

# Brandon Parva, Coston, Runhall & Welborne Parish Council – Planning Meeting Minutes

Tuesday 3<sup>rd</sup> December 2019 at 7:30pm, Welborne Village Hall

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Parish Councillors present: Carolyn Bailey (vice chair) Clare Kay, Mike Webb and Clare Miller.  
Also in attendance: Bev Long (clerk)

## **1 Apologies for absence**

Apologies were received and accepted from Cllrs Simon Guest, Peter Wood and Andrew Egerton-Smith

## **2 Members declarations of interest in items on the agenda and requests for dispensation**

None

## **3 Planning matters**

### **3.1 Application – 2019/1934 – Conversion of barn to dwelling – Barn adjacent to Brick Kiln Farm, Welborne Common. Welborne. Amended. Full Planning Permission**

Councillors discussed the options regarding planning applicants attending a meeting to voice their opinions and give valuable information. It was agreed this was preferential and visits to planning applicants should only be undertaken by councillors as a group, not individual councillors and the meeting recorded as informal minutes. It was felt that individuals speaking and/or visiting applicants are very vulnerable to being misunderstood and possibly not an accurate representation of the council as a whole.

Councillors viewed the plans, discussed fully and agreed a refusal position with the following comments to be submitted to South Norfolk District Council;

**The Parish Council maintains its objection that the development would be an unsustainable form of development as set out previously**

*“The conversion of this building would represent an unsustainable form of residential development in the countryside. Moreover the amount of rebuilding required would exceed what would be reasonably necessary for a conversion and as such this represents a new house in the countryside for which there is no exceptional justification.*

*The building in question is of no architectural or historic merit and if it is no longer required for storage associated with the smallholding it should be demolished and the materials recycled.*

*Furthermore the proximity of the conversion to an adjacent livestock building is such that there is a foreseeable unacceptable harm to residential amenity from that livestock use.*

*The application should therefore be refused as inappropriate residential development in an unsustainable countryside location."*

**The Parish makes the following supplementary objection having regard to SNC policy DM2.10. That the proposal would fail to comply with the criteria of policy DM2.10 on the following basis:**

**DM2.10**

**[a]** This utilitarian building is available for agricultural use and its loss to residential use is highly likely to lead to a further application for a replacement building within a short period of time. The planning history of this parcel of land reveals considerable "creeping development" over time as the use of the land has evolved for a complicated mix of uses. It is quite foreseeable that the applicant will wish to replace this building space.

**[b]** The present building is black painted blockwork with functional doors and no window openings of note. This proposal would involve a significant change in materials and appearance by introducing timber cladding and glazed door / window openings and thus seriously and adversely altering the appearance of this unfussy functional rural building.

**[c]** A residential use here would not be sympathetic to its setting. Given the close proximity to the residential use to adjacent livestock keeping, noise, odours and disturbance from livestock could be a nuisance, particularly during anti-social times such as late evening and early morning and will result in harm to the living conditions of prospective occupiers. If this were to lead to closure of the livestock unit by reason of nuisance this would have harmful economic consequences. Great weight should be given to the safeguarding of economic activity having regard to the policies of the NPPF.

**Furthermore the Parish Council expresses concern in the most serious terms that District Council is at risk of misdirecting itself in law as to the proper material considerations by failing to correctly interpret and apply criteria DM2.10 [e] and [f].**

**The Parish Council notes that criteria [e] and [f] are additional requirements to criteria [a] to [d]. The Parish Council notes that the proper interpretation of this policy requires that the criteria [e] and [f] must both be satisfied in their own right by the use of the words "and" in the above paragraph and at the end of the criteria [e]. The Parish Council considers that there is insufficient evidence to be considered "compelling" to satisfy both [e] and [f] and that in all the circumstances it is highly unlikely that [f] could be credibly satisfied in any event.**

In relation to the two elements [e] and [f] the following objections are raised:

**[e]** The senior planning officer has mistakenly assumed that because the building is in amongst a working farm and also its location relative to transport links and a centre of population an employment use is not viable. It is considered that this conclusion is mistaken for the following reasons.

A small scale employment use in this building, (such as a workshop for a Small or Medium sized Enterprise (SME), could be accommodated with very limited conversion costs and little alteration of the building. Such a use could be readily operated to run compatibly with the working farm during normal business hours and would be unlikely to lead to amenity or nuisance complaints which could risk the longer term viability of the farming use.

The building is set away from other dwellings and as such an employment use in it could itself operate without causing amenity loss to neighbours quite apart from the relationship with the farm.

There is a need for small unit employment space for SMEs to become established in rural areas so that countryside residents do not need to travel to urban locations for work. The availability of small employment space in the countryside is essential to the long term sustainability of rural communities and can help to ensure that a wide range of services and facilities are available to them.

None of the evidence on the public website is compelling that the building cannot be viably converted for employment use.

[f] The building is neither historic nor traditionally constructed (it is neither timber framed nor clay lump etc for example) and the proposals will neither enhance the building being out of character (see comment (b) above) for what is a small, simple, utilitarian building.

The conversion will not enhance the setting of other nearby buildings. If converted it will appear as an unusual and out of character dwelling set well behind the linear form of dwellings along the road and in the middle of a mix of other uses.

**On this basis the application fails to comply with policy DM2.10 and should be refused.**

The councillors also discussed responses from the applicant published on South Norfolk District Council's planning portal and agreed that in relation to the applicants response regarding other applications that the Parish Council has commented upon recently it is considered that this use would introduce a new residential use which would be incompatible in character with a livestock use. In a recent case concerning the change of use of a builders yard building it should be noted that in that case a builders yard use, long understood in planning law to be "sui generis" and generally incompatible with residential and other business uses by its very nature, would have been removed and that application by affording a residential conversion would have moved in use from an incompatible use to a residential use quite compatible with the adjacent dwellings. There is no principle of precedent in planning law and the Parish Council considers each application on its own planning merits.

### **3.2 Any time limited planning matters**

None

The chairman closed the meeting at 8.18pm.