

Development Management Committee

Members of the Development Management Committee:

Conservatives Liberal Democrats

Mr V Thomson Dr M Gray
(Chairman)
Mrs L Neal
(Vice-Chairman)
Mr D Bills

Mr B Duffin
Mrs F Ellis
Mr C Gould
Dr C Kemp
Mr G Minshull

Pool of Substitutes

Mrs Y Bendle Mr D Fulcher
Mr C Foulger
Mr J Hornby
Mr J Mooney
Dr N Legg
Mrs A Thomas

Pre-Committee Members' Question Time
9.00 am Blomefield Room

Agenda

Date

Wednesday 18 July 2018

Time

10.00 am

Place

Council Chamber
South Norfolk House
Cygnet Court
Long Stratton, Norwich
NR15 2XE

Contact

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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. Please note that where you submit your views in writing to your District Councillor, this is described as "lobbying" and the District Councillor will be obliged to pass these on to the planning officer, where they will be published on the website. Please also note that if you intend to speak on an application, your name will be recorded in the minutes of the meeting and kept on public record indefinitely.

This meeting may be filmed, recorded or photographed by the public; however, anyone who wishes to do so must inform the Chairman and ensure it is done in a non-disruptive and public manner. Please review the Council's guidance on filming and recording meetings available in the meeting room.

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

SOUTH NORFOLK COUNCIL – DEVELOPMENT MANAGEMENT COMMITTEE

Please familiarise yourself with this information if you are not in receipt of the agenda.

If the meeting room is busy, please use the upstairs public gallery until such time as your application is heard. You will need to be in the main meeting room if you wish to speak in regard to an application. Please be aware that the Committee can over-run, and if your application is later on the agenda it may be some time before your application is heard.

GENERAL INFORMATION ABOUT DEVELOPMENT MANAGEMENT

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 a Local Plan 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 adopted in 2014. It is the starting point in the determination of planning applications and as it has been endorsed by an independent Planning Inspector the policies within the plan can be given full weight when determining planning applications.

South Norfolk Council adopted its Local Plan in October 2015. This consists of the Site Specific Allocations and Policies Document, the Wymondham Area Action Plan, the Development Management Policies Document. The Long Stratton Area Action Plan was also adopted in 2016. These documents allocate specific areas of land for development, define settlement boundaries and provide criterion based policies giving a framework for assessing planning applications. The Cringleford Neighbourhood Development Plan was also 'made' in 2014 and Mulbarton Neighbourhood Development Plan made in 2016, and full weight can now be given to policies within these plans when determining planning applications in the respective parishes. Some weight can also be given to the policies in the emerging Neighbourhood Development Plan for Easton. 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 contradict policy will be recorded in detail to explain and justify the decision and the strength of the material planning reasons for doing so.

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.

A G E N D A

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

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

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

4. **Minutes of the Meeting of the Development Management Committee held on 20 June 2018;**
(attached – page 9)

5. **Planning Applications and Other Development Control Matters;**

(attached – page 19)

To consider the items as listed below:

Item No.	Planning Ref No.	Parish	Site Address	Page No.
1	2017/1197/D	COLNEY	Land Adj Norfolk And Norwich University Hospital Colney Lane Colney Norfolk NR4 7UY	19
2	2018/0465/F	WYMONDHAM	Kings Head Meadow Back Lane Wymondham Norfolk NR18 0QB	43
3	2018/0888/F	LITTLE MELTON	93 School Lane Little Melton NR9 3LA	49
4	2018/1033/F	SEETHING	Land To The South Of Holmlea Seething Street Seething Norfolk	57
5	2018/1042/O	HETHERSETT	Land West of Little Melton Road Hethersett Norfolk	72
6	2018/1325/RN	SOUTH NORFOLK	Hornsea Project Three Offshore Wind Farm	79

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 91)

8. **Date of next scheduled meeting – Wednesday 15 August 2018**

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 the right of the lobby as you enter the Council Chamber
Break	There will be a short comfort break after two hours if the meeting continues that long
Drinking water	A water dispenser is provided in the corner of the Council Chamber for your use

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

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

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

Key to abbreviations used in Recommendations

CNDP	Cringleford Neighbourhood Development Plan
J.C.S	Joint Core Strategy
LSAAP	Long Stratton Area Action Plan – Pre Submission
N.P.P.F	National Planning Policy Framework
P.D.	Permitted Development – buildings and works which do not normally require planning permission. (The effect of the condition is to require planning permission for the buildings and works specified)
S.N.L.P	South Norfolk Local Plan 2015
	Site Specific Allocations and Policies Document
	Development Management Policies Document
WAAP	Wymondham Area Action Plan



DECLARATIONS OF INTEREST AT MEETINGS

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

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

Does the interest directly:

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

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

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

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

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

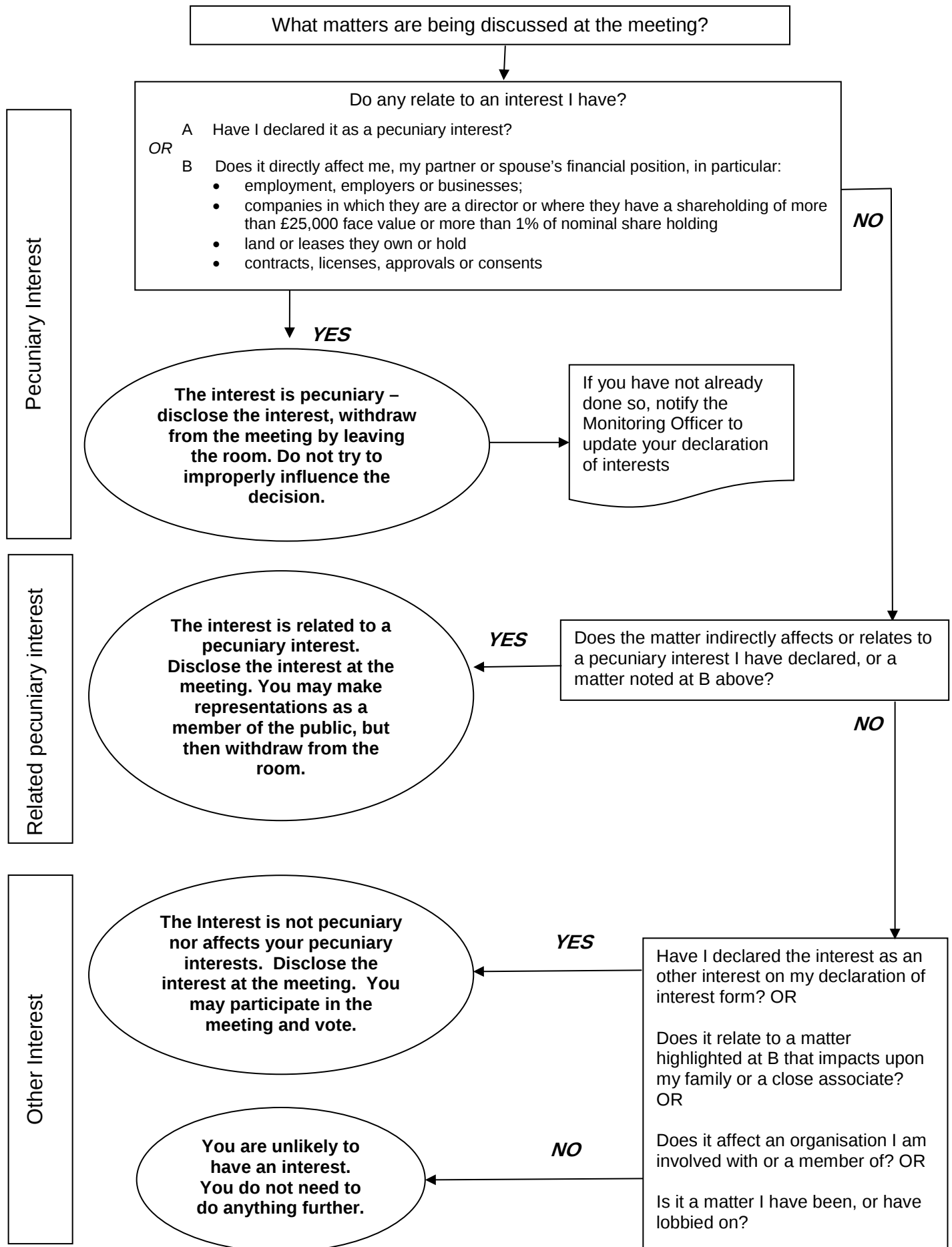
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF





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 20 June 2018 at 10.00 am.

Committee Members Present: **Councillors:** V Thomson (Chairman), B Duffin, F Ellis, C Gould, M Gray, C Kemp, G Minshull and L Neal

Apologies: **Councillor:** D Bills

Substitute Members: **Councillor:** J Hornby for D Bills

Officers in Attendance: The Development Manager (H Mellors), the Development Management Team Leader (R Collins), the Major Projects Team Leader (T Lincoln), the Senior Planning Officer (G Beaumont)

21 members of the public were also in attendance

393. DECLARATIONS OF INTEREST

The following members declared interests in the matters listed below. Unless indicated otherwise, they remained in the meeting.

Application	Parish	Councillor	Declaration
2017/1197/D (Item 1)	COLNEY	B Duffin and C Gould	Other Interest Members have relatives who work at the Norfolk & Norwich Hospital
2018/0804/F (Item 4)	ROYDON	All F Ellis	Local Planning Code of Practice Lobbied by the Applicant Other Interest Member's granddaughter had attended the school
2018/0912/F (Item 8)	EAST CARLETON	V Thomson	Other Interest Applicant is known to Member

394. MINUTES

The minutes of the Development Management Committee meeting dated 23 May 2018 were confirmed as a correct record and signed by the Chairman, with the following amendment to minute 389:

- C Kemp's declaration for item 3 to read 'Other Interest – Applicant was a client of Cllr Kemp's 20 years ago'.

395. PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS

The Committee considered the report (circulated) of the Director of Growth and Business Development, which was presented by the officers. The Committee received updates to the report, which are appended to these minutes at Appendix A.

The following speakers addressed the meeting with regard to the applications listed below.

APPLICATION	PARISH	SPEAKER
2017/1197/D (Item 1)	COLNEY	S Hackwell - Objector M Carpenter – Agent for Applicant Cllr C Kemp – Local Member
2018/0804/F (Item 4)	ROYDON	A Lamb – Applicant Cllr D Goldson – Local Member
2018/0877/O (Item 6)	THARSTON AND HAPTON	M Thompson – Agent for Applicant S Whymark – Applicant
2018/0878/H (Item 7)	PORINGLAND	T Bishop – Objector H Franklin – Applicant Cllr L Neal – Local Member
2018/0912/F (Item 8)	EAST CARLETON	G Davies – Agent for Applicant Cllr N Legg – Local Member
2018/1047/F (Item 9)	STOKE HOLY CROSS	J Venning – Agent for Applicant

The Committee made the decisions indicated in Appendix B of 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 Business Development.

396. PLANNING APPEALS

The Committee noted the report and were pleased to see a reduction in the number of appeals

(The meeting closed at 1.40pm)

Chairman

Updates for DEVELOPMENT MANAGEMENT COMMITTEE
– 20 June 2018

Item	Updates	Page No
Item 1 2017/1197	A flight trial was undertaken by Bristows on 17 June 2018 to test the proposed SAR helicopter corridor. Bristows, on behalf of NNUH, have commented that the routing of heavy helicopters in initial stages of departure or final stages of approach over areas of parked cars, property or that cannot be cleared of people are hazardous due to downwash effects. Proposed new corridor not viable in its present format. Will not be used by SAR without significant modification of ground features. Will require clear and controlled areas out to approx. 100m from landing site. If measures cannot be put in place, SAR helicopters cannot use helipad and alternative means will be required. Officer response: Officers will continue to work with the applicants, NNUH and Bristows to look at satisfactory mitigation measures to facilitate safe SAR helicopter operations.	23
Item 2 & 3 2018/0324 & 2018/0804	No update.	44
Item 4 2018/0804	The red line plan and application description have been amended to fully reflect the proposals.	49
Item 5 2018/0855	No update.	59
Item 6 2018/0877	Arboricultural officer's comments: The suggested landscaping improvements comprising of new hedging and trees are welcomed. An Arboricultural Impact Assessment would assist with the assessment of the existing trees on site with regard to the root protection areas of the trees, especially those to the south and calculation of present and future shade patterns regarding plot 4. I will also await Highways comments with regard to the visibility splay and subsequent quantity of hedgerow that would require removal. Officer response: An arboricultural impact assessment could be required with the reserved matters application to be taken into consideration in its determination. The highways comments are contained within the officer response, including the need to provide a sufficient access which would regrettably lead to the loss of vegetation on this frontage. However, as set out in the officer report, further landscaping would be sought by this proposal and the improved access would be a benefit in terms of highway safety.	67
Item 7 2018/0878	No update.	74
Item 8 2018/0912	Further information has been received from the applicant and copied to members, addressing the	79

	comments made by the landscape officer. In summary, they state: • The undeveloped land as shown on the site plan will be allocated to the new properties to manage. • We confirm that no construction related activities will be carried out or located in the blue land to the South East of the site so it was not considered necessary to submit arboricultural information. • The proposed boundary treatment to the PROW will be designed to ensure it does not become a corridor like space. • No access from the PROW to the open space is proposed. • We are happy for details of the road access, including the use of materials in character with the locality, and minimal kerb treatment at the existing road junction, to be conditioned. • We are happy for planting and landscaping to be conditioned. The Landscape Officer has commented on these additional points as follows: • A management plan should be conditioned for non-garden areas. • The fact that the poplar trees are on another party's land makes it all the more important to ensure they are not affected. The extent of the canopy/drip line is not the guideline for root protection. Without an arboricultural assessment, we cannot be sure that the existing trees will not be compromised. This cannot be left to condition to verify. • If planning permission is subsequently granted, we will need to have a tree protection condition. • It is not just the boundary treatments, but the width available. In my opinion, ideally the width allowed for the path should be greater than the current allowance between 'Woodlands' and 'Boundary House'. NCC Ecology response: No change to comments made on earlier application, as follows: There is considerable scope for increasing the biodiversity value onsite. I recommend that the section on 'mitigation' in the aforementioned letter is followed in respect of planting. Any new hedgerow planted should be of mixed native species. I would also like to add that no construction materials are stored near the boundaries and that everything is kept off the ground, on pallets if possible. Lastly any further clearance should take place outside of bird nesting season, 1st March – 31st August inclusive. Officer response:	
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	If approved, conditions would be required, which could include that set out above.	
Item 9 2018/1047	Amended plan received showing revised car parking layout. Reduced opening hours proposed Thursday – Sunday and bank holiday Mondays 09:30-16:00 Highway Officer: • Revised plan shows 10 car parking spaces • This covers the requirement for the proposed coffee shop and the residence and is likely to be adequate in most day to day circumstances. • Formal highway objection is withdrawn • There is still some concern that the parking provision will not cover for any additional seating that may be provided externally within the garden area for any events that may take place. Four additional letters of support raising no new issues. Four additional letters of objection raising no new issues other than concern over the increased load a café would put on the private sewer. Officer response: Remove highway reason for refusal in paragraph 5.4. Reduced opening hours do not overcome concerns previously raised. The capacity of the private sewer is a civil matter between the parties.	91

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**NOTE:**

Conditions of approval or reasons for refusal of planning permission as determined by the Committee are in summary form only and subject to the Director of Growth and Business Development's final determination.

Major Applications

- 1** **Appl. No** : **2017/1197/D**
 Parish : **COLNEY**
- Applicants Name : Bullen Developments Ltd
 Site Address : Land Adj Norfolk And Norwich University Hospital Colney Lane
 Colney Norfolk NR4 7UY
- Proposal : Reserved Matters for multi-storey car park, internal access roads, landscaping and associated infrastructure on Hethersett Lane for access, appearance, landscaping, layout and scale, together with the discharge of conditions 4, 5, 19 and 21 relating to outline consent from 2012/1880
- Decision : During the discussion, officers amended their recommendation to give delegated authority for the Director of Growth and Business Development to approve, subject to further consideration of mitigation in respect of downwash or other reasonable alternatives, as set out in the report and prior to the completion of a Section 106 agreement to ensure that only one multi-storey carpark is erected.

Members then voted 7-2 for **Deferral**

Reasons for Deferral

To allow officers to look at mitigation measures to facilitate safe SAR operations before referring the item back to Committee for further consideration

Other Applications

- 2.** **Appl. No** : **2018/0324/H**
 Parish : **STARSTON**
- Applicants Name : Mr Robert Taylor
 Site Address : The Lodge, Low Road, Starston, IP20 9NT
 Proposal : Single storey rear extension
- Decision : Members voted unanimously for **Approval**

Approved with conditions

- 1 Full planning permission time limit
- 2 In accordance with submitted drawings
- 3 Matching materials

3. Appl. No : 2018/0325/LB
Parish : STARSTON

Applicants Name : Mr Robert Taylor
Site Address : The Lodge, Low Road, Starston, IP20 9NT
Proposal : Single storey rear extension

Decision : Members voted unanimously for **Approval**

Approved with conditions

- 1 Listed building time limit
- 2 In accordance with submitted drawings
- 3 Matching materials

4. Appl. No : 2018/0804/F
Parish : ROYDON

Applicants Name : Mr & Mrs P Murton
Site Address : Land Adj To Pumping Station Brewers Green Roydon Norfolk
Proposal : Erection of residential dwelling and new vehicular access and parking area to Forest School Centre and change of use of land to north to Forest School

Decision : Members voted unanimously for **Approval**

Approved with conditions:

- 1 Full Planning Permission time limit
- 2 In accord with submitted drawings
- 3 Boundary treatment to be agreed
- 4 Reporting of unexpected contamination
- 5 External materials to be agreed (dwelling and garage)
- 6 New Access Construction over verge
- 7 Visibility splay dimension in condition
- 8 Provision of parking, service
- 9 Foul drainage to main sewer
- 10 Surface Water
- 11 Access and Parking (forest school) before occupation of dwelling
- 12 Travel Plan

5. **Appl. No** : **2018/0855/O**
 Parish : **BARFORD**

Applicants Name : Mr & Mrs Rodney Brown
Site Address : Haulage Yard, 46 Chapel Street, Barford, NR9 4AB
Proposal : Change of use from haulage yard to residential development

Decision : Members voted unanimously for **Approval**

Approved with conditions

- 1 Outline – 5 year supply
- 2 Standard outline requiring reserved matters
- 3 Relevant drawing
- 4 Phasing plan
- 5 Updated tree protection details
- 6 Surface water drainage
- 7 Ground and finished floor levels
- 8 Contaminated land - submit scheme
- 9 Implement approved remediation
- 10 Reporting of unexpected contamination
- 11 Water efficiency

6. **Appl. No** : **2018/0877/O**
 Parish : **THARSTON AND HAPTON**

Applicants Name : Darren & Samantha Whymark
Site Address : Land at Chequers Road Tharston Norfolk NR15 2YA
Proposal : Outline permission (with all matters reserved) for four detached dwellings with gardens and garages.

Decision : Members voted unanimously for **Approval**

Approved with conditions

- 1 Outline - 5 Year Land Supply
- 2 Standard outline requiring RM
- 3 In accord with submitted drawings
- 4 Standard Outline Condition
- 5 Visibility splay dimension in condition
- 6 Highway Improvements - Offsite
- 7 Surface Water

7. **Appl. No** : **2018/0878/H**
Parish : **PORINGLAND**
- Applicants Name : Mr & Mrs Franklin
Site Address : 14 Boundary Way, Poringland, NR14 7JD
Proposal : Ground floor kitchen extension, first floor bedroom extension with balcony and internal alterations.
- Decision : Members voted 8-1 for **Approval**
- Approved with conditions
- 1 Full planning permission time limit
 - 2 In accordance with submitted drawings
 - 3 Privacy screen to be provided and retained
8. **Appl. No** : **2018/0912/F**
Parish : **EAST CARLETON**
- Applicants Name : Mr Alan Jones
Site Address : Former Nursery Site To The West of Low Common Swardeston NR14 8LG
Proposal : Erection of 3 single storey bungalow dwellings and associated landscaping and external works
- Decision : Members voted 7-2 for **Refusal**
- Refused
- 1 Impact on rural character
 - 2 Poor connectivity
 - 3 Unsustainable development
9. **Appl. No** : **2018/1047/F**
Parish : **STOKE HOLY CROSS**
- Applicants Name : Mrs Tina Riches
Site Address : Tantallon 14 Chandler Road Stoke Holy Cross Norfolk NR14 8RG
Proposal : Change of use of former garage/store to form coffee shop including extension and alterations
- Decision : Members voted 6-2 for **Refusal**
- Refused
- 1 Residential amenity noise and disturbance
 - 2 Residential amenity odour

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**Report of Director of Growth and Business Development****Major Applications referred back to Committee**

- 1. Appl. No : 2017/1197/D**
Parish : COLNEY

Applicants Name : Bullen Developments Ltd
Site Address : Land Adj Norfolk And Norwich University Hospital Colney Lane
Colney Norfolk NR4 7UY
Proposal : Reserved Matters for multi-storey car park, internal access roads,
landscaping and associated infrastructure on Hethersett Lane for
access, appearance, landscaping, layout and scale, together with
the discharge of conditions 4, 5, 19 and 21 relating to outline
consent from 2012/1880

Recommendation : Members set a deadline to reconsider the application at the
August Development Management Committee to make a final
decision based on the information available in the public domain
at that time.

Update following resolution at June 2018 DMC

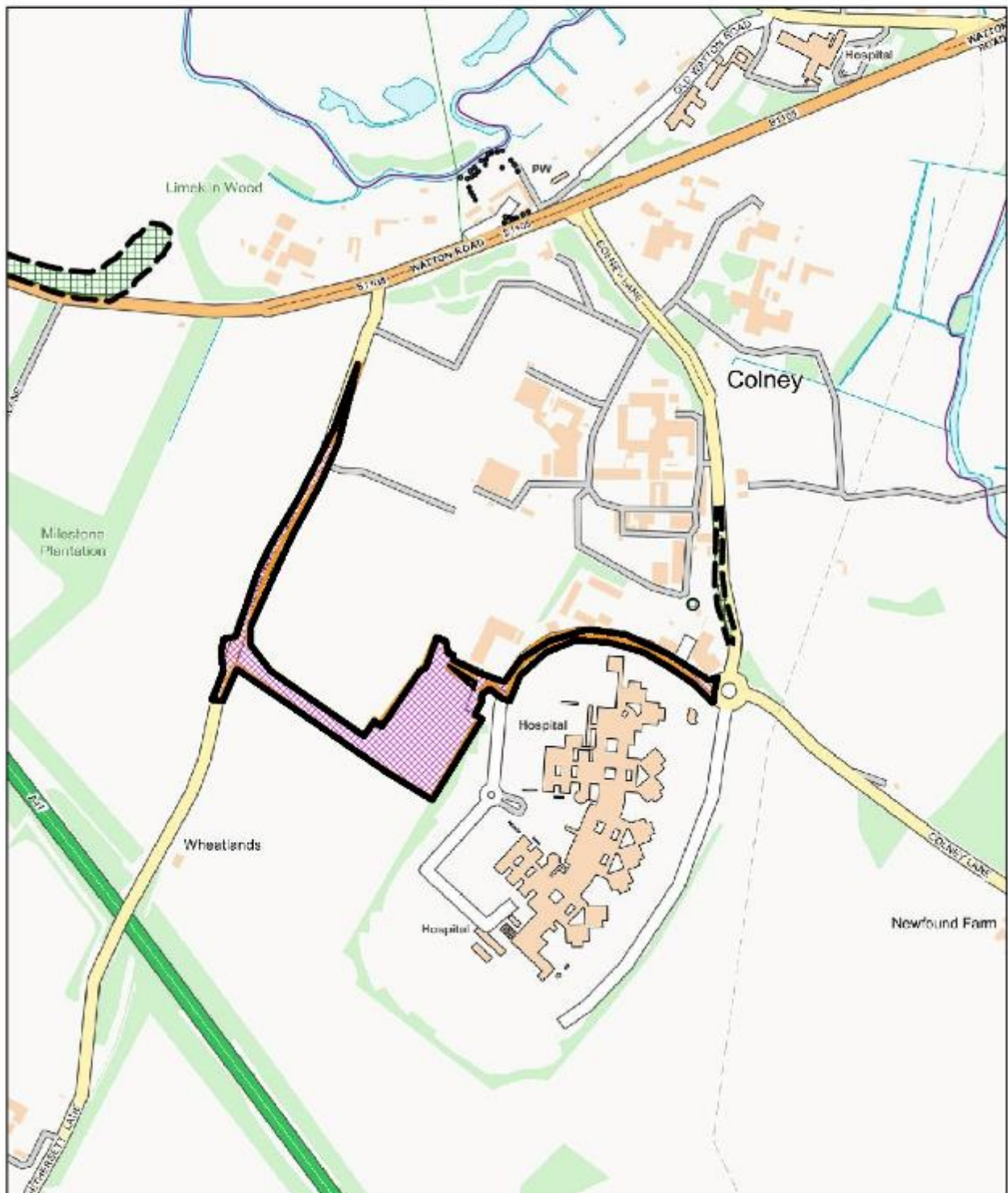
- 1.1 This application was heard at the meeting of the Development Management Committee (DMC) on Wednesday 20th June 2018 where Members deferred the application to allow officers to look at mitigation measures to facilitate safe Search and Rescue operations before referring the item back to Committee for further consideration.
- 1.2 The committee report is set out at Appendix 2 where the policies and considerations are unchanged.
- 1.3 Members will recall that Officers consider that there are a number of reasonable alternative solutions available to offset the loss of the existing flight path. One of those reasonable alternative solutions was to provide an alternative flight path across the NNUH surface car park and it was the mitigation measures for the downwash for this new flight path that was to be further investigated so that the Council could ensure that the mitigation is as robust as possible.
- 1.4 Officers have been seeking to work positively with all stakeholders to understand the downwash mitigation measures necessary, the report of which from Bristow was imminent at the time of the June DMC. At the time of writing this report no further details of the mitigation to make the alternative flight path acceptable had been received from the helicopter operator, Bristow, however Officers are aware that a report of those mitigation measures has been sent to the NNUH for consideration.
- 1.5 Officers consider that to ensure effective and timely consideration of the reasonable alternative solutions to the conflict with the existing helicopter flight path, the alternative flight path being one of the potential solutions, it is necessary to set a deadline to conclude the consideration of the downwash mitigation measures so as to inform the consideration of the planning application.

- 1.6 Officers therefore recommend that members set a deadline to reconsider the application at the August DMC to make a final decision based on the information available in the public domain at that time on the reasonable alternative solutions.

Contact Officer, Telephone Number Tracy Lincoln 01508 533814
and E-mail: tlincoln@s-norfolk.gov.uk

2017/1197

Appendix 1



Scale 1:7,500

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

Development Management Committee

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Agenda Item No. _____

PLANNING APPLICATIONS AND OTHER DEVELOPMENT CONTROL MATTERS**Report of Director of Growth and Business Development****Major Applications**

1. **Appl. No** : 2017/1197/D
Parish : COLNEY
- Applicants Name : Bullen Developments Ltd
 Site Address : Land Adj Norfolk And Norwich University Hospital Colney Lane
 Colney Norfolk NR4 7UY
- Proposal : Reserved Matters for multi-storey car park, internal access roads, landscaping and associated infrastructure on Hethersett Lane for access, appearance, landscaping, layout and scale, together with the discharge of conditions 4, 5, 19 and 21 relating to outline consent from 2012/1880
- Recommendation : Authorise Director of Growth & Business Development to approve with conditions
- 1 In accordance with plan and details
 - 2 Cycle parking
 - 3 Lighting details
 - 4 Roads, cycleway and footway to be delivered prior to occupation of building
 - 5 Off site highway works – details to be approved and delivered.
 - 6 Car parking spaces restricted to 1093
 - 7 Swift boxes
- Subject to no new information being received which in officer's opinion is material to the recommendation and subject to the completion of a S106 to ensure that only one Multi Storey Car Park is erected (only 2017/1197 or 2016/2382)

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
 NPPF 01 : Building a strong competitive economy
 NPPF 04 : Promoting sustainable transport
 NPPF 07 : Requiring good design
 NPPF 08 : Promoting healthy communities
 NPPF 09: Protecting Green Belt land
 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 (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 5 : The Economy
 Policy 6 : Access and Transportation
 Policy 7 : Supporting Communities
 Policy 9 : Strategy for growth in the Norwich Policy Area

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- 1.3 South Norfolk Local Plan 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 : The sustainable location of new development
 - DM1.4 : Environmental Quality and local distinctiveness
 - DM2.1 : Employment and business development
 - DM2.2 : Protection of employment sites
 - DM3.8 : Design Principles applying to all development
 - DM3.10 : Promotion of sustainable transport
 - DM3.11 : Road safety and the free flow of traffic
 - DM3.12 : Provision of vehicle parking
 - DM3.13 : Amenity, noise, quality of life
 - DM3.14 : Pollution, health and safety
 - DM4.1 : Renewable Energy
 - DM4.2 : Sustainable drainage and water management
 - DM4.4 : Natural Environmental assets - designated and locally important open space
 - DM4.5 : Landscape Character Areas and River Valleys
 - DM4.6 : Landscape Setting of Norwich
 - DM4.8 : Protection of Trees and Hedgerows
 - DM4.9 : Incorporating landscape into design

Site Specific Allocations and Policies

COL1 - Land adjacent to Norwich Research Park

- 1.4 Supplementary Planning Documents (SPD)
- South Norfolk Place Making Guide 2012
 - Norwich Research Park Public Realm Strategy Document for planning – approved by discharge of condition consent 2014/2098

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 | 2012/1880 | Proposed offices, laboratories and academic space for principally research and development activities, buildings for health and health related uses and buildings for further ancillary uses. Associated car parking, access, infrastructure, internal access roads and strategic landscaping | Approved |
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| 2.2 | 2016/2382 | Reserved matters following 2012/1880/O - Construction of a four storey car park, internal access roads, two roundabouts and associated road works on Hethersett Lane. | Approved |
| 2.3 | 2017/1198 | Construction of a 350 space surface level temporary car park with associated access. | under consideration |
| 2.4 | 2017/1277 | Discharge of Condition 14 - Joint Phasing Plan for NRP North and South of permission 2012/1880/O | under consideration |
| 3. <u>Consultations</u> | | | |
| 3.1 | Town / Parish Council | <p>Comments on the following basis:</p> <p>1. Sections of the proposed roads associated with the multi-storey car park appear to lie outside the development boundaries of both the Norwich Research Park and the Colney development Plan. This is unfortunate. Development boundaries must be respected if their use is to retain credibility.</p> <p>2. Yet again the Southern Bypass Protection Zone is being encroached upon. More respect should be accorded the Protection Zone: it is there for a purpose.</p> <p>3. The number of parking spaces in the multi-storey car park (1,142) confirms the high volume of traffic associated with this development. The traffic on roads through Cringleford, notably Round House Way and Colney Lane, is likely to increase considerably. Taken in conjunction with the expected increases in traffic associated with the recently approved sports development proposed by UEA and the NRUFC and the construction of 650 houses anticipated at Newfound Farm, the volume of traffic is likely to cause gridlock on the roads mentioned to the great annoyance of residents and others. Once again Cringleford Parish Council would like to plead that the traffic impact on roads outside the immediate area of development is given serious, rather than perfunctory consideration</p> | |
| 3.2 | District Councillors:
Cllr Kemp

Cllr Wheatley | <p>To be reported if appropriate</p> <p>To be reported if appropriate</p> | |
| 3.3 | Anglian Water Services Ltd | No objection. Surface water strategy does not affect Anglian Water. | |
| 3.4 | SNC Conservation And Design | <p>The new design approach is more simplified, more coherent and more contextual in terms of materials used and fitting in with the wider rural context within which the research park sits. I therefore have no objection to the current proposals, but it may be beneficial to condition materials unless exact materials are specified at this stage.</p> <p>Landscaping will be an important consideration.</p> | |

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- 3.5 Environment Agency Comments on original plans:
Unable to recommend the discharge of condition 5 at the current time as the submitted information does not contain information relating to foul drainage plans. We have not considered conditions 4, 19 and 21 as we did not request these conditions and have no comments to make in regards to the reserved matters.
- Comments on amended plans:
We have received further information from the developer and are satisfied that condition 5 can now be discharged. We have had confirmation that a new sewer has been designed and installed by Anglia Water, which will deal with all foul water flows from the development. Our records show that there is sufficient capacity at the water recycling centre to deal with the discharges from the site.
- 3.6 SNC Economic Development Manager South Norfolk's Economic Development welcomes the develop on the NRP Enterprise Zone. If approved this development will support:
- provide essential car parking within Zone 4 of the park
 - Open up the Zone 4 of EZ by providing the business rates income to enable the financial model for the SNC infrastructure investment plan to work and
 - creating a small number of new jobs as a result of this development
- 3.7 Historic England No comment to make. Should be determined in accordance with national and local policy guidance and on the basis of the Council's expert conservation advice.
- 3.8 SNC Community Services - Environmental Quality Team No objection – suggest conditions requiring full specification of external lighting; potential contamination condition (in event unidentified contamination is found)
- 3.9 Historic Environment Service As indicated in the archaeology note submitted with this application, the revised location of the proposed multi-storey car park sits largely on the site of the existing temporary car park constructed under planning permission 2012/1269. The site of the existing temporary car park was subject to an archaeological excavation in 2013. Consequently no further archaeological work will be required on revised the site of the proposed multi-storey car park. However, the proposed new access roads and associated works will still require archaeological work (monitoring of the groundworks by an archaeological contractor) in accordance with condition 10 of 2016/2382.
- 3.10 SNC Landscape Architect Comments on original plans:
Impact on existing trees and vegetation:
- Anticipated growth of existing trees in area have not had full consideration.
- The proximity of T1's canopy to the building also needs to be considered.

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It has been identified that some of the excavations for the proposed drainage has implications for T1 with both the proposed foul water drainage for the toilets/kiosk and surface water soakaway breaching the identified root protection area. This is not ideal, and I would like to see if the conflicts can be avoided altogether.

New planting proposals:

The concept for the boulevard route has been accepted under the previously-approved scheme, and the submitted detailed planting plans are acceptable are appropriate for the situation.

The planting to the south of the MSCP should also be part of the Woodland Edge character as set out in the Public Realm Strategy. Whereas the 8-metre wide single verge has been varied to become a three-layered landscape treatment for the boulevard, this will not be possible adjacent to the MSCP. What is proposed, however, is a 4-metre hedge and verge with trees alongside the Fire Appliance Access Road as a continuation of the outer boundary of the boulevard. This is not ideal, but an 8-metre strip would only be achievable if the building were to be reduced in scale. What will be important to ensure, however, is that if the emergency access is to be upgraded in the future that any subsequent construction works do not compromise the boundary planting; to this end, root barriers along the length of the road might be an appropriate consideration.

Comments on amended plans:

Accept impact in growth of existing trees – as already heavily managed

T1 canopy – provide that the NNC Ecologists are satisfied that bat activity will not be compromised by the proximity of the building to this tree, then I am satisfied.

Drainage and services within the RPA of T1 – no objection subject to a condition that requires the arboricultural supervision as proposed by paragraph 6.2 of the submitted Arboricultural Statement.

The revised planting scheme includes root barriers as per my suggestion, which is acknowledged. Notwithstanding this, it should be noted that the planting along the southern boundary of the site, adjacent the MSCP, will not comply with the design principals set out within the approved Public Realm Strategy as the width of planting is less. This will be the boundary of the NRP, so it is unfortunate that more extensive planting will not be possible with the MSCP as proposed.

3.11 NCC Lead Local
Flood Authority

Comments on original plans:

Holding objection - Confirmation required that infiltration is possible in the location of Swale No. 6 or that the swale is shifted to a location that does have infiltration

Comments on amended plans:

No objection subject to proposal being carried out in accordance with the amended details

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| 3.12 | NCC Ecologist | No objection lighting around the building will need consideration in respect of bats |
| 3.13 | Natural England - | No objection. Does not affect a SSSI. The Council needs to assess impact on protected species using standing advice. If the proposal is on or adjacent to a Local Site the Local Planning Authority (LPA) should ensure it has enough information to understand its impacts. In terms of biodiversity enhancements, opportunities to incorporate features for wildlife in to the design should be fully explored in line with the NERC Act and Para 118 of the NPPF. Opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community should be fully explored. |
| 3.14 | NCC Highways | <p>No objection with the following comments:</p> <p>It is proposed that the MSCP will be accessed from both the Norfolk and Norwich Hospital access road and from Hethersett Lane. The junction form on Hethersett Lane will be a roundabout as shown indicatively on Drawing Number 60432496-SKE-C-0037-A. Pedestrian/cycle facilities will be included within the detailed design and will be delivered within land which is either within highway or within the applicants control. The precise extent of footway/cycleway improvements will be determined at detailed design. The internal works will be delivered by the developer and will be built to an adoptable standard although at present the Highway Authority will not be adopting them.</p> <p>The delivery of the footway/cycleway from the roundabout to connect to that being delivered as part of the Hethersett North development will be brought forward under a revised phasing strategy which is subject to a separate planning application. Given the work that is underway to deliver a continuous footway/cycleway from Wymondham to Hethersett and then on to the Norwich Research Park, it is important that the links that are the responsibility of NRP South are brought forward as quickly as possible.</p> <p>The Highway Authority is content that the proposed access roundabout will provide an appropriate junction form for access to serve the multi-storey car park and therefore recommends No Objection subject to the following conditions – construction management plan; wheel cleaning; detailed scheme for off site highway works.</p> |
| 3.15 | NCC Minerals And Waste Planning Officer | No objection |
| 3.16 | Norwich City Council | It is understood from the information submitted that the new multi storey car park is intended to cater for future development of the site. On the basis of the above, no objections are raised in terms of the principle of the development or the impacts on the City Council authority area |
| 3.17 | Norfolk Fire Service | No comments received |

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| 3.18 | Norfolk & Norwich University Hospital | <p>Comments on original plans:</p> <p>Object for the following reasons:
 This is considered likely to lead to significant operational difficulties for the hospital which could impact patient care. These operational difficulties arise from two main factors: -</p> <ol style="list-style-type: none"> 1. The hospital perimeter road needs to flow as efficiently as possible bearing in mind that it is utilised by emergency vehicles on a regular basis; and 2. The closer proximity of the proposed MSCP to the hospital compared to the consented siting brings with it very serious concerns that this will affect the flight path and therefore unconstrained access to the helicopter landing pad area by Search and Rescue helicopters which periodically attend at the site with patients needing urgent medical care. (note Whilst Air Ambulance helicopters can access the hospital almost irrespective of how nearby buildings are sited or configured, it is a different matter as far as Search and Rescue helicopters are concerned.) Expert advice is being sought; nearest equivalent service is Cambridge; if SAR operation cannot continue patients would likely have to land at Norwich Airport which has clinical implications to patients. <p>It ought to be stressed that NNUH does not object in principle to a MSCP and notes that – in part – this is intended to replace the surface car park for 350 vehicles which has temporary consent and which is used by a number of people visiting the hospital and indeed by some Trust staff. It is however the siting and the scale of the proposed car park which gives rise to the concerns expressed. It is of note that the application for RMA now submitted brings the proposed car park far closer to the hospital than was proposed in the earlier consent for the site and this brings with it the potential to cause far greater adverse impact on the hospital.</p> <p>Comments on amended flight path:
 Comments awaited – to be reported orally</p> |
| 3.19 | Land Owner Norfolk & Norwich University Hospital | No comments received |
| 3.20 | National Planning Case Unit | No comments received |
| 3.21 | Norfolk Wildlife Trust | No comments received |
| 3.22 | Other Representations | <p>Bristow Helicopters – comments on original proposals:</p> <p>Object –</p> <ul style="list-style-type: none"> • Bristow is the provider of UK Search and Rescue on behalf of the Maritime and Coastguard Agency. • The proposed Multi storey car park will probably change the classification of the aviation environment from 'congested but not hostile' to 'congested and hostile' which would require Bristow's helicopter operations to be conducted under more stringent regulations. |

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- These regulations include a multitude of factors of which the most obvious is that, in the event of a sudden power loss during the take off, approach or landing, the aircraft can either overshoot and continue to land at another aviation facility or it can complete a safe landing on the Helicopter Landing Site without any individual on the ground or in the aircraft getting hurt and with no damage to the aircraft. All of these flight paths must maintain specified clearances from any obstacles within defined approach and departure arcs
- The only way in which the impact of the combined planning aspirations on compliance with aviation regulations and hence the impact on the utilisation of the Hospital HLS can be established would be by getting an Helicopter Landing Site survey conducted by a suitable qualified aviation surveyor and based on extant aviation regulations.
- It is therefore suggested that it would be in the best interest of the whole community if the findings of an aviation survey of the Norfolk and Norwich Hospital HLS post build were available to permit a considered decision by the planning department.
- The importance of the development is not contested. However the strategic importance of the HLS to patient care in the region is equally important. It would appear that the 2 issues should not be mutually exclusive subject to the proper aviation advice having been sought.

Comments on amended flight path:

Formal comments awaited – to be reported orally

One letter of support from John Innes on the following grounds:

- Car park is well located for the NRP
- Supports expansion of the park

4. Assessment

Background

- 4.1 The outline application for NRP south approved a set of parameter plans for building heights and site density. It also included full details of the proposed internal hospital road / NRP South access junction improvements. The application was also accompanied by an illustrative masterplan and parameter plans.
- 4.2 This application seeks reserved matters approval for a multi-storey car park (MSCP) on the site pursuant to that outline consent. This is the third building from the NRP south site (the first of which was 2013/0554 Bob Champion Building and second 2015/1076 Quadram building).
- 4.3 It should be noted that this proposal is an alternative proposal to that previously approved (2016/2382) which was for a 742 space MSCP further west in the site. Since that approval it became apparent to the developer through detailed design work that the consent was not the optimum location for the multi storey car park and as such the application now for consideration was submitted in a slightly revised location.
- 4.4 The application seeks approval of access, appearance, landscaping, layout and scale.
- 4.5 The building is located on the location of the existing temporary surface car park serving the NNUH and to the south of the Bob Champion building.

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- 4.6 The building measures approx. 95 metres (m) in length x 73m wide with a height of 15.37m. The floorspace is 6913sqm per floor so totalling 27,655sqm across the four floors.
- 4.7 The development proposed is a four storey building, although the ceiling heights are lower than other buildings of the same number of storeys given its nature of being a car park. The form is relatively simple with detailing in the materials.
- 4.8 The application proposes vehicular access to the development to be from a new junction on Hethersett Lane to the west (a roundabout of 36m diameter), and would provide internal connection roads to connect to the hospital perimeter road to the east. The MSCP will have 1093 spaces. The car park exit would utilise the existing car park exit/entrance of the NNUG surface car park which this proposal would replace.
- 4.9 A coffee kiosk is proposed in the north east corner of the plot.
- 4.10 The application has been amended with the following:
- Additional drainage information required to address matters raised by the LLFA
 - A reduction in the number of car parking spaces proposed from 1142 to 1093
 - An alteration to the exit of the MSCP to allow right hand turn as well as left hand turn from the car park exit.
 - Addition of a new fire service access road
- 4.11 Further supporting information has also been received from the applicant in respect of impact on helicopter flight path.

Principle of development

- 4.12 Outline consent 2012/1880 established the principle of the development and access was approved at that stage. This granted consent for up to 60,387 sqm of use B1(b); 29,849 sqm of C2/D1 and 8930sqm of ancillary and complementary uses.
- 4.13 This application therefore seeks approval of those matters which were previously reserved for this phase of development which are access, appearance, layout, scale and landscaping. Internal access arrangement to the plot is also included.
- 4.14 The outline consent was accompanied by several parameter plans. These include phasing; building heights; land use; plot ratio; landscaping and ecology; bus and vehicular routes; and pedestrian and cycle routes. In terms of land use and plot ratio, as the building and its use is considered incidental rather than ancillary use it is not counted towards the restrictions of ancillary floorspace of the outline consent. Compliance with the other parameters plans is referred to in the relevant sections of the report below.

Key issues for consideration

- 4.15 The key considerations for the acceptability of the proposals are highways, amenity, contamination, flood risk, foul water, design and landscaping, ecology, heritage and an other planning material consideration which is helicopter operations into the NNUH.
- 4.16 It should also be noted that matters relating to archaeology, surface water, road, footway and cycleway specifications, construction worker parking, construction traffic route, construction management, travel plan, phasing plan, lighting, materials, fire hydrants, landscaping, tree protection, construction environmental management plan and ecology are required to be agreed through condition.

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Condition 13 of the outline consent

- 4.17 A total of 1093 parking spaces are proposed under this application for the MSCP. The total floorspace of the car park is 27,655sqm across the four floors. This is not considered to count against the total floorspace being provided, and limited by condition 13 of the outline consent as the proposal is incidental to the main uses as it would not be required if the main consented floorspace was not being provided, not ancillary to. The MSCP is therefore considered to not count against the floorspace restriction on the outline consent.

Highway considerations

Access, parking levels, highway infrastructure and phasing

- 4.18 Principles of the points of access and their relative phasing was set at the outline stage and were required to be detailed through a phasing plan condition. In addition other highway infrastructure was secured through S106 (namely related to this development the NNUH roundabout improvements).
- 4.19 The multi storey car park would have 1093 spaces which would permanently incorporate the existing 350 spaces from the temporary surface car park that the building would replace. It is evident that the existing surface car park is heavily used by the NNUH users, and its permanent retention has been included in updated transport modelling for the junctions as part of this proposal. Its permanent inclusion in the proposed MSCP is considered acceptable in principle. The proposed car park therefore proposes a total of 1093 spaces - 743 spaces technically for NRP and 350 spaces re-provided for the NNUH.
- 4.20 The phasing plan requires certain overarching highway improvements by certain date and level of development. Acceptable parking levels are also identified in the outline parameter plans by highway infrastructure needed to support them. For the purposes of the infrastructure required by parking levels which set parking caps at NRP, the 350 re-provided spaces are not included in the triggers.
- 4.21 The application proposes the MSCP with one roundabout access (Hethersett Lane South) from Hethersett Lane, together with internal access roads to link to the existing access onto the hospital perimeter road. Upgrade to the NNUH roundabout is also committed to be delivered by the landowner through the triggering of the S106 floorspace triggers by the Quadram building. The submitted transport statement identifies that the NNUH roundabout works are required to be in place before the MSCP is in full operation.
- 4.22 Currently parking permitted within the outline consent are:
- Quadram – 125 on plot (208 off plot temporary consent on a surface car park until 2030 or until the land is developed with a building, after which the MSCP delivers all parking requirements for the Quadram)
 - Bob Champion – 41 on plot
Existing temporary car park – 350 (expires in 2022). Note spaces lost due to erection of MSCP on same site however 350 spaces to be re-provided in MSCP but not counted towards parking caps for NRP.
 - Proposed MSCP – 1093 spaces
Total car parking approved/proposed to be considered for parking caps/infrastructure for NRP is 1117 (which drops to 909 at 2030).

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- 4.23 Parking levels are capped at 428 spaces for phase 1 Highway infrastructure (access from Hospital perimeter road only); 1015 parking spaces for Phase 2 Highway infrastructure (Hethersett lane north and south roundabouts, bus link to NRP north and pedestrian/cycle path to the A47 overbridge on Hethersett Lane to be provided) and to 1950 parking spaces for phase 3 infrastructure (which includes new link estate roads from Hethersett lane roundabouts and provides new junction on the B1118 Watton Road).
- 4.24 It should also be noted that phase 2 highway improvements to support 1015 car parking spaces on site require both Hethersett Lane junctions to be implemented and open for use, the bus link to NRP north and cyclepath on Hethersett lane to be provided. The parameter plans are conditioned under condition 3 of the outline permission to be substantially followed, allowing for flexibility depending on further information that comes forward with any reserved matters application. This application as amended however proposes access from and delivery of one Hethersett Lane roundabout only (at a smaller diameter than envisaged) together with linking access through to the hospital perimeter road.
- 4.25 The MSCP whilst acknowledged to not be a traffic generator in itself per se, is being delivered in advance of the buildings to which it serves and to accommodate parking needs of buildings which would form phase 2 of the development. Therefore, and on the basis of the updated transport modelling, a flexible approach has been taken in order to deliver sufficient highway improvements to accommodate the highway impacts of the early delivery of the MSCP, but also acknowledging that until further buildings are built out on the NRP that the car park may be under occupied or used by those visitors already coming to the area.
- 4.26 In highway terms to make the development acceptable therefore the southern roundabout from Hethersett Lane although at a smaller size than originally envisaged at the outline (36m diameter compared to 40m diameter) together with the link to the hospital perimeter road access and the completion of the NNUH roundabout works are all requirements. A condition is required to ensure that the new Hethersett Lane Roundabout and access road to link to the hospital perimeter road are delivered and opened prior to the first use of the MSCP. However, there are timing issues with the delivery of the NNUH roundabout works due to the need for an alternative access to be in place as set out below.
- 4.27 In respect of the timing of the NNUH roundabout improvements, the provision of the upgrade to the NNUH/Colney land roundabout is already triggered on the occupation of the approved Quadram building which is currently under construction and due to open Autumn 2018. Work on a Section 278 agreement with NCC Highways is underway to give a commuted sum for the highway authority to construct the works.
- 4.28 Clearly it is evident on site that the works for the upgrade to the NNUH roundabout have not yet commenced. A complexity of upgrading this roundabout is that it is the only access into the hospital and so must be kept open at all time for ambulances and hospital staff in particular, along with patients and visitors to the hospital. It would be feasible to upgrade the roundabout and keep traffic moving through, but it would increase the time length of the project and the costs significantly. The provision of the Hethersett Lane south roundabout would provide an alternative access to the hospital whilst these works are undertaken.
- 4.29 Therefore it is considered reasonable to accept that the NNUH roundabout upgrade will not be delivered until shortly after completion and opening of the Hethersett Lane roundabout and the internal access road linking the hospital perimeter road. The Section (S)278 Highway agreement is not yet in place (which would secure the funds and therefore put the delivery of the roundabout works in the control of the Highway Authority), and these works are required to make the MSCP acceptable in highways

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terms, but the S106 already in place provides the enforceable mechanism in which to secure the necessary upgrade works.

- 4.30 The bus link and the pedestrian/cycle path on Hethersett Lane would be delivered with a future phase when further floorspace for the NRP is delivered.
- 4.31 In respect of compliance with the Public Realm (PR) strategy the proposed access roads to serve the MSCP respect the access hierarchy approved.
- 4.32 As amended the proposed development is therefore considered to comply with policy DM3.11 of the local plan.
- 4.33 It should also be noted that there is a concurrent planning application under consideration which would provide for a temporary surface car park for the existing 350 spaces displaced during the construction period which would be granted should the current proposals for a MSCP be approved.

Travel plan

- 4.34 A travel plan to inform the overarching travel plan will need to be agreed as part of condition 11 and 12 of the outline consent.
- 4.35 Cycle parking for 24 bicycles is proposed. The proposed development is therefore considered to comply with policy DM3.10 of the local plan.

Pedestrian and cycle connectivity

- 4.36 A joint phasing plan has been submitted for discharge of condition which essentially updates the previously submitted phasing plan (submitted for previous buildings on the NRP). This set out the agreed pedestrian and cycle connectivity improvements along Hethersett Lane to the A47 Overbridge and the relevant trigger point which is based on floorspace occupied across the NRP (latest delivery is completion of 90,120sqm). From the A47 overbridge south, to Hethersett, the cycle/footway is to be delivered by the obligations on the residential consent for the Hethersett North development.
- 4.37 Whilst the Parish Council request that the cycle/footway is made a requirement of this application to deliver, and Officers would encourage this to be provided now given that the new roundabout is being delivered in this location and the proposal opens up the connection between Hethersett Lane and the hospital perimeter road, given the limited floorspace implemented on the NRP to date (well below the levels set out in the phasing plan and as the MSCP is not a traffic generator in itself) and that the applicant advises that they currently have not drawn down sufficient land in the contract to deliver that cycleway, it has been agreed that the cycleway would be re-considered in the phasing plan - exact trigger points in terms of a floorspace trigger is to be agreed and this will be negotiated with the applicant and the highway authority in the phasing discharge of condition application.
- 4.38 In terms of pedestrian and cycle connectivity through the site, a combined pedestrian cycle path is required along both the boulevard primary access route and primary access route which the internal access routes are designated in the public realm strategy. A combined foot and cycle path is delivered for the majority of the route. Where this is not delivered as part of this proposal, as the land is not drawn down for that phase as yet, the reserved matters for each building on that phase adjacent to the internal road would need to deliver the additional cyclepath. On that basis the proposal is considered to comply with the requirements of the Public Realm strategy.

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Highway Conditions

- 4.39 In respect of conditions, whilst some specific highways conditions are included on this reserved matters consent, the majority of the highway conditions requested by the Highway Authority are already imposed by the outline consent. These will continue to apply, with details of road, footway and cycleway specifications, construction worker parking, construction traffic route, construction management, travel plan and phasing plan to be agreed.

Amenity

- 4.40 Key issues in respect of amenity are fumes, noise, lighting, overshadowing and outlook.

Fumes

- 4.41 The proposed MSCP is open sided enabling ventilation of exhaust fumes, and it is not considered that there would be any adverse impact on amenity through fumes.

Noise

- 4.42 The proposals would lead to noise from vehicle movements moving within the car park. No plant or machinery is proposed within the building. Given the distance of the building from the boundaries of its plot and the low level of noise associated with vehicle movements there is not considered to be any adverse impact on amenity of surrounding research park users.

Lighting

- 4.43 Details have been provided in respect of the lighting strategy, indicating that light overspill has been reduced where possible. Further details of the precise design of lighting along footpaths and roads are required. A condition in the outline consent already requires details to be submitted for each phase (condition 15).
- 4.44 It is noted that whilst measures have been taken to reduce light overspill, the provision of lighting on each level will be visible. Given the prominent position of the car park on the edge of the research park at present this will increase the visual impact of the development. Further development could come forwards around this building, which would in effect screen the development in future. However, it should not be assumed this will be the case. The level of light overspill is not considered to significant enough to merit concern given the backdrop of the MSCP in existing development at the research park.

Residential amenity

- 4.45 Given the distance to any residential property, it is not considered that the proposal would result in any adverse loss of light, privacy or loss of outlook as a result of the proposal.
- 4.46 The proposed development is therefore considered to comply with policy DM3.13 of the local plan.

Contamination

- 4.47 Some ground investigations have been undertaken as part of the submission for reserved matters. The report notes that no contamination was found on surrounding recent development sites, and given the previous use of agricultural land this risk is

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considered to be low. The proposed use of the site would also be of low sensitivity to contamination, however the report does note that further investigatory works are required. A note on the outline consent covers any contamination found requiring further work to be carried out and reported to the LPA at that time. This is considered sufficient to safeguard from contamination given the low risk of the site.

Flood risk and drainage

- 4.48 A site specific flood risk assessment has been submitted, which sits within the overall context of the approved masterplan flood risk assessment. The site is within Flood zone 1.
- 4.49 The surface water drainage strategy proposed comprises of infiltration on site with attenuation of runoff provided using a range of SUDS features. It should be noted that surface water will be generated from the hard surface of the MSCP and the new access roads and footways.
- 4.50 The overall strategy is considered acceptable and sufficient information has been provided to enable condition 4 in respect of the surface water drainage condition to be discharged.
- 4.51 The proposed development is therefore considered to comply with policy DM4.2 of the local plan, Policy 1 of the Joint Core Strategy and principles of sustainable drainage identified in the Planning Practice Guidance.

Foul water

- 4.52 Two toilets are proposed on the ground floor of the car park. It is proposed that flows will be discharged to the onsite foul drainage network which will be installed within the new access roads. This system will be designed and constructed to adoptable standard for future adoption by a drainage undertaker. Details of how the foul water will be disposed of will need to be secured through condition 5 of the outline consent. The proposed development is therefore considered to comply with policy DM4.2 of the local plan.

Layout, scale and design

- 4.53 The scale, massing and positioning of the building relates well to the overall NRP Masterplan and accords with the agreed parameters. The general design approach of a fixed box design with cedar cladding at various angles, is a pragmatic design approach. The colour palette of red cedar cladding, red brick and glass sections would comply with the Public realm strategy requirement and fit in with the wider rural context within which the research park sits.
- 4.54 Overall the layout scale and design of the building is considered acceptable and in accordance with policy DM3.8 of the local plan.

Landscaping

- 4.55 In respect of the proposed building plot, the proposed scheme sits within the rural character area identified in the agreed NRP Public Realm Strategy (PRS). It is noted that the multi-storey car park will be particularly visible to the south of the site, particularly given the proposed lighting, before any further development comes forward on the site. As the proposed development fits with the approved parameter plans, the wider visual impact within the landscape is considered to be acceptable.

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- 4.56 The MSCP sits adjacent to woodland planting which is a key structural landscape element of the hospital scheme. Increasingly its potential benefit for patients and visitors is being realised, with a circular walk established within its limits. Whilst the proposed MSCP is in close proximity to these trees, and would therefore hinder their growth, these are already heavily managed and there is no objection in this respect.
- 4.57 The submitted arboricultural report and planting scheme adequately address the most significant trees in the locality, requiring arboricultural supervision within the RPA of some of the trees.
- 4.58 In terms of the PR strategy and the landscape strategy, the concept for the boulevard route is acceptable, having layers of landscaping between the road, the cycle way and the proposed building in that area to create the required planted edge to the NRP.
- 4.59 Whereas the 8-metre wide single verge has been varied to become a three-layered landscape treatment for the boulevard, this will not be possible adjacent to the MSCP. What is proposed, however, is a 4-metre hedge and verge with trees alongside the Fire Appliance Access Road as a continuation of the outer boundary of the boulevard. This is not ideal, but an 8-metre strip would only be achievable if the building were to be reduced in scale. What will be important to ensure, however, is that if the emergency access is to be upgraded in the future that any subsequent construction works do not compromise the boundary planting; to this end, root barriers along the length of the road have been included as part of the application.
- 4.60 Overall therefore the proposal is on balance considered acceptable in respect of landscaping according with the main principles of the PR strategy and Policies DM4.8 and 4.9 of the Development Management Policies Document.

Ecology

- 4.61 The impacts on ecology from this proposal are relatively limited.
- 4.62 Bat roosts are considered to be absent in nearby trees although potential roost features are present, with the likelihood of bats having established roosts since then being low. These trees are not directly affected by works and lie either adjacent to the existing car park or the proposed soakaway location.
- 4.63 Subject to a condition to control lighting on the southern side of that hedge during construction and operation and a demarcated buffer zone in place to protect the potential trees as far as possible, the impact on protected species would be acceptable.
- 4.64 Whilst mitigation measures are suggested to ensure light overspill is reduced and lighting minimised where possible, mitigation to the impact on this protected species is still required.
- 4.65 Skylark territories would also be lost through the proposed development. This in conjunction with the impact on bats is considered to justify the need for mitigation and enhancement of protected species habitat.
- 4.66 In this instance it may be more appropriate to secure improvements for another protected species, as more meaningful improvements can be secured with relatively small impact on the proposed development. It is suggested that swift boxes are provided within the multi-storey car park to provide the required mitigation and this is reflected in the submitted ecology report. A condition is recommended to secure these improvements.

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- 4.67 Light spill and impacts from the open sided carpark have not fully been addressed to demonstrate how the impacts will be reduced as far as is practicable (i.e. motion sensor lighting only or hours of operation etc.) As such for this reason, but also in respect of general amenity issues it is considered necessary to require a condition to control the type and timing of lighting of the building.
- 4.68 The proposed development is therefore considered to comply with policy 1 of the Joint Core Strategy.

Heritage

- 4.69 There are no identified heritage assets in the immediate setting on the proposed multi-storey car park. The Environmental Statement accompanying the original outline consent for this site considered the impact of all proposed development on heritage assets near the site. It was considered that the impact of the proposed development on surrounding heritage assets would be mitigated by the proposed landscape planting and siting of buildings identified within the approved parameter plans. The proposed multi-storey car park and access roads are not considered to introduce any new impacts that have not previously been assessed under the Environmental Statement. As such the proposal is considered to accord with policy DM4.10 of the local plan and paragraphs 129 and 132 of the NPPF. The requirement to consider the desirability of preserving the building or its setting or any features of special architectural or historic interest under Section 66 of the Listed Building Act 1990 is also considered to be met.
- 4.70 The Environmental Statement submitted with the outline consent also assessed the impact on any archaeological heritage assets. This concluded that there would be no adverse impact on any heritage assets, and subsequent information submitted with this application also reached the same conclusion. As such the proposed development is considered to be in accordance with policy DM4.10 of the local plan and paragraphs 129, 132 and 139 of the NPPF.

Impact on Hospital helicopter landing site

- 4.71 The proposed multi storey car park (MSCP) is located on the eastern edge of the NRP adjacent to the NNUH temporary surface car park and NNUH site.
- 4.72 The proposed building has no impact on the Air Ambulance's flight path but it is evident that the proposed building is within the current flight path of the Search and Rescue (SAR) helicopters that provide this service to the NNUH. Whilst not a 'safeguarded' helipad or flight path (as the helicopter landing site is private and therefore not licenced by the Civil Aviation Authority (CAA)) the operator of the SAR, and therefore in turn the NNUH, objected to the proposed MSCP due to its potential impact on the ability of the SAR helicopters to operate into the site safely. If this is not resolved this may mean that the operator takes the decision to cease the operation of the SAR into the NNUH. Last year the SAR landed 11 times at the NNUH.
- 4.73 The Council and the applicant have been working with the NNUH and the helicopter operator (with engagement with the CAA and various helicopter aviation experts) for throughout the application to understand and seek technical information in support of the concerns raised and to find solutions to the issue to enable both the safe operation of SAR into the NNUH and to allow the NRP to continue to grow in accordance with the approved outline consent and site allocations document.
- 4.74 Set out below is further detail of the potential impacts on the helicopter landing site and what solutions have been sought to provide a context for the conclusions and the balance that officers have reached on this matter.

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- 4.75 Whilst hospital landing sites are not regulated and licensed, as they are private, there are mandatory regulations on the flight operators themselves and these are required by the CAA.
- 4.76 The operator and the CAA together with various technical experts engaged, all acknowledge that there are widespread issues with operators' ability to comply with regulations at hospital landing sites across the country that have not been addressed by the Government or the CAA. This is as a result of the increased regulation imposed on civil operation of the SAR contract compared to the regulations imposed when the military operated the same contract (noting that the same/similar size of aircraft and environment was operated by the military without issue under the military contract for SAR until 2015 when the contract ceased). It is clear therefore that there are tolerable risks accepted in the current operation of SAR into hospital landing sites outside of the stringent application of the regulations whilst maintaining safe operation. The requirement to comply with these more stringent regulations is the rationale for the safety issues now being raised.
- 4.77 The erection of a multi storey car park in the location proposed, would not, in the opinion of the helicopter operator, due to its location within the flight path, meet the requirements of the regulations and this is due to its environment being defined as both hostile and congested in technical terms meaning that a greater performance compliance is required. The height of the proposed MSCP building (in its location) and the loss of a 'forced' landing area are the issues.
- 4.78 'Congested' is defined by whether the site is in a built up area, and 'hostile' amongst other things, but relevant to this site, is defined by an environment in which a safe forced landing cannot be accomplished because there is an unacceptable risk of endangering persons or property on the ground. These environmental conditions dictate the performance class that the aircraft are required to perform within. When the environment is 'congested' only, Performance Class 2 is the compliance standard where a 12.5% gradient to the take off is required and to which Officers understand there is the ability to forgo the need for a forced landing area with specific CAA approval. When the environment is considered to be both 'hostile' and 'congested' Performance Class 1 is required which requires a significantly shallower take off gradient to be kept clear (4.5%) and requires forced landing areas.
- 4.79 It is still not agreed by all parties as to whether the current operation into the site should be Performance Class 1 or Performance Class 2. However, it is evident that the existing flightpath used is approaching and departing at a gradient of 12.30% to clear an existing tree line on the boundary of the hospital site (which the proposed car park would sit behind and would not exceed in height), and so clearly the helicopter operates safely at present at these gradients, and there appear to be acceptable tolerable risks outside of regulation compliance. However, it remains the case that the existing problem should not be exacerbated and the development of the NRP would affect the ability to maintain forced landing areas required.
- 4.80 It should be noted that the NRP has outline consent (application in 2015 and granted in 2016) which included the amount of development, a masterplan with a layout of buildings in this location and a building heights parameters plan (to which this building is in compliance). The principle of the further development on the NRP is therefore already established. It was not identified at the time of the grant of the outline consent of any constraint or potential future conflict with the proposed NRP site and the safe operation of helicopters into the NNUH site, although the military operated the contract around this time (note less stringent regulations); and the landing site is unlicensed and not safeguarded meaning there was no statutory requirement for the Civil Aviation Authority to be consulted. Notwithstanding, officers consider that whilst this is a new matter being considered at the reserved matters stage, after the principle has already been established, given the significant level of information available now, this is a new material planning consideration.
- 4.81 Work has been ongoing to explore the technical solutions to enable all parties to come to a considered view including the flight operator as to whether there are reasonable alternatives available to overcome the identified conflict.

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4.82 Options explored include:

1. Whether smaller aircraft could be used (S92 used) – the current contract is with Bristow who only have the S92 and so not a feasible option.
2. Raising height of helicopter landing site (by mounding) so as to increase clearance of the flight path required and the conflict with some of the buildings around the site – drawback: may need fire officer if classed as elevated and not ideal operationally – not explored to any advanced level.
3. Relocation of the helicopter landing site for the SAR only (existing would remain in place for East Anglian Air Ambulance) within the hospital grounds, on the roof of building, or immediate surrounds and then a short land ambulance transfer to A&E (which is the situation at Addenbrooke's) – issues/considerations: Clinical implications for the patients being brought in by the SAR (on average one per month based on Maritime and Coastguard Agency figures) due to delays of additional land ambulance transfer time (and availability of ambulances); Offshore long distance journey and so short land transfer time would be very small percentage of the overall journey time.
4. Whether the car park could be amended/re-located – there are options in this respect, however it is preferable to seek solutions to ensure both can be delivered as has longer term implications for other buildings also coming forward on the NRP which is an established Enterprise Zone. Without a solution now to address conflict, land in this area could become sterilised for development.
5. New flight path approach to existing helicopter landing site – It is evident that the flight path to the helipad has had a number of changes over time and is a feasible option to explore. Based on the survey and data presented by Bullen and their aviation expert a new flight path across the existing NNUH surface carpark was proposed. This is the most feasible and deliverable option and is set out further below.

4.83 An alternative flight path is proposed across the NNUH car park and Bullen land (a solution that sterilises the least area of land and largely avoids buildings within the flight path). This is based on a ground survey and compliance with the more restrictive Performance Class 1 regulations.

4.84 The operator has carried out a ground survey, assessed the data and has a test flight planned (to confirm the acceptability of the proposed path). The test flight, which officers understand to be the final stage in the assessment of the proposed flight path which assesses the downwash of the aircraft on damage to vehicles/structures on the ground and in turn any likely injuries, is planned to take place shortly but an unacceptable result could mean that the flightpath is unacceptable. Once agreement is reached with all parties regarding the acceptability of the flight path, the measures for its delivery would need to be continued to be discussed and implemented (some minor structures may need to be removed), but it should be noted that there are not any further onerous or lengthy processes that the operator needs to complete before being able to put the new path into operation. Safeguarding of the flight path, matters of safety of the aircraft during construction of the proposed building will need further consideration.

4.85 At present the formal comments of the NNUH and operator on the alternative flight path proposed are therefore outstanding. However the alternative flight path proposal has been under consideration for verification since August 2018. However, it is generally informally being accepted by all parties that the flight path is likely to be an acceptable solution subject to the final outstanding technical checks i.e. the flight test being completed. Furthermore, and fundamentally, there is no technical objection being presented that would indicate that this will not be an acceptable solution.

4.86 The test flight is, as set out above, planned to take place shortly prior to Committee consideration of the application and any comments received from the operator or the NNUH will be orally updated to the Committee.

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- 4.87 However, Officers consider that there is sufficient information at the time of writing this report to demonstrate there are reasonable alternatives for SAR landings (approx. 11 a year) that are likely to be able to be brought forward that would address the conflict of the existing flight path and proposed building and would maintain the ability to provide the SAR service to the NNUH. As such this would not be a reasonable ground on which to continue to delay determination of the application nor would it represent significant harm on which to substantiate a refusal of planning permission.

Proposed coffee kiosk

- 4.89 Policy DM2.6 is permissive of A3 (café) uses within settlements where development does not give rise to unacceptable environmental impacts including noise, odour and general disturbance.
- 4.90 In this case a small coffee kiosk is proposed in the north east corner of the plot. It is small in scale, ancillary to the MSCP and the NRP as a whole, is not a traffic generator in itself and so would have no highway impact and due to its location and limited scale would not give rise to any unacceptable environmental impacts including noise, odour and general disturbance.
- 4.91 The proposal is therefore considered to comply with SM2.6 and no conditions are considered necessary to control its use.

Compliance with conditions on outline consent

- 4.92 As part of the reserved matters application for the multi-storey car park, a discharge of the following conditions attached to the outline planning permission for NRP South is also being sought:

Condition 4 – surface water drainage;
 Condition 5 – foul water drainage;
 Condition 16 – materials;
 Condition 19 – landscaping; and
 Condition 21 – tree protection.

- 4.93 Other conditions from the outline that will need to be formally discharged for the application proposals through a separate discharge of condition application include:
 Condition 6: Road, footway and cycleway specifications
 Condition 7: Phasing of footways and cycleways
 Condition 8: Construction worker parking
 Condition 9: Construction traffic management plan and traffic route
 Condition 10: Wheel cleaning
 Condition 11: Overarching site wide Travel Plan
 Condition 12: Relevant plot Travel Plan
 Condition 15: External Lighting
 Condition 17: Fire hydrants
 Condition 22: Construction Environmental Management Plan
 Condition 23: Archaeology
 Condition 24: Ecological Management Plan
- 4.94 A Joint Phasing Plan has been submitted under condition 14 which is still under consideration.
- 4.95 As set out in the relevant sections of the report, satisfactory information has been submitted for conditions 4, 5, 16, 19 and 21 for those to be discharged for this reserved matters consent. Condition 23 is also complied with through the information provided in the reserved matters.

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EIA

- 4.96 The outline planning application for NRP South was subject to an EIA which covered the following topics: air quality, archaeology, climate change and renewable energy, ecology, flood risk, drainage and water resources, landscape and visual impact, noise, transport and cumulative impacts.
- 4.97 These reserved matters proposals have been considered against the Environmental Impact Assessment (EIA) Regulations 2011 in the context of the ES submitted with the outline consent. The environmental, social and economic impacts have all been considered and it is not considered there is a need for any addendum to the ES as a result of this reserved matters application. All matters are adequately addressed as detailed in the above report and conditions relating to the outline consent.

Financial considerations

- 4.98 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.
- 4.99 This application is not liable for Community Infrastructure Levy (CIL) as is pursuant to an outline consent which was granted prior to the introduction of CIL.

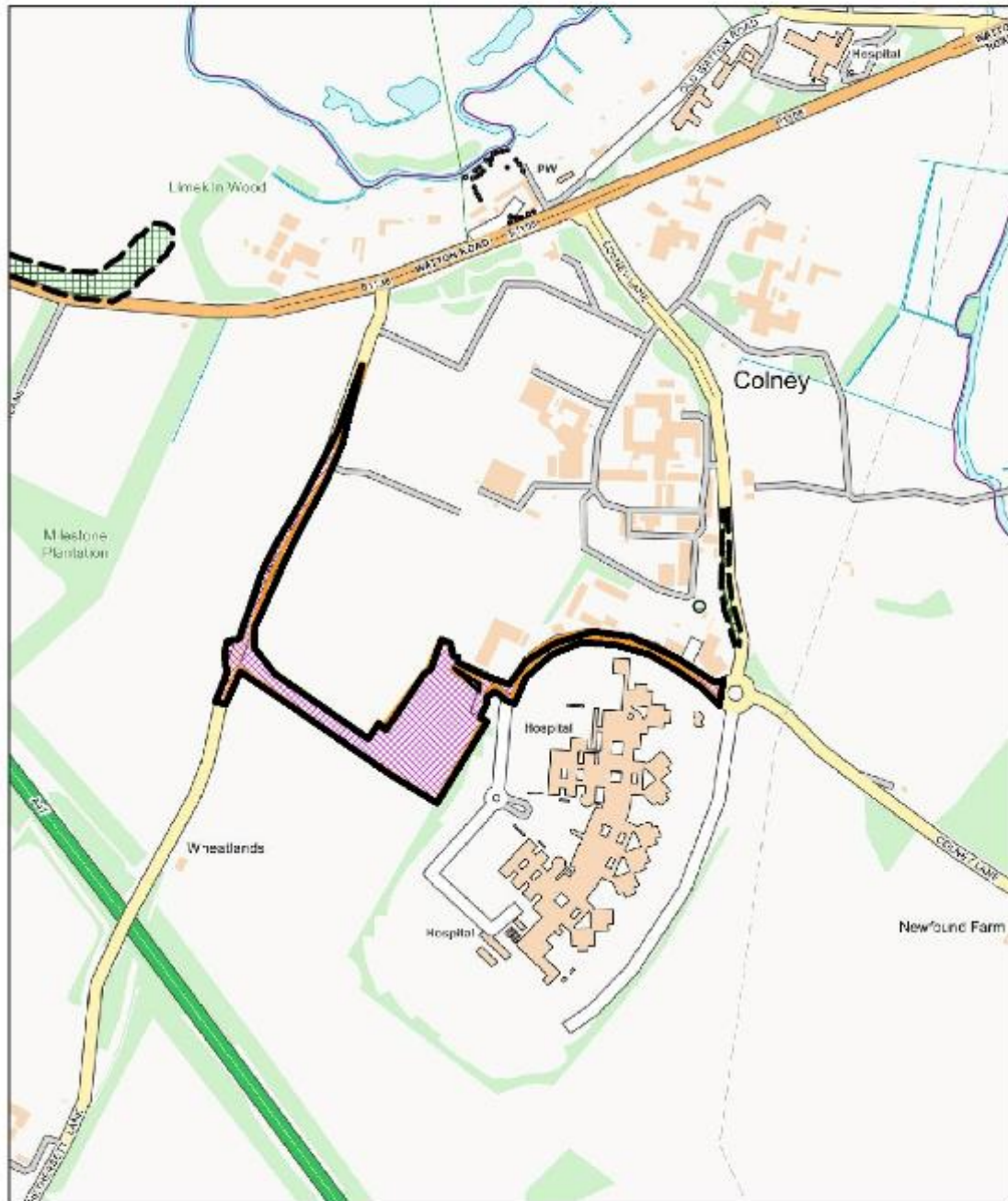
5. Conclusion

- 5.1 The reserved matters for this building within the NRP development complies with the overall parameters set in the masterplan and is appropriate in its access, appearance, layout, scale and landscaping. A number of conditions are set out in the report to make the development acceptable.
- 5.2 A significant new material consideration is the potential impact on the operation of the Search and Rescue (SAR) helicopters into the NNUH, as set out in the report there are reasonable alternatives to address the conflict of the proposed building and the flight path, as such this would not be a reasonable ground on which to continue to delay determination of the application nor would it represent significant harm on which to substantiate a refusal of planning permission.
- 5.3 The proposal is considered to comply with the development plan which is not outweighed by any material consideration.
- 5.4 Delegated authority to approve is sought subject to no new information being received which in officer's opinion is material to the recommendation and subject to a S106 Agreement to ensure only one MSCP is erected (only 2017/1197 or 2016/2382)

Contact Officer, Telephone Number Tracy Lincoln 01508 533814
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2017/1197

Appendix 1



Scale 1:7,500

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

Other Applications

- 2 Appl. No : 2018/0465/F**
Parish : WYMONDHAM
- Applicants Name : Mr Trevor Gurney
 Site Address : Kings Head Meadow Back Lane Wymondham Norfolk NR18 0QB
 Proposal : Erection of 2.5m close boarded fence with concrete posts in play area
- Recommendation : Approval with Conditions
 1 Full Planning permission time limit
 2 In accord with submitted drawings

Reason for reporting to committee

There are exceptional circumstances which warrant consideration of the proposal by committee.

- 1 Planning Policies**
- 1.1 National Planning Policy Framework (NPPF)
 NPPF 07 : Requiring good design
 NPPF 12 : Conserving and enhancing the historic environment
- 1.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
- 1.3 South Norfolk Local Plan Development Management Policies
 DM3.8 : Design Principles
 DM3.13 : Amenity, noise and quality of life
 DM3.15 : Outdoor play facilities and recreational space
 DM4.9 : Incorporating landscape in design
 DM4.10 : Heritage assets
- 1.4 Site Specific Allocations and Policies
 Wymondham Area Action Plan
 Policy WYM 12 : Protecting existing recreation or amenity land in Wymondham

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

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 relevant history
- 3. Consultations**
- 3.1 Town Council Original proposal
 No views or comments
- Amended proposal
 No response received

- | | | |
|-----|--|---|
| 3.2 | District Councillor
Cllr Savage | Delegate decision |
| 3.3 | Architectural Liaison
Officer – Norfolk
Constabulary | <p>Original proposal</p> <ul style="list-style-type: none"> • Will create a visually impermeable corridor into which criminals or those wishing to cause anti-social behaviour can gain access and remain hidden. • Design of fencing not appropriate. • Recommend a visually permeable, attack resistant and anti-climb security fence. • Gating should face into play area rather than a side entrance to provide surveillance. <p>Amended proposal
Reiterate previous comments.</p> |
| 3.4 | SNC Community
Services -
Environmental
Quality Team | <p>Original proposal
No adverse comments</p> <p>Amended proposal
No comment</p> |
| 3.5 | SNC Landscape
Architect | <p>Amended proposal
Planting scheme, once successfully established will offer a thicket of native plants within fenced area and a line of mixed ornamental shrubs along fence on play area.</p> <p>Comments regarding the choice of two of the plant types.</p> <ul style="list-style-type: none"> - <i>Pyracantha</i> (to be used against the fence, playground side) has thorns, so it may not be the best choice for the situation. - Blackthorn's (<i>Prunus spinosa</i>) success as a thicket is due to its propensity to expand via suckers; in light of this, it is better not planted directly adjacent to the domestic garden areas. |
| 3.6 | Other
Representations | <p>Original proposal
5 letters of objection have been received, their comments are summarised as follows:</p> <ul style="list-style-type: none"> • No buffer zone is provided for No.38 • Against reducing play area to a narrower and smaller area • To limit children's play experience is inhumane and selfish • Children should be able to have a good playing experience • Equipment being retained will not fit • No shade or seating |
- 4 Assessment
- Background*
- 4.1 The applicant seeks full planning permission for the erection of a 2.5 metre high close boarded fence within an existing children's play area. The site is within both the development boundary of the Wymondham Area Action Plan and the Wymondham Conservation Area.
- 4.2 The submitted plans for the fence proposed it to be 8 metres from the existing boundary. This has now been amended to 7 metres to allow for planting on the park side of the fence. It has also been confirmed there will be planting works carried out within the created area between the two fences.

- 4.3 The applicants state that the fence is proposed to provide an acoustic and physical barrier between the existing park and the neighbouring properties to reduce noise and impact of the activities within the park on the existing fence. It should be noted that the Town Council could erect a fence up to a height of 2 metres permitted development without requiring planning permission.

Policy

- 4.4 Policy DM 3.15 Outdoor play facilities and recreational space of the Development Management Policy Document states:

New housing development will be required to provide adequate outdoor play facilities and recreational open space commensurate with the level of development proposed in order to meet the need of occupants.

Development must not result in a net quantitative or qualitative loss of existing open space unless it can be demonstrated that there is a surplus of amenity space.

- 4.5 The South Norfolk Council – PPG17 Open Spaces, Indoor sports and community Recreation Assessment 2007, as reported in the Wymondham Area Action Plan in Chapter 8 - Recreation, shows that there is a lack of formal open space and children and young people's play space within the town.

- 4.6 Policy WYM 12 of the Wymondham Area Action Plan states that existing recreation or amenity land within the town will be protected and enhanced and any change of use will only be permitted where:

- 1) The proposed development is ancillary to the principal recreational use of the site;*
- 2) It affects only a small part of the site which cannot be used for pitch sports and does not prejudice the recreational use of the site;*
- 3) It involves the replacement of the recreational facility with another of equivalent or improved quality;*
- 4) An assessment of need shows that there is an excess of provision of the particular facility and it cannot be adapted to meet other recreational needs;*
- 5) It is part of the relocation of a sports (or similar) club which will provide an overall improvement in recreational facilities;*
- 6) It will result in recreational provisions better suited to future needs and there is no current shortage of playing fields or recreational/amenity land in the locality.*

- 4.7 Other than part 2 of the above policy, the proposed use of the area between the two fences is not considered to accord with requirements of Policies DM3.15 and WYM12.

Design and Impact on the Conservation Area

- 4.8 Policy 7 of the NPPF, policy 2 in the JCS and Policy DM3.8 of the Development Management Policies require new development to be of a good quality design.

- 4.9 The proposed fence is a very similar design to the existing boundary fence and a 2-metre fence can be erected in this location without planning permission. Although the fence will be positioned further into the site and higher than permitted development, it is considered the design remains similar to the existing and therefore in keeping with the area and will not have an adverse impact on the character and appearance of the Conservation Area. The proposal is therefore considered in accordance with Policies 7 and 12 of the NPPF, Policy 2 of the JCS and Policies DM3.8 and DM4.10 of the SNLP.

- 4.10 The fence is proposed to overcome the impact of the play area on the neighbouring properties. The applicants state that the height and distance between the two fences will provide an acoustic barrier to mitigate noise and protect the existing fences and gardens.
- 4.11 Environmental quality raise no objections to the scheme, the proposal will obviously move the majority of noise and disturbance from people using the play area further from existing fences, it is considered that it is unlikely to act as a complete acoustic barrier for noise.
- 4.12 There will be a 7 metre space between the two fences that the applicant is intending on carrying out planting work consisting of prickly bushes to deter youths gathering within this area.
- 4.13 The Police Architectural Liaison Officer has raised concerns regarding the visually impermeable corridor between the rear of the dwellings and the play area which criminals and those wishing to cause anti-social behaviour can remain hidden from view. The fence panels proposed can easily be removed with simple tools and the Architectural Liaison Officer feels that a close boarded or feather edge fencing is inappropriate. Concerns are also raised regarding the position of the gates which are recommended to be moved to be facing into the play area in order to benefit from the best surveillance. These comments have been passed to the applicants, who have confirmed the Police Sergeants responsible for Wymondham have raised no objections. They also state that the gates cannot be moved from the proposed position due to the play equipment preventing safe access for maintenance equipment.
- 4.14 A neighbour has concerns with regard to the proposed fence being positioned closer to their property than the proposed 7 metre gap with the other adjacent dwellings. Although the concern is noted the Local Planning Authority can only determine the scheme as submitted and the applicants have been made aware of this particular neighbours concerns.
- 4.15 As a 2 metre fence can be erected at any time (this being only half a metre higher), it is considered that despite the concerns raised about safety and security the proposal would not have a detrimental impact on amenity, it could result in an improvement for some neighbours through moving people away from the fence and the proposals could be easily removed if required. On balance the proposal is considered in accordance with Policy DM3.13 of the SNLP.

Landscaping

- 4.16 The applicant is proposing to plant both within the space between the fences to deter people entering this area and also in front of the fence adjacent to the park area to soften the impact of the fence within the area. The landscape architect has no objection to the planting but considers careful choices of plant will be required in both locations. The applicants have been advised with regards to the landscape officer comments and the proposal is therefore considered in accordance with policy DM4.9 in this regard.

Trees

- 4.17 There are existing trees within the site which will be retained within the 7 metre space between the fences. The erection of the fence will not have such a significant impact on the trees to warrant any tree protection or the moving of the fence. The proposal is therefore considered in accordance with Policy DM4.8 of the SNLP.

- 4.18 Five letters of objection have been received including comments with regards to the reduction in size of the play area with no shade or seating being provided. The smaller play area will limit the children's ability to experience a good play area with concerns regarding the loss of any equipment that cannot be positioned within the new site area. It is considered that there will still be some shading from existing trees and the new fence and although a smaller area will be created, contrary to policy, the play area with equipment will still exist in this location for the benefit of local people.
- 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.
- 4.20 This application is not liable for Community Infrastructure Levy.

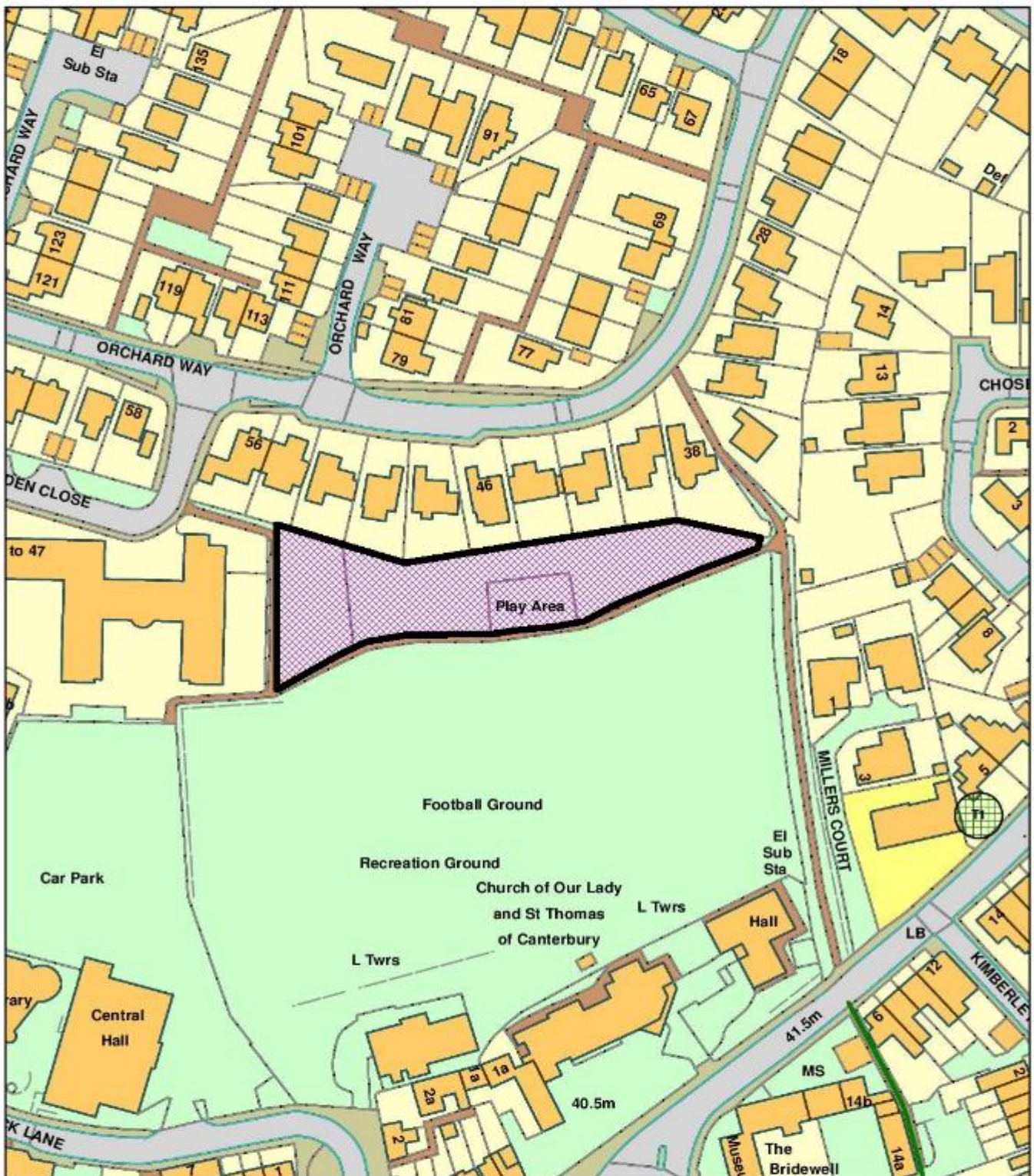
5 Conclusion

- 5.1 Despite the loss of some of the play area, contrary to policies DM3.15 and WYM12, a play area and equipment will remain in this location. It is noted that permitted development would allow a 2 metre fence of this design to be erected in this location and therefore it is considered that on balance, the additional 0.5metres of fence in this location would not materially impact the character or appearance of the Conservation Area or impact the amenity of neighbouring properties and could actually improve the current situation for neighbouring properties. The proposal is therefore considered to be in accordance with relevant national and Development Plan policies.

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2018/0465

Appendix 1



Scale 1:1,250

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

- 3 Appl. No : 2018/0888/F**
Parish : LITTLE MELTON
- Applicants Name : Mr T Large
 Site Address : 93 School Lane Little Melton NR9 3LA
 Proposal : Subdivision of land and erection of 1No dwelling
- Recommendation : Approval with conditions
 1 Full Planning permission time limit
 2 In accord with submitted drawings
 3 Surface Water
 4 External materials to be agreed
 5 Provision of parking, service
 6 Ecology mitigation

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below.

Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
 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
- 1.2 Joint Core Strategy (JCS)
 Policy 1 : Addressing climate change and protecting environmental assets
 Policy 2 : Promoting good design
 Policy 3: Energy and water
 Policy 4 : Housing delivery
 Policy 15 : Service Villages
- 1.3 South Norfolk Local Plan (SNLP)
 South Norfolk Local Plan Development Management Policies
 DM3.5 : Replacement dwellings and additional dwellings on sub-divided plots within Development Boundaries
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM4.2 : Sustainable drainage and water management
 DM1.4 : Environmental Quality and local distinctiveness

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

S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent 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 2017/1617 Erection of 1No dwelling with garage Withdrawn

3. Consultations

- 3.1 Town / Parish Council Raises concerns regarding the following:
- New access and impact on highway safety.
 - Nearby properties are bungalows with front gardens. The new dwelling is out of character.
- Development will impede one of the few remaining migration routes for toads and great crested newts but recognise that the route only exists because the current site owners have not replaced the open fencing with impenetrable concrete gravel boards, as has happened elsewhere.
- Comments on revised plans to be reported, if appropriate.
- 3.2 District Councillor Cllr Wheatley To Committee if for approval. Over-development of the site and there are issues regarding highway safety, neighbour amenity and ecology.
- Comments on revised plans to be reported, if appropriate.
- Cllr Kemp To be reported, if appropriate.
- 3.3 SNC Water Management Officer Support subject to a condition for the disposal of surface water.
- 3.4 NCC Highways A site layout which included the provision of vehicle turning space would have been preferable however, the existing property at No 93 and others in this vicinity do not have this provision, so it would be difficult to insist on that requirement. No highways objection is therefore raised subject to a condition for the provision of onsite parking.
- Comments on the revised plans to be reported, if appropriate.
- 3.5 NCC Ecologist No comments received.
- 3.6 Arboricultural Officer Comments on amended plans to be updated to committee.
- 3.7 Other Representations 3 Letters of objection received, their comments are summarised as follows:
- More intrusive than previously proposed scheme being of two storey height.
 - Impact of proposed on existing character of dwellings including a grade II listed building and an ecologically important pond.
 - All existing properties are well spaced which contributes to the pleasing aspect of the area 'creating a landscape setting' when approaching the village from Green lane. The intensive and intrusive nature of this proposed development would be completely at odds with the setting and quite detrimental to the street scene in

what is the only attractive part of the village and which needs to be preserved.

- Impact on the newts, toads and frogs which access the pond on the opposite side during the breeding season, the development would destroy their habitat.
- Overbearing impact from the northern gable and elevation adjacent to the southern boundary of Fuchsia House garden detrimental effect on planting and growth. The rear and front elevation windows would overlook the garden and private sunbathing area and would thus cause considerable loss of amenity and a serious loss of enjoyment of the garden.
- Other land available within Little Melton.
- Will set a precedent for future overdevelopment.

Additional comments on revised plans will be reported, if appropriate.

4 Assessment

Background

- 4.1 The proposal seeks permission for the sub-division of no.s 93 and 95 School Lane Little Melton to make provision for the construction of one dwelling with access off School lane. Nos 93 and 95 are both single storey hipped roof dwellings with Fuschia House to the north of the plot being of two-storey. Properties on the opposite side of School Lane are semi-detached hipped roof bungalows. The site is within the development limits of Little Melton which is within the Norwich Policy Area.

Principle of development

- 4.2 The principle is assessed against policy DM1.3 of the SNLP, all new development should be located so that it positively contributes to the sustainable development of South Norfolk as led by the Local Plan. As the site is within the Development Boundary of Little Melton the proposal accords with criteria 1 (a) of DM1.3 of the SNLP 2015.
- 4.3 Also relevant is policy DM3.5 which permits additional dwellings on sub-divided plots within development boundaries: I have copied the policy below for ease of reference:

Within development boundaries the replacement of existing dwellings and sub-division of existing residential plots and gardens to create new dwellings will be permitted provided that it:

- a) Incorporates a good quality design which maintains or enhances the character and appearance of existing buildings, street scene and surroundings; and*
- b) Does not have an unacceptable impact on the amenities of neighbouring occupiers. Specifically, proposals must provide and maintain:*
 - c) Adequate private amenity and utility space;*
 - d) Adequate access and parking; and*
 - e) Adequate levels of amenity with reasonable access to light and privacy, free from unacceptable noise or other pollutants.*

- 4.4 A previous scheme for a dwelling on this plot was submitted and withdrawn due to the lack of an ecology survey, and because of the time of year it was not possible to conduct the survey at that time, therefore the scheme was withdrawn. The current scheme proposes sub-divide part of the rear gardens of Nos 93 and 95 School Land to provide for one dwelling.
- 4.5 The scheme as originally submitted included a gable section to the front of the dwelling which provided a garage with a room above, however, this resulted in an unbalanced front

elevation of the property which was considered out of character with the area. Discussions were held with the agent and, as a result, a revised scheme has now been submitted.

- 4.6 While at the time of this report no comments have been received to the revisions, (these will be reported to committee, if appropriate), the overall footprint of the dwelling has not changed. Comments received from local residents and the Local Member on the original scheme are concerned about the overall scale of the dwellings and its impact on the existing character of the locality.

Design

- 4.7 The revised scheme, while still having the same footprint, has significantly changed the design of the front elevation reducing the bulk. The gable projection has been deleted, and changes now include a cat slide roof above the garage, and to balance the elevation the room above the garage now has a dormer window to match the other first floor front window. I accept the proposed dwelling is larger than the bungalows which occupy the existing plot of which the garden forms this application, however the property to the north (Fuchsia House) is a chalet style dwelling with a front facing dormer and has a window in the south elevation. I am therefore of the opinion that while the plot size is limited, it is adequate for the size of the dwelling proposed and not out of character with the wider area, or the remaining size of the plots of no.s 93 and 95 School Lane. The revised scheme is not out of character with the general street scene of School Lane, Little Melton, or the more immediate area of School Lane, the proposal therefore accords with criteria (a) of policy DM3.5, and with policy DM3.8 (design) of the SNLP 2015.

Amenity

- 4.8 Criteria b of policy DM3.5 and Policy DM3.13 seek to ensure all development has no adverse impact on the residential amenity of the neighbouring property. The scheme, although having first floor windows in the rear and front elevation does not have any side facing windows. Concern has been raised by the neighbouring property (Fuchsia House) regarding the loss of privacy, however taking into account the position within the plot of the proposed dwelling, and the position of the windows, I do not consider the loss of privacy to any of the neighbours will be so significant to justify refusal. The scheme as proposed accords with criteria (b) and (c) of policy DM3.5 and with policy DM3.13 of the SNLP 2015.
- 4.9 The site is adjacent to other residential properties and therefore criteria (e) is met as there are no issues which would result in unacceptable levels of amenity for the proposed occupants.

Access and car parking

- 4.10 As previously mentioned the site is limited in terms of size, and concern has been raised by the Parish Council and neighbours about the plot being adequate to accommodate adequate parking. The Highways Authority have made comment that *"A site layout which included an onsite vehicle turning space would have been preferred, in order that occupants do not have to reverse out onto School Lane. However, I note that the existing property at number 93 and others in this vicinity do not have this provision, so it would be difficult to insist on that requirement."* For this reason, while it is necessary to ensure there is sufficient car parking space on the site, there has been no highway safety issues raised, therefore I am satisfied the scheme as proposed and conditioned accords with criteria (d) of policy DM 3.5 and with policies DM3.11 and DM3.12 of the SNLP 2015.

Trees

- 4.11 The application site is close to a tree on the boundary of the neighbouring property (shown as T1 of the plan). The Tree survey submitted with the application has noted that *"T1 is a semi mature version of Norway maple - probably a variety such as Drummondii - which*

produces the lighter leaf colour and variegation. The tree is approx. 6m high and 6m in spread and is located approx. 3m from the boundary of the site. The tree is classified as low amenity value as it is not particularly large or significant in the street scene and only makes a modest contribution to the amenity of the area."

- 4.12 Any tree can make a contribution to the character of the area and therefore consideration must be given to any protection necessary during the construction process. The Survey has noted that *"The constraints that T1 offers to development are minor. In its current state, the canopy just reaches the boundary of the site. The root protection area for the tree is similarly contained within the adjacent site area. Development on the proposed site would therefore not impact on the tree through physical actions. We would propose only very minor provision of tree protection measures for this tree in the form of ground protection near to the boundary of the site to prevent accidental contamination of the soil with cement leachate by dropping concrete or similar onto the ground. Simple scaffold boards with a DPM underneath - extending 1m from the northern boundary where shown on the plan will be sufficient."*
- 4.13 Having taken into account the details submitted with the report, I am satisfied that with an appropriate condition requiring tree protection in line with the submitted report, the scheme accords with policy DM4.8 of the SNL 2015.

Ecology

- 4.14 As already stated, the site is located on parts of two residential gardens. The site is across Green Lane from the well-known 'amphibian pond' located on the way into the village from the east, adjacent to the road. This 'amphibian pond' is the location of a regular amphibian patrol. Concern has been raised by local residents and the parish Council to the impact on protected species and their habitat if the proposed development is allowed.
- 4.15 An Ecology report has been submitted with the application to provide an impact assessment of the proposed scheme in relation to great crested newts. It also proposes a method statement approach to ensure legal compliance and to fulfil the statutory obligations with respect to the planning application. The site was assessed on 11 April 2018.
- 4.16 The report notes:

Key points in considering the impacts on great crested newts are:

- The existing pond is recognised as having a long-standing breeding population of great crested newts. If direct surveys were undertaken it is considered likely it that the population estimate would be 'medium'.*
- The risk of great crested newts entering the garden is very low, by virtue of the low roadside kerb and then the garden wall that runs along most of the frontage to Green Lane.*
- If they did enter, then the Site almost completely lacks cover, with extensive areas of hardstanding, paving slabs and tidy garden areas (mown lawn and ornamental beds) offering very little cover or shelter.*

It is considered that great crested newts are unlikely to enter the Site, and if they did enter then there is very little shelter or cover. It is assessed that the scheme: will have very little risk of causing direct offences against great crested newts (injury or killing); at most the loss of habitat will be very low; and their local conservation status will not be affected.

Method Statement

Given the very low risk of great crested newts being present it is proposed:

- Initial Site clearance would be undertaken by hand, under supervision of a licensed ecologist. This would affect areas of ground-level debris and materials such as stacked*

paving slabs. If great crested newts are found during Site clearance then a re-assessment will be made regarding any need for protected species licensing.

- As far as possible the wall to Green Lane would be retained during works. Where this is removed for access during construction then it is proposed that during the active period for great crested newts a movable barrier will be retained across the entrance at night to prevent access into the works areas (where heaps of rubble and soil might offer shelter). This barrier would be used during the times of year when great crested newts would be active.*
- Site staff will receive a toolbox talk on great crested newts and avoidance of offences.*

Enhancements

It is proposed that the soft landscaping of the completed scheme will offer areas suitable for great crested newts:

- The frontage to Green lane will either include 'access holes' within the wall or otherwise use hedging.*
- A flower bed will be located inside the front boundary, with ground-level cover suitable for great crested newts, such as tussock grasses or similar. Elsewhere in the garden similar planting will be included.*

4.17 The report concludes that:

It is considered that it is very unlikely that great crested newts would be within the Site boundary, by virtue of a garden wall that blocks access other than for ~2m along the front of the Site, and a second entrance of ~2m along the frontage of the adjacent plot. Thus, there is a very low likelihood of great crested newts entering the Site.

The Site itself is a 'neat and tidy' garden with very little cover or other habitat for great crested newts.

It is considered that the risk of an offence against great crested newts or their habitat is sufficiently low for the scheme to proceed using a method statement approach without protected species licensing. The local conservation status of great crested newts would be unchanged by the scheme.

It is considered that the proposed approach is compliant with protected species legislation and requirements of planning policies'.

4.18 The report submitted has taken into account the impact on Great Crested Newts and their habitat and with the appropriate measures in provide adequate protection. The revised plans submitted have amended the boundary fencing to ensure they have free passage through the gardens by providing permeable ground clearance. At the time of this report no comments have been received to the submitted Survey from Norfolk County Ecologist, but these will be reported to Committee on the update sheet, if appropriate.

4.19 Having taken into account all the issues raised and the mitigation proposed, I am satisfied the scheme accords with policy DM1.4 of the SNLP 2015.

Self-build

4.20 Under paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.

4.21 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.

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

5 Conclusion

5.1 The sub-division of the rear gardens of nos 93 and 95 School Lane for the provision of one dwelling which is within the development boundaries meets the requirements of criteria (a) of Policy DM1.3.

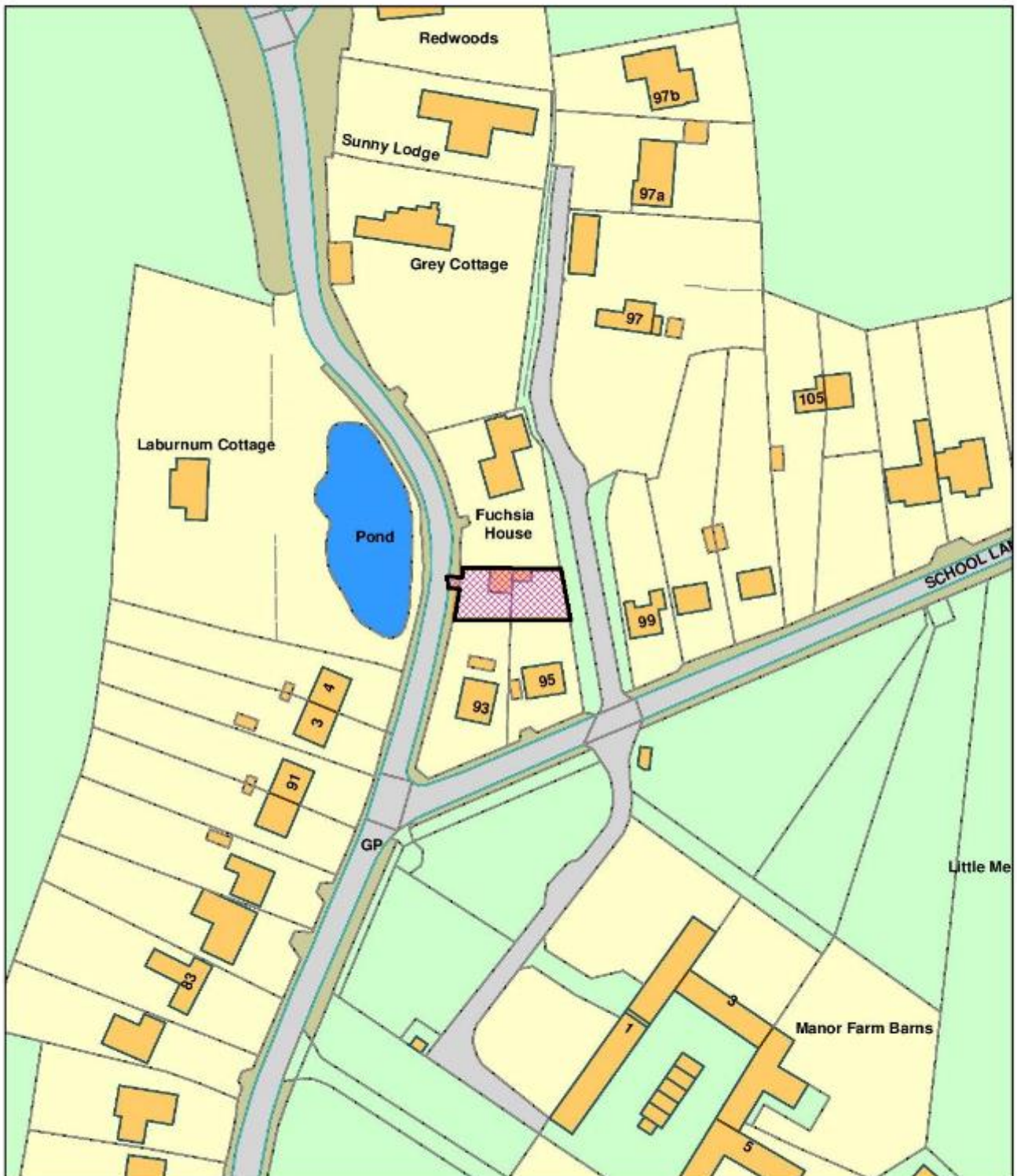
5.2 The scale and revised design of the proposed dwelling is in keeping with the design of other dwellings in the immediate and wider context of Little Melton, and has no adverse impact on the amenities of the neighbouring properties, the scheme as revised and conditioned accords with policies DM3.5, DM3.8 and DM3.13 of the SNLP 2015.

5.3 All ecology issues have been assessed and mitigation is in place to protect and enhance the mitigation route for Great Crested Newts, the scheme therefore accords with policy DM1.4 of the SNLP 2015.

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2018/0888

Appendix 1



Scale 1:1,250

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

4 Appl. No : 2018/1033/F
Parish : SEETHING

Applicants Name : Mr Robin Key
 Site Address : Land To The South Of Holmlea Seething Street Seething Norfolk
 Proposal : 2 new detached dwellings with single garages

Recommendation : Approval with conditions
 1 Full Planning permission time limit
 2 in accordance with submitted drawings
 3 Existing Access, Widen or Improve
 4 Access Gates - Configuration
 5 Visibility splay, approved plan
 6 Provision of parking, service
 7 Surface water
 8 Details of foul water disposal
 9 External materials to be agreed
 10 Boundary treatments as submitted
 11 Replacement Hedge along frontage

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below.

1 Planning Policies

- 1.1 National Planning Policy Framework (NPPF)
 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 (JCS)
 Policy 2 : Promoting good design
- 1.3 South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3 : The sustainable location of new development
 DM3.8 : Design Principles applying to all development
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM4.5 : Landscape Character Areas and River Valleys
 DM4.8 : Protection of Trees and Hedgerows

2. Planning History

- | | | | |
|-----|-----------|---|---------|
| 2.1 | 2017/1442 | 2 new detached dwellings with attached single garages | Refused |
|-----|-----------|---|---------|

3. Consultations

- | | | |
|-----|---------------------------------|---|
| 3.1 | Seething Parish Council | No views on the application |
| 3.2 | District Councillor Cllr Fuller | There is a tension here between the proposal being outside the development boundary but opposite the allocated site that cannot |

- take the allocation of ten homes, which is the quota for Seething in the adopted local plan. This site might allow the village's allocation to be made. Care should be taken to ensure that, if permitted, this site would not prejudice any drainage issues for the allocated site.
- 3.3 SNC Water Management Officer No objection subject to conditions relating to surface water drainage and foul water drainage details being agreed
- 3.4 NCC Highways No objection subject to conditions.
- 3.5 SNC Conservation and Design The application is a resubmission of the same design proposals as submitted with 2017/1442, which was refused on principle of development outside the settlement boundary and unsustainability.
- The design of the two dwellings remains the same as the previous application, which was negotiated resulting in what was considered a satisfactory design approach with regard to the local context and the form and character of the neighbouring properties. I consequently do not have any comments with regard to the design approach for this application. However, if it is considered that the current application should be approved due to the change in the five year land supply, conditions should cover materials and design details such as eaves, verges, windows, doors etc.
- 3.6 Other Representations 2 objections received, a summary of the concerns is as follows:
- Nothing has changed since the previous refusal
 - Drawing is inaccurate and misleading in respect of neighbouring property
 - Distance between neighbour's garage and proposed garage would cause problems to the foundations of garage and block out light to the garage. Proposal shouldn't be so close to the hedge.
 - Applicant will not be permitted to cut down neighbour's trees
 - Visibility splay comes onto neighbour's land
 - Traffic concerns (corner/junction is a busy one, restricted visibility)
 - Overshadowing
 - Out of character with existing dwellings
 - No housing need for these dwellings
 - Outside development limit
 - Has not been put forward for development through the Local Plan
 - Drainage concerns
 - Impacts on electricity supply and water pressure if the development goes ahead.
 - Set a precedent for further development

4 Assessment

Background

- 4.1 This application seeks full planning permission for the erection of 2 detached dwellings with single garages at land to the south of Holmlea, Seething Street, Seething. The development would be accessed via a single access.
- 4.2 It is evident that this application is a resubmission of 2017/1442 which was refused on the following grounds:

1. The site is located outside the Development Limit in an area where there is an existing significant housing land supply of 39.6 years (as at December 2016). There

are no relevant Development Management Policies that would allow for development outside Development Boundaries relating to the proposed development, and no overriding benefits in terms of economic, social and environmental dimensions of the proposed development. The development is therefore contrary to policy DM1.3 of the South Norfolk Local Plan Development Management Policies 2015.

2. The proposal would result in the erosion of the rural undeveloped character of the area and lead to an encroachment on the open countryside contrary to policy DM4.5 in the of the South Norfolk Local Plan Development Management Policy Document and Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk.

3. The proposed development does not represent sustainable development, having regard to the three tests set out in the National Planning Policy Framework. The adverse impact of the encroachment on the open countryside, outweighs the modest social and economic benefit of two additional dwelling in the rural policy area where there is an existing significant housing land supply (39.6 years) and as such is contrary to the aims of the NPPF, including paragraph 55.

- 4.3 Whilst the submission is identical, this application is accompanied by a landscape character assessment which seeks to address the concerns raised in the previous refusal.
- 4.4 It is evident that the only material difference from when this decision was made is the most recent version of the Central Norfolk Strategic Housing Market Assessment (SHMA), which was published in June 2017. This is significant new evidence. There is a 4.38 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively enhances the weight attached to the benefits of increased housing supply.
- 4.5 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 4.6 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.7 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, which is the case here, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1. Where development proposals do not accord with the development plan, consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.8 Of particular relevance to applications for housing development is that the JCS housing requirement for the South Norfolk Rural Policy Area is now several years old (the JCS was adopted in March 2011, with amendments in January 2014). Moreover the evidence on which the requirement is based has now been superseded.
- 4.9 In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA

also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.

- 4.10 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. The SHMA indicates that the Objectively Assessed Need (OAN) for housing in the South Norfolk RPA is significantly greater than the annual housing requirement under the adopted JCS: an annual requirement of 326 homes per annum in the SHMA compared to 132 homes per annum in the JCS. Moreover, when measured against the SHMA assessment of OAN the housing land supply in the South Norfolk RPA falls from 62.5 years supply under the JCS to 4.38 year housing land supply, a potential shortfall of 232 units, against the SHMA.
- 4.11 The increased OAN and housing land supply deficit in the South Norfolk RPA that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor weighs in favour of the approval of applications.
- 4.12 Taking account of the above, it is necessary to establish the impact of this evidence on the assessment.
- 4.13 In this instance it is considered that the provision of two dwellings would provide greater benefit than was previously identified in light of the SHMA figure.
- 4.14 Having considered the contents of the submitted landscape character assessment, this has been useful in assisting officers with determining the degree of landscape harm that would occur which needs to be understood in order to determine whether there are any overriding benefits as required by Policy DM1.3.
- 4.15 Whilst finely balanced, it is considered that the enhanced benefit brought about through the emergence of the SHMA housing figure from that considered at the time of the previous application (2017/1442) coupled with the greater clarity on the degree of landscape harm as a consequence of the assessment of the submitted landscape character assessment, there would be some benefit from the provision of housing in this location in economic and social grounds and the harms previously identified are considered in light of the new evidence outweighed and therefore 2 d) of Policy DM1.3 is complied with. With this in mind, it is considered that reason for refusal 1 has been addressed. Likewise, the enhanced benefit of the housing as a consequence of the SHMA figure and the greater understanding of the landscape harm means that it is considered that on balance the scheme does represent a sustainable development in the context of the NPPF when taken as a whole and therefore reason for refusal 3 has also been addressed.
- 4.16 With regard to reason for refusal 2, it is considered that having assessed the landscape assessment submitted in support of the application officers are now satisfied that there would not be a level of adverse harm that could justify refusal under Policy DM4.5 of the Local Plan.
- 4.17 Whilst noting the concerns raised through the consultation process, all other relevant planning matters e.g. traffic matters, neighbour amenity etc remain the same as those previously set out in assessment section of the committee report for 2017/1442 whereby it is considered that there is no objection in terms of traffic matters, neighbour amenity, etc. A copy of the previous report is attached as Appendix 2.
- 4.18 Concern has been expressed that if approved that this would set a precedent for other applications. It is evident that any approval of this application, would not, in principle, prevent the Council from refusing an application for dwellings elsewhere within Seething if there were planning grounds to do so. It is evident that all applications must be assessed on their own merits at that time.

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.

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

5. Conclusion

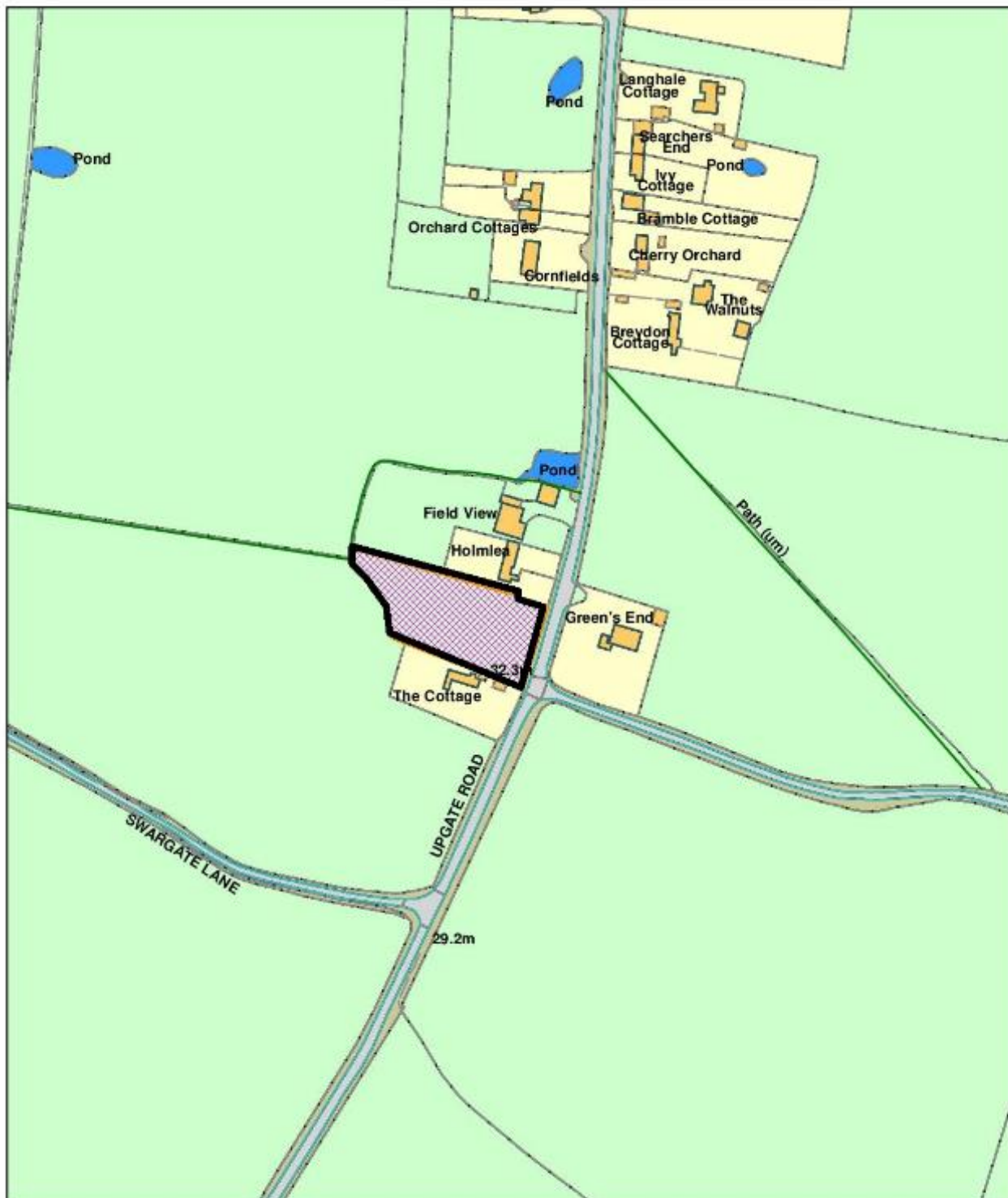
5.1 It is considered that the enhanced benefit afforded to housing delivery in this instance, having regard to the SHMA as significant new evidence as a material consideration, coupled with the greater understanding of landscape impact through the submission of the landscape assessment leads to a scheme that presents an overriding benefit in the context of Policy DM1.3 and that the concerns regarding Policy DM4.5 have also been met.

5.2 Likewise, it is considered that the scheme complies with all other planning requirements insofar as it would provide amongst other things a safe vehicular access, safeguard neighbour amenity, and be of sufficiently good design. The proposal is therefore considered in accordance with relevant nation and development plan policies.

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2018/1033

Appendix 1



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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

Appendix 2

Development Management Committee

6 December 2017

Other Applications

- 3 Appl. No : 2017/1442/F**
Parish : SEETHING
- Applicants Name : Mr Robin Key
Site Address : Land To The South Of Holmlea Seething Street Seething Norfolk
Proposal : 2 new detached dwellings with attached single garages
- Recommendation : Refusal
 1 Contrary to DM1.3
 2 Harm To landscape
 3 Unsustainable development

1 Planning Policies

- 1.1 National Planning Policy Framework**
NPPF 04 : Promoting sustainable transport
NPPF 06 : Delivering a wide choice of high quality home
NPPF 07 : Requiring good design
NPPF 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 6 : Access and Transportation
Policy 15 : Service Villages
- 1.3 South Norfolk Local Plan Development Management Policies**
DM1.3 : The sustainable location of new development
DM1.4 : Environmental Quality and local distinctiveness
DM3.1 : Meeting Housing requirements and needs
DM3.8 : Design Principles applying to all development
DM3.11 : Road safety and the free flow of traffic
DM3.12 : Provision of vehicle parking
DM3.13 : Amenity, noise, quality of life
DM4.2 : Sustainable drainage and water management
DM4.5 : Landscape Character Areas and River Valleys
DM4.8 : Protection of Trees and Hedgerows
- 1.4 Supplementary Planning Documents**
South Norfolk Place Making Guide 2012
Authority monitoring Report

2. Planning History

- | | | | |
|------------|------------------|--|----------------|
| 2.1 | 2012/1563 | Outline application for 2 new houses | Refused |
| 2.2 | 2004/0137 | Erection of two new 4 bedroom detached houses and garages | Refused |

Development Management Committee

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3. Consultations

- 3.1 Parish Council
- To the original submission
Refuse
- Whilst the Parish Council agrees that the site is suitable for development of 2 houses of this size, we would prefer to see increased architectural variety of the front elevations.
 - Also concerned that traffic speeds entering the southern end of Seething Street require traffic calming measures, compounded by limited visibility of the proposed access points for traffic approaching from the south.
- To amended scheme
Refuse
- To second amendment
Approve
- Amendment to the application is an improvement and therefore recommend approval
- 3.2 District Councillor
- This is one where there are issues of balance that should be weighed by the Committee.
- On one hand I can see that it's outside the development boundary so the presumption would normally be to refuse.
 - However, on the other hand, the local plan allocation for Seething was for 10 houses but the allocated site is only capable of sustaining 5-6 homes. Thus, there's a shortfall of about 4 in the village.
 - The application site is directly opposite the allocated site and could contribute to that shortfall and there's also a make-weight argument on infill as well.
 - I note that revised plans have been submitted and, considering these and the other policy points, feel that this one should go to Committee for determination.
- 3.3 SNC Water Management Officer
- Conditional support
- 3.4 NCC Ecologist
- No objection subject to condition
- 3.5 SNC Community Services - Environmental Quality Team
- No objections subject to conditions
- 3.6 NCC Highways
- To original submission
Refuse
- Due to restricted visibility
- To revised access details
- No objections subject to conditions
- 3.7 SNC Conservation and Design
- No objections to the revised design

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3.8 Other
RepresentationsTo original submission
2 letters of objection

- This is the third time such an application has been submitted to build two properties on the land. The previous two applications were refused.
- The plot of land in question has never been put forward as a site for development and is not part of the Local Development Plan.
- There is no justification to build housing on this site.
- Planning permission has already been granted for five new dwellings to be built opposite and to have further development is turning this part of rural Seething into suburbia
- Highway safety concerns: present access/exit extremely restrictive; current 30mph sign is close to this exit and know from experience vehicles travel in excess of 30mph; plans to move access further down will change it from a very dangerous exit to a lethal exit
- Boundary hedge to north belongs to us and no permission has been sought to cut the hedge although mentioned in the planning application
- Proposed site plan not accurate
- Outside development boundary and is part of the Conservation Area
- Will affect the appearance and character of the street
- Loss of light/overshadowing
- Level changes will create run off onto our land

To amended plans
2 letters of objection

- Previous objections still stand
- No attempt made to consult with us by the developer
- Proposed changes to the existing access show removal of our hedgerow
- Damage to trees
- Loss of hedgerow
- Concerned that the local member is taking the views and opinions of developers over local residents. Appears to be pushing for housing numbers as opposed to waiting for the next round of the Local Plan which has a probability of including more suitable sites

To revised access

- Revised proposal focuses upon improvements to access, our concerns still stand with regards to road safety and outside development boundary

4 Assessment

4.1 This application seeks full planning permission for the erection of 2 detached dwellings with single garages at land to the south of Holmlea, Seething Street, Seething.

4.2 The site lies within the B5: Chet Tributary Farmland where the landscape is described in the South Norfolk Place Making Guide as being composed of 'land rising gently from the Broads and is cut through by the River Chet and its tributaries; flat to gently undulating landscape; dispersed settlement across the character area; areas of parkland; moated sites; distinctive and extensive areas of common land and smaller village greens; Norman round-towered churches are a distinctive character of the landscape...forming very visible features on the highest ground, generally built of chequered red brick and flint; most villages have a distinctive village core comprising red brick and timber framed houses; and

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large farm buildings and farm processing units occur throughout the landscape with older farm buildings being characteristically red brick and tiled'.

- 4.3 From historic maps the site appears historically to have been closely associated with the building now known as Holmlea. It is located beyond the southern end of the settlement boundary, where properties are characterised by being more dispersed rather than clustered, as they are further along The Street nearer the centre of the village to the north. Hence, as is typical of properties on the fringes of a settlement and lanes/roads leading away from them, the property is set in a more spacious, less dense, setting, and the lane is characterised by unbroken hedgerows with fields visible to the rear. There is a however a noticeable change of character at the junction to the south, where views become more open and rural across fields. Before reaching the junction the less built up nature of this part of the street, with buildings set back from the road with relatively high hedgerows and the houses being hidden and not very visible in the street scene, does lend this section of the lane a rural character with regard to the immediate setting than the settlement to the north.
- 4.4 Seething has been identified under Policy 15 of the Joint Core Strategy (JCS) as a Service Village which has a defined development boundary permitting infill or small scale housing developments of 10-20 dwellings. The site is outside the development boundary for the village which is defined by the South Norfolk Local Plan Site Specific allocations 2015.
- 4.5 The site is within the Rural Policy Area (RPA), where the housing land supply significantly exceeds 5 years. Specifically, the land supply is in excess of 39.6 years supply (identified at March 2016). This shows there is not an identified housing need for further new market dwellings, especially outside the defined development boundary.
- 4.6 The main issues in this case are the principle of the development, landscape impact, highways, residential amenity, sustainable development and other considerations.

Principle of the development

- 4.7 Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) (2004) states in that 'regard is to be had to the development plan for the purpose of any determination to be made under any planning act the determination must be made in accordance with the plan unless material consideration indicates otherwise'.
- 4.8 As set out in this report there are no material considerations to outweigh, override or change the statutory status of the development plan as the starting point for decision making in accordance with paragraph 12 of the NPPF. This is reinforced by paragraph 17 bullet point one of the NPPF in that the planning system/process should 'be genuinely planned'.
- 4.9 The site lies in the Rural Policy Area, which in respect of housing supply has a 39.6 years supply, as such the Council's policies for the supply of housing can be considered up-to-date and applications should be determined in accordance with the Development Plan unless material consideration indicates otherwise.
- 4.10 The site falls outside of the development boundary where there is a presumption against new residential dwellings under policy DM1.3. The proposal is considered to conflict with DM1.3, which requires all new development to be located on allocated sites or within development boundaries, unless specific DM policies allow for it or there are overriding benefits. This report identifies there are no overriding benefits this proposal would bring to outweigh the harm and policy conflict.

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Landscape impact

- 4.11 One of the core planning principles of the NPPF includes recognising the intrinsic character and beauty of the countryside. Policy DM4.5 requires all development to respect, conserve and where possible enhance the landscape character of its immediate and wider environment
- 4.12 As mentioned above, the site is located within a Tributary Farmland landscape and outside of the site the landscape is relatively open in nature. A core planning principle of the National Planning Policy Framework is to recognise the intrinsic character and beauty of the countryside, which is reflected in Policy DM1.3 of the Development Management Policies document. Planning Practice Guidance clarifies that conservation and enhancement of the landscape, not only designated landscapes, contributes to upholding this principle. Whilst the site itself is garden to an existing residential property, development of the site would erode the rural character of the local landscape and consequent sense of place, thereby conflicting with Policy 2 of the Joint Core Strategy and Policies DM1.3 and DM4.5.

Design and layout

- 4.13 Both JCS Policy 2 and Section 7 of the NPPF require high quality design with importance being attached to the design of the built environment, with it seen as a key aspect of sustainable development.
- 4.14 Both the Parish Council and the Senior Conservation Officer raised concerns regarding the design approach. Notwithstanding the objections to the development as set out above, it was considered that any development of the site would need to be developed with some consideration of its context.
- 4.15 In this case it was suggested that any development consists of bespoke housing, set back from the street, with greater informality and significant spacing. Although there are pairs of similar modern houses further into the village, and the current designs have low eaves with the form of the building dropping down to single storey either side, I was suggested that it would be preferable for the two dwellings to some extent be different in appearance, form, footprint and massing, so that they are read as two distinct detached properties. Different footprints, and for example location of the garage, may also allow for a greater impression of space around the properties from the lane, and to some extent views permeating through to the area behind and an overall impression of a lower density of development. This would also better reflect the looser, more spacious grain of the immediate area.
- 4.16 Following the concerns being raised, the applicant has amended the design to address these. The Parish Council therefore has removed their objection and the Senior Conservation Officer now raises no objections. In view of the above it is considered that the site is of sufficient size to accommodate the proposed dwellings and their parking, turning and associate spaces. The amended proposal is considered acceptable in respect of the design of the dwellings.

Highway Safety

- 4.17 Policy DM3.11 of the South Norfolk Local Plan states that planning permission will not be granted for development which would endanger highway safety or the satisfactory functioning of the highway network.

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- 4.18 It is considered that the site can accommodate the required parking and turning for the new dwellings. Norfolk County Council's Highway Officer raised concerns regarding the visibility that was available and the need to remove existing hedgerow which is outside the applicants control. The Highway officer has re-visited the site and met with the agent to agree an appropriate visibility splay and he now raises no objections. In view of the above the proposal accords with Policies DM3.11 and DM3.12. The concerns raised by local residents in respect of highway safety, are fully appreciated, however as the Highway officer has not raised objections in respect of the application endangering highway safety, I do not consider that the application can be refused on the grounds raised.

Residential amenity

- 4.19 Policy DM3.13 Residential amenity directs that development should not be approved if it would have a significant adverse impact on nearby resident's amenities.
- 4.20 Local residents have raised concerns regarding loss of light and overshadowing. I fully appreciate the concerns raised, however the proposal has been carefully designed and sited as to not have first floor windows in the end gables facing the neighbours and to sit in line with the Holmlea. Due to the orientation of the proposal to the south of Holmlea, the development will create an element of overshadowing of their side elevation, however due to the existing vegetation and the distance of the rear projection it is considered, on balance, that the proposal would not give rise to overshadowing to such a detrimental degree as to warrant refusal on this ground. As such, the scheme would accord with the requirements of Policy DM3.13.

Sustainable Development

- 4.21 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

- 4.22 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."
- 4.23 The scheme would result in some short term economic benefits as part of any construction work, which may be done by small scale builders and in the longer term by local spending from the future occupants. It is therefore considered that the scheme would bring forward a small level of economic benefit.

Social Role

- 4.24 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 Although the development would result in two dwellings which could be considered to have limited benefit and which may be slightly enhanced if the properties were self-build, the social role also requires the creation of a high quality built environment. It is considered that the proposal fails to meet this criterion and would result in a development detrimental to the character of the area and therefore would not achieve the social role.

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Environmental Role

- 4.26 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."
- 4.27 The development would result in an infringement into open countryside, which would further erode the rural character of the area causing significant environmental harm.

Conclusion on sustainable development

- 4.28 Having due regard to the above assessment made in the context of having a five-year land supply, it is considered that the concerns regarding encroachment are not outweighed by the minor economic benefits and therefore, when considered as a whole, the scheme does not represent sustainable development.
- 4.29 The Council considers that the development plan is not silent on self-build and the Council has a five-year land supply in the RPA and as a result it is considered to be up to date. In addition, the proposed development would not result in sustainable development and as a result paragraph 14 of the NPPF is not invoked and there is no need to carry out a paragraph 14 assessment.
- 4.30 However, for the avoidance of doubt the requirements of paragraph 14 of the NPPF in respect of the presumption in favour of development for decision-taking have been considered.
- 4.31 In the context of promoting sustainable development, Paragraph 14 advises this means: "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."
- 4.32 In this instance, it is considered that the harm caused by the encroachment of the open countryside would significantly and demonstrably outweigh the very minor benefits to the local economy and by the provision of two houses in a location where the Council has a significant land supply.

Other considerations

- 4.33 Under paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst no indication of self-build has been given by the applicant, it has been considered as part of the application. In the instance of this application the other material planning considerations detailed above are of greater significance.
- 4.34 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.
- 4.35 This application is liable for Community Infrastructure Levy (CIL) as it is for new dwellings.

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5 Conclusion

- 5.1 In conclusion, the site is outside the development limit in a location where there the Council has a significant housing land supply and the development plan is considered to be up to date. There is no overriding justification for departing from policy DM1.3 in the Development Management Policies, which restricts development outside the development limit.

In addition, it is considered that the limited economic benefits of the provision of two new dwellings does not outweigh the harms identified.

5.2 Reasons for Refusal

- 1 The site is located outside the Development Limit in an area where there is an existing significant housing land supply of 39.6 years (as at December 2016). There are no relevant Development Management Policies that would allow for development outside Development Boundaries relating to the proposed development, and no overriding benefits in terms of economic, social and environmental dimensions of the proposed development. The development is therefore contrary to policy DM1.3 of the South Norfolk Local Plan Development Management Policies 2015.
- 2 The proposal would result in the erosion of the rural undeveloped character of the area and lead to an encroachment on the open countryside contrary to policy DM4.5 in the of the South Norfolk Local Plan Development Management Policy Document and Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk.
- 3 The proposed development does not represent sustainable development, having regard to the three tests set out in the National Planning Policy Framework. The adverse impact of the encroachment on the open countryside and detriment to residential amenities, outweighs the modest social and economic benefit of two additional dwelling in the rural policy area where there is an existing significant housing land supply (39.6 years) and as such is contrary to the aims of the NPPF, including paragraph 55.

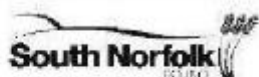
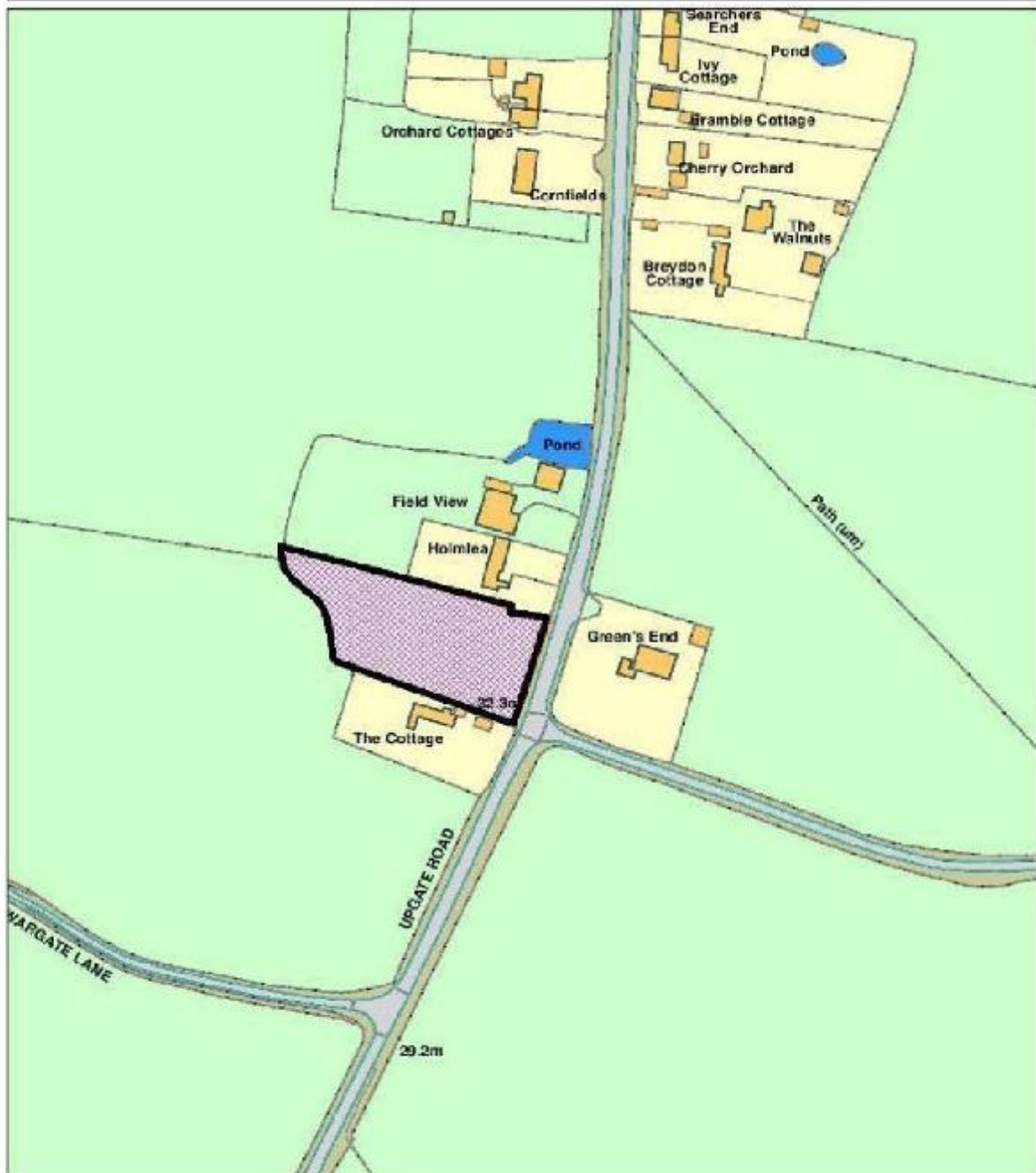
Contact Officer, Telephone Number Claire Curtis 01508 533788
and E-mail: ccurtis@s-norfolk.gov.uk

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2017/1442

Appendix 1



Scale 1:1,888

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533833

- 5 Appl. No : 2018/1042/O**
Parish : HETHERSETT
- Applicants Name : Mr Jamie Gray
 Site Address : Land West of Little Melton Road Hethersett Norfolk
 Proposal : Proposal for 1 dwelling
- Recommendation : Refusal
 1 Unsustainable development
 2 Inadequate Visibility

Reason for reporting to committee

The Local Member has requested that the application be determined by the Development Management Committee for appropriate planning reasons as set out below.

- 1 Planning Policies
- 1.1 National Planning Policy Framework (NPPF)
 NPPF 04 : Promoting sustainable transport
 NPPF 06 : Delivering a wide choice of high quality home
 NPPF 07 : Requiring good design
 NPPF 08 : Promoting healthy communities
 NPPF 10 : Meeting the challenge of climate change, flooding and coastal change
 NPPF 11 : Conserving and enhancing the natural environment
- 1.2 Joint Core Strategy (JCS)
 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 14 : Key Service Centres
 Policy 15 : Service Villages
- 1.3 South Norfolk Local Plan (SNLP)
 South Norfolk Local Plan Development Management Policies
 DM1.1 : Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 DM1.3 : The sustainable location of new development
 DM1.4 : Environmental Quality and local distinctiveness
 DM3.1 : Meeting Housing requirements and needs
 DM3.8 : Design Principles applying to all development
 DM3_10 - Promotion of sustainable transport
 DM3.11 : Road safety and the free flow of traffic
 DM3.12 : Provision of vehicle parking
 DM3.13 : Amenity, noise, quality of life
 DM3.14 : Pollution, health and safety
 DM4.2 : Sustainable drainage and water management
 DM4.3 : Facilities for the collection of recycling and waste
 DM4.5 : Landscape Character Areas and River Valleys
 DM4.8 : Protection of Trees and Hedgerows
 DM4.9 : Incorporating landscape into design
- 1.4 Supplementary Planning Documents (SPD)
 South Norfolk Place Making Guide 2012

2. Planning History

- | | | | |
|-----|-----------|--|---------|
| 2.1 | 2006/1121 | Proposed outline application for 3 residential plots | Refused |
| 2.2 | FH\8899 | Erection of bungalow. | Refused |

Adjacent commercial site

- | | | | |
|-----|-----------|---|-----------------------|
| 2.3 | 2018/1306 | Alterations to yard and provision of Portacabins (5 units) to replace office structure removed. | Pending consideration |
| 2.4 | 1999/1089 | Change of use to storage and distribution of civil engineering products and material | Approved |

3. Consultations

- | | | |
|-----|-------------------------------|--|
| 3.1 | Town / Parish Council | Refuse as outside development boundary |
| 3.2 | District Councillor Cllr Dale | To be determined by Committee to consider the provision of potential self-build dwelling in the countryside |
| | Cllr Bills | To be reported, if appropriate. |
| 3.3 | NCC Highways | Holding objection due to very poor visibility to the north. Would need to demonstrate visibility splays of 2.4m x 43m in both directions. |
| 3.4 | SNC Water Management Officer | No comments received |
| 3.5 | Other Representations | 1 letter raising comments regarding the removal of trees and resultant increase in noise from adjacent commercial site. Concerns regarding potential proximity of dwelling to neighbours boundary. |

4 Assessment*Background*

- 4.1 The site is located between Hethersett and Little Melton outside the development boundary within the open countryside and within the Norwich Policy Area (NPA). It is bordered by existing residential properties to the north, with sporadic residential development along the northern side of Little Melton Road. There are commercial uses to the east and immediately to the west of the proposal.
- 4.2 The application is submitted in outline with all matters reserved for future approval except access. An indicative layout has been submitted.

Principle of development

- 4.3 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

- 4.4 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 4.5 In this regard, consideration should be given to Policy DM1.3 which makes provision for development to be granted outside of Development Boundaries, such as this, where one of two criteria are met: either where specific development management policies allow; or, where there are overriding benefits in terms of economic, social and environmental dimensions of sustainable development, as set out in Policy DM1.1. Where development proposals do not accord with the development plan consideration should be given to whether there are material considerations that otherwise indicate that development should be approved.
- 4.6 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: *'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) 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'*. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, *'would significantly and demonstrably outweigh the benefits'*, when assessed against the policies of the NPPF as a whole.
- 4.7 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently, relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF, taking into consideration the narrow interpretation set out in the judgment *Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)*.
- The narrow interpretation states:
- 4.8 *'limited to policies dealing only with the numbers and distribution of new housing and excluding any other policies of the development plan dealing generally with the disposition or restriction of new development in the authority's area'*.
- 4.9 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 4.10 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of Policy DM1.1 and NPPF Paragraph 14.

- 4.11 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

Economic role

- 4.12 The NPPF confirms 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.”

- 4.13 The scheme would 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. It is therefore considered that the scheme would bring forward a limited level of economic benefit.

Social role

- 4.14 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.”

Character and landscape impact

- 4.15 The area is rural in character, with a narrow width road which is bordered by mature hedgerows. There is a significant separation distance between the application site and the main settlements of Hethersett to the south east and Little Melton to the north.
- 4.16 The prevailing character of the area comprises of dwellings fronting onto the highway following the curvature of the road. These are mainly two storey in form, although there is a bungalow to the north and the dwellings immediately adjacent the proposal are gable end onto the road.
- 4.17 The indicative outline layout shows a single dwelling with access being taken from the access track which serves the commercial site to the rear. The indicative footprint does not follow the form of neighbouring properties and does not indicate whether it is single or two storey in form, however, these details are not under consideration.
- 4.18 This proposal would be set behind other residential properties, but will be seen in the context of existing built development, including the commercial use to the rear. I consider that the indicative layout demonstrates that the site could accommodate a dwelling and potentially a pair of properties which would make better use of the site.

Residential Amenity

- 4.19 Paragraph 17 and policy DM3.13 aim to protect the amenity of neighbouring properties and future occupants.
- 4.20 The plan is indicative only and matters of exact layout, design and landscaping can be dealt with at reserved matters stage if this application were considered acceptable. Despite this, it is considered that there is sufficient space within the site to suitably site a dwelling

with appropriate landscaping and boundary treatments so as not to impact the amenity of neighbouring properties.

- 4.21 There is also sufficient space within the application site to provide amenity space and car parking to serve the needs of any future occupants in accordance with Policies DM3.13 and DM3.12 of the Local Plan.
- 4.22 The site is bordered to the west by an established commercial use for the storage and distribution of civil engineering products and material. This use is subject to an hours of use condition and I consider that while there will be some disturbance from the existing use to the proposed dwelling, it is not sufficient to warrant refusal.

Environmental role

- 4.23 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.”

Landscape impacts

- 4.24 I consider that appropriately designed residential development could be accommodated on this site without having a significant adverse impact on the character of the area.

Highways

- 4.25 The site is accessed from a rural road which does not incorporate any footways. The site is very poorly related and connected to the main settlements of Hethersett or Little Melton. The site is remote from services and facilities which would mean the residents of the proposed development would be vehicle dependant.
- 4.26 The proposal would be contrary to the aims of the NPPF to support safe and sustainable access for all people and encourages the importance of being able to make journeys without the reliance on a private vehicle. The proposal would be contrary to the sustainable transport policies through Norfolk's 3rd Local transport plan 'connecting Norfolk – Norfolk's Transport Plan for 2026' which requires new development to be well located and connected to existing facilities to minimise the need to travel and reduce the reliance on the private car or the need for new infrastructure. Contrary to local plan policies 4 of the NPPF and DM3.10, and DM3.11.
- 4.27 The Highway Authority have also raised objections to the proposal on the basis that it does not demonstrate that adequate visibility can be achieved from the proposed access contrary to Policy DM 3.11.

Other matters

- 4.28 The Design and Access statement indicates that it is proposed to construct the dwelling as a self-build unit. Paragraph 50 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.

- 4.29 The application also indicates that the site is considered to be previously developed land. It is understood that the land was previously used as an orchard and allotment and more recently has been used as a "builders yard". There is no planning permission for such a use and the existing use at the time of 2006/1121 was stated to be "garden land". I have considered the benefits of the efficient use of land, but consider that in this case, this does not outweigh the other material considerations, as set out above.
- 4.30 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.
- 4.31 This application is liable for Community Infrastructure Levy (CIL).

5 Conclusion

- 5.1 The proposal would result in unsustainable development in terms of social and environmental and the limited economic benefit of providing one dwelling in this location is diminished by the current five year supply position with regards to the evidence as set out in the SHMA.
- 5.2 The distance from the application site to other facilities and public transport, would create an overreliance on the private car contrary to policies contrary to the Policy 4 of the NPPF, Policy 6 of the Joint Core Strategy and Local Plan Policies DM3.10 and DM3.11.

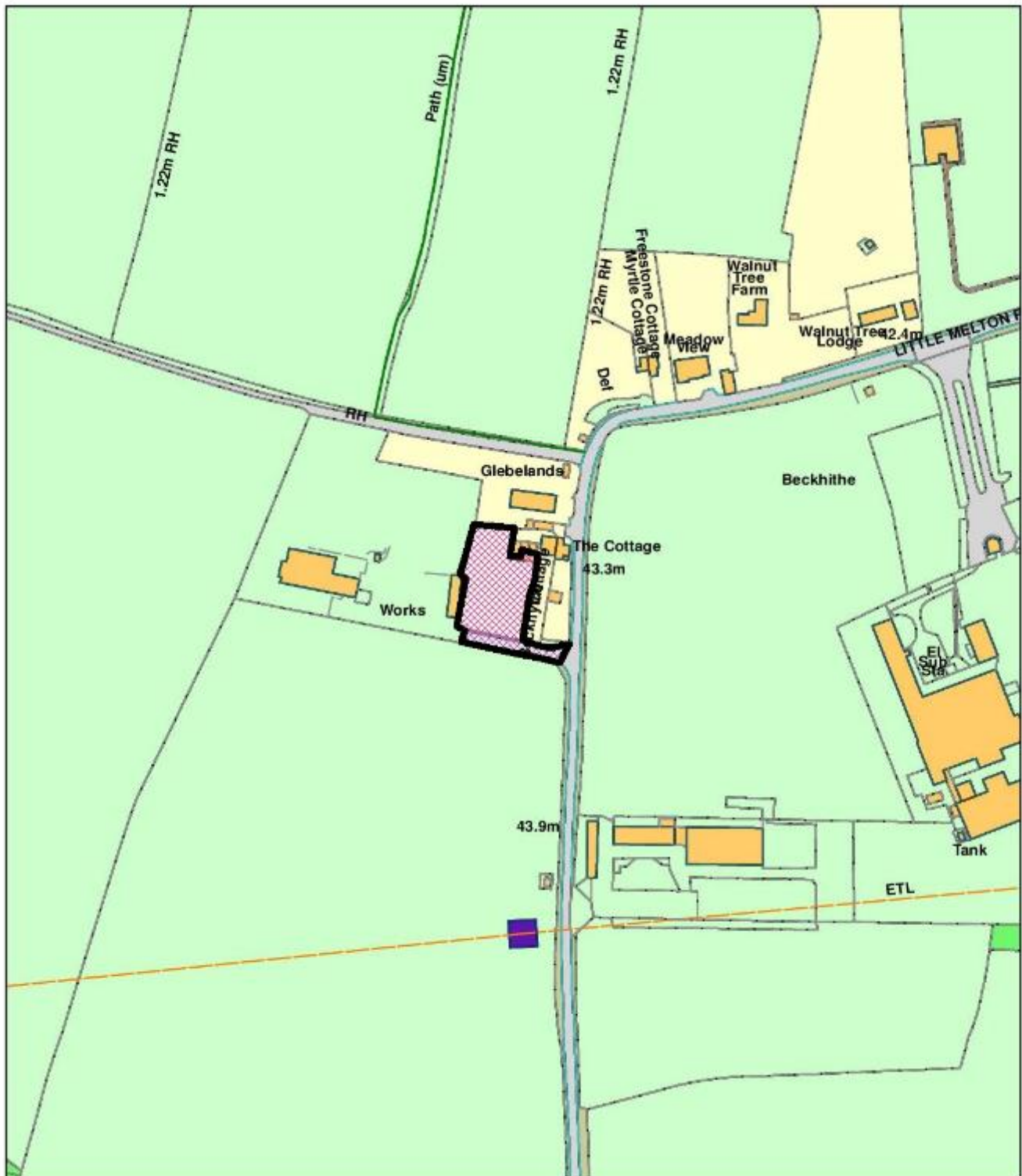
6.0 Reasons for Refusal

- 6.1 The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF. *The proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as represented in national and local policy.* Furthermore, the development will set a precedent for further unsustainable development in this area. These harms are not outweighed by the very modest short-term economic benefit of a new dwelling, especially with the diminished weight that can be applied to the five-year supply in accordance with the evidence as set out in the Strategic Housing Market Assessment (SHMA). For this reason, the proposal is contrary to paragraph 14 of the NPPF, Policy 4, of the NPPF, Policy 6 of the JCS and Policies DM1.3, DM3.8 and DM3.11 of the Development Management Policies Document.
- 6.2 Inadequate visibility splays are provided at the junction of the access with the highway and this would cause danger and inconvenience to users of the adjoining public highway. Contrary to policy DM3.11 of the SNLP.

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2018/1042

Appendix 1



Scale 1:2,500

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South Norfolk Council, Cygnet Court, Long Stratton, Norwich, NR15 2XE Tel (01508) 533633

Response to Statutory Consultation

6 Appl. No : 2018/1325/RN
Parish : SOUTH NORFOLK

Applicants Name : Orstead
 Site Address : Hornsea Project Three Offshore Wind Farm
 Proposal : National Infrastructure Application for an Order Granting
 Development Consent for the Hornsea Project Three Offshore
 Wind Farm

Recommendation : This report details the Council's Relevant Representation response to the
 National Infrastructure Application for Development Order consent-
 Hornsea Project Three Offshore Wind Farm.

Reason for reporting to committee

Consultation on National Infrastructure that warrants consideration of the proposal by committee.

1 Planning Policies**1.1 National Planning Policy Framework (NPPF)**

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 (JCS)

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

1.3 South Norfolk Local Plan (SNLP)

South Norfolk Local Plan Development Management Policies

DM3.8 : Design Principles applying to all development

DM3.13 : Amenity, noise, quality of life

DM3.14 : Pollution, health and safety

DM4.5 : Landscape Character Areas and River Valleys

DM4.6 : Landscape Setting of Norwich

DM4.8 : Protection of Trees and Hedgerows

DM4.9 : Incorporating landscape into design

DM4.10 : Heritage Assets

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

S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent 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. Consultations

- | | | |
|-----|---|-----------------------------------|
| 2.1 | District Councillors | To be reported if appropriate |
| 2.2 | SNC Conservation and Design officer | Set out in full within the report |
| 2.3 | SNC Community Services - Environmental Quality Team | Set out in full within the report |
| 2.4 | SNC Landscape Architect | Set out in full within the report |
| 2.5 | Other Representations | None received |

3. Assessment

Background

- 3.1 The application for development consent to construct, operate and maintain Hornsea Three, comprising of up to 300 wind turbine generators together with associated offshore and onshore infrastructure (including substations) and all associated development was submitted to the Planning Inspectorate (PINS) on 14 May 2018 and has been accepted for examination on Friday 8 June 2018.
- 3.2 This project is for an offshore windfarm by Orsted (Danish Energy Company) which would generate 2,400 MW of electricity, which as stated by Orsted would meet the daily energy needs of over 2 million homes. The location of Hornsea Project Three is within the North Sea to the east of Hull. The grid connection for the generated electricity is Dunston in South Norfolk. There are two key components of the project within South Norfolk, the cable route and substation located at a site northwest of Mangreen Hall, adjacent the B1113 to the west and A47 to the north. Given the scale of the development it is deemed to be a Nationally Significant Infrastructure Project (NSIP) and will be determined by the Secretary of State for Business, Energy and Industrial Strategy.

The proposal

- 3.3 This is a formal Development Consent Order (DCO) application under Section 56 of the Planning Act 2008. Following the acceptance of the application there are now three stages:
- The Pre-examination where the Council submits it's our Relevant Representation which is a summary of what we agree and/or disagree within the application, what we consider the main issues to be and their impacts; allows continues negotiations with the developer; and the Preliminary Meeting held by PINS.
 - The Examination which will lasts for a maximum of 6 months. The Council will submit a Local Impact Report (LIR) which details the likely impact of the proposed development on our district in depth and attend and participate at specific hearings.
 - Recommendation and Decision, PINS will prepare a report, including a recommendation and submit to the Secretary of State within 3 months of the close of the Examination. The Secretary of State has a further 3 months to make a decision whether to grant or refuse development consent.
- 3.4 Members may recall that the Development Management Committee agreed our response to the Preliminary Environmental Information Report (PEIR) on 13 September 2017. The PEIR was effectively a draft Environmental Impact Assessment (EIA). In summary, it was considered that further information was required to demonstrate how the proposed

development for the substation in particular will be designed to consider landscape and heritage impacts, noise, dust, artificial light and private water supply.

- 3.5 This report relates to the Relevant Representation stage where the Council is required to summarise what it considers to be the main issues and impacts of the proposal and officers are seeking members agreement of the proposed response.
- 3.6 The wind farm consists of 300 turbines off the coast of Hull and will make landfall at Weybourne, North Norfolk with a buried cable route between Weybourne and grid connection at Norwich Main National Grid Substation. The route will run through three Local Authorities North Norfolk, Broadland and South Norfolk.
- 3.7 The cable corridor will be 80m in width, within which is a 60m permanent easement post installation.
- 3.8 The substation/converter is to be located at a site northwest of Mangreen Hall, adjacent the B1113 to the west and A47 to the north. It will consist of a range of equipment for the delivery of power to national Grid such as transformers, reactors etc. and ancillary and supporting equipment. The main equipment will be housed within single or multiple buildings, in an open yard or a combination of the above. If multiple buildings are used the length and width of these buildings would be reduced proportionally to the number of buildings (e.g. if two buildings were used they would each cover half of the area required for the single larger building). The site area for all infrastructure is 149,302 sq. m.
- 3.9 The detailed design and materials of the substation/converter does not form part of the application; however, the maximum design parameters have been provided. The scale of the building is dependent on the electricity current selected. The HVAC scenario: main buildings is 220m if a single building and if multiple buildings no more than 150m in length, maximum width 75m but with a reduced height of 15m. The HVDC scenario: 220m by 75m with a height of 25m, which is a significant increase upon the maximum parameters of the building provided under the PIER consultation which was 150m by 30m by 25m in height, the HV/DC would be the same with the exception of its width of 75m.

Assessment

- 3.10 In responding to the consultation, there are 3 Key considerations:
- Heritage Assets
 - Landscape and visual
 - Noise and Pollution
- 3.11 Other matters such as highways, surface water, ecology and archaeology etc. will be covered by other consultees and so the Council will not be commenting on these issues.

Heritage Assets

- 3.12 Heritage issues arise from both the underground cabling and the installation of the substation this includes impacts on conservation areas and listed buildings which should be assessed in relation to policy DM4.10 of the SNLP and section 12 of the NPPF.
- 3.13 The undergrounding of cables will raise issues such as archaeology which is dealt with by other bodies. With regard to the above ground installation, the key heritage consideration is the impact of the HVDC converter/HVAC substation on heritage assets in very close proximity to its proposed siting.
- 3.14 The Senior Conservation and Design officer has commented as follows:
'I am generally happy with the EIA assessing the character of the heritage assets using the matrices, although I consider the impact of the development on both the setting of Keswick

Hall and the setting of the historic parkland should be considered to be a greater level of impact and of more significance in the EIA than currently attributed. This should be taken into account in any decision making, particularly with regard to the options between HVAC and HVDC substation, where the later would result in a significantly higher building, a greater degree of harm, and fewer possibility of mitigating that harm in terms of the design approach.

It should be noted that Historic England Historic Environment Good Practice Advice in Planning Note 3: The setting of guidance on setting was revised and second edition published 22 December 2017. Of particular note with regard to the EIA approach and the difference between landscape assessment and assessment of heritage assets are paras 14-16.

Keswick Hall is grade II listed with the attached designed parkland undesignated. The parkland is not a registered park and garden, nor is it on the Historic Environment Record, however, it is identified in the South Norfolk Local Plan as an historic park and garden. The park was designed by a nationally known architect Gilpin and described in Dallas, Last and Williamson (2013) as Keswick Hall is important as one of the few landscapes designed by William Sawrey Gilpin (1762-1843) in the county (see also Wolterton and Gunton). This book is also referenced in the EIA Volume 6 – 5-1 – 1.6.2 under Keswick Hall.

Historic England Historic Environment Good Practice Advice in Planning Note 3 “The Setting of Heritage Assets” advises that “many heritage assets have settings that have been designed to enhance their presence and visual interest or to create experiences of drama or surprise. In these special circumstances, these designed settings may be regarded as heritage assets in their own right, for instance the designed landscape around a country house. Furthermore, they may, themselves, have a wider setting: a park may form the immediate surroundings of a great house, while having its own setting that includes lines-of-sight to more distant heritage assets or natural features beyond the park boundary.”

I would therefore consider that the impact on the parkland as a designed landscape garden of some significance requires a separate assessment as a undesignated heritage asset.

If assessed separately, the sensitivity of the parkland according to Chapter 6 table 5.10 would I consider have medium sensitivity as it is a designed landscaped by a nationally known landscape and relatively well preserved. I would suggest within this table the magnitude of impact would be considered moderate. Since an appreciation of the parkland would involve views through the parkland with the backdrop of open countryside, the building on the site would lead to “Change within the setting leading to some loss of significance of the asset.” There would be significant change within the setting leading to a loss of significance, resulting according to the EIA assessment criteria to moderate adverse impact.

In terms of Keswick Hall as a listed building I would agree with the sensitivity being medium, but I would suggest that the magnitude of impact on its setting would be deemed to be moderate. The statement states that it would be Minor, since there would be no physical impact on the designated asset. However, views from the listed building across the parkland with a backdrop of open countryside are important to appreciating the original design of the house as being a country house within a designed parkland within open countryside. The new substation would be a large bulky and alien feature within this setting and I would therefore consider that according to table 5.11 the impact would involve “change within the setting leading to some loss of significance of the asset” and can therefore result in a moderate magnitude of impact, and I would consider that to be the case here. The resulting impact would therefore be moderate adverse.

The EIA states that the impact on Keswick Hall would not be considered significant in terms of an EIA assessment, however I consider that the adverse impact on the hall is of

significance in determining the application, as it would also be in considering the setting of the historic park and garden. The historic building visualisations clearly show that a 25m high building will be very visible looking south across the parkland from the rear of the house and this would have a significant and harmful impact on the setting of the grade II listed Hall and the setting of the parkland. Taking into consideration paras 129, 132 and 134 of the NPPF and policy DM 4.10 of the Local Plan, this would be considered less than substantial harm since the assets are not directly physically affected, however, section 66 (1) of the Planning (listed building and conservation areas) Act 1990 would require that considerable importance and weight should still be accorded to the "desirability of preserving... the setting" of listed buildings when weighing this factor in the balance. Also, para 135 of the NPPF requires that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

- 3.15 In view of the above it is considered that the impact of the development on both the setting of Keswick Hall and the setting of the historic parkland should be considered to be a greater level of impact and of more significance in the EIA than currently attributed. Some of the degree of harm can be mitigated against through various measures such as having a building which is lower height, which would result in noticeably less harm if below or closer to the tree line rather than rising above it. Other mitigating measures can include further tree planting and a recessive colour for the building, which could for example be darker colours at lower levels where seen in the backdrop and below the treeline, and lighter colours where the building is seen in views above the treeline.

Landscape and visual impact

- 3.16 The key landscape and visual impacts will result from the laying of underground cabling in respect of the removal/loss of hedgerows, trees and key landscape features and the impact of the HVDC converter/HVAC substation on the landscape character and visual amenities of the area. The proposed substation is located with the B1 Tas Tributary Farmland Landscape Character Area and adjacent to C1 Yare Tributary with Parkland. Policies DM4.5, DM4.6, DM4.8 and DM4.9 are relevant in the consideration of the proposal.
- 3.17 The Landscape Architect has commented as follows:
'Landscape and Visual Impact - I am satisfied that the work has been undertaken in accordance with the accepted industry guidance (GVLIA3). Whilst there are some points of detail that may merit further scrutiny/debate, which is often the case when judgement is involved overall, I generally concur with the findings. Landscape and visual impacts, although linked, are treated separately.

For landscape impact, the greatest effect is on the site of the proposed sub-station; the LVIA concludes that there would be a significant adverse effect (major-moderate adverse) but that this would diminish outside the site where the effects would not be significant.

With regards to the visual impact, the LVIA establishes that, from the representative viewpoints chosen, the most significant visual effects are from SS9 (Mangreen Lane) and SS 6 (Low Road). SS9 is considered along with other local routes (roads and Public Rights of Way) in a section that concludes that, on completion, the visual effects for users of PRoW would be significant (major-moderate adverse) but this would diminish as new planting matures so to be not significant. Whilst not from a PRoW itself, viewpoint SS9 illustrates the similar visual effect likely to be experienced from the nearby residential dwellings at Mangreen, specially should the additional off-site planting indicated on figure 1.2 (Volume 6, Annex 6.6 – Residential Visual Amenity) not be realised (it is subject to landowner agreement).

As the assessment work is limited to some degree by the fact that final form of the proposed sub-station is not known at this stage, the visualisations are based on a worst-case scenario. From these it is clear that full visual mitigation from planting will not be possible, especially if the structures are to the maximum heights modelled. It is clear that any reduction in the potential height parameters will be invaluable in mitigating the predicted adverse visual effects and as such the HVAC option, with its lower height requirements, is seen to be the best option insofar as the sub-station itself is concerned.

The submitted photomontages demonstrate how the sub-station's potential visual effect is exacerbated by the fact that the enclosed elements are often viewed against the skyline. The representations illustrate the structures using a dark green finish, but an alternative approach may mitigate the effect more successfully.

Existing hedgerows and trees - Assessments have been made of the hedgerows using a standard procedure, but these only consider whether a hedge is species-rich or species poor and whether its condition is favourable or unfavourable. Whilst reference is made to the Hedgerows Regulations, no assessment is made of each hedge as to its 'importance' as defined by criteria set out in the Regulations; in addition to species composition and condition, these also include other ecological considerations and historical and archaeological factors too. Our local plan policy DM4.8 presumes in favour of retention of important hedgerows unless the need for, and benefits of, a development clearly outweigh their loss.

My understanding is that any section of hedgerow that has to be removed as part of the cabling will be replanted, which does lessen the concern about potential loss of 'important' hedgerows (especially if their status is solely because of an historic line). However, we need to be clear as to when replanting may not be the possible, or when the 'importance' of a hedgerow cannot be safeguarded.

Whilst there has been consideration of many hedgerows along the cabling route, what does not appear to be available is an assessment of the existing hedgerow that currently crosses the site of the proposed sub-station. The removal of this will be permanent if the scheme proceeds, so we need to be clear of the hedge's status.

There does not appear to be any assessment of the existing trees that are potentially affected by these proposals. Most obvious are the existing trees within the hedge that crosses the sub-station site, but there may also be specimens within the cable corridor route that will potentially be affected. Paragraph 4.1.1.1 explains that approximately 7.39km of existing hedgerows will be removed for construction purposes and that "some will include trees which will also be removed". Replanted hedgerows can achieve a useful degree of visual effect in a relatively short time, but there is no tree replanting proposed for the cable corridor.

That information is unavailable at this time regarding the 'importance' (or otherwise) of the hedgerows and also that there is no assessment of the trees implicated in the scheme, makes it difficult to judge the scheme against policy DM4.8.

Landscape proposals - The proposals for planting in association with the substation are appropriate if the substation is built, but whether they are compatible with the published Landscape Strategy for the B1 Tas Tributary Farmland is open to debate. Whilst arguably the creation of woodland offers an opportunity to reduce the visual and aural impact of the A47 on the rural ambience of this area, it could also reduce the openness, which is contrary to policy DM4.6 in its consideration of the Norwich Southern Bypass Landscape Protection Zone.

The submitted Outline Landscape Management Plan promotes enhancement planting within a wider 100m corridor along the route; also included within this is replacement tree planting for those felled as a result of the cable route. Any enhancement planting, however,

is subject to landowner agreement. It would be desirable if a mechanism could be agreed by which such enhancements could be guaranteed.

- 3.18 In view of the above it is considered that in landscape impact terms, the greatest effect is on the site of the proposed sub-station and this would be a significant adverse effect (major-moderate adverse) but that this would diminish outside the site where the effects would not be significant. With regards to the visual impact, the most significant visual effects are from Mangreen Lane and Low Road. Overall the EIA concludes that, on completion, the visual effects would diminish as new planting matures so to be not significant. However, the planting will take a long time to establish. It is also considered that some of the degree of harm can be mitigated against through various measures such as having a substation/converter which is lower height and use of recessive colour for the building.
- 3.19 In respect of the impact of the cable route, in the absence of the information in terms of the 'importance' of hedgerows under the Hedgerows Regulations and assessment of trees implicated in the scheme, it is not possible to conclude on the impacts of the cable route.
- 3.20 Concern that the creation of woodland, whilst offering an opportunity to reduce the visual and aural impact of the A47 on the rural ambience of this area, its impact on the openness of the bypass protection zone could result in a significant adverse effect, which is contrary to policy DM4.6 in its consideration of the Norwich Southern Bypass Landscape Protection Zone.

Noise and Pollution

- 3.21 The key noise and pollution considerations are the impacts of the construction of and the operation of the proposal on the amenities on local residential in respect of air quality, water quality, noise and vibration, light pollution etc. Policy DM3.13 and DM3.14 are relevant to the consideration of the proposed development.
- 3.22 The Councils Environmental Quality officer has confirmed that the documentation would indicate that the proposal could take place (both the construction and operational phase) without an unacceptable impact on residents from an Environmental Health viewpoint if managed and operated appropriately.
- 3.23 In view of the above he has requested that the following paragraph forms part of our Relevant Representation:
'With regards to specified works to be undertaken issues relating to Control of Noise, Air Quality, Artificial Light, Waste Management, Pollution Prevention, Contamination Assessment and Mitigation and Working Hours are adequately covered by the Requirements in the Draft DCO. The Council is in general agreement with the Outline Code of Construction Practise but wishes to confirm that issues relating to hours of operation, siting of any standby generators, good practise procedures, prior notification of constructional noise, floodlighting, movement and storage of waste materials, public safety, dust control, emissions, telecommunication or television interference and decommissioning should be in place in the final document'

Other Issues

Business rates

- 3.24 Off-shore wind farms are rateable, but only the parts which are above the low water mark. This means cables, substations, land and other related buildings are rateable. The cables below the water mark and the wind turbine itself are not rateable. Therefore, the assessment runs from the low water mark to where it attaches to the local electrical distribution network. If the cables and related items cross into other billing authorities then

the area which has the most rateable value from the windfarm assessment will receive the whole assessment.

Community Infrastructure Levy

- 3.25 This application is not liable for Community Infrastructure Levy (CIL) as the proposal is for buildings into which people go only intermittently for the purposes of inspecting or maintaining fixed plant or machinery.

4 Conclusion

- 4.1 This report seeks authority from Members to respond to the formal application as follows:

In general, the District Council is supportive of the project, recognising its importance in relation to the diversification of UK energy supplies and potential contribution to the national and local economy. The economic benefits in terms of investment and job creation are welcomed. We are however concerned at the adverse visual effects, together with the harm to Heritage assets the converter/substation would have on our District. Contrary to National and Local Policy.

- 4.2 The Environmental Impact Assessment has been conducted using appropriate and agreed methods and has been informed by relevant and up to date surveys, modelling, evidence gathering and desk studies. The scope and methodology of these has been agreed with key stakeholders and consultees throughout the process. Overall the ES is comprehensive and of good quality and there are no substantive issues arising from it, subject to the following comments:

Impact on Heritage Assets

- 4.3 The Council considers that the impact of the development on both the setting of Keswick Hall and the setting of the historic parkland should be considered to be a greater level of impact and of more significance in the EIA than currently attributed. This we feel should be given sufficient weight, particularly with regard to the options between HVAC and HVDC converter/substation, where the latter would result in a significantly higher building, a greater degree of harm, and fewer possibility of mitigating that harm in terms of the design approach. Other mitigating measures could include further tree planting and careful consideration of the proposed colours of the building/buildings.

Landscape and visual impact

- 4.4 It is considered that in landscape impact terms, the greatest effect is on the site of the proposed sub-station and this would be a significant adverse effect (major-moderate adverse) but that this would diminish outside the site where the effects would not be significant. With regards to the visual impact, the most significant visual effects are from Mangreen Lane and Low Road. Overall the EIA concludes that, on completion, the visual effects would diminish as new planting matures so to be not significant. However, the planting will take a long time to establish. It is also considered that some of the degree of harm can be mitigated against through various measures such as having a substation/converter which is lower height and use of recessive colour for the building.
- 4.5 In respect of the impact of the cable route, in the absence of the information in terms of the 'importance' of hedgerows under the Hedgerows Regulations and assessment of trees implicated in the scheme, it is not possible to conclude on the impacts of the cable route.
- 4.6 Concern that the creation of woodland, whilst offering an opportunity to reduce the visual and aural impact of the A47 on the rural ambience of this area, would impact on the openness of the bypass protection zone, which could result in a significant adverse effect.

Noise and Pollution

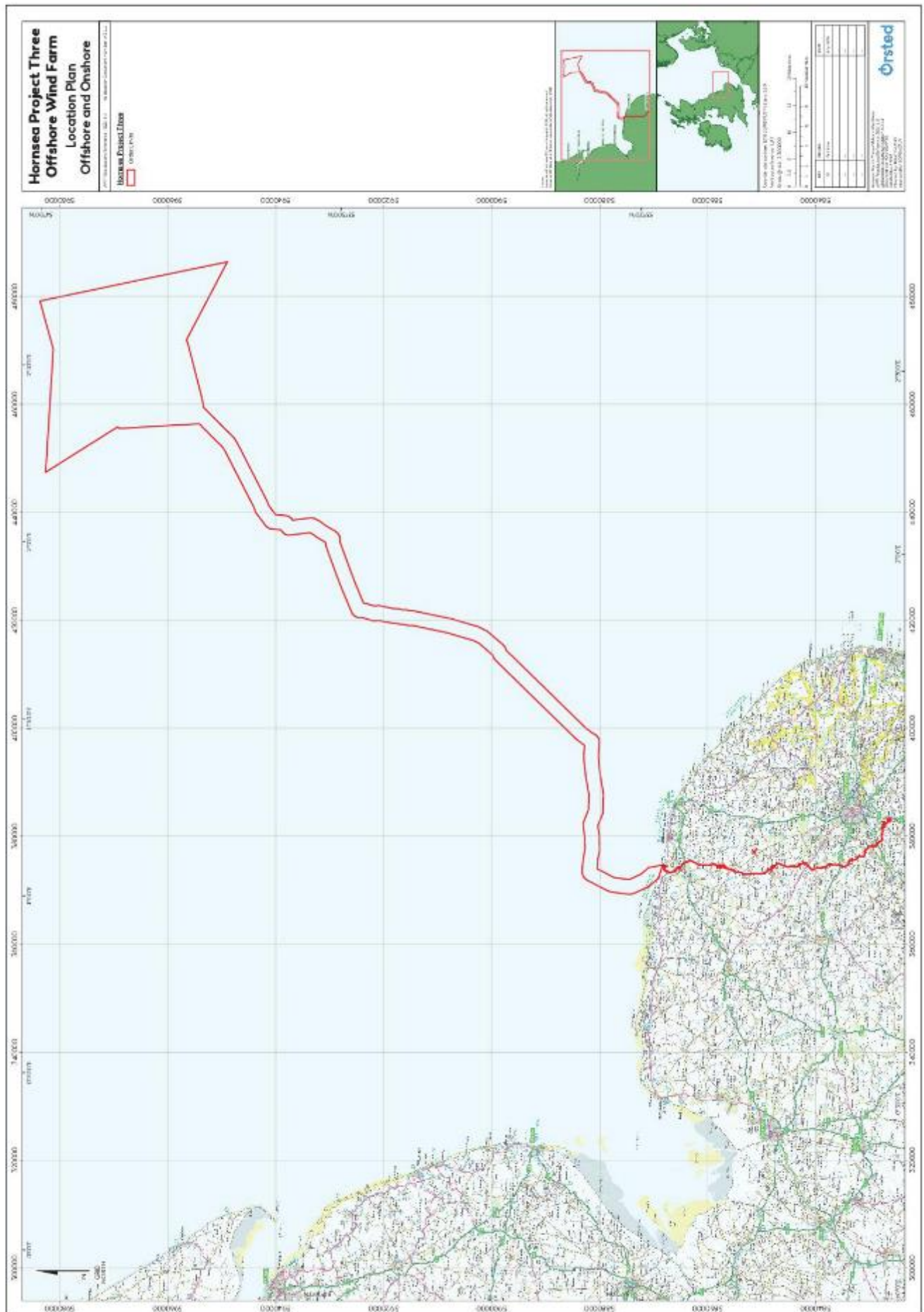
- 4.7 With regards to specified works to be undertaken issues relating to Control of Noise, Air Quality, Artificial Light, Waste Management, Pollution Prevention, Contamination Assessment and Mitigation and Working Hours are adequately covered by the Requirements in the Draft DCO. The Council is in general agreement with the Outline Code of Construction Practise but wishes to confirm that issues relating to hours of operation, siting of any standby generators, good practise procedures, prior notification of constructional noise, floodlighting, movement and storage of waste materials, public safety, dust control, emissions, telecommunication or television interference and decommissioning should be in place in the final document'

Conclusion

- 4.8 The Council acknowledge that there are national benefits in delivering 2,400 MW of electricity, which as stated by Orsted would meet the daily energy needs of over 2 million homes, however there are limited benefits at the local level. There is however harm identified at a local level, in particular by the construction of the proposed converter/substation in the parish of Swardeston. The Council considers that significant weight should be had to the visual and heritage harms in the planning balance.
- 4.9 In view of the above, the Council would urge that the substation is constructed using technologies that would allow for its height to be kept as low as possible. There is a significant difference between HVDC height of 25m and HVAC height of 15m.
- 4.10 The Council wishes to continue to work pro-actively with the applicants as the application is progressed through to Examination to try to resolve some of the outstanding issues, particularly in relation to hedgerows and trees.

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APPENDIX 1



APPENDIX 2

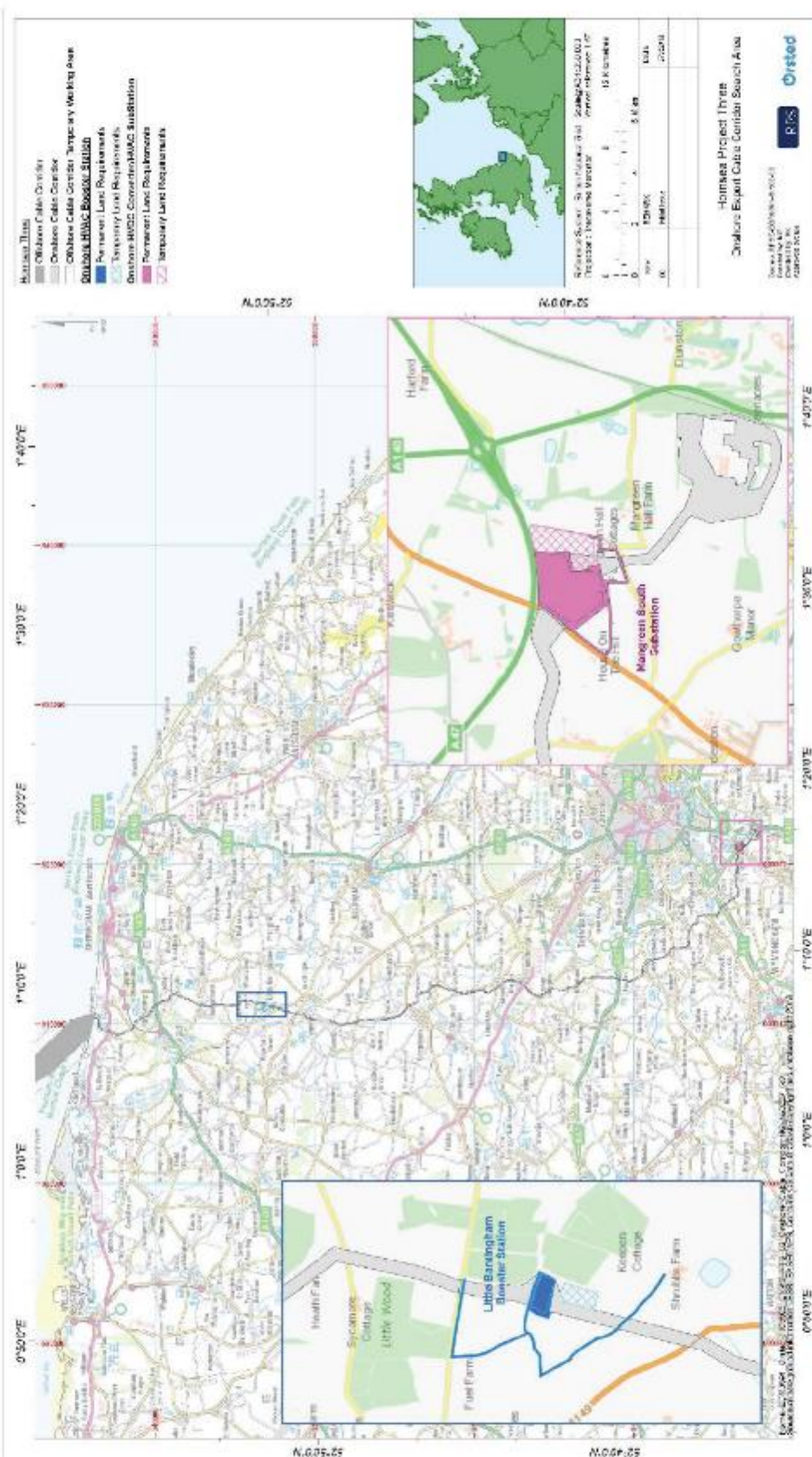
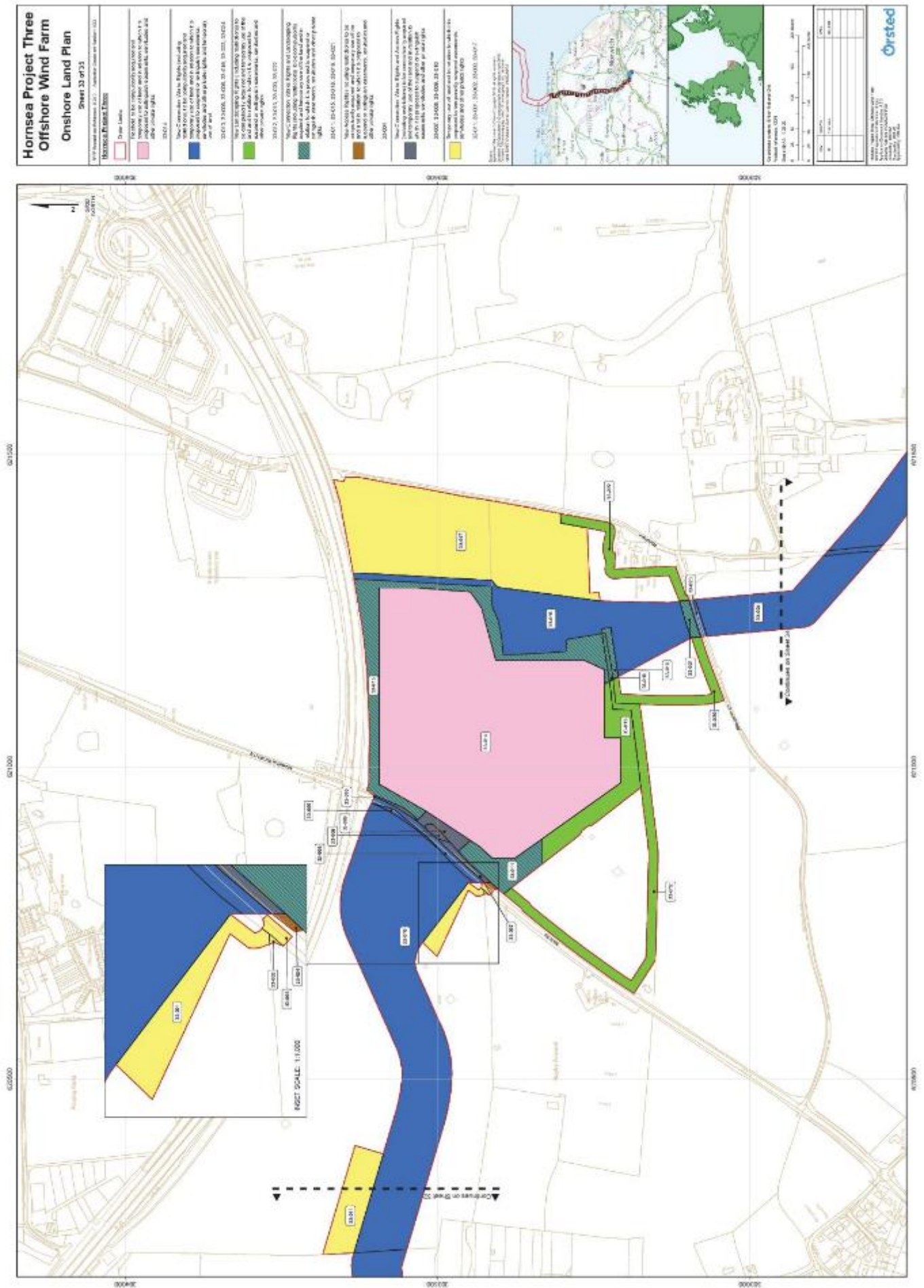


Figure 3.3: Homsea Three onshore cable corridor and locations for the onshore HVAC booster station and onshore HVDC converter/HVAC substation.



Planning Appeals**Appeals received from 9th June 2018 to 6th July 2018**

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision
2017/2686	Tharston And Hapton Land North Of Picton Road Tharston Norfolk NR15 2YD	Mr Tom Mayes	The erection of 3 No. dwellings with associated access and car parking areas	Development Management Committee	Refusal
2017/2105	Surlingham Land At Green Farm The Green Surlingham Norfolk	Mr Thomas Stiff	Installation of 2 holiday pods and associated access and parking	Delegated	Refusal
2017/2141	Brooke 49 High Green Brooke NR15 1JA	Mr Anthony Spurgeon	Replacement of 49/49A, High Green with erection of two new dwellings	Development Management Committee	Refusal
2017/1175	Surlingham Brickyard Farm The Covey Surlingham NR14 7AL	Mr J Broom	Proposed water compatible development to provide 8No. Floating Lodges for education and leisure.	Delegated	Refusal
2017/2373	East Carleton Land To The West Of Scotts Hill East Carleton Norfolk	Mr & Mrs Graham Browne	Construction of 1 x new, 3 bedroom residential dwelling. Part demolition of existing stabling and alterations to remaining stables.	Delegated	Refusal

Planning Appeals

Appeals decisions from 9th June 2018 to 6th July 2018

Ref	Parish / Site	Appellant	Proposal	Decision Maker	Final Decision	Appeal Decision
2017/1650	Dickleburgh And Rushall Orchard Farm Norwich Road Dickleburgh Norfolk	Mr & Mrs N Atkins	Erection of two new build dwellings to replace dwellings given the consent by application ref: 2016/1440 (Change of use of redundant agricultural buildings to form a pair of semi detached dwelling houses with associated alterations)	Development Management Committee	Refusal	Appeal Allowed
2017/2080	Wortwell Land Opposite Tyrells Barn Low Road Wortwell Norfolk	Mr & Mrs J. Riches	Outline for erection of 1No two storey dwelling and garage, including access, landscaping and layout with some matters reserved.	Delegated	Refusal	Appeal dismissed
2017/0967	Hempnall Land South Of Mill Road Hempnall Norfolk	Mr Kilbourn	Erection of one 3 bedroom dwelling including new vehicular access and integral garage. Removal of two trees.	Delegated	Refusal	Appeal dismissed

Planning Appeals

Appeals decisions from 9th June 2018 to 6th July 2018

2017/1655	Ashby St Mary Hill Top Barn Mill Common Ashby St Mary Norfolk NR14 7BW	Mr James Johnston	Conversion of existing studio building to independent dwelling	Delegated	Refusal	Appeal dismissed
2017/2177	Costessey Land North Of Renwar House Taverham Lane Costessey Norfolk	Mr Anthony Warren	Proposed new dwelling with access only	Delegated	Refusal	Appeal dismissed
2017/1794	Wymondham 2 Norwich Common Wymondham NR18 0SP	Mr Andrew Broom	Sub-division of site to form new residential building plot	Delegated	Refusal	Appeal dismissed