

# Planning Committee

16 January 2026

Agenda item number 7.1

## BA/2025/0313/HOUSEH 12 Manor House, Yarmouth Road, Thorpe St Andrew

Report by Assistant Planning Officer

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### Proposal

Rebuild existing brick driveway piers and the installation of timber gates.

### Applicant

Mr Jeremy Clarke

### Recommendation

Refusal of Planning Permission

### Reason for referral to committee

Material considerations of significant weight raised by District Councillor

### Application target date

23<sup>rd</sup> January 2026.

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## 1. Description of site and proposals

- 1.1. The application site contains a Grade II Listed dwelling known as Manor House and annexe. The house sits facing the River Yare to the south and is accessed from the north off the Yarmouth Road in Thorpe St Andrew. The house is attached to neighbouring Grade II\* Listed Walpole House and contains a northern wing, spanning off the rear of the building, towards (and abutting) the road to the north, containing the annexe. Manor Lodge and Well Cottage have, until recently, been used as separate residential units, but listed building consent was granted for them to be physically altered to revert back to one dwelling house and annexe (BA/2022/0318/LBC). They are now in one ownership and being used as one unit together with Manor House.
- 1.2. Manor House has recently been conserved to a high standard and the section which abuts the highway is now being repaired as allowed by application BA/2022/0318/LBC. The dwelling has a large, linear, landscaped garden which slopes down to the River Yare to the south. The nearest detached neighbours are, Manor Cottage, which sits to the highway and abuts the drive to Manor House and is also Grade II Listed and Manor Moorings (no.10) which sits to the immediate west of the application site. Both Walpole House and Manor Moorings have gardens which run immediately adjacent to the garden at Manor House. The site is within the Thorpe St Andrew Conservation Area.

## 2. Site history

- 2.1. BA/2007/0138/LBC - Alterations - both internal and external - and extensions to dwelling – Approved
- 2.2. BA/2006/3641/HISTAP - Application for Lawful Development Certificate - boat mooring on river at rear of property – CLUED Issued
- 2.3. BA/2020/0234/TCAA - T1: Prunus cerasifera - Reduce crown by 2m and thin crown by 20% - Granted
- 2.4. BA/2020/0412/TCAA - G1-3: Leylandii – fell – Granted

- 2.5. BA/2022/0318/LBC - Form two doorways to link properties. Re-fit bathrooms to shower rooms. Additional remedial works, repairs to windows & replace lime render Approved
- 2.6. BA/2023/0371/TCAA - T1 Prunus: crown lift to a height of 3m to facilitate maintenance underneath trees, reduce extremities of tree by 1.5m to negate bias. T2: Ash (dead) - fell. T3: Ash (dead) - fell. T4: Ash (dead) - fell. T5: Ash (dead) - fell. T6: Willow – fell hazardous stem with vertical fracture beam. T7: Willow - split trunk at 3m, pollard to 2.5m to regenerate. G8: Alders - severe dieback throughout crowns, fell. Any small trees which are dead within the Jenners Basin area to be felled. – Granted
- 2.7. BA/2023/0475/COND - Amendment to forecourt materials and plan, variation of condition 2 of permission BA/2022/0318/LBC – Approved
- 2.8. BA/2024/0044/HOUSEH - Landscaping including ground works and dismantling/ rebuilding of retaining walls, steps and other structures (part retrospective) – Approved
- 2.9. BA/2024/0045/LBC - Landscaping including ground works and dismantling/ rebuilding of retaining walls, steps and other structures (part retrospective) – Approved
- 2.10. BA/2024/0291/LBC - Remove chimney, replace roof tiles and roof windows. Alterations to boundary with Walpole House. – Approved
- 2.11. BA/2025/0088/HOUSEH - Erection of garden cabin – Approved
- 2.12. BA/2025/0108/LBC - Replace staircase, alterations to first floor structure – Approved
- 2.13. BA/2025/0258/HOUSEH - New retaining wall and lead weathering on existing wall top. Reinstate pier capping. – Approved
- 2.14. BA/2025/0259/LBC - New retaining wall and lead weathering on existing wall top. Reinstate pier capping. – Approved

### **3. Consultations received**

#### **Parish Council**

- 3.1. The Town Council, in its capacity as statutory consultee, raises no objections on the basis that there are similar entrances on the rest of Yarmouth Road.

#### **Norfolk County Council Highways**

- 3.2. The Highway Authority (LHA) is minded of planning history in relation to this site and indeed in respect to the provision of an access gate, to which the LHA have raised reservations due to the proximity of the gate to the highway, which remain with this application.
- 3.3. The A1242 Yarmouth Road is classified as a principal road within the Norfolk County Council Route Hierarchy, linking primary destinations and carrying high volumes of traffic. Notwithstanding the obstruction of the highway, it would result in interruptions to traffic and pedestrian movement on this important corridor and is also likely to give rise to conditions detrimental to highway safety and safe and suitable access. The LHA

not only have a duty to consider highway safety, but also the satisfactory function of the highway network, ensuring safe and free traffic flow.

- 3.4. The presence of other historic gated accesses on this corridor is clearly a matter of fact, and notwithstanding the level of their use does not set a precedent. Standards and guidance change over time, but any new proposals should meet with current requirements.
- 3.5. The LHA are clearly minded of automated systems for gate control and of their use in appropriate situations. However, the mechanisms mean that the opening of the gate is slow and does mean, even if activated in advance, is likely to still cause a vehicle to have to wait in the public highway. In noting the proposal here to have the gate closed from dusk till dawn, but clearly in winter months that period would conflict with peak hour traffic. Even if controlled by timer, appropriate seasonal changes would be required to address that and are likely to conflict with the reasons stated for the gates. Similarly, it is considered that any condition to ensure such operation in perpetuity would not be enforceable or meet the tests within the NPPF; nor address the LHA's concerns. The LHA clearly need to be assured that appropriate planning enforcement can be assured given the location and sensitivity of the highway corridor.
- 3.6. As with previous applications, the LHA reiterate they are not against the principle of a gate(s) and likewise acknowledge the applicant's reasons for such provision. However, the LHA retain that any gate should be located a minimum of 5m back from the highway boundary for the reasons stated with other appropriate security measures employed by the applicant to address the setting back of the gate, which appear not to have been duly considered.
- 3.7. Accordingly, given the above the LHA recommend the application be refused for the following reason. SHCR 34V The proposal involves the erection of a gate on the property/highway boundary adjacent to a classified highway (A1242 Yarmouth Road) which carries significant traffic movements. This gate represents an obstruction that endangers the satisfactory functioning of the local highway network. Contrary to Development Plan Policy DM23.

#### **BA Historic Environment Manager**

- 3.8. The proposed gates and gate piers are in a sensitive location forming the boundary to grade II listed Manor House and being immediately adjacent to 14 Yarmouth Road which is separately listed at grade II and within the Thorpe St Andrew Conservation Area. However, it is considered that the proposed works are appropriate and in keeping with the character of the area and the setting of the designated heritage assets and so I have no objection from a heritage or design perspective.

#### **Cllr Bowe**

- 3.9. The driveway is an established access point. The installation of a gate does not alter the physical dimensions of the carriageway or the existing reality of vehicle movements.

The merger of two properties into a single household has likely reduced vehicle movements by approximately 50%, mitigating any minor delays caused by gate operation. Traffic fluctuations on Yarmouth Road are already common due to buses, cyclists, e-scooters, and nursing home transport. The gate's impact is deemed negligible compared to these existing factors. At least four other properties on Yarmouth Road maintain gates adjacent to the footpath. Furthermore, the authority has approved high-density developments (e.g., Pinebanks) that will impact traffic significantly more than a single residential gate.

- 3.10. Under Section 17 of the Crime and Disorder Act, the Authority must consider the impact of planning on crime prevention. The property suffers from significant ASB due to its set-back location and proximity to a "halfway house" at an opposite property and adjacent to a public house/restaurant. They also have issues with passers by returning to parked cars on football home games at Carrow Road. Hard evidence (CCTV) exists for: drug storage and dealing within the driveway; vehicle interference, attempted theft, and vandalism; public indecency and fouling (toileting) near the residential entrance. The proposal to set the gate 5m back is rejected as it would preserve a secluded "alcove" for criminal activity and ASB to continue.
- 3.11. I would ask the committee to consider this in light of the National Planning Policy framework, section 8, paragraph 96. A neighbouring property has an access door opening directly onto the driveway. A gate is essential to prevent a young child from wandering onto the main road and to provide protection from hazardous drug paraphernalia (needles) and human waste. The applicants propose an electronically controlled gate with a dawn-to-dusk sensor, ensuring it remains open during peak daytime hours and secured during high-risk evening periods.
- 3.12. The benefits of mitigating documented crime, public health risks, and ASB significantly outweigh the minor, theoretical impact on traffic flow. Should the Planning Officer remain inclined to refuse the application, a formal request is made to refer the matter to the Planning Committee for a full hearing.

## 4. Representations

- 4.1. None received

## 5. Policies

- 5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).
- 5.2. The following policies were used in the determination of the application:
  - DM11 – Heritage Assets
  - DM21 – Amenity
  - DM23 – Access & Highways

- DM43 – Design

## 6. Assessment

- 6.1. The following section assesses the proposal against the Local Plan and other material considerations. The main issues in the determination of the planning application are the design, the impact on the heritage asset and the effect of the proposed access arrangements on highway safety and the operation of the local highway network, having particular regard to Policy DM23.

### Principle of development

- 6.2. The proposal comprises domestic works within the curtilage of an existing dwelling, including rebuilt entrance piers and the installation of a new driveway gate. While such works are acceptable in principle, they must accord with the Local Plan and the issues set out below.

### Amenity of residential properties

- 6.3. Policy DM21 requires that development provides a satisfactory level of amenity for occupiers and does not result in an unacceptable impact on the amenity of neighbouring properties, having regard to matters such as overlooking, overshadowing, loss of daylight/sunlight, overbearing impact, light pollution, odour, noise/disturbance and related effects.
- 6.4. In this case, the rebuilding of the existing brick driveway piers and installation of a timber gate at the access would not introduce any new windows, elevated structures, or other features that would give rise to overlooking, loss of daylight/sunlight, overshadowing, or an overbearing impact. The development is confined to the existing access point and boundary treatment and would not materially change the relationship with neighbouring dwellings. The gates will provide a form of security to the property, therefore enhancing the amenity value for the occupiers. On this basis, the proposal is considered to comply with Policy DM21 in amenity terms.

### Design & Heritage Assets

- 6.5. Policy SP5 seeks protection and enhancement of the historic environment, including securing a high standard of design that protects the historic environment and adds to local cultural heritage value. Policy DM11 expects development to protect, preserve or enhance the significance and setting of designated heritage assets, including listed buildings and conservation areas. In this case, the works relate to the introduction of a gate at an established access point. The submitted Heritage Statement confirms the driveway entrance is likely historic in its position and would not be relocated, with the works focused on introducing a traditional gate and rebuilding the piers to a slightly increased height. Importantly, it is stated that no historic fabric of either listed building would be affected by the proposals. Given the modest scale of intervention at the entrance and the use of a traditional form/material palette, the proposal would preserve the significance of the listed buildings and would not result in harm to the character or appearance of the conservation area. The proposal is therefore considered

acceptable in accordance with SP5 and DM11. A separate listed building application was submitted and approved on the 22nd of December 2025.

- 6.6. Policy DM43 requires development to be of a high standard of design, to respect and complement local character and distinctiveness, and (where relevant) to preserve or enhance the significance and setting of heritage assets through appropriate scale, form, materials and detailing. The proposal introduces a traditional-style timber boarded gate at an established access point, with entrance piers rebuilt marginally higher. The submitted details indicate a form and material approach that is consistent with the adjoining boundary treatment and the historic character of the site and Conservation Area, and the works would not result in visually intrusive or incongruous features within the street scene. On that basis, the development is considered to accord with DM43 in design terms.

### Highways and public rights of way

- 6.7. Norfolk County Council, as Local Highway Authority (LHA), objects to the proposal on the basis that the gates would be positioned on/at the property–highway boundary onto the A1242 Yarmouth Road, which is identified by the LHA as a principal route carrying high volumes of traffic. The LHA’s concern is the effect of introducing a physical obstruction at the back edge of the highway, with the realistic potential for vehicles to wait within the public highway whilst gates open/close, thereby interrupting traffic and pedestrian movement and adversely affecting both highway safety and the satisfactory functioning of the highway network. This is contrary to Policy DM23(a), which requires assessment of impacts on traffic capacity and highway safety.
- 6.8. The LHA has advised consistently that gates could be installed, but that to be acceptable here they must be set back a minimum of 5 metres from the highway boundary to avoid obstruction and queuing at the highway edge. The submitted scheme does not achieve that set-back, and no alternative mitigation is proposed which would address the identified risk to highway safety. The applicant’s suggestions that the gates could be conditioned to operate in a particular way (e.g. automated opening, timed or dusk-to-dawn operation) do not overcome the objection. The LHA’s position is that such operational controls would not remove the potential for vehicles to wait on the carriageway and, in any event, would not be capable of being secured and enforced in perpetuity through a planning condition. The proposal therefore fails to demonstrate compliance with DM23(a).
- 6.9. On the evidence before the Authority, specifically the LHA’s formal objection, the proposed boundary-positioned gates would introduce an avoidable obstruction on a sensitive, busy corridor, creating a danger to highway safety. . In addition, the highway objection cannot be resolved through condition or minor amendment. The application is therefore contrary to Policy DM23 of the Broads Local Plan.

## Other issues

- 6.10. Representation made by the Councillor refer to incidents of anti-social behaviour and criminal activity in/around the driveway (including alleged drug-related activity, interference with vehicles and public urination) and notes the gates as a means of deterrence. These concerns are noted. However, the planning system is not a mechanism for resolving site-specific criminal/anti-social behaviour incidents occurring on private land; such matters are primarily dealt with through the police and other relevant agencies.
- 6.11. While the Local Plan recognises that development should be safe and secure and that measures to reduce crime and anti-social behaviour should be considered, this does not displace the requirement to comply with the transport and access policy. Here, Norfolk County Council, as Local Highway Authority, maintains an objection on the basis that a gate at/adjacent to the highway boundary onto a principal route would introduce an obstruction with the potential for vehicles to wait on the public highway, to the detriment of highway safety and the functioning of the network. Policy DM23(a) requires proposals to be acceptable in highway terms and, where necessary, to incorporate appropriate mitigation (including access arrangements).
- 6.12. Even if some security benefits were accepted as a material consideration, it would not outweigh the highway safety harm identified by the Highway Authority and the resulting conflict with Policy DM23.
- 6.13. A separate Listed Building Consent (LBC) application has been submitted and has been approved. That consent relates solely to the effect of the works on the special architectural and historic interest of the listed building(s), their setting, and the character and appearance of the conservation area. The current report relates to the separate householder planning permission, which remains to be determined by Planning Committee. Importantly, the grant of Listed Building Consent does not grant planning permission and does not authorise the commencement of development where planning permission is also required. No works should be undertaken unless planning permission has been granted; if planning permission is refused, the proposed development could not be lawfully implemented notwithstanding the approved Listed Building Consent.

## 7. Conclusion

- 7.1. The proposal comprises the rebuilding of entrance piers and the installation of a timber driveway gate at an existing residential property. The works are considered acceptable in terms of residential amenity (Policy DM21) and, in design and heritage terms, would preserve the significance and setting of the listed building(s) and the character and appearance of the Conservation Area, and therefore accord with Policies SP5, DM11 and DM43.
- 7.2. However, highway safety and the efficient functioning of the local highway network must also be considered. Norfolk County Council, as Local Highway Authority, raises a

sustained objection to the siting of the gate at/adjacent to the highway boundary onto the A1242 Yarmouth Road, on the basis that it would introduce an obstruction with the realistic potential for vehicles to wait within the public highway whilst the gate opens/closes, interrupting movement and resulting in harm to highway safety and network operation. The proposal does not incorporate the mitigation the Highway Authority advises is necessary (including a set-back arrangement), and the concerns cannot be satisfactorily addressed through conditions. As a result, the development is contrary to Policy DM23 of the Broads Local Plan and is not acceptable.

- 7.3. Accordingly, notwithstanding the acceptability of the proposal in heritage/design and amenity terms, the conflict with Policy DM23 is decisive and it is recommended that planning permission be refused.

## **8. Recommendation**

- 8.1. Refusal of Planning Permission.

## **9. Reason for recommendation**

- 9.1. The proposed driveway gates, by reason of their siting on/at (or immediately adjacent to) the highway boundary onto the A1242 Yarmouth Road, would introduce an obstruction with the potential to cause vehicles to wait within the public highway while the gates open/close. This would interrupt traffic and pedestrian movement and would be detrimental to highway safety and the safe and efficient functioning of the local highway network. The proposal is therefore contrary to Policy DM23 of the Broads Local Plan.

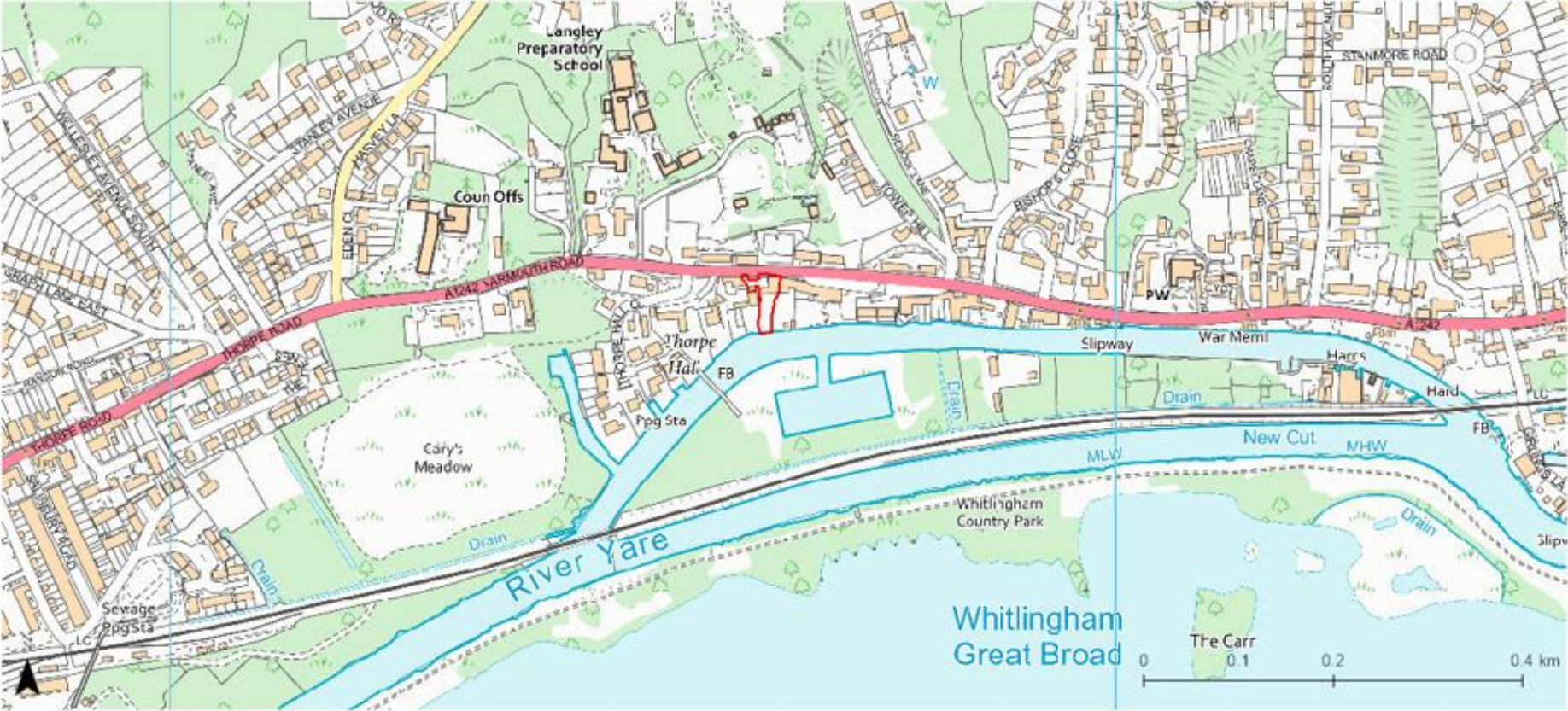
Author: Callum Sculfor

Date of report: 1 December 2025

Appendix 1 – [Location map](#)

# Appendix 1 – Location map

BA/2025/0313/HOUSEH -12 Manor House, Yarmouth Road, Thorpe St Andrew



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