: Supporting a prosperous rural economy  
NPPF 07: Requiring good design  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change  
NPPF 11: Conserving and enhancing the natural environment  
NPPF 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 1 : Addressing climate change and protecting environmental assets  
Policy 2 : Promoting good design  
Policy 3: Energy and water  
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 14: Habitat protection  
ENV 15: Species protection  
ENV 21: Protection of land for agriculture
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 Autumn 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.

Development Management Policies
DM1.1 Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.3 Sustainable location of development
DM1.4 Environmental Quality and local distinctiveness
DM3.9 Design Principles
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM4.2 Renewable Energy
DM4.10 Incorporating landscape into design

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.”

Planning History

2015/0796 Screening Opinion for a proposed solar farm Environmental Impact Assessment not required

Consultations

Parish Councils:
Mulbarton No objection to concept or operation. However, there are major concerns at the proposed large number of large vehicles needed to construct the development. This impact would be compounded by other committed developments in the village e.g. Hopkins Homes development.

Newton Flotman No objection or comments to make
3.2 District Member To be determined by committee in light of concerns about traffic access and management

3.3 NCC Highways No objection subject to conditions

3.4 Anglian Water Services Ltd No comments received

3.5 Lead Local Flood Authority No objection

3.6 Historic Environment Service Comments awaited in response to receipt of further information in respect of archaeology

3.7 Environment Agency No comments to make as it falls outside of their remit to comment

3.8 NCC Ecologist No objection in principle, landscape and biodiversity management plan to be revised to contain all the points within the submitted ecological assessment.

3.9 SNC Landscape Officer No objection subject to a condition for a detailed landscaping and management plan

3.10 SNC Conservation Officer To be reported

3.11 SNC Environmental Services (Protection) No objection – Main issues are noise and dust. Conditions required for a noise and dust management plan, restriction in construction hours

3.12 NCC Minerals And Waste Planning Officer No comments received

3.13 Historic England No objection

3.14 Natural England No objection

3.15 Public Rights Of Way No comments received

3.16 The Ramblers Association No comments received

3.17 Representations 13 letters of support have been received.

2 letters of objection have been received expressing concern at the traffic and highway safety implications, that there already others consented locally and they are enough and that they have a negative impact upon the character and appearance of the countryside.

4 Assessment

The site

4.1 The application site covers an area of approximately hectares 10.25 hectares located to the east of the village of Mulbarton.
4.2 The proposed site comprises 10.25 ha of agricultural land, and is surrounded by more agricultural land in all directions. To the north of the site is the carriageway known as The Rosery and to the north east is Brick Kiln Lane.

4.3 To the east of the site is public right of way and beyond this in a south-easterly direction is the Norwich to London railway line.

The proposal

4.4 The application proposes a 5MW solar farm on 10.25ha of agricultural land. Each solar panel would measure approx. 1.65m x 0.995m with them mounted on frames to give a maximum height of 2.5m, with the lower end being at 800mm above the ground. They are mounted with a landscape orientation arranged and would be installed at 20 degrees from the horizontal land level. The arrays would be laid out in rows running from east to west across the site. The mounting posts for the panels will be pile-driven into the ground to avoid the need for mass concrete foundations on the site.

4.5 A 2m high perimeter fence is proposed (of timber post and wire mesh construction) in addition to 16 CCTV cameras which would be pole mounted at 3m high.

4.6 There are 2 field transformers, 2 substations, 1 site transformer, 1 storage shed and 1 communication building are proposed. No floodlighting is proposed.

4.7 A grid connection will be via a connection point to the north of the site approximately 2kn from the application site.

4.8 Access to the solar farm and the construction traffic route will be via a private track which adjoins Brick Kiln Lane to the north of the site. It is proposed that the majority of construction traffic will access the site from the east A140 then onto Brick Kiln Lane and then into the site. There would also be some construction traffic arriving from a westerly direction (via the Rosary), this is envisaged to be for larger items only eg portacabins.

Assessment

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

4.10 In line with the Climate Change Act 2008 the National Planning Policy Framework (NPPF) sets a presumption in favour of sustainable development. Paragraph 17 of the National Planning Policy Framework identifies the Core Planning Principles which include supporting the transition to a low carbon future in a changing climate including encouraging the use of renewable resources as well as the need to recognise the intrinsic character and beauty of the countryside. Paragraphs 93-98 of the NPPF set out the government's planning policy on renewable energy.

4.11 Paragraph 93 makes it clear that it plays a key role in the delivery of renewable and low carbon energy which is central to the economic, social and environmental dimensions of sustainable development.

4.12 Paragraphs 97 and 98 of the National Planning Policy Framework are supportive of renewable energy subject to the impacts being acceptable; it states "that local planning authorities should recognise all communities should contribute to energy generation from renewable energy or low carbon sources". It does not require a need to be demonstrated for the energy they propose to generate. It also states that all applications should be approved unless material considerations indicate otherwise if the impacts are or can be made acceptable.
4.13 The publication of the Planning Practice Guidance (PPG) in March 2014 gave further guidance on renewable energy and solar farm projects. Paragraph ID: 5-003 states:

"The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them."

4.14 The PPG acknowledges that large scale solar farms can have a negative impact on rural landscapes particularly undulating landscapes, but also acknowledges well planned and well screened sites can have an acceptable impact on the landscape. It identifies a need to use previously developed and non-agricultural land where possible and if a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

4.15 The PPG also emphasises that the need for low carbon energy does not override environmental protections and consideration needs to be given to cumulative impacts of renewable energy development, there is also a need to consider local topography, protection of heritage assets, National Parks and Areas of Outstanding Natural Beauty as well as amenity.

4.16 Furthermore, the PPG emphasises that the need to address all planning considerations and stresses the need for renewable energy does not override environmental protection and concerns of local people need to be properly heard. It acknowledges well planned and screened solar farms can be acceptable provided the landscape impact can be addressed. It looks to provide solar farms on previously developed land where possible then lower grade agricultural land before higher grade agricultural land.

4.17 In terms of other national guidance/advice, solar energy remains a key component of the Government Strategy to produce renewable energy. The Department of Energy and Climate Change Solar PV Strategy Part 1 published in October 2013 sets out 4 guiding principles for solar PV, particularly relevant to planning is principle 3 which states that "solar PV should be appropriately sited with proper weight being given to environmental considerations such as landscape and visual impact.

4.18 The Department of Energy and Climate Change Solar PV Strategy Part 2 April 2014 states that solar energy is the most supported renewable energy, that there is a move towards commercial roof space installations and that it should be well sited and designed. The key principles of solar energy are to appropriately site them, give proper weight to environment considerations such as landscape and visual impact, heritage and local amenity and provide opportunities for local communities to influence decisions that affect them and gain some community benefit.

4.19 In an oral statement to the House of Commons, Planning Minister Nick Bowles stated that: "the policies in the national planning policy framework are clear that there is no excuse for putting solar farms in the wrong places. The framework is clear that applications for renewable energy development, such as solar farms, should be approved only if the impact on the landscape - the visual and the cumulative impact - is or can be made acceptable. This is a very high test".

4.20 At a local level, policy ULT13 in the South Norfolk Local Plan deals with renewable energy. This policy is generally consistent with the NPPF, but it does not provide a positive strategy and support for community led schemes as promoted by the NPPF. The key planning considerations relevant to the proposal include visual impact, pollution, highways,
protection of heritage assets and other designations. For the purposes of considering this application the policy can be given substantial weight.

4.21 The emerging development management policy DM4.2 also takes a positive approach to renewable energy projects as long as the adverse impacts do not individually or cumulatively outweigh the benefits, some weight can be afforded to it in making this recommendation.

4.22 In summary, the policy position is therefore generally supportive of renewable energy provision subject to there being no particular negative impacts in terms of site specific matters e.g. highway safety, visual impact, neighbour amenity.

4.23 In this instance the key consideration in determining the planning application are as follows:

- whether it is appropriate to provide this development in the open countryside and loss of agricultural land,
- impact on landscape,
- impact on residential amenity,
- impact on heritage assets,
- highway considerations,
- impact on ecology, and,
- impact on drainage and flood risk

Development in the open countryside and loss of agricultural land

4.24 Para 111 in the NPPF encourages the effective use of land by reusing brownfield land that is not of high environmental quality, para 113 of the Framework states that 'local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land.

4.25 Where significant development of agricultural land is demonstrated to be necessary, Local Planning Authorities should seek to use areas of poorer agricultural land in preference to that of a higher quality.

4.26 Para 103 ID:5-013-2040306 in the PPG states 'where a proposal involves Greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land and (ii) the proposal allows for continued agricultural use where applicable and or encourages biodiversity improvements around arrays. This was reinforced in Greg Barker MP’s speech on 25th April 2013. Policy ENV21 in the South Norfolk Local Plan also prevents development on best and most versatile agricultural land unless it can be accommodated within development limits, previously developed land or poorer quality agricultural land or the need for the development outweighs the agricultural consideration.

4.27 In respect of the above policy test, the size of the development is considered to be significant. Where this is the case the PPG sets out a requirement that a sequential test is carried out to demonstrate why, and firstly, previously developed land cannot be used and secondly, lower grade agricultural land sites have been discounted.

4.28 A sequential test has been submitted which looks at alternative locations for the development on previously developed land which demonstrates that there are no suitable sites within the district of south Norwich on previously developed land or rooftops and this therefore fulfils this requirement. It can therefore be concluded that there are not presently any suitable previously development land sites within the vicinity of a grid connection that are available and free from planning constraints such as flooding or scheduled monuments.
4.29 With regard to agricultural land, Para 112 of the NPPF states that:

'Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land'.

4.30 On a local level, Local plan policy ENV21 seeks to protect against the loss of the best and most versatile agricultural land (this is defined within the NPPF as Grades 1, 2 and 3a) unless it can be demonstrated that the development cannot be located within development limits, or on previously developed land or on poorer quality farmland, and the need for the development outweighs the agricultural considerations.

4.31 The applicant has undertaken soil sampling and confirmed that the application site is made up of the following:

32.7% - Grade 2
42.6% - Grade 3a
24.7% - Grade 3b

4.32 On the basis, it is necessary to consider whether the development could be located on poorer quality farmland as highlighted above.

4.33 The applicant has provided an assessment of the adjacent fields under their control to demonstrate planning constraints that make these less preferable than the current site, for example position in relation to public rights of way, presence of overhead power lines. It is considered that this provides a suitable assessment of available sites.

4.34 It is also evident that the applicant's holding does not have any lower grade land within its holding (grade 4 or 5) having checked Natural England's Agricultural Land Classification Maps.

4.35 The owner of the farm has submitted a statement confirming that in their experience the application site represents some of the poorest land that they farm. They have stated that the majority is heavy clay soil which has proven to be very tricky to farm over the years.

4.36 It should also be noted that the land in itself is not to be permanently lost to agriculture with the consent temporary and the development reversible by removing the panels and associated framework and in any event the applicant has expressed a desire to graze sheep on the site after the solar farm becomes operational thereby keeping it is agricultural use throughout the lifetime of the project.

4.37 In having due regard for the guidance contained in relevant PPG, on the basis of the above assessment, officers are therefore satisfied that there has been sufficient consideration of the choice of location in relation to agricultural land loss and there is no policy provision that weighs against the proposal being considered acceptable in principle in this regard.

Landscape

4.38 Government guidance in the NPPF and policy 2 in the JCS place a strong emphasis on the protection of the landscape and the countryside. In addition to the renewable energy policies, para 17 of the NPPF requires recognition of the intrinsic character and beauty of the countryside and para 109 seeks to protect and enhance valued landscapes.

4.39 A key consideration is the effect of a large area of solar panels and associated infrastructure on the character and appearance of this character type and also the wider landscape.

4.40 The application has been accompanied by a Landscape and Visual Impact Assessment. This document concludes that given the limited heights of the development coupled with
the well-established field perimeter vegetation the potential impacts upon the landscape are limited beyond the site boundary. This conclusion is considered to accurate by both the case officer and the Council’s landscape Officer. It is evident however, that further landscaping could be provided so as to limit the visual impact even further and this can be achieved via a suitably worded condition.

Residential amenity

4.41 Impacts on residential amenity largely relate to the loss of outlook, noise and disturbance and dust during construction through the installation of the panels and also vehicular movements and loss of privacy.

4.42 Noise, vibration and dust impacts are largely limited to the construction phase of the development which would result from the piling of the frames for the solar panels into the ground and the construction on site. It is considered that the separating distances to the closest neighbouring properties are such that no concerns are envisaged in this regard.

4.43 It should also be noted that any such impact would be of a temporary nature as they would relate to the construction phase only.

4.44 In terms of noise from the operational solar farm this would be limited to the substation and inverters which may generate additional background noise levels. Once again the separation distances to neighbouring properties mean that any such noise would not be significant in terms of compromising amenity.

4.45 In terms of impact of the coming and going of HGV vehicles along the construction traffic route, given the temporary nature of this process it is not considered that any significant adverse impacts on residential amenity result in this respect.

4.46 In respect of glint and glare as the panels are designed to absorb sunlight, glint and glare is not likely to occur from the panels themselves.

4.47 CCTV cameras are proposed around the perimeter of the site, but given the distance from the nearest residential properties, it is not considered that they would result in any significant loss of residential amenity in terms of loss of privacy.

4.48 The Environmental Protection team has confirmed that they have no objection subject to conditions.

4.49 In conclusion it is considered that the proposed development would not result in the amenity of residents being significantly affected and therefore the proposal accords with local plan policies IMP9 and IMP10.

Impact on heritage assets

4.50 The heritage assets which need to be considered as part of this application are archaeology and setting of listed buildings.

4.51 Relevant policies are Local Plan policy ENV9 in respect of archaeology, IMP15 and IMP18, DM policy 4.11 in respect of heritage assets. Section 12 of the NPPF sets out considerations required in respect of the historic environment.

4.51 In addition to the requirements of the Development Plan, section 66 of the Listed Buildings Act 1990 places a general duty, when considering proposals affecting a listed building or its setting, on planning authorities on paying special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess.
The application has been accompanied by an archaeological desk-based assessment and a Historic Environment Settings Impact Assessment.

In terms of archaeology, Historic Environment Services (HES) has requested that further work be undertaken prior to a decision being made. This has now been completed and the findings forwarded for consideration by HES. Their views will be reported orally to the committee.

In terms of listed buildings, Historic England has confirmed that it has no objection in principle to the proposal but highlights the need for the local planning Authority to have due regard for paragraphs 132 and 134 of the NPPF given that as reported in the Historic Environment Settings Impact Assessment there would be a level of harm to listed buildings, however these are not considered to represent significant harm in the report and this is agreed with by Historic England.

In the context of paragraphs 132 and 134 of the NPPF it is considered that the creation of renewable energy would bring forward some public benefits which would outweigh the limited level of harm. It is also evident that the proposal would also be in place for a period of 25 years only.

In respect of the Development Plan and the separate duties under S66 of the Act set out above, Officers consider for the reasons set out above that the development is acceptable resulting in no significant adverse harm to the setting of the listed buildings.

Highway considerations

The Highway Authority (NCC) has assessed the submitted traffic assessment and confirmed the following:

In assessing the options for construction traffic it proposes the use of Brick Kiln Lane route from the site to the east (to and from the A140) will be used as the construction route for the majority of the deliveries. Whilst this route is narrow, it has numerous well constructed access points that could be used as pull ins and a number of informal passing places. Whilst the additional turning movements that will take place to and from the A140 is not ideal, as this is for a temporary period it is deemed as acceptable.

Given the volume of likely traffic via this route there is the possibility that highway damage would occur and therefore the applicants to enter into a S59 Abnormal Wear and Tear Agreement covering the length Brick Kiln Lane from the site access up to and including the junction with the A140, to ensure that any damage sustained during the construction period is rectified. This can be secured via a construction traffic management plan which is to be agreed via planning condition.

Given the low height of the rail bridge (13 feet) on this route and also the weight limit imposed on this route (maximum 7.5 tonnes), the traffic assessment indicates that some construction traffic will have to approach the site from the west via The Rosery which has a wider carriageway width than Brick Kiln Lane. However, it is acknowledged that the Rosery has limitations insofar as it has frontage residential development without the benefit of any pedestrian footways and a prevalence of on-street parking, as such construction delivery traffic from this direction is to be kept to a minimum. This can also be secured via a construction traffic management plan which has been highlighted as being necessary in the above paragraph.

The current vehicular access which serves the private track into the field, is currently a simple field gate without any formal access radii onto Brick Kiln Lane. It is proposed to widen this to allow safe access and egress for the vehicles associated with the construction traffic. It is also evident that visibility could be improved, however, it is considered that given the temporary nature of the construction traffic proposed, the negative effects in
terms of hedgerow removal cutting back would be so harmful as it would be preferable to see a banksman employed to ensure site safety. This would be agreed as part of the construction traffic management plan condition to ensure that this is delivered.

4.62 The traffic assessment does clearly identify the likely traffic generation of heavy goods vehicles for the construction phase which is identified to last some 12 weeks and generate approximately 185 HGV deliveries over this period. Owing to the requirement to use smaller HGV than articulated vehicles will need to be used, the actual numbers of delivery/collection movements are anticipated to be 350+

4.63 A suitable location should be identified for the transfer site associated with transferring construction materials from larger to smaller vehicles. In addition, whilst a construction compound has been highlighted on a plan, further details on this are required. It is considered reasonable to agree both of these as part of the aforementioned construction traffic management plan.

4.64 In summary, it is considered that subject to conditions the proposal would have no adverse impacts on the safe and free flow of traffic and would accord with policy IMP8.

Ecology

4.65 The application was accompanied by an Ecological Assessment and the Landscape and Biodiversity Management Plan. These documents have been assessed by the Council's ecologist and they have concluded that the assessment is comprehensive, and that it addresses any ecological impacts which may be associated with this development.

4.66 In terms of the Landscape and Biodiversity Management Plan (LMBP) this needs to be revised to more fully reflect the Ecological Assessment submitted. The agent has done this and this has been forwarded to the Council's Ecologist for their views. These will be duly reported to the committee. It is anticipated that this updated document is now acceptable and accordingly a condition is required to ensure compliance with the LMBP.

4.67 Subject to the imposition of these conditions it is considered that the scheme is acceptable in respect of ecology and biodiversity and accords with policies ENV14 and ENV15.

Drainage and Flood Risk

4.68 NPPF section 10 and JCS policy 3 requires the flood risk and drainage of all developments to be considered to ensure that flood risk is not increased elsewhere, that satisfactory surface water drainage for the site is proposed and development on high risk flood areas is avoided where possible.

4.69 The application site is in Flood Zone 1, which is the lowest flood risk and as such there is no principle objection to the proposal.

4.70 The scheme has been assessed by the lead local flood authority (NCC) and they have confirmed that they have no objection to the proposal.

4.71 They do highlight that the grass beneath the panels be well maintained and/or a buffer strip be placed after the most down gradient row of panels as well as making the swales proposed an integral part of the surface water drainage strategy. It is considered that providing these could be reasonably secured via a condition.

4.72 The development is therefore considered to be in accordance with policy 3 in the JCS and paragraph 103 in the NPPF.
Other issues

4.73 In employment terms, the construction of the site will result in employment opportunities including some for local people, but given the contracts will be for relatively short term periods, little positive benefit can be afforded to this when making the decision.

4.74 Concern has been expressed that other solar farms have already been consented and/or constructed nearby and that no more are required. The existence of others within the vicinity does not represent a robust planning reason for refusal.

Financial considerations

4.75 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. 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.

4.76 This application is not liable for Community Infrastructure Levy (CIL) as there are no buildings which people would go into and therefore no liable floorspace.

5. Conclusion

5.1 The solar farm would make a positive contribution towards achieving green energy targets, tackling the challenges of climate change, lessening the dependency on fossil fuels and benefiting from energy security, which will adhere to the NPPF in terms of the paragraph 17 core principles, paragraph 93 which indicates that the delivery of renewable low carbon energy is central to the economic, social and environmental dimensions of sustainable development and paragraph 97 that communities have a responsibility to contribute to the provision of renewable energy. Considerable weight can be afforded to this.

5.2 It is evident that the scheme has due regard to reducing the impact on the local landscape, residential amenity, highway safety and the free flow of traffic, surface water drainage and biodiversity and impact of the development in these respect are acceptable or can be made acceptable through the imposition of planning conditions.

5.3 On balance therefore it is considered that the scheme is acceptable in planning terms and is therefore recommended for approval.

Contact Officer, Telephone Number Chris Raine 01508 533841
and E-mail: craine@s-norfolk.gov.uk
5. **Appl. No**: 2015/1233/RVC  
**Parish**: LITTLE MELTON

Applicants Name: Abel Homes Ltd  
Site Address: Land South East Of The Gardens Mill Road Little Melton Norfolk  
Proposal: Variation of conditions 3 - Off-site works & revised surface water drainage, 5 - revised drainage strategy & 11 - Highway Authority agreed adopted roadway of planning permission 2013/0086/O

**Recommendation**: Approval with Conditions

1. **Compliance with original Outline Permission time limit**
2. **Standard outline requiring reserved matters**
3. **In accordance with amendments**
4. **External materials to be agreed**
5. **Surface water drainage amount as agreed**
6. **Boundary treatment to be agreed**
7. **Water efficiency**
8. **Slab level to be agreed**
9. **Provision of fire hydrants**
10. **Landscaping management plan to be agreed**
11. **Highway Improvements – revised works**
12. **Implementation of highway improvements**
13. **Highways scheme – management and maintenance of roads**
14. **Tree protection to be agreed**
15. **Ecology management plan to be agreed**
16. **Full details of external lighting**
17. **Construction work noise scheme to be agreed**

1. **Planning Policies**

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

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

1.3 **South Norfolk Local Plan 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  
IMP 2: Landscaping  
IMP 6: Visual impact of parked cars (Part Consistent)  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
LEI 7: Open space provision in new development
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 Autumn 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.

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
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM3.15 Pollution, health and safety
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
DM4.6 Landscape Character Areas and River Valleys
DM4.10 Incorporating landscape into design
DM4.11 Heritage Assets

Planning History

2.1 2013/0086 Outline application including means of access for residential development and ancillary works Approved

2.2 2015/0253 Reserved matters application for appearance, landscaping, layout & scale following approval under the outline application (2013/0086) for residential development including access Under consideration

Consultations

3.1 Parish Council Drainage:
Development must not proceed until clarity of long term maintenance of drainage scheme
Developer should fund new pipes
SNC prepared to deal with the consequences as and when problems arise on the Great Melton Road pipeline
More effort to demonstrate existing drainage system around the site is fit for purpose
Development Management Committee

19 August 2015

Highways:
A traffic management plan for the whole area is required
Speed tables should be constructed to minimise the sound of
vehicles travelling over the tables

3.2 District Member To be determined by Development Management Committee due to
considerable public interest

3.3 NCC Highways Content with off-site works
New wording for condition provided

3.4 SNC Flood Defence Officer No objection to revised level of surface water discharge from site.
Details to be agreed through subsequent reserved matters/detailed applications.

3.5 Environment Agency No objections subject to taking regard to previous comments and
conditions.

3.6 Lead Local Flood Authority No comments received

3.7 Anglian Water Services Ltd No comments received

3.8 Representations 2 letters of objection both wish comments from previous applications to
be carried forward

Drainage
Pipework is unsatisfactory heavy rainfall could back up and flood Mill Road
Site more vulnerable to surface water that the applicants admit
If remedial work is required it should be at applicant’s expense.
Issues should be raised, clarifies and resolved before amendment is accepted.

Highway
Traffic will cause detrimental amount of traffic through pinch point and
along route to village hall
As the Parish Council have demonstrated the highway plan is
inadequate
The proposed speed tables will double impact through noise and
potential for water to lie between tables.
Do not believe residents have been properly consulted on proposed
highway changes

4 Assessment

4.1 Outline planning permission for a residential development on the site was granted on 30
April 2014 (2013/0086/O). All matters were reserved except for access, which was agreed
to be onto Mill Road.

4.2 This application relates to the variation of three of the conditions on the outline consent
(numbers 3, 5 and 11 of 2013/0086) which relate primarily to drainage and highway safety
matters.

4.3 It is considered that to best understand the request to revise the three conditions that it is
done in the following order, conditions 5, 11 and then 3.
4.4 Condition 5 is worded as follows:

"Development shall not begin until a detailed surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

i) Demonstration that runoff from the developed site shall not exceed 0.9 l/s as detailed within the surface water drainage strategy.

ii) Additional infiltration testing in the location of the proposed northern soakaways shall be carried out in accordance with BRE365, and the lowest infiltration rate of the three test runs taken as the representative infiltration rate. If the infiltration rates are found to differ from the rate of 1 x 10-6 m/s used in the modelling then the soakaway shall be redesigned and remodelled with this new rate and details submitted and agreed in writing with the LPA.

iii) Modelling shall be submitted to demonstrate that the proposed surface water management scheme has been adequately sized to accommodate the critical duration 1 in 100 year rainfall event (incorporating the recommended allowances for the potential impacts of climate change).

iv) Plans and drawings shall be submitted showing the locations and dimensions of all aspects of the proposed surface water management scheme.

v) Modelling of the contributing pipe network to demonstrate that there will be no above ground flooding in the 1 in 30 year climate change rainfall event, and to provide details of any volumes of flooding in the 1 in 100 year climate change rainfall event, along with plans and drawings showing where any floodwater will flow and be stored, to prevent flooding of buildings or offsite flows.

vi) Submission of a maintenance plan along with details of who will be responsible for the maintenance of the surface water drainage scheme over the lifetime of the development.

Reason for condition:
To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system for the lifetime of the development."

4.5 The request to vary this condition seeks to amend the previously agreed condition by amending the runoff figure from 0.9 litres per second (l/s) to 1.7l/s as set out in criterion i) of the agreed condition.

4.6 In terms of the increased run-off rate, this request is based upon the site having been shown to have unsuitable soil for infiltration drainage at 0.9l/s and that the water run-off will be restricted to 1.7 l/s. It is evident that the Environment Agency requested this condition initially and they have been reconsulted in respect of the revised wording. They have confirmed that they have no objection to this request. This revision has also not been objected to by Anglian Water or the Council’s Flood Risk Officer.

4.7 In summary it is considered that it is acceptable in planning terms to vary the condition to reflect the increased run-off rate. It should also be noted that agreeing a suitable surface water drainage system remains a requirement which must be formally met via a discharge of condition application to the Local Planning Authority prior to the commencement of the development.

4.8 Condition 11 is worded as follows:

"Notwithstanding the details indicated on the submitted drawings, no works shall commence on site unless otherwise agreed in writing until a detailed scheme for a mini-roundabout at the Mill Lane junction with School Lane (as generally indicated on drawing no.2652.102 Rev A) and a Traffic Calming Scheme with 20mph zone on Mill Lane (as
generally indicated on drawing no.2652.102 Rev A) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason for the condition
To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy IMP8 of the South Norfolk Local Plan.”

4.9 It has become apparent that a section of the off-site highway works referred to above in the drawings in the above condition could be more appropriately laid out and accordingly an amended plan has been submitted to this effect. Therefore the above condition needs to be amended to reflect this updated drawing no (2870.03_P3). The Highway Authority is content with the proposed off site works and has provided amended wording for the condition.

4.10 Concerns have been raised by local residents in respect of the highway implications of the scheme, however, these mostly relate back to the principle of the development and matters that have been previously raised.

4.11 In summary the request to revise condition 11 is acceptable in planning terms.

4.12 Condition 3 is worded as follows:

“The development hereby permitted shall be carried out in accordance with the application form, plans and drawings and other documents and details submitted and the site location plan, Traffic Calming Plan and Junction Arrangements (drawing no.s 2652.102 REV O and 2652.101 REV A) submitted on 23rd August 2013 and the revised Surface Water Drainage Strategy (drawing no.2652.04 Rev F) submitted on 13th March 2014.

Reason for the condition
For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans, as required by the Spatial Vision and Spatial Planning Objectives of the Joint Core Strategy.”

4.13 Condition 3 sets out which plans the development should be carried out in accordance with, Given that officers consider that the request to vary conditions 5 and 11 are acceptable in planning terms as set out above, it is necessary to revise the listed drawing numbers in condition 3 to reflect the updated position.

Other considerations

4.14 Since the approval of the original outline permission for the site it has become apparent that great crested newts are present in the vicinity of the site. Condition 15 of the approval requires the submission and agreement of an ecological management plan prior to commencement of the development. With this in mind it is considered that this requirement can safeguard this protected species along with those others raised in the ecological report submitted as part of 2013/0086 as referred to in condition 15.

4.15 All other material planning considerations have not changed since the original outline application was approved, and remain as detailed in the previous committee report (Appendix 2). Subject to the conditions from outline permission 2013/0086 be re-imposed as part of this application

4.16 A Deed of Variation to the original S106 agreement is not required. The S106 agreement accompanying application 2013/0086 contains a clause to ensure that it remains applicable to all future planning permissions granted on the site.
4.17 The proposals have been considered against the Environmental Impact Assessment (EIA) Regulations 2011 (as amended). The environmental, social and economic impacts have all been considered and as detailed in the above report the impacts have been given due consideration. There are no significant environmental impacts that would require an Environmental Statement to be submitted with the application.

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

4.19 This application is not liable for Community Infrastructure Levy (CIL) as it is a variation of an outline which was approved prior to the implementation of CIL.

5. **Conclusion**

5.1 Subject to the imposition of the reworded conditions, it is considered that the proposals to amend the wording of the conditions in relation to site drainage and off site highway details are acceptable and accord with the development plan and material planning considerations.

5.2 Having assessed the application against the development plan the proposed development is considered to accord with saved policy IMP8 (Safe and Free flow of Traffic) of the South Norfolk Local Plan 2003, policy 1 of the Joint Core Strategy, the NPPF and the emerging policies listed in section 2 of this report and therefore the application is recommended for approval subject to conditions and the original consented scheme.

Contact Officer, Telephone Number and E-mail:

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Appendix 2

2. Appl. No: 2013/0086/O
Parish: LITTLE MELTON
Applicants Name: Mr I Clark
Site Address: Land South East Of The Gardens Mill Road Little
Melton Norfolk NR9 3NX
Proposal: Outline application including means of access for
residential development and ancillary works

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

Subject to:
• the resolution of drainage issues raised by Environment Agency and NCC Highways; and
• a section S106 Agreement in respect of:
  Affordable housing; County monitoring charge; Primary and High School provision; Library
  Service; Maintenance of biodiversity areas and Play Space.

Updates since 19th June 2013 Development Management Committee

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

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

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

Original Report

1. Planning Policies

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

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

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

1.4 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2.0 Planning History

All or part of site

2.1 2001/0125 Erection of stable and field shelter Approved
2.2 1999/0213 Dwelling and garage Withdrawn
2.3 1998/1790/O 3 dwellings Approved
2.4 1998/3545/O Residential development and access Refused

3. Consultations

3.1 Parish Council

Original submission:
- PC committed to minimizing scale of new development because of 2008 Parish Plan and inadequacy of roads within village.
- JCS designated 10 to 20 houses.

- 29 -
- Cannot understand why 68 proposed.
- Mill Road is a limiting factor.
- Highways have stated cross roads can only sustain 20 additional houses.
- PC consider Mill Road can only sustain 30 new houses in total.
- Submitted traffic forecasts do not accord with observed behaviour.
- Poor provision of public transport.
- High ratio of car ownership.
- Mill Road is single track in parts.
- Mill Road carries traffic to events at Village Hall, Church, Playing Field, Business Park, Hethersett.
- Events at these venues can coincide attracting 100 cars and causing traffic jams and parking problems.
- Mill Road poorly drained, prone to flooding and ice.
- Cumulative impact of development already approved at Hethersett and NRP.
- Concern about visibility, junctions, speed and volume of traffic exiting Little Melton at Rectory Land and Green Lane.
- PC request funding from development to provide measures to discourage rat running via School lane.
- Mill Road should have 20mph speed limit.
- School, pub and shop have associated traffic problems.
- Concern about future maintenance of play areas, ecology buffers and open space.
- Should not have street lighting.
- Drainage inadequate and existing drainage problems.
- Concern about future maintenance of drainage proposals.
- Creation of staggered junction with Gibbs Close will lead to accidents.
- Existing on street parking problems in vicinity of Gibbs Close junction.
- Infilling the open space on Mill Road with a junction leading to an estate will have a detrimental effect on the rural character of the village.

Revised scheme: Drainage information submitted

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

3.2 District Member

To be reported if appropriate

3.3 Flood Defence Officer

Original Submission:

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

Second Revised Drainage Submission

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

3.4 Norfolk County Council Flood & Water Management

No comments received

3.5 NCC - Planning Obligations

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

3.6 Environment Agency

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

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

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

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

3.7 NCC Highways

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

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

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

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

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

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

Revised submission Support

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

3.12 Play and Amenities Area Officer
- Preference for payment in lieu of provision of play equipment and 400sqm minimum space plus the expected commuted sum.
- Would be allocated to Parish Council to enhance and improve play facilities at local parish play area.
- Total in lieu of provision would be £55,418
- Requirement for open space/ green area on site.

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

Revised Submission:
- Building for Life and South Norfolk Place-Making Guide evaluation scored 9 greens and 3 ambers.
Development Management Committee 19 August 2015

3.14 Anglian Water Services Ltd:

- No assets owned by Anglian Water within site
- There is capacity for foul drainage flows at waste water treatment works.
- Foul sewerage network has capacity for flows
- Request condition regarding surface water disposal.

3.15 Historic Environment Service

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

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

3.16 Environmental Services (Protection)

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

3.17 Representations

One letter raising questions:

Letters from 12 properties objecting and making the following comments:

- Insufficient road capacity to cope with additional vehicle movements
- Road safety
- Mill Road not suitable for traffic
- Previous applications for building on the site were refused due to highways
- Restricted width of Mill Road
- Creating additional cross roads on Mill Road would be dangerous/hazard
- Mill Road floods between the Allotments and Ringwood Close
- Increase in traffic/Additional traffic
- Mill Road needs drastic changes to accommodate traffic
- Mill Road/Burnthouse lane/Scholl lane Junction is a death trap due to narrow piece of road with poorly designed footpath that cars park on that has caused minor shunts
- Grass verges are currently destroyed due to narrow road
- Entrance to Gibbs Close is used as a car park
- Lack of visibility when exiting properties onto Mill Road
- Concrete kerbs should be put in along grass verges to protect verges
- Traffic could go through to Great Melton Road
- Drainage on allotments cannot cope
- Current traffic speeds along road
- Used as rat run from Heathersett
- Roads need resurfacing
- Existing on street parking problems
- Speed limits and routing signs ignored
- Heavy lorries use Mill Road to access business park
- Cars drive over the footpath
- Access should be from Great Melton Road

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4. **Assessment**

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

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

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

- The provisions of the adopted Joint Core Strategy (JCS) allocates Little Melton as a Service Village. Settlements within the Norwich Policy Area (NPA) may also be considered for additional development to help deliver the 1800 dwellings in smaller sites within the NPA.

- The National Planning Policy Framework makes it clear that there is a presumption in favour of sustainable development, and that relevant policies in the local plan cannot be considered up-to-date where a 5-year supply of deliverable housing sites does not exist. The 5-year supply requirement also includes an additional buffer of 5%, brought forward from later in the plan. Appendix A of the Joint Core Strategy 2012/13 Monitoring Report shows that there was a supply of 4.42 years for the whole Norwich Policy Area at 31 March 2013. Since March there have been changes to some of the sites that make up the 5-year supply, both increasing and decreasing the supply; however, this remains the most recent published figure agreed by the three local planning authorities.

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

- The site appears to be deliverable (as defined by section 6 of the NPPF) in that it is available now and offers a reasonable prospect of the scheme being built and ready for occupation well within 5 years.

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

Principle of development

4.6 In this case, the application site is situated on land located outside the development boundary for the village. As members are aware, applications should be determined in accordance with the Development Plan unless there are material considerations of sufficient weight to dictate otherwise.

4.7 The NPPF makes it clear that there is a presumption in favour of sustainable development, and that relevant policies in the local plan cannot be considered up-to-date where a 5-year land supply of deliverable housing sites does not exist. The 5-year land supply requirement also includes an additional buffer of 5%. Whilst material considerations then need to be taken into account, the NPPF advises that development should be approved unless the 'adverse impacts of doing so would significantly and demonstrably outweigh the benefits'. The demonstrable lack of a housing supply (albeit an improving situation) carries significant weight in the consideration of the application.
Little Melton has been selected as a Service Village as it has a good range of facilities that enable it to meet local needs. These centres also benefit from good public transport services.

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

Deliverability

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

Character and appearance of area

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

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

Highway safety

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

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

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

Residential amenity

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

Affordable housing

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

Biodiversity

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

Infrastructure

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

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

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

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

Servicing

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

5. Conclusion

5.1 Whilst outside the settlement boundary, it is accepted that as at March 2013 there is not a five year supply of sites within the South Norfolk part of the Norwich Policy Area. The National Planning Policy Framework (NPPF) is clear and explicit that in such circumstances Local Planning Authorities should consider favourably sustainable development that would address that deficit. The lack of a five year supply and the requirements of the NPPF are strong material considerations in favour of this application.

5.2 The proposed development is considered to accord with Policy 2, IMP8, IMP9 and the NPPF which together with withdrawal of the highway objection and the lack of 5 year land supply, provide sufficient material considerations to warrant approval contrary to the SNLP. The proposed dwellings could be accommodated and designed to respect the character of the site and its surroundings; the amenities of the nearby residential properties will not be affected to a material degree; and the proposal would not give rise to a situation detrimental to highway safety.
5.3 Therefore, in the opinion of the Local Planning Authority, the proposal is considered acceptable subject to the issuing relating to surface water drainage and flooding being resolved, and no objection being raised by the Environment Agency to the revised details.

Contact Officer, Telephone Number  Liz Starling 01508 533681
and E-mail: lstarling@e-norfolk.gov.uk
6. **Appl. No**: 2015/1281/RVC  
**Parish**: MULBARTON

Applicants Name: Mr Chris Smith  
Site Address: Land East of Long Lane Mulbarton Norfolk  
Proposal: Variation of Condition 2 - Revised Dwelling types and/or siting to those previously approved upon Plots 4-8; 10-21; 103; 114-122 & 127-132 of permission 2014/0487/D

Recommendation: Approval with Conditions

1. Conditions on outline planning permission to be met  
2. In accordance with approved details  
3. Landscape management plan to be agreed  
4. Ecology management plan to be agreed

1. **Planning Policies**

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

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
Policy 7: Supporting Communities  
Policy 14: Key Service Centres  
Policy 20: Implementation

1.3 South Norfolk Local Plan 2003  
IMP 1: Design  
IMP 2: Landscaping  
IMP 6: Visual impact of parked cars  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
LEI 7: Open space provision in new development  
UTL 14: Waste collection and recycling  
TRA 1: Provision of pedestrian links:  
TRA 3: Provision of cycling facilities  
TRA 18: Off street parking provision  
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 Autumn 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
DM3.9 Design Principles
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM3.16 Outdoor play facilities and recreational space
DM4.1 Building Fabric Energy Efficiency, Carbon Compliance and Allowable Solutions
DM4.2 Renewable Energy
DM4.3 Sustainable drainage and water management
DM4.9 Protection of Trees and Hedgerows
DM4.10 Incorporating landscape into design

1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

2.1 2014/0487 Submission of Appearance, Scale, Landscaping and Layout of Permitted Development (following planning permission 2011/2093/O) Approved

2.2 2015/0063 Discharge of conditions 4, 5, 6, 7, 8, 10, 11, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24 and 25 of planning permission 2011/2093 - access, allotments, public open space and associated infrastructure Approved

2.3 2011/2093 Development of 180 dwellings (Use Class C3), access, allotments, public open space and associated infrastructure. Approved


3. Consultations

3.1 Parish Council No comments received

3.2 District Member To be reported if appropriate

3.3 SNC Environmental Waste Strategy To be reported

3.4 SNC Flood Defence Officer No objection. Provision has been made to accommodate the changes to the plots within the on-site drainage systems. The discharge rate from the site is to remain unchanged and that an allowance has been made to decrease the length of pipes and increase the attenuation pond at the north-west corner of the site in order to achieve this.

3.5 SNC Environmental Services (Protection) To be reported

3.6 Public Rights Of Way No objection

3.7 NHS Norfolk No comments received
3.8 SNC Play and Amenities Officer  No objection

3.9 Natural England  No objection

3.10 Anglian Water Services Ltd  No comments received

3.11 The Ramblers Association  No comments received

3.12 Police Architectural Liaison Officer  No comments received

3.13 SNC Affordable Housing Enabling & Strategy Officer  No objection. The revised plan shows the same property types.

3.14 Historic Environment Service  No comments received

3.15 Historic England  No objection. Does not fall within one of the relevant categories or reasons for seeking the advice of Historic England.

3.16 Environment Agency  No objection. Having reviewed the information and associated calculations/drawings we have no objections to the revised scheme.

3.17 SNC Landscape Officer  No objection. Verbal comments received

3.18 SNC Conservation Officer  To be reported

3.19 Norfolk Wildlife Trust  No comments received

3.20 NCC Highways  No objection. The most recent amendments have been carried out as requested to address the previous comments.

3.21 SNC Planning Obligations Coordinator  No comments received

3.22 Lead Local Flood Authority  No comments received

3.23 Representations  1 letter of objection has been received:

- Lack of infrastructure for increased traffic.
- Essential services, water, sewage, medical facilities and education have been ignored.
- Comments relating to the Traffic Management Report.

4 Assessment

4.1 This is an application for a minor material amendment to 2014/0487 which was granted reserved matters approval for 180 dwellings with associated access, allotments, public open space and infrastructure.
4.2 The site is located on the south east corner of Mulbarton. Its northern boundary runs along ‘The Rosary’ and its western boundary along Long Lane. Further to the west is an ongoing development known as Mulberry Gardens and The Rosary on the north, which contains existing residential properties on both sides of the road. The eastern and southern sides of the application site are adjacent to open farmland.

4.3 The amendment relates to the reconfiguration of part of the surface water drainage infrastructure and road layout within the development which has the effect of amending some of the dwelling types and siting of those previously approved upon plots 4-8, 10-21, 103, 114-122 and 127 – 132 of planning permission 2014/0487.

4.4 The principle of residential development on this site continues to be acceptable and as such the key issues relate to whether the amendments are acceptable in terms of design, the impact on highway safety, residential amenity, landscaping and surface water drainage. All other issues remain the same as reported in the Committee Report, ref 2014/0487 (Appendix 2) and I consider that no new planning issues are created as a result of the proposal.

Design and layout

4.5 In terms of design, the changes to the house types represent minor changes to the form, appearance and scale of some of the plots, with the overall style remaining the same. The massing, height, site coverage and detailing of the built form proposed continues to respond positively to the physical characteristics of the site and its surroundings by providing a mix of styles and features commonly found within this part of South Norfolk, including both casement and sash windows, segmental arches, panel doors, flat roof dormers, pentice boards, black painted plinths and brick dressing. As such, it is considered that the minor changes to the dwellings proposed, continue to fully integrate and enhance the character and appearance of the site and surroundings.

4.6 The layout of the development remains largely unchanged with only minor amendments to the layout of the previously approved plots 4-8, 10-21, 103, 114-122 and 127 – 132 of planning permission 2014/0487 to accommodate the reconfiguration of part of the drainage infrastructure and road layout.

4.7 As a result of the changes, the proportioning of the public open spaces to the north west and south east of the site have changed slightly to enable the repositioning of some of the plots and subsequent amendments to the road layout. The open space to the north west has subsequently increased slightly in size and the open space to the south east has decreased in size. The overall difference results in a net increase of public open space of 81 square meters.

4.8 The proposed layout and configuration of the open spaces continue to closely relate to the indicative masterplan approved as part of the outline consent and the previously approved reserved matters layout. This includes the site access from two vehicular access points (north and south) proposed on the eastern side giving access onto Long Lane, the arrangement of open spaces and the overall density parameters of development. These parameters establish a clear framework of spaces and character that incorporate areas of green space and landscape corridors through the development. This continues to help to create a distinctive character by the retention of existing landscape features and the provision of green wedges and informal open spaces around the edge of the development, which provide a subtle transition between the development edge and the open countryside. Having assessed the proposals I am satisfied that the layout and designs of the site and dwellings are acceptable and accord with JCS Policy 2 (Design).
Highway Safety

4.9 With regard to highway safety, the revised road infrastructure has been assessed by Norfolk County Council Highways who have confirmed that the most recent scheme takes account of previously raised comments that related to minor changes to turning areas and private drives, however, they have requested that they would wish to see a path from the end of the adoptable road adjacent to plot 107 across the open space so pedestrians do not need to use the private drive. The agent has confirmed that they do not wish to amend the scheme any further and that the pedestrian route to the east of the retained trees and hedge would enable access to the eastern portion of open space and links through to the proposed open space to the western portion of the site. With this in mind it is not considered that this represents a reason for refusal. In conclusion and having taken into account the technical information received from NCC Highways who have confirmed that the highways proposals amendments are acceptable, I am satisfied that the application accords with Local Plan Policy IMP8 (Safe & Free Flow Traffic).

Neighbour amenity

4.10 With regard to neighbour amenity, it is evident that the revised plots and house types continue to provide sufficient levels of amenity between one another in respect of light, outlook and privacy levels. It is also apparent that they continue to have adequate regard for those exiting properties within the locality. I am therefore satisfied that the development accords with policy IMP9 of the SNLP and the emerging Local Plan relating to residential amenity.

Surface water drainage

4.11 In terms of the surface water drainage strategy, the proposals have been amended to accommodate changes to the on-site drainage systems to make more efficient and effective use of the site. As a result plots 4-8; 10-21; 103; 114-122 & 127-132 of permission 2014/0487 have been revised as necessary to accommodate the changes.

4.12 The Flood Defence Officer has reviewed the amendments and confirmed that the agreed discharge rate of the site remain unchanged and notes that an allowance has been made to decrease the length of pipes and increase the attenuation pond at the north-west corner of the site in order to achieve the changes to the drainage systems. As such the Flood Defence Officer raises no adverse comments regarding the revised drainage strategy. The Environment Agency have also confirmed that the revised detailed surface water designs, calculations and proposed attenuation storage have been assessed and are considered acceptable to meet the requirements of the Environment Agency.

Landscaping

4.13 The landscaping proposals remain unchanged. As required by the outline planning permission, a scheme of landscaping measures have been submitted with the approved reserved matters application ref 2014/0487, providing details of planting species, size and general locations. Within the site the new public open spaces, allotments and play areas as outlined will be supplemented with additional planting to enable them to form visually attractive areas. In addition to this all the conditions from consent 2011/2093 and 2014/0487 have been re-imposed that require a detailed landscape scheme to be submitted and landscape management plan, including a hedgerow assessment, long-term design objectives, management responsibilities and maintenance schedules for all non-domestic landscape areas. I am therefore satisfied that the proposals accord with Local Plan Policy IMP2 (Landscaping).
Conditions and Section 106 Agreement

4.14 As this application seeks to vary the original consent, all conditions from consent 2011/2093 and 2014/0487 are recommended to be re-applied to this consent and amended where necessary to reflect the fact that some details have already been agreed e.g. archaeology and external materials.

4.15 A Deed of Variation to the original Affordable Housing Agreement is not required as the number of affordable houses and tenure remains the same as the original consent. All other contributions and planning obligations in the S106 agreement accompanying application 2011/2093 remain unchanged. The S106 agreement accompanying application 2011/2093 contains a clause to ensure that it remains applicable to all future planning permissions granted on the site.

4.16 The proposals have been considered against the Environmental Impact Assessment (EIA) Regulations 2011 (as amended). The environmental, social and economic impacts have all been considered and as detailed in the above report the impacts have been given due consideration. There are no significant environmental impacts that would require an Environmental Statement to be submitted with the application.

4.17 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.

4.18 This application is liable for Community Infrastructure Levy (CIL) for the additional floorspace (71sq.m.).

5. Conclusion

5.1 In conclusion, the amended scheme is considered to be acceptable in planning terms, having due regard to the design, layout, landscaping, surface water drainage, highways safety and amenities of neighbouring dwellings.

5.2 Having assessed the application against the development plan the proposed development is considered to accord with saved policies IMP1 (Design), IMP2 (Landscaping), IMP9 (Residential amenity) and IMP8 (Safe and Free flow of Traffic) of the South Norfolk Local Plan 2003, the NPPF and the emerging policies listed in section 2 of this report and therefore the application is recommended for approval subject to conditions and the original consented scheme.

Contact Officer, Telephone Number Chris Watts 01508 533765
and E-mail: cwatts@s-norfolk.gov.uk
Development Management Committee

Appendix 2

24 June 2014

Major Applications

   Parish : MULBARTON
   Applicants Name : Mr Christopher Smith
   Site Address : Land East Of Long Lane Muibarton Norfolk NR14 6AW
   Proposal : Submission of Appearance, Scale, Landscaping and Layout of
   Permitted Development (following planning permission
   2011/2093/O)

Recommendation : Approval with conditions
   1. Conditions on outline to be met
   2. In accordance with amended plans and documents
   3. External materials in accordance with materials schedule MUL/2 004
   4. Landscape in accordance with amended plans
   5. Requirement for alternative arrangement including management and
      maintenance arrangement for allotment land to the north if not
      delivered in 2 years

1. Planning Policies

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

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 7 : Supporting Communities
   Policy 15 : Service Villages

1.3 South Norfolk Local Plan 2003
   IMP 2: Landscaping
   IMP 6: Visual impact of parked cars (Part Consistent)
   IMP 8: Safe and free flow traffic
   IMP 9: Residential amenity
   LEI 7: Open space provision in new development
   UTL 14: Waste collection and recycling
   TRA 1: Provision of pedestrian links
   TRA 3: Provision of cycling facilities
   TRA 18: Off street parking provision
   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 at the end of 2014. In
   line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be
   applied to emerging policies as they advance through their preparation.

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1.5 Site Specific Allocations and Policies
Emerging site – S0141 1146

Development Management Policies
DM3.9 Design Principles
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM3.16 Outdoor play facilities and recreational space
DM4.1 Building Fabric Energy Efficiency, Carbon Compliance and Allowable Solutions
DM4.2 Renewable Energy
DM4.3 Sustainable drainage and water management
DM4.9 Protection of Trees and Hedgerows
DM4.10 Incorporating landscape into design
DM3.9 Design Principles
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
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DM4.2 Renewable Energy
DM4.3 Sustainable drainage and water management
DM4.9 Protection of Trees and Hedgerows
DM4.10 Incorporating landscape into design

1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

2.1 2011/2093 Development of 180 dwellings (Use Class C3), access, allotments, public open space and associated infrastructure. Approved

2.2 2011/0821 Screening Opinion for new residential development and accessible public spaces EIA not required

3. Consultations

3.1 Mulbarton Parish Council
Concern over medical centre parking, height of some three storey dwellings, removal of hedges and trees, wetland area, utility supplies, open space maintenance, parking provision and queries over highway improvements. (Due to timing of receipt of these comments, these matters will be addressed in full in the update report to Committee.)

3.2 Bracon Ash and Hethel Parish Council
Object. The doctors and school have insufficient capacity to cope with demand. Additional homes without additional provision for these two vital services is completely unacceptable. The additional traffic will cause further problems particularly around the surgery and school which vulnerable people are already struggling to access..
3.3 District Member
To be determined by Committee:
• Consideration needs to be given to South Norfolk Place-Making Guide.
• Plans include proposals for 2.5 and 3 storey dwellings and some courtyard parking.

3.4 Environment Agency
Original plans:
• Object. The plans do not include sufficient space to accommodate surface water attenuation basins.
Revised plans:
• No objection

3.5 Environmental Services (flood defence)
Original plans:
• Expect requirements of condition 14 of the outline approval to be met at a later date.
Revised plans:
• No comments received.

3.6 NHS Norfolk
No comments received.

3.7 Landscape Officer
Original plans:
• Requests details of tree and hedgerow survey assessments including tree constraints plans and a schedule and plan of the proposed tree and vegetation removal for the site and accesses.
Revised plans:
• Comments awaited, these will be reported to the Planning Committee on the 24th June.

3.8 Planning Policy
No objection.

3.9 Public Rights of Way
No objection.

3.10 Housing Strategy Officer
No objection.
• Satisfied that the affordable housing fulfils the requirement of the S106 Agreement.

3.11 Environmental Services (protection)
No objection.

3.12 NCC Highways
Original plans
• Revisions are required.
Amended plans:
• Confirmation of general acceptance, a full update will reported to the Planning Committee on the 24th June.

3.13 Natural England
No objection.

3.14 English Heritage
No objection.

3.15 Historic Environment Service
No objection.

3.16 SNC - Play and amenities Manager
Observation. It would be preferable to see open space centrally located.
3.17 Representations

3 local resident has provided objections to the most recent amended plans:
- The lanes are struggling with current traffic volumes with vehicles needing to mount verges and pavements, Hall Corner is a particular concern,
- Pedestrian safety needs to be fully considered,
- The site is notoriously wet, surface water run-off washes gravel onto the road which is dangerous,
- Concerns over the capacity of the Doctors Surgery,
- Continued concerns at plots 5 and 6 overlooking neighbour and associated tree loss,
- It is not desirable to remove the hedge or trees to facilitate cycleway as suggested by the Highway Authority

The Rich’s Trust who are responsible for the existing allotments to the north of the site has expressed concern that Hopkins have not approached them regarding the removal of trees and hedging to facilitate the allotments extension and that they do not agree to this. It is also stressed that the hedging and trees is on the land under the control of the Trust and not the applicant.

1 letter of support has been received with caveat relating to the need to provide a suitable surface water drainage scheme.

16 letters of objection have been received:
- Unacceptable increase in road traffic,
- Local roads are too narrow,
- Farm traffic is prominent in the locality,
- The scheme would compromise pedestrian safety,
- Solutions to highway related matters should have been resolved at outline stage,
- Open space is not practical and will not be used,
- Properties opposite the Rosery should be low rise so as not to dominate and be more in keeping with surroundings,
- Detrimental to listed buildings,
- Detrimental to heritage amenity,
- Destruction of the environment at Mulbarton Common
- Plots 5 and 6 would overcook existing dwelling
- Existing oak tree adjacent plots 5 and 6 should be retained, this would aid the continued presence of wildlife,
- Seems too late to consider scale,
- Negative implications on local sewerage system,
- Lack of consultation with the doctors surgery is concerning,
- Is a doctors surgery to be provided?
- Impact upon capacity of local services (surgery, school),
- Safety concerns during construction period and beyond
- Where will the pathway be and will it be lit?
- No improvement to village infrastructure
- Where will allotment users park?

4 Assessment

4.1 This application follows outline planning permission granted in December 2012 under application ref 2011/2093 for 180 dwellings. All matters were reserved apart from agreeing access arrangements. However, it should be noted that the approval did include conditions which required adherence to parameter plans which addressed the location of access roads, general landscaping and public open space. For this reason
the principle of erecting 180 dwellings, the landscaping, public open space and access are established and not before members for consideration.

4.2 Members will re-call that the outline permission was granted subject to the formation of a Section 106 Planning Agreement. The agreement related to the payment of developer contributions and other matters concerning the implementation of the development. The Section 106 Agreement was approved in March 2013.

4.3 This application now seeks the approval of reserved matters for the appearance, scale, detailed landscaping and layout of the development.

4.4 In line with paragraph 216 of the National Planning Policy Framework (NPPF) the due weight given to the saved policies of the South Norfolk Local Plan and the emerging policies of the new Local Plan as they advance through their preparation, is dependent on the degree of consistency with the NPPF. The relevant polices to this application that are considered to be consistent with the NPPF are listed above in Section 1. Some policies subject to objections have not been included in the list as these issues are unlikely to be resolved within the time frame of the application, and therefore should be afforded little weight. The Government launched the Planning Practice Guidance web-based resource on 6 March 2014, after this reserved matters application was submitted. The content of the guidance has been considered but in this case the Planning Practice Guidance is not considered to offer any further new significant guidance that would materially affect the advice contained in the NPPF.

4.5 As the principle of development and access to the site has already been established, the only considerations to take into account in this planning application are:

- Layout and appearance
- Scale
- Landscaping

4.6 The main impacts which need to be taken into consideration are:

- Highway impacts
- Residential amenity
- Character and appearance of the locality
- Drainage

Layout and Appearance

4.7 The proposed layout is closely related to the indicative masterplan submitted as part of the outline consent. This includes the site access from two vehicular access points (north and south) proposed on the eastern side giving access onto Long Lane, the arrangement of open spaces and the overall density parameters of development. These parameters establish a clear framework of spaces and character areas that incorporate areas of green space and landscape corridors through the development. This helps to create a distinctive character by the retention of existing landscape features and the provision of green wedges and informal open spaces around the edge of the development, which provide a subtle transition between the development edge and the open countryside.

4.8 The detailed design of the proposals provide a mix of styles and features commonly found in this location and within South Norfolk, including casement and sash windows, segmental arches, panel doors, flat roof dormers, pentice boards, black painted plinths and brick detailing. The Design and Access statement also includes an assessment of the site context that demonstrates how the dwellings proposed will fully integrate and enhance the character and appearance of the area.
4.9 The layout and appearance of the development proposals have been evaluated against the South Norfolk Place-Making Guide and Building for Life criteria which confirm that the layout and designs of dwellings are acceptable.

Scale

4.10 The proposed dwellings continue the form, scale and massing of the existing properties west of Long Lane and follows the general principles set out as part of the Design and Access statement submitted in support of the outline application. A combination of terraces, semi-detached and detached dwellings are proposed across the site that take on the form of higher density built forms along the existing north and west boundaries, reducing to lower densities towards the rural edges of the development. These help to act as an interface to the open space areas and beyond to the surrounding countryside and the existing built form to the north and west.

4.11 The majority of buildings proposed are two storeys in accordance with the principles established in the outline parameters plans. The development also proposes some two-and-a-half and three storey dwellings mostly confined to locations identified in the masterplan where definition around open spaces and key vistas help to enhance particular spaces. These principles are consistent with those in the South Norfolk Place-Making Guide and the variation in building heights helps to respond positively to the site context and create an overall sense of place.

4.12 In a similar way, single storey properties are proposed in the north-eastern corner of the site that respect the existing site context and outlook of residents of the adjacent single-storey dwellings to the north. A Building for Life assessment has been undertaken and will be verbally presented as an update to this report for committee.

Landscaping

4.13 As required by the Outline Planning Permission, a detailed scheme of proposed additional landscaping measures has been submitted with this Reserved Matters application, providing details of planting species, sizes and locations. Within the site, the new public open spaces, allotments and play areas as outlined will be supplemented with additional planting to enable them to form visually attractive areas. The Landscape Officer has confirmed that the proposed planting types are appropriate and it is evident that the proposals are broadly consistent with the indicative proposals as detailed within the outline application.

4.14 Following further revisions to the plans at the request of officers, additional planting has been provided along boundary walls on the east and south edge of the site and also along some of the hard boundaries facing Long Lane. This is now considered to be acceptable in terms of a softening impact and improvement to the transition between the countryside and edge of the site.

4.15 As part of the consultation process additional information was requested from the Landscape Officer regarding details of tree and hedgerow survey assessments including tree constraints plans and a schedule and plan of the proposed tree and vegetation removal for the site and accesses in order to be fully satisfied that the scheme will safeguard those existing trees which are worthy of retention. As yet this has not been received, however, it is envisaged that there are no significant issues in this regard, and any potential tree loss would not be so significantly harmful so as to create a reason for refusal of the application. A full update on this point will be provided to the Planning Committee including the comments of the Landscape Officer.
Development Management Committee

4.16 In summary the proposed landscaping is considered acceptable with regard to creating a distinctive and attractive form of development as well as assisting in minimising the impact of the built form from outside the site as well as not causing an unacceptable impact on views from the open countryside and the character of the surrounding area. Furthermore, any tree loss associated with the scheme is not considered to be significantly harmful to the character and appearance of the area.

Highway Impacts

4.17 It is noted that throughout the course of the application some local residents have expressed concerns relating to the increased amount of traffic that will be generated by the development proposals. However members should note that the means of access and the overall transport strategy for the site has already been approved by means of the previous outline permission and is not for consideration. The agreeing of the general layout of the development by means of a parameter plan as part of the same outline consent has also set the positioning of the internal access roads, car parking provision, access arrangements for the allotments and footpath / cycle links.

4.18 The exception to this is that as part of this application some amendments have been made to the location of some of the car parking spaces in response to officer comments to ensure they are better integrated in the development and do not dominate the street scene. The parking numbers for the dwellings themselves remains acceptable. The Highway Authority has confirmed that they have no fundamental concerns in respect of the most recent set of plans proposed for the site, with the exception of their wishes to see the cycleway not separated from the carriageway by the hedge. This in their opinion would assist with retaining the rural appearance of this road and help to restrict vehicle speeds. They also consider that it would create a narrow strip of open space with the maintenance liabilities inherited by a third party, and are concerned by the lack of natural surveillance. Whilst acknowledging these issues, it is evident that the position of the cycleway as proposed was deliberately designed in this way as to safeguard the existing hedgerow that exists along the western perimeter of the site. This is considered to represent an important and prominent feature within the locality which should be retained notwithstanding the aforementioned observations of the Highway Authority.

4.19 In conclusion, it is evident that with the exception of the cycleway, whereby the retention of the hedgerow is considered to outweigh the benefits of re-locating it, the scheme is considered acceptable in highway safety terms.

Residential Amenity

4.20 It is considered that the site layout has been designed in such a manor to avoid any direct overlooking or impacts in terms of overshadowing of habitable rooms of the nearby residential properties.

4.21 Where rear gardens back directly onto the site to the east of The Rosary the applicant has proposed single storey buildings. The design of the properties and additional planting along the boundaries help to minimise any direct impact on the amenity of existing properties and as such is considered acceptable. In a similar manor, where the development abuts Long Lane there is a generous distance between the existing properties to the west of Long Lane and the proposed development as well as the existing and additional proposed landscaping.
Development Management Committee

Drainage

4.22 The Environment Agency has confirmed that additional detailed surface water drainage designs and clarification of the locations of the proposed attenuation storage have both been received. The details have been assessed, and are considered acceptable to meet the requirements of the Environment Agency.

Other matters

4.23 Issues relating to the capacity of local services such as the doctor’s surgery have been raised. The principle of this development has already been established at the outline stage to this application. But even if the capacity of doctor’s surgeries had been raised at the outline stage it could not have been given weight in the consideration of the application as there is no identified need or requirement in adopted policy or other material planning considerations to ensure this.

4.24 The owner of the allotments to the north of the application site (Rich’s Trust) has confirmed that the removal of the hedgerow and trees required to facilitate the allotment extension proposed would be on land under their control, rather than the applicant’s. Furthermore, they have not been approached by the applicant with regard to the allotment extension, and are not agreeable to their removal at this time. It is evident that a decision can be reached on the acceptability of extending these allotments in planning terms at this time. However, given the aforementioned reservations of the Rich’s Trust, it is considered appropriate to make provision within any subsequent planning permission to ensure an alternative arrangement can be made for the use of this part of the site in the event that it is not taken up by the Rich’s Trust. It is considered that this could be achieved via suitably worded planning condition which would require an alternative being agreed with the Local Planning Authority, including details of the management and maintenance, if the allotment extension is not provided within 2 years of the first occupation of any dwelling. It should be noted that the scheme proposed does not involve the loss of any existing allotment space and as such the delivery of the allotment extension is not a requirement of any planning policy.

5 Conclusion

5.1 The appearance, scale, landscaping and layout of the development are considered acceptable in the context of the site and would not have a significant detrimental effect on the amenities of neighbouring dwellings or existing trees. The application accords with saved policies IMP1 (Design), IMP2 (Landscaping) and IMP8 (Safe and Free flow of Traffic) of the South Norfolk Local Plan 2003, the NPPF and the emerging policies listed in section 2 of this report and therefore the application is recommended for approval.

5.2 This application is not liable for Community Infrastructure Levy (CIL) as this is a reserved matters application following outline consent granted prior to the adoption of CIL.

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Other Applications

7. Appl. No : 2015/0290/F
Parish : HETHERSETT

Applicants Name : Mr David Local
Site Address : Former Allotment Land Canns Lane Hethersett Norfolk
Proposal : One bedroom single storey residential unit and access.

Recommendation : Approval with Conditions

1. Planning Policies

1.1 National Planning Policy Framework
NPPF 06: Delivering a wide choice of high quality home
NPPF 07: Requiring good design
IMP 9: Residential amenity

1.2 Joint Core Strategy
Policy 2 : Promoting good design
Policy 3: Energy and water
Policy 4 : Housing delivery
Policy 14 : Key Service Centres

1.3 South Norfolk Local Plan 2003
HOU 4: Residential development within the defined Development Limits of the
Norwich Policy Area settlements, and at selected locations along strategic routes
IMP 8: Safe and free flow traffic

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 Autumn 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
DM3.12 Road safety and the free flow of traffic
DM3.14 Amenity, noise and quality of life
DM4.9 Protection of Trees and Hedgerows

2. Planning History

2.1 2015/0290 One bedroom single storey residential unit and access. Under consideration
3. **Consultations**

3.1 Parish Council

Recommend refusal as not in keeping with local street scene.

Following consultation on amendments;

No further comments but recommend condition to control construction traffic.

3.2 District Members:

Cllr Bills and Cllr Dale

To be determined by committee due to potential impact on character of area, highways and parking issues.

3.3 SNC Flood Defence Officer

No objection subject to advisory note regarding surface water drainage.

3.4 SNC Environmental Services (Protection)

No objection subject to condition regarding contamination.

3.5 NCC Highways

Recommend conditions regarding provision of vehicular access and parking/turning areas.

3.6 SNC Landscape Officer

Trees likely to cause shading of proposed unit which could cause ongoing issues for the management of TPO trees.

Re-consultation on amendments;

Revised siting results in better relationship with protected trees.

3.7 Representations

1 letter of support but expressing concern about highway safety.

1 letter raising no objection in principle but commenting on design and proximity to protected trees.

5 letters of objection (including one letter with 5 names);
- Impact on character of surrounding area
- Out of scale with nearby properties
- Cramped form of development
- Visually intrusive, affecting setting of cottages
- Loss of established allotment and productive land
- Site significant for wildlife
- Loss of visual amenity
- Loss of parking
- Unsafe access in area used by schoolchildren
- Hethersett already has its housing allocation

Re-consultation following submission of amended plans;

5 letters of support;
- Would enhance appearance of site
- Affordable property at heart of village
- Will not worsen highways as clear view on exiting site
- In keeping with surroundings

4 letters of objection (including 1 letter with 5 names) which re-iterate objections raised in first consultation as outlined above.
4.1 **Assessment**

The application site comprises of an area of land (208 sq m) on the south western side of Canns Lane, close to its junction with Ketts Close and within the development boundary for Hethersett. In recent years, it has been cultivated by neighbouring residents under an informal agreement with the landowners and the plot is open to the road. This site is within an established residential area, is bounded by properties of varying sizes and is served by an access drive from Canns Lane which also serves a row of terraced cottages to the south. This area is characterised by established tree and hedge planting and there is an area tree preservation order in place which separates the application site from properties in Whitegates Close to the south east.

**Proposal**

This application seeks full planning permission for a detached bungalow to be sited in the western corner of this site. It is designed with an L shaped footprint and would have a total floor area of 44 sq m. It is designed with a pitched roof with an overall height of 4.8 metres (2.6 metres to eaves). The applicant initially proposed an external finish of coloured insulated wall panels and a corrugated roofing material. Following discussions with officers, it is now proposed to incorporate facing brick and roof tiles. The site would be accessed by a new vehicle access with two parking spaces and a turning area provided in front of the dwelling. Access to the cottages and parking areas to the south would be maintained.

**Principle of development**

The application site is within the development boundary for Hethersett as identified under policy HOU 4 of the South Norfolk Local Plan (SNLP) which is also classed as a 'Key Service Centre' within the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS). As such there is a principle in favour of residential development in this location and so this proposal would accord with policy HOU 4 of the SNLP and policy 14 of the JCS.

**Impact on the character of the area**

This part of Hethersett is characterised by a mix of residential properties, with older small cottage-style dwellings to the south of the application site and along Canns Lane and more modern medium-density development to the west and east. As a result, there is variety in both house styles and external materials. The proposed dwelling is single storey and very modest in size. This is a small plot, the dwelling has been sited towards its southern boundary, set back between 4 - 10 metres from the highway and with the main garden area to the east. The applicants originally proposed the use of contemporary pre-fabricated external materials but it was considered that such an approach would appear incongruous and out of keeping within this residential area. Following discussions with officers, it is now proposed to use traditional facing brick and roof tiles which better reflects existing materials in use in the surrounding area. Therefore, it is considered that the proposed dwelling would not appear cramped within this plot and would reflect the surrounding mixed pattern of development. As a result, it would have an acceptable appearance within the street scene and an acceptable impact on the character of the area.

**Concern has been expressed at the loss of this green space and the subsequent impact on visual amenity.** The applicants have confirmed that this site has only been cultivated by residents living nearby with their informal agreement. Therefore, this proposal would not result in the loss of any allotments or other designated open space.
Impact on highways

4.6 The proposed development incorporates a new access and two parking spaces to serve the dwelling. Concern has been expressed that an additional dwelling in this location would adversely impact on existing poor highway conditions. Canns Lane is a relatively narrow road which bends towards Queens Road to the north. However, the new access would be sited on the southern side of the road and so visibility leaving the site is considered adequate. As a result, NCC Highways have raised no objections subject to the imposition of conditions requiring the provision of the access and parking areas and the proposal accords with policy IMP8 of the SNLP.

4.7 Objections have also been raised to the loss of residents' parking on the southern end of the site. The applicants have confirmed that this has never been designated parking for any other property with any parking there by informal agreement. Therefore, this proposal would not result in the loss of any formal parking spaces.

Impact on neighbouring properties

4.8 The proposed dwelling would be well separated from neighbouring properties and, as it is single storey in design, would not be result in any loss of privacy likely to be harmful to their residential amenities. It is considered that any disturbance generated by vehicle movements along the adjoining access drive would have an acceptable impact within this built-up area and therefore is in accordance with policy IMP9 of the SNLP.

Impact on protected trees

4.9 The application site is separated from Whitegates Close to the south east by a row of trees which are covered by an area tree preservation order. The proposed dwelling was originally sited centrally within this plot and the landscape officer considered that its proximity to the trees would be likely to cause shading which would result in tree management issues in the future. The applicants have subsequently re-positioned the proposed dwelling to the western side of the application site which has increased its separation from the protected trees. The impact of this proposal on the protected trees is now considered acceptable and a condition is recommended to protect these trees during construction works.

Drainage considerations

4.10 Foul drainage would be disposed of via the main sewer. No objections have been raised by the Flood Defence Officer or Environmental Services who have recommended a condition regarding unexpected contamination and an advisory note regarding surface water drainage provision. Concern has been expressed that local water pressure is low and will be further affected by this development. This matter would not be considered as part of this planning application.

4.11 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 liable for Community Infrastructure Levy (CIL)
5. Conclusion

5.1 This site is within the development boundary for Hethersett where the principle of new residential development is considered acceptable. The proposed development is modest in size and would reflect the character and existing varied pattern of development in the surrounding area. The proposal would have an acceptable impact in terms of highways, neighbouring residential amenity and takes into account the nearby protected trees. Accordingly, this application is recommended for approval and is in considered to be in accordance with national and local plan policies.

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and E-mail: bskipper@s-norfolk.gov.uk
8. **Appl. No**: 2015/0744/F  
**Parish**: MUNDHAM

Applicants Name: Mr & Mrs Paul Cullum  
Site Address: Land North West of Birchview Mundham Common Road Mundham  
Norfolk  
Proposal: Construction of a new zero-carbon eco house

Recommendation: Refusal

1. **Planning Policies**

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

1.3 South Norfolk Local Plan 2003  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 14: Habitat protection  
ENV 15: Species protection  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
TRA 13: Corridors of movement  
TRA 19: Parking standards

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

1.5 Development Management Policies  
DM1.3 Sustainable location of development  
DM1.4 Environmental Quality and local distinctiveness  
DM3.1 Housing Quality  
DM3.12 Road safety and the free flow of traffic  
DM3.13 Provision of vehicle parking  
DM3.14 Amenity, noise and quality of life  
DM3.15 Pollution, health and safety  
DM3.2 Meeting housing requirements and needs  
DM3.9 Design Principles  
DM4.3 Sustainable drainage and water management  
DM4.6 Landscape Character Areas and River Valleys  
DM4.9 Protection of Trees and Hedgerows  
DM4.2 Renewable Energy
1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

2.1 No relevant history

3. Consultations

3.1 Parish Council
To the amended scheme. Neither objecting to or supporting
  • Feel the amendments have addressed our concerns regarding the negative impact of the proposed trees and hedge and raising of the bank
  • This will mean no new planting or increase in land height on the boundary facing existing residences
  • Pleased the applicant has been able to achieve his aims whilst addressing the residents' concerns
  • Other concerns raised still stand

To the original submitted scheme
  • Concerns re the shortcomings of the lane as the proposed access during construction and ongoing increase in traffic; maintenance; and why access could not be accessed from Mundham Common Road over land owned by the applicant
  • Loss of visual amenity and morning light to existing residents of Spring Hill
  • Whether the proposal is sufficiently innovative both architecturally and environmentally to warrant permission being granted
  • Would create a precedent
  • Would wish to see firm restriction to ensure no further development on the site put in

3.2 District Member
To be determined by committee
  • So that the relationship between the exceptional design/landscape can be weighed against the zero-carbon, which may not in itself be enough for permission to be granted

3.3 NCC Highways
  • The level of vehicular movements is not considered to be of a significant or severe increase in traffic levels on the public highway to warrant a highway recommendation of refusal.
  • If minded to approve consideration to whether the track can be improved in terms of surfacing and/or the provision of passing bays

3.4 SNC Environmental Services (Protection)
No objections subject to conditions

3.5 NCC Ecologist
No objections subject to conditions

3.6 Public Rights Of Way
No objections

3.7 SNC Landscape Officer
To be reported if appropriate

3.8 SNC Design Officer
Refuse (see assessment)
3.9 SNC Flood Defence Officer  No objections subject to conditions

3.10 Civil Aviation Authority  No comments received

3.11 Seething Airfield  No comments received

3.12 Representations  To the amended scheme
Residents of Springhill
- Appreciate the attempt to mitigate some concerns about the screening of trees on the border of Springhill, however this does not alter our substantial objection to this proposal or address our concerns re the proposed building, use of track, creation of new entrance and damage to residential and public amenity

To the original submitted scheme
16 letters of objection
- Mundham needs to stay as it is, full of natural old properties with a wealth of history and character
- Overshadow the track where people walk
- Significant negative impact on the footpath
- Create too much traffic, congestion and damage to single lane track
- Unsafe for children, pets and wildlife
- Too modern and stand out too much
- Precedent
- Ruin the scenery
- The proposal does not meet the 4 criteria of Para 55
- The standard of architecture is not enough to justify loss of open countryside, loss of residential amenity or its negative impact on highway safety and existing habitat
- Residents have enjoyed this unique and beautiful open outlook for many generations
- The development would diminish the rural character of this amenity
- Will light up and create noise on a currently quiet and dark area of the meadow
- Applicants only have agricultural fights of use of the track
- Use of a pre-existing track and access point on Mundham Common Road instead
- Detrimental impact on habitat of wildlife
- Loss of light to existing residential properties
- Proposed building and landscaping will fundamentally change the rural character of the area
- The use of so much concrete is not Eco friendly
- The sedum roof is not innovative
- Impact on groundwater table
- Potential for flooding
- Cannot be granted planning approval unless a proper Environmental assessment has been provided
- SNDC waste/recycling lorries are unable to come and collect our bins, so we have to take our rubbish to the end of the lane

1 letter of comment
- Concern re water management and the impact filling a proportion of the hillside with concrete and had-surfacing drives will have on the local environment and neighbouring properties
4.1 This application seeks full planning permission for the erection of a single storey dwelling with three bedrooms at land to the rear of Birchview, Mundham Common Road, Mundham. The site lies on an existing field/open grassland surrounded by hedgerows and mature trees. To the north and east lies the shallow valley of a tributary to the Chet. To the west is the small settlement of buildings known as ‘Spring Hill’. Historic maps and existing buildings demonstrate that this area was settled from at least the early C19. The present day buildings are a pleasing historic group of C19 vernacular red brick and timber buildings.

4.2 The Planning, Design and Access statement provides a comprehensive historic analysis and assessment of the existing character of the area, which can be summarised as being the naturally formed landscape of a Chet tributary, touched on by many years of agricultural activity (The area is located within the Chet Tributary Farmland area in the Place Making Guide). Scattered settlements are located within the existing wooded tributary valleys and are therefore partially hidden in views, with higher land remaining as prominent meadows.

4.3 A track leads down from this group of buildings to the valley floor of the stream, which has probably 'sunk' over time through agricultural droving/farm vehicles, resulting in the steeper embankment between the track and the development site at the point of the proposed entrance although this is flatter to the west. A footpath runs along the track to the south towards Loddon Road and the church of St Stephens Church.

4.4 The main issues in this case are; the principle of development in this location and design, highway safety, residential amenity and drainage

Principle of development and design

4.5 In terms of policy the site is outside any development boundary or village limit and as such any new dwellings would be considered contrary to policy ENV8 of the South Norfolk Local Plan (SNLP). No evidence has been put forward to support the proposal under this policy and therefore the erection of a new dwelling in this location is contrary to policy.

4.6 The National Planning Policy Framework makes it clear that there is a presumption in favour of sustainable development, and that relevant policies in the local plan cannot be considered up-to-date where a 5-year supply of deliverable housing sites does not exist. Mundham is situated within the Rural Policy Area which has a confirmed 5 year land supply of site 9.11. Therefore the 5 year land supply is not an issue for consideration within the determination of this planning application.

4.7 An exception to the above is Paragraph 55 of the NPPF which states that local planning authorities should avoid allowing new isolated homes in the countryside unless there are special circumstances such as the exceptional quality or because of the innovative nature of the design. Such a design should:
- Be truly outstanding or innovative, helping to raise standards of design more generally in rural area
- Reflect the highest standards in architecture
- Significantly enhance its immediate setting; and
- Be sensitive to the defining characteristics of the local area

4.8 The proposed development has been assessed in relation to each of the 4 elements of para 55, all of which must be satisfied in order for the proposed development to be supported.
a) Be truly outstanding or innovative, helping to raise standards of design more generally in rural area

4.9 The design is wholly contemporary and seeks to respond to and enhance the existing landscape rather than drawing upon traditional and vernacular forms of architecture. Other examples of houses with a similar design approach have been approved under paragraph 55 nationally. In terms innovation, the planning, access and design statement refers to ‘the supporting gabions will be filled with materials from the site which will be mixed with cement. This cementitious mixture will ‘set’ to create a solid structural element. This works with the sandy nature of the site. This is a completely innovative use of this construction technique and believed to be a ‘first’ in the UK.’ Further information has been supplied on the innovative aspects of the scheme with regard to the photovoltaics, the 12V system and lithium battery bank. The application can be considered to meet this criterion.

b) Reflect the highest standards in architecture

4.10 The building has an unusual circular form and seeks to ‘blend in’ through the remodelling of the landscape with a sunken garden and a wild meadow planting and grass seed mixture on the roof. The building is designed with an appropriate scale, and there is no reason to doubt that the building cannot be built to be fit for purpose, durable and well-built and pleasing to the eye. The architect has previously won a South Norfolk design award for a sustainable dwelling in 2007. The design of the dwelling is certainly well above average and this criterion can therefore be considered as being met.

c) Significantly enhance its immediate setting

4.11 The existing domed hill is an open space surrounded on three sides by falling land levels with a wooded area to the north, wooded areas and scattered building to the east in the tributary valley, and the depression/sunken track cluster of buildings to the west effectively this has created a prominent large open space of pasture, which rises above the surrounding land level, except with regard to the higher plateau land to the south. The result is an uncluttered and open feel of the meadow on the gentle brow of a hill contrasting with the denser wooded valleys of the immediate setting and providing a transition and views through to the arable fields to the south. Although there has been agricultural activity on the site, there are no characteristics relating to the existing landscape of the site or its setting that could be considered harmful or detrimental, and that could be improved through landscape enhancement.

4.12 The significant remodelling of the landscape of the hill to create the setting for the building and landscape additions will have a dramatic impact on the existing natural landscape character of the hill, reshaping the natural contours of the land. Following discussions with the applicant and agent, the revised proposal has relocated the features that were considered to ‘clutter’ the meadow and alter its natural character and appearance. The periphery of the field will be enhanced with additional tree planting and improved hedgerows, and the spoil from the excavation will be transferred to reinstate the partially removed/eroded north bank. The water scrape pond will be relocated to just outside the site to the south east where it will appear less incongruous within the existing depression near an existing pond. The western flank of the meadow will remain exposed without the additional tree planting, with a post and rail fence.

4.13 All these alterations are considered to be beneficial in terms of enhancement, however the fundamental issue remains that significant excavation and remodelling of the landscape is required to alter a naturally formed part of the open countryside in order to locate and construct the dwelling, its garden and the access. The erection of a dwelling on this site would not significantly enhance its immediate setting and therefore is not acceptable.
d) Sensitive to the defining characteristics of the area

4.14 The area is strongly defined by the intimate landscape created by the dispersed settlement structure of buildings set in shallow naturally formed depressions and valleys, interspersed with woodland, with more open meadows and pasture on slightly higher ground. The scheme proposes to excavate the existing naturally formed gently domed hill to create an artificial and unnatural depression accessed through a relatively sharply embanked cutting, within which the house and its garden will sit. This approach radically alters the existing natural landscape and will appear unnatural. The design can therefore be considered insensitive.

4.15 In view of the above it is therefore concluded that the scheme has failed to satisfactorily demonstrate that the proposed development would satisfy the stringent requires of paragraph 55 of the NPPF.

Highway safety

4.16 The proposal is accessed via an existing track leading to Springhill from Mundham Common Road. Whilst the Parish Council and local residents have raised concerns regarding the use of the track as set out above, the application has been assessed by the Highway Officer has raised no objections. As such it is considered that the scheme would accord with Policy IMP8 of the South Norfolk Local Plan 2003.

Residential amenity

4.17 Whilst there are a number of neighbouring properties in the vicinity of the site, it is considered that the design, combined with the distances of separation between the proposed and existing dwellings is such that the scheme would not result in any significant loss of privacy or amenities of other properties in the area, or any future occupants of the proposed dwelling. As such, it is considered that the scheme would accord with Policy IMP9 of the South Norfolk Local Plan 2003 and emerging Policy DM3.14.

Drainage/contamination

4.18 No objections have been raised by the Environmental Protection Officer in respect of contamination or drainage/flooding issues subject to the imposition of conditions.

Other matters

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

4.21 If approved, this application would be liable for Community Infrastructure Levy (CIL)

5 Conclusion

5.1 The proposal is considered to conflict with the aims of the Joint Core Strategy (JCS) and South Norfolk Local Plan (SNLP) and in particular is considered to be contrary to the requirements of Policy 2 of the JCS, Policy ENV8 of SNLP and paragraph 55 of the NPPF, and is recommended for refusal.
6 Reasons for Refusal

6.1 The proposed development is outside any Development Limit or Village Boundary as defined by the South Norfolk Local Plan. In the absence of any special need identified, the proposal conflicts with policy ENV8. The South Norfolk Rural Policy Area has 9.11 years residential land supply, so the overriding presumption in favour of sustainable development does not apply. The proposal does not satisfy the requirements of paragraph 55 of the National Planning Policy Framework (NPPF), particularly in relation to significantly enhancing its immediate setting and being sensitive to the defining characteristics of the local area. In view of the above the proposal is contrary to the Joint Core Strategy Policy 2 and South Norfolk Local Plan policy ENV8. Because the proposal development conflicts with the Development Plan and there are no other material considerations that override it, including the criteria set out in paragraph 55 of the National Planning Policy Framework (NPPF), the proposal is refused in accordance with paragraph 12 of the NPPF.

6.2 The significant remodelling of the landscape of the hill to create the setting for the building and landscape additions will have a dramatic impact on the existing natural landscape character of the hill, reshaping the natural contours of the land. In view of the above, the proposed new dwelling would be significantly harmful to its immediate setting and would also be demonstrably harmful to the defining characteristics of this part of South Norfolk. The proposal is therefore contrary to Policy 2 of the Joint Core Strategy and IMP2 of the South Norfolk Local Plan.

Contact Officer, Telephone Number Claire Curtis 01508 533788 and E-mail: ccurtis@s-norfolk.gov.uk
9. **Appl. No**: 2015/1051/H  
**Parish**: COSTESSEY

Applicants Name: Mr Affsor Ali  
Site Address: 7 Silvo Road Costessey Norfolk NR8 5EL  
Proposal: Retrospective conversion of car port to living accommodation.

Recommendation: Refusal

1. **Unacceptable loss of off-street parking**

Authorise enforcement action to secure conversion of the living accommodation back to use as a car port

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 04: Promoting sustainable transport

1.2 Joint Core Strategy  
Policy 6: Access and Transportation

1.3 South Norfolk Local Plan 2003  
IMP 8: Safe and free flow traffic  
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 Autumn 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  
DM3.12 Road safety and the free flow of traffic  
DM3.13 Provision of vehicle parking

2. **Planning History**

2.1 2005/2709  
Phase 2 (original outline consent 2001/1435)  
Approved  
– Proposed 167 dwellings 1, 2, 3 & 4 bedroom houses & apartments with associated garages, adoptable roads, private drives, parking, parking courts and footpaths

3. **Consultations**

3.1 Parish Council  
Refuse  
- Planning Enforcement Officer sent as a result of local objections  
- this is a breach of the covenant placed on these houses to comply with the planning condition requiring "HomeZone" status to be retained  
- owner is causing a blockage due to 7 vehicles being parked on shared surfaces in front of other dwellings, preventing neighbours accessing their own designated parking spaces and clocking access for bins, refuse vehicles and emergency vehicles  
- this should not be allowed to set a precedent on a development where parking spaces are already at a premium
Development Management Committee
19 August 2015

3.2 District Member Can be delegated
- some concerns with application
- have been informed they have four cars. When I visited they only had two cars but both were parked on the path resulting in school children walking in the middle of the road
- Queens Hills has parking problems already
- also concerned that if this is allowed the other households will then be able to do the same
- - no access to the back so I am assuming they have to place their rubbish bins on the path as I wouldn't of thought they would drag them through the house

3.3 NCC Highways Refuse
- removes all off-street parking
- it is recognised that parking limitations have a role in promoting travel choices in some locations, however given the distance from local services it is reasonable to assume the occupiers of this dwelling will have at least one motor vehicle
- this particular location already suffers from parking pressures and we would not wish to see the situation exacerbated
- many of the properties have the same parking arrangement as this property prior to the works being carried out. If the application is approved it would set a precedent for other residents to take the same measures leading to a very serious parking problem within the estate

3.4 Representations 12 letters of objection
- this household has removed parking access to their two designated spaces. If all homes did this it would lead to a more problematic issue around parking for all concerned
- sufficient parking on this estate has not been provided so allowing this application would be unreasonable and unfair
- obstructs pedestrian movement, very dangerous for all the young children around here
- to approve this would give the impression that residents could get away with whatever they want
- there have been two occasions when the road has been completely blocked by the occupants of 7 Silvo Road and their tradespeople
- potentially obstructs emergency access
- causes cars to park on the t-junction which greatly reduces visibility
- recognise that some people do already park on the street but they do still have the option of off-street parking which this property does not
- the physical appearance of the property is detrimental and not in keeping with the rest of the street.
- external storage of bins and building materials now needs to be the front of the house as they can no longer access the rear

4 Assessment

4.1 The application relates to a dwelling on the Queens Hills development where parking provision for the dwelling was provided through a garage accessed by a car port integral to the building. A condition was imposed on the planning permission for the original development (planning permission 2005/2709) and the neighbouring dwellings requiring
that the parking provision was retained for the parking of vehicles. In the case of this
dwelling, the integral car port has been converted to additional residential accommodation
which as a consequence prevents access to the garage to the rear. This application is for
the retention of this conversion.

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

4.3 A number of respondents have raised concerns with this application including Norfolk
County Council as the highway authority. The concern is because the consequence of this
development is that there is now no off-street parking provision specifically allocated to this
dwelling. The applicant now parks their vehicles immediately to the front of their property
which is a shared use area used by both pedestrians and vehicles.

4.4 Whilst in some instances residential parking on existing streets may be acceptable, this is a
location which already suffers from parking pressures. This development has led to an
exacerbation of this with additional on-street parking leading to an obstruction to the
movement of people and vehicles on the shared surface layout of Silvo Road and a
diminishment of the street scene.

4.5 It is also noted that there are a number of other properties in the area, both on Silvo Road
and Solario Road off which Silvo Road is accessed, which have this parking arrangement. If this development were to be repeated in more of these properties there would be a
significant cumulative impact of loss of on-street parking which the highway authority are
concerned would lead to a very serious parking problem within the estate.

4.6 As a consequence of this, it is considered that the conversion of the integral car-port,
coupled with the subsequent loss of the garage for parking, conflicts with both adopted
policies IMP8 and TRA19 of the South Norfolk Local Plan and emerging policies DM3.12
and DM3.13 of the Development Management Policies and is recommended for refusal.

4.7 As the development has been carried out, however, enforcement action will need to be
authorised in order to ensure the restoration of the car port. Clearly this will involve
expense to the applicant and time to arrange for the building works to be carried out and as
such a period of 6 months is proposed to allow for the works to be carried out.

4.8 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) as the additional floor
space does not exceed 100sqm.

5 Conclusion and Reason for refusal

5.1 The development, if permitted, would result in the loss of previously existing parking facilities
which would lead to an undesirable increase in on-street parking, to the detriment of highway
safety in conflict with policies IMP8 and TRA19 of the South Norfolk Local Plan 2003 and Policies

Contact Officer, Telephone Number Tim Barker 01508 533801
and E-mail: tbarker@s-norfolk.gov.uk
10. **Appl. No**: 2015/1289/H  
**Parish**: HINGHAM

Applicants Name: Mr & Mrs Smith  
Site Address: Hillfields, Hardingham Road, Hingham Norfolk NR9 4LX  
Proposal: Single storey rear extension.

Recommendation: Approval with conditions
1. Full Planning permission time limit  
2. In accordance with amendments  
3. No additional windows in the east elevation

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 07: Requiring good design

1.2 Joint Core Strategy  
Policy 2: Promoting good design

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

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 Autumn 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  
DM3.14 Amenity, noise and quality of life  
DM3.5 Residential extensions and conversions within Settlements

2. **Planning History**

2.1 2015/0777 Proposed single storey rear extension, extending 8m from the rear wall of the original dwelling house, with a maximum height of 3.44m and an eaves height of 3m.

3. **Consultations**

3.1 Parish Council  
Amended plans  
Refuse  
- Amendment does not alter the size of the proposed extension  
- Overall size nearly doubles footprint of the dwelling  
- The size combined with the height of the extension would cause it to be over-bearing, overshadowing and out of proportion with the surroundings  
- Flat roof not in keeping with dwellings or neighbouring dwellings  
- Unneighbourly development
Original plans
Refuse
- Unneighbourly development
- Overall size nearly doubles footprint of the dwelling
- The size combined with the height of the extension would cause it to be over-bearing, overshadowing and out of proportion with the surroundings
- Flat roof not in keeping with dwellings or neighbouring dwellings

3.2 District Member
To be determined by the Development Management Committee
- The size and scale of this full width extension will have an adverse effect on the amenity of the adjoining occupiers, especially given that this property is set back from its neighbours

3.3 Representations
Amended plans
1 letter of objection
- Original letter of representation still stands
- No concerns were raised in my previous letter in relation to the high level windows on the grounds that it was acknowledged that these would not result in any direct overlooking
- The windows are but a very small part of an extension which, in totality, does not reflect in any way the character and appearance of the property

Original plans
1 letter of objection
- Extension would project 5.39m beyond the present two storey projecting wing but to a depth of 8m along the boundary with my property
- Pleasant outlook from lounge doors, which provides direct access onto the patio and garden, will be entirely compromised and adversely affected
- Proposed extension is understood to breach a 45 degree line when drawn in plan which should not be infringed
- Extension will be 1.2m higher than the fence introducing a substantial bulk, 8m along the boundary. The parapet wall at the rear would measure approximately 3.2m
- Solid built mass at the height proposed would have a significant effect on the outlook from the door and side window of my lounge
- Impact would be un-neighbourly, oppressive and overbearing with some loss of light to, and overshadowing of, the patio space
- The extension contravenes Policy HOU19
- The design and form of the extension does not reflect the character and appearance of the property and does not sit comfortably
- A pitched roof would not be achievable due to the sheer depth of the extension and would result in an even greater loss of amenity
- No objection, in principle, to a more modest extension which does not infringe so significantly on my amenities and the outlook and enjoyment of my garden and patio space

4 Assessment

4.1 The property is a detached dwelling situated on a residential road, with open fields at the rear. It is within the development limits of Hingham. The dwelling is set back slightly from the properties either side.
4.2 The application seeks consent for the erection of a flat roof, single storey rear extension, projecting 8 metres. It spans the entire width of the rear elevation and incorporates the ground floor level of an existing two storey wing, which projects approximately 2.6 metres in the centre of the rear elevation, and, on the western side of the wing, replaces an existing garden room.

4.3 A Notification for Prior Approval for a Proposed Larger Home Extension was originally submitted for the proposed extension, however due to the existing, two storey wing, the proposal failed to comply with the specific criteria as it involved side extensions either side of the two storey wing which had a total width greater than half the width of the original dwelling. As such the proposal could not be considered as permitted development and this application was subsequently submitted.

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

4.5 The main issues for consideration are the design of the development and its impact on the amenities of the neighbours.

Design

4.6 The extension has been designed to use bricks to match those used in the existing dwelling. It has a flat roof approximately 3 metres high on the east side, with a parapet rising to approximately 3.2 metres on the rear and west side walls, and has two roof lanterns. The original plans included a number of high level windows in the eastern elevation, which I did not consider to be appropriately sited. These were subsequently removed and the east wall is now blank.

4.7 I have taken the concerns of the Parish Council and neighbour into consideration, however, the overall design has a somewhat contemporary appearance, which, on balance, I consider to be acceptable and will not have an adverse impact on the existing character and appearance of the dwelling. In addition, although the proposal will increase the footprint of the dwelling quite considerably, due to the scale of the existing dwelling and the size of the plot, I do not consider the increase to be disproportionate.

Residential Amenity

4.8 At its closest point, the dwelling is approximately 1.2 metres from the 1.8m fence along the side boundary. The side wall of the adjacent dwelling, The Beeches, is set forward and approximately a further 5 metres to the southeast. From the northeast corner of the dwelling the boundary angles slightly away. The proposed extension, projects straight from the rear elevation and its rear corner will be approximately 2.9 metres from the side boundary. The flat roof is 3 metres high on the eastern side.

4.9 I acknowledge the concerns of the Parish Council and the neighbours, and that this is a long extension close to the boundary. However, given the orientation of, and the distance between the existing dwellings, the proximity of the proposed extension to The Beeches, the height of the proposed extension, and the existing 1.8 metre fence, with an element of screening provided from the trees and shrubs within the neighbours garden, on balance, I do not consider that the proposal will be an overbearing or dominant form of development, to adversely affect the existing residential amenities of the occupiers of The Beeches to a material degree, by way of overshadowing, loss of light, or the setting of the scheme, significant enough to justify refusal. A condition has been recommended for no additional windows in the eastern side elevation, in order to protect the neighbours from any future overlooking.
4.10 With regards to the adjacent dwelling to the southwest, I consider the proposed extension is a sufficient distance away to not result in an adverse impact on the existing amenities of the occupiers to a material degree.

4.11 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.

4.12 This application is not liable for Community Infrastructure Levy (CIL) as the proposed new floor area does not exceed 100 square metres.

5. Conclusion

5.1 The proposed extension will not result in an adverse impact on the existing character and appearance of the existing dwelling and its setting, or on the existing amenities of the neighbours, in accordance with policies IMP9 and HOU19 of the SNLP and emerging Policies DM3.5 and DM3.14. It is therefore recommended that planning consent is granted, subject to conditions.

Contact Officer, Telephone Number: Rachel Flaxman 01508 533985
and E-mail: rflaxman@s-norfolk.gov.uk
11. **Appl. No**: 2015/1619/H  
**Parish**: HEMPNALL

- **Applicants Name**: Mr & Mrs Paul Scott  
- **Site Address**: Cydonia Field Lane Hempnall Norfolk NR15 2PB  
- **Proposal**: Proposed vehicle and pedestrian access. Existing access to be stopped up and infilled with hedging.

**Recommendation**: Approval with conditions  
1. Full Planning permission time limit  
2. In accordance with submitted drawings  
3. New Access Construction over verge  
5. Provision of parking, service  
6. Existing Access - Closure

1. **Planning Policies**

1.1 **National Planning Policy Framework**  
NPPF 07: Requiring good design

1.2 **Joint Core Strategy**  
Policy 2: Promoting good design

1.3 **South Norfolk Local Plan 2003**  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic

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 Autumn 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**  
DM3.12 Road safety and the free flow of traffic  
DM4.9 Protection of Trees and Hedgerows

2. **Planning History**

2.1 **2012/0996**  
Demolition of existing 2 bedroom single storey dwelling. Erection of new 2 bedroom single storey (bungalow) dwelling with attached garage. Temporary placement of mobile home.  
**Approved**

2.2 **2011/0160**  
Demolition of existing 2 bed bungalow with attached single garage, removal of old oil tank, removal of old septic tank. Placement on site of caravan for temporary living space during construction phase. Erection of new 2 bed bungalow with attached single garage, installation of new heating oil tank and bund, installation of new bio-disk foul waste treatment plant below ground.  
**Approved**

2.3 **2006/2410**  
Proposed new "Eco-House" dwelling  
**Refused**
3. **Consultations**

3.1 Parish Council
   To be reported if appropriate

3.2 District Member
   To be reported if appropriate

3.3 NCC Highways
   No objections subject to conditions

3.4 Representations
   To be reported if appropriate

4. **Assessment**

4.1 The site consists of a recently constructed, replacement dwelling with detached garage at the end of a group of dwellings on a narrow, rural lane, outside the development limits of Hempnall.

4.2 The approved plans for the replacement dwelling (2012/0996) utilised the existing access and turning on site. This application seeks a wider access further to the north and to close up the existing with hedging. Planning permission is required due to the proposal not being in accordance with the approved plans. The application is being reported to Committee because Mrs Scott is an employee of South Norfolk Council.

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

4.4 The NCC: Highways Officer has no objections to the proposal subject to the imposition of conditions.

4.5 Due to the position and design of the new access, I do not consider highway safety will be endangered or the free flow of traffic on the highway will be prejudiced.

4.6 There are no trees within the section of hedgerow to be removed and all the hedgerow along the remainder of the front boundary will be retained or replanted. Therefore, I consider that the proposal is an appropriate form of development in the countryside, and will not have an adverse impact on the appearance of the lane.

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

4.8 This application is not liable for Community Infrastructure Levy (CIL) as no floor area is proposed

5. **Conclusion**

5.1 The siting and design of the proposal is acceptable in respect of the aims of the Joint Core Strategy and South Norfolk Local Plan 2003 and in particular is considered to be in accordance with Policy 2 of the Joint Core Strategy and Policies IMP2 and IMP8 of the South Norfolk Local Plan, and emerging Policies DM3.12 and DM4.9. It is therefore recommended that planning consent is granted, subject to conditions.

Contact Officer, Telephone Number Rachel Flaxman 01508 533985
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# Planning Appeals

**Appeals received from 14 July 2015 to 7 August 2015**

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<th>Ref</th>
<th>Parish / Site</th>
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<tbody>
<tr>
<td>2014/0096</td>
<td>Wymondham Land South East Of 9 Spinks Lane Spinks Lane Wymondham</td>
<td>Mr T Skitmore</td>
<td>Erection of five new dwellings and garages with associated works to existing highway</td>
</tr>
<tr>
<td>2014/1642</td>
<td>Swardeston Land Off Bobbins Way Swardeston Norwich NR14 8DT</td>
<td>Jenkinson Properties Ltd</td>
<td>Outline application with all matters reserved except for access for demolition of existing buildings, residential redevelopment and ancillary works</td>
</tr>
<tr>
<td>2014/1903</td>
<td>Wymondham Little Dial Farm Station Road Spooner Row Wymondham Norfolk NR18 9SP</td>
<td>Mr Julian Freeman</td>
<td>Change of use of Land for Self Storage Purposes (B8 usage) and the siting of Storage Containers</td>
</tr>
<tr>
<td>2014/2077</td>
<td>Thurlton Land Rear Of Norman Close Thurton Norfolk</td>
<td>Tredwell Developments Ltd</td>
<td>Erection of 7 bungalows : 4 x 2-bed semi-detached bungalows (Plot 7 to be affordable in perpetuity) and 3 x 3 bed detached bungalows.</td>
</tr>
<tr>
<td>2014/2429</td>
<td>Hethersett Land Between Queens Road And Jaguar Road Hethersett Norfolk</td>
<td>Mr Jamie Bird</td>
<td>Erection of 22 new homes plus associated roads, landscaping and public open space</td>
</tr>
<tr>
<td>2014/2510</td>
<td>Deopham Pettingalls Farm Cottage Morley Road Deopham Norfolk NR18 9DG</td>
<td>Mr Philip Arundel</td>
<td>Removal of Condition 2 from Planning Permission 2009/1716 - Holiday Occupation</td>
</tr>
<tr>
<td>Ref</td>
<td>Parish / Site</td>
<td>Appellant</td>
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<tr>
<td>2015/0365</td>
<td>Needham Land South Of Whitehouse Farm High Road Needham Norfolk</td>
<td>Mr A Brice</td>
<td>Proposed permanent agricultural dwelling and garage/car port</td>
</tr>
<tr>
<td>2014/1327</td>
<td>Caistor St Edmund Land East Of French Church Farm And Paddock Barn Caistor Lane Caistor St Edmund Norfolk</td>
<td>Mr Andrew And Jill Halsey</td>
<td>Outline planning permission (all matters reserved) for one, four bedroom, single storey bungalow dwelling.</td>
</tr>
<tr>
<td>2014/2246</td>
<td>Barford Land South Of Pond Back Lane Barford Norfolk</td>
<td>Mr J Burgess</td>
<td>Erection bungalow with attached garage (revised application)</td>
</tr>
<tr>
<td>2014/2414</td>
<td>Caistor St Edmund Land South Of High Ash Farm High Ash Lane Caistor St Edmund Norfolk</td>
<td>Mr Daniel Skinner</td>
<td>Outline planning permission (with all matters reserved) for one detached, two storey, four bedroom, self-build dwelling and single storey double garage.</td>
</tr>
</tbody>
</table>