

Planning Committee Agenda

Members of the Planning Committee:

Cllr J M Ward (Chairman)
Cllr K Vincent (Vice-Chairman)
Cllr A D Adams
Cllr S C Beadle
Cllr N J Brennan
Cllr J F Fisher

Cllr R R Foulger
Cllr C Karimi-Ghovanlou
Cllr K Leggett
Cllr S M Prutton
Cllr S Riley

Date & Time:

Wednesday 15 June 2022
9:30am

Place:

Council Chamber, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich

Contact:

Dawn Matthews tel (01603) 430404
Email: committee.bdc@southnorfolkandbroadland.gov.uk
Website: www.southnorfolkandbroadland.gov.uk

PUBLIC ATTENDANCE:

This meeting will be live streamed for public viewing via the following link: [Broadland YouTube Channel](#)

You may register to speak by emailing us at
committee.bdc@southnorfolkandbroadland.gov.uk no later than 5pm on Friday 10 June
2022

Large print version can be made available

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

AGENDA

1. To receive declarations of interest from members;
(guidance and flow chart attached – page 3)
2. To report apologies for absence and to identify substitute members;
3. To confirm the minutes of the meeting held on 18 May 2022;
(minutes attached – page 5)
4. Matters arising from the minutes;
5. Applications for planning permission to be considered by the Committee in the order shown on the attached schedule
(schedule attached – page 10)
6. Planning Appeals (for information);
(table attached – page 50)

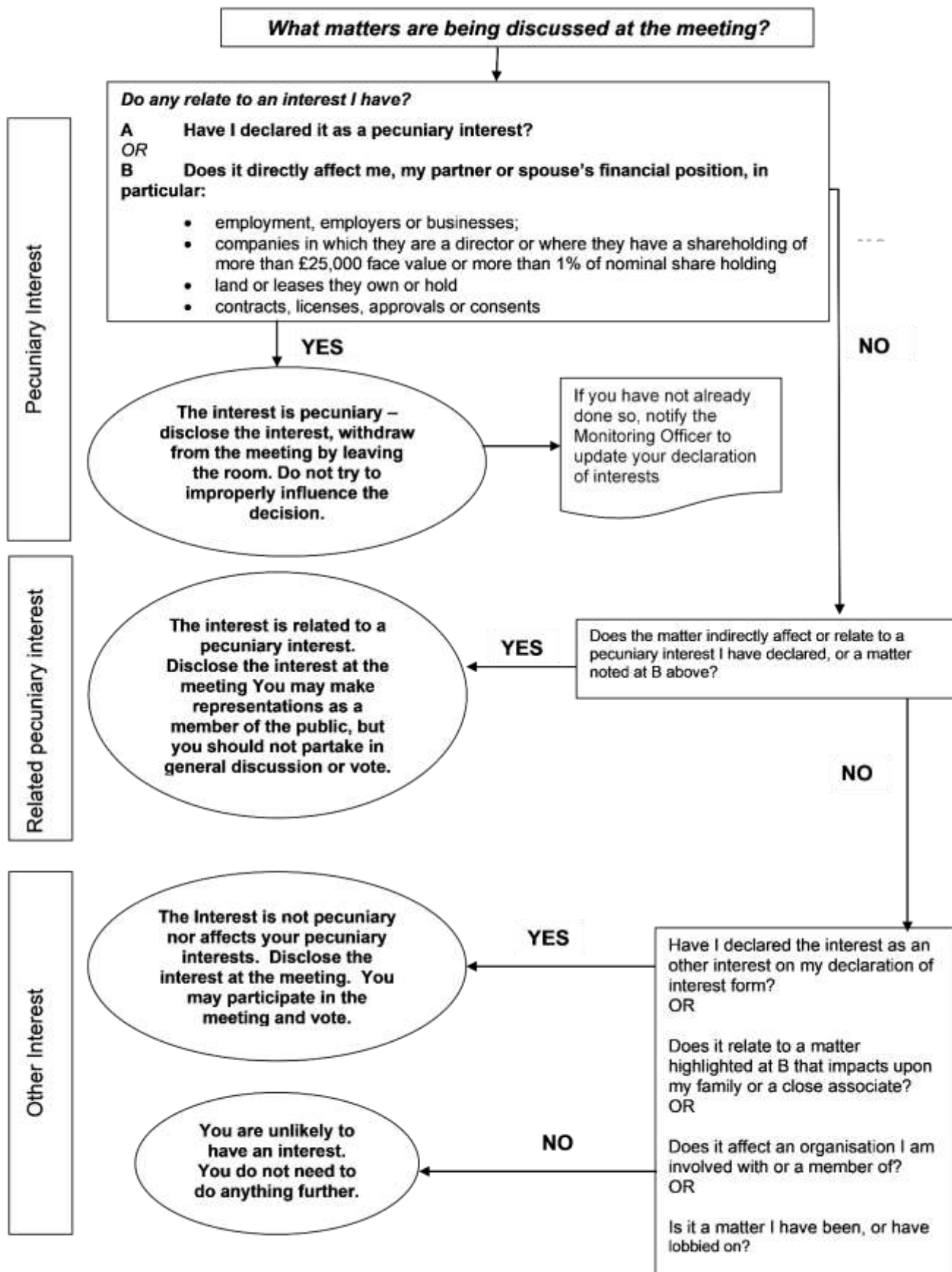
DECLARATIONS OF INTEREST AT MEETINGS

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 you should not partake in general discussion or vote.
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



PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of Broadland District Council, on 18 May 2022 at 9:30am at the Council Offices.

Committee Members Present: Councillors: I Moncur (Chairman), A Adams, S Beadle, N Brennan, J Fisher, C Karimi Ghovanlou, K Leggett, S Riley and J Ward

Apologies: Councillors: K Vincent and R Foulger

Substitutes: Councillor: K Leggett for K Vincent

Officers in Attendance: The Assistant Director of Planning (H Mellors), the Area Team Managers (C Raine, N Harris) the Principal Planning Officer (S Everard) and the Democratic Services Officer (LA)

52 DECLARATIONS OF INTEREST

Application	Parish	Councillor	Declaration
20220639	Sprowston	Cllr Ward	Was present at the Parish Council meeting but did not take part in any discussions
		Cllr Moncur	Ward Member for the area

53 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs K Vincent (with K Leggett appointed substitute) and R Foulger.

54 MINUTES

The minutes of the meeting of the Planning Committee held on 20 April 2022 were confirmed as a correct record and signed by the Chairman.

55 MATTERS ARISING

No matters were raised.

56 PLANNING APPLICATIONS

The Committee considered the reports circulated with the agenda, which were presented by the officers.

The following speakers addressed the meeting on the applications listed below.

Application	Parish	Speakers
20212175	Brundell	Evie Hawes – Applicant Mike Marshall – Agent
20211959	Horsham and Newton St Faiths	Kevin Cooper – Director for Building Partnerships Paul Knowles -- Director for Building Partnerships

The Committee made the decisions indicated in the attached appendix, 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 Place.

57 PLANNING APPEALS

The Committee noted the appeals lodged.

(The meeting concluded at 11.17am)

Chairman

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 Place's final determination.

1. **Appl. Nos** : **20220639**
Parish : **SPROWSTON**
Applicant's Name : Cornerstone
Site Address : WS Lusher and Son Ltd, Lushers Loke, Norwich, NR7 8TH
Proposal : 20m monopole mast with headframe accommodating 6No antennas, 2No dish (1No 300mm; 1No 600mm), 4No cabinets and all ancillary development.

Decision : Members voted (9-0 with one abstention) for Prior Approval not Required

2. **Appl. No** : **20212175**
Parish : **BRUNDALL**
Applicant's Name : Mrs. E. Hawkes
Site Address : 5 Holmesdale Road, Brundall, NR13 5LX
Proposal : Extension to Create Attic Rooms

Decision : Members voted (7 - 3) for Approval (contrary to officer's recommendation of refusal)

Approved with Conditions

1 Time limit
2 Submitted drawings
3 submission of energy efficiency details

Reasons for Approval
Members felt that the application was an improvement in design and was appropriate in the street scene.

3. **Appl. No** : **20211959**
Parish : **HORSHAM AND NEWTON ST FAITHS**
Applicant's Name : Building Partnerships
Site Address : 1 Merlin Avenue, Sprowston, NR7 8BY
Proposal : (i) Planning permission in outline for Broadway Enterprise Park comprising predominantly E(G)(i.ii.iii) B2 and B8 commercial and industrial uses, a possible filling station, two drive-thrus, a car showroom (sui generis) and a prospective park and ride development.
(ii) Planning permission in full for the infiltration basin to the north of access road, pumping station adjacent to infiltration basin, route to main sewer and landscaped earth bund.

Decision : Members voted (unanimously) for Approval subject to the following conditions and subject to satisfactorily

addressing the requirements under the Habitats Regulations regarding nutrient neutrality

Approved with conditions

Full:

1. 3 year commencement
2. Plans and documents
3. Management and maintenance arrangements tba

Outline:

1. Outline details (layout, scale, appearance, landscaping)
2. Outline time limits
3. Quantum of uses to be restricted to what has been applied for.
4. Amended updated/strategic landscape plan
5. Phasing of strategic landscaping
6. Landscaping details to be submitted with reserved matters
7. Tree protection
8. Surface water drainage
9. Tanking for filling station
10. Validation report for tanking
11. Unexpected contamination
12. Restriction on infiltration into the ground
13. Restriction on piling and foundation design
14. Construction Management Plan
15. Boundary noise levels
16. Archaeology
17. Building heights
18. Cranes
19. Biodiversity enhancement
20. Foul water drainage phasing
21. Fire hydrants
22. 10% renewable energy
23. Lighting
24. Details of roads, footways etc tba
25. Binder course prior to occupation
26. Footways & cycleways fully surfaced
27. No direct access for motor vehicles to New Home Lane
28. Construction Traffic Management Plan (CTMP) tba
29. Compliance with CTMP throughout construction
30. Off site highway works tba
31. Off site highway works to implemented
32. TRO prohibiting access from Horsham St Faiths via New Home Lane to be promoted/secured
33. Framework Travel Plan tba
34. Implementation of Travel Plan
35. Subsequent RM apps to include assessment of vehicular trips with mitigation as necessary

36. Subsequent RM apps to include assessment of cycling and walking trips with mitigation as necessary

4. **Appl. Nos** : **20211143**
Parish : **HORSTEAD WITH STANNINGHALL**
Applicant's Name : Mr and Mrs G Mardle
Site Address : Land at Grange Farm, Buxton Road, Horstead With Stanninghall, Norwich, NR12 7NS
Proposal : Demolition of Existing Agricultural Buildings which did not require Prior Approval to Change Use to a Dwelling together with Building Operations to Convert them under Prior Notification 20201368 and Erection of Single Storey Detached House with Larger Curtilage and Installation of Stand-Alone Solar Equipment

Decision : Members voted (unanimously) to authorise the Assistant Director of Planning to approve subject to the following conditions and subject to satisfactorily addressing the requirements under the Habitats Regulations regarding nutrient neutrality; satisfactory completion of a S106 legal agreement relating to tariff contribution; and satisfactory findings in respect to Ecology
1. 3 year time limit
 2. Development shall be carried out in accordance with the approved plans and documents
 3. Tree Protection Plan and Arboricultural Method Statement
 4. External materials and boundary treatments
 5. Bin storage and collection
 6. Foul water disposal
 7. On-site parking and manoeuvring
 8. Removal of Householder PD rights relating to extensions, alterations to the roof and outbuildings
 9. Water efficiency
 10. Ecology mitigation/enhancements [if required]

	Application No	Location	Officer Recommendation	Page No
1	20211179	Acle Garden Machinery Centre, Norwich Road, Acle, NR13 3BY	APPROVE subject to conditions	12
2	20220393	Honingham Thorpe Farm, Honingham	APPROVE subject to conditions	27
3	20201647	Catton House, 4 Park Close, Old Catton, NR6 7DL	APPROVE subject to conditions	36
4	20211990	White Horse, 17 Chapel Road, Upton, NR13 6BT	APPROVE subject to conditions	45

Application 1



- 1. Application No: 20211179**
Parish: ACLE

Applicant's Name: Acle Garden Machinery Ltd
Site Address: Acle Garden Machinery Centre, Norwich Road, Acle,
NR13 3BY
Proposal: Alteration of Ground Level to West of Business Premises
by Raising Higher than Permitted by Planning Permission
20202078; Use Raised Ground as Part of Business
Premises; Erection of Additional Warehouse to Rear; and
Provision of Additional Hard Surface to Rear

Reason for reporting to committee

The application is reported to Committee as it has been called in by Councillor Lana Hemsall due to concern about the impact of the raised land upon the street scene; concern about the stability of the raised land and contamination of the nearby drains; concern about the impact of delivery vehicles upon highway safety; and concern about there being no drainage of hard surfaced areas which would exacerbate surface water flooding.

Recommendation summary:

Full Approval, subject to conditions.

1 Proposal and site context

- 1.1** The area of land permitted by planning permission 20202078 to be raised and used as part of the business premises was raised higher than permitted. The land was originally permitted to be raised by approximately 1.5 metres in height above the original level. It was actually raised level with the rest of the business premises and thus raised approximately an additional 2.25 metres higher than permitted although still with a ditch buffer strip and raking embankment at a maximum of 45 degrees to maintain land stability.
- 1.2** An additional warehouse is proposed to be erected adjacent the south elevation of the existing permitted by planning permission 20190618 with a 0.65 metre gap between. The building would measure 12.15 metres in length by 6.15 metres in width by 3.5 metres in height to the eaves and 4 metres in height to the ridge to match the existing. The roof would be clad with undulating profiled metal sheet cladding in Juniper green to match existing materials already on site buildings. The walls would be dark stained horizontal

timber boarding. A black coloured roller shutter door would be in the west end to provide access for deliveries. A black coloured personnel door would be in the east end for access from the existing workshop and shop.

- 1.3 The vehicle hardstanding has been resurfaced with tarmac and has been extended in tarmac to allow access to the warehouse erected to the rear. It would be extended further in tarmac to allow access to the additional warehouse. The existing drainage channel would be extended across the front of the premises and a drainage channel provided along the edge of the extended hardstanding proposed. A soakaway would be installed within the fenced enclosure to the west side of the workshop. An additional 5 car parking spaces would be provided on the raised land surfaced with concrete grass blocks.
- 1.4 The application was amended to address this concern by extending the existing drainage channel across the front of the premises and by providing a drainage channel along the edge of the proposed hardstanding. Furthermore a soakaway would be installed within the fenced enclosure to the west side of the workshop.
- 1.5 It has been agreed to plant mixed native hedging plants (hawthorn, blackthorn, holly, dog rose and wild privet) along the northern and part of the western boundaries of the site. The spacing would be double staggered rows of plants, 50cm between rows and 50cm between plants. It would be made sure that there is at least one metre clear visibility strip between the boundary fencing and eventual outer edge of the hedgerow.
- 1.6 The site is within the countryside but adjacent the Acle settlement limit on the southern side of Norwich Road. It is within the marshes fringe landscape character area.
- 1.7 The northern boundary of the business premises adjoins Norwich Road opposite the telephone exchange and 4 dwellings (Black Tiles, Southview, Fairfields and Mayfield). The eastern side boundary adjoins a dwelling (Manor Cottage). The southern and western boundaries of the business premises adjoins land within the ownership of the applicant consisting of vegetation and land drains. It is at risk from surface water flooding.

2 Relevant planning history

- 2.1 20211825 Approve 12-November-2021
Details Reserved by Condition 3 (Validation Sampling of Material to be Used in Raising of Land) of Planning Permission 20202078

- 2.2 20211819 Approve 12-November-2021
Details Reserved by Condition 3 (External Materials) and Condition 4
(Validation Sampling of Material to be Used in Raising of Land) of Planning
Permission 20190618
- 2.3 20202078 Approve 19-January-2021
Raise and Use Land as Part of the Unit Additional to that Permitted by
Planning Permission 20190618
- 2.4 20191876 Approve 19-February-2020
Details Reserved by Condition 4 of Planning Permission 20190618 - Nature
and Composition of Material to be Used in Raising of Land
- 2.5 20190618 Approve 26-July-2019
Raise and Use Land as Part of the Unit (Part Retrospective) and Erect
Storage Shed

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 06 : Building a strong, competitive economy
NPPF 09 : Promoting sustainable transport
NPPF 12 : Achieving well-designed places
NPPF 14 : Meeting the challenge of climate change, flooding and coastal
change
NPPF 15 : Conserving and enhancing the natural environment
- 3.2 Joint Core Strategy (JCS)
Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 5 : The economy
Policy 14 : Key service centres
Policy 17 : Small rural communities and the countryside
- 3.3 Development Management Development Plan Document (DM DPD) 2015
Policy GC1 : Presumption in favour of sustainable development
Policy GC2 : Location of new development
Policy GC4 : Design
Policy EN1 : Biodiversity and habitats

Policy EN2 : Landscape
Policy EN4 : Pollution
Policy TS3 : Highway safety
Policy TS4 : Parking guidelines
Policy CSU5 : Surface water drainage

- 3.4 Acle Neighbourhood Plan
No relevant policies.

- 3.5 Supplementary Planning Documents (SPD) and Guidance
Design Guide
Landscape Character Assessment (SPD)
Parking Standards for Norfolk

4 Consultations

- 4.1 Acle Parish Council:

Responded in objection. It was considered overdevelopment that puts the land drains and a SSSI site downstream at risk. It was considered that the land for lawn mower demonstrations is flooded by compaction rather than the water table as stated in the application and that adding material will worsen flooding. There was concern about land stability. It was agreed that a preliminary ecological appraisal be undertaken and drainage strategy drawn up as advised. It was advised that vehicles park on road outside the business premises frequently therefore considered that sufficient parking and manoeuvring space should be provided within the premises.

- 4.2 District Councillor:

Responded requesting the application be called in to planning committee for the reasons detailed above.

- 4.3 BDC Environmental Protection:

Responded with no objection.

- 4.4 BDC Economic Development

No response.

4.5 NCC Natural Environment Team

Responded advising an updated preliminary ecological appraisal be undertaken.

4.6 NCC Highway Authority

Responded with no objection.

4.7 NCC Minerals and Waste

Responded with no objection.

4.8 Natural England

Responded with no comment.

4.9 Norfolk Wildlife Trust

No response.

4.10 Water Management Alliance

Responded advising that, given it is proposed to discharge surface water via infiltration, a drainage strategy supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater is required. If infiltration is not viable and surface water discharge is proposed to a watercourse, then land drainage consent would be required.

4.11 Other Representations

One public comment made in objection to the intensification of the business and enlargement of the business premises.

It was advised that the business has intensified through online sales which has generated heavy goods vehicle traffic unloading/loading on-road outside the premises using a forklift truck resulting in an obstruction to the detriment of highway function and noise disturbance caused by the reverse alarm of the forklift truck and running engines. It is considered that the business has outgrown the premises and is no longer suitable to the area. Furthermore, the raised land has not yet been seeded.

Concern was raised about the stability of the raised land, further compounded by the adjoining wetlands to the south, and the safety of any children entering the premises given the premises is unsecure. There was concern about obstruction of access to the land drains. There was concern about the impact upon the biodiversity of and habitats within the adjoining wetlands. Furthermore there was concern about the intended use of the raised land given such has not yet been seeded.

A complaint was made about the number of heavy goods vehicles generated by the land raising as well as the continual use of a JCB used to level the land and road sweeper continually driving up and down the highway. It was advised that this spanned several months and caused significant disturbance.

5 Assessment

5.1 Key Considerations

1. Principle of development
2. Design and impact upon the character and appearance of the area
3. Impact upon neighbour amenity, human health and the natural environment
4. Impact upon biodiversity and habitats
5. Impact upon highway safety
6. Impact upon surface water flood risk

Principle of Development

- 5.2 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. This point is reinforced by the NPPF, which itself is a material consideration.
- 5.3 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 that accord with the development plan should be approved without delay.
- 5.4 The main issues to be taken into consideration in the determination of this application are an assessment of the application against the policies of the development plan, the impact upon the character and appearance of the area, residential amenity, human health, natural environment, biodiversity and habitats, highway safety and surface water flood risk.

- 5.5 The site is located within the countryside, outside but opposite the defined settlement limit. Policy GC2 of the DM DPD is that new development will be accommodated within settlement limits and will be permitted outside settlement limits where no significant adverse harm and where it accords with another policy and / or allocation of the development plan. The application accords with Policies 5, 14 and 17 of the JCS given it relates to an established business providing local employment opportunities.
- 5.6 After consideration of the principle of development it is concluded that the application complies with Policy GC2 of the DM DPD subject to no significant adverse harm given it would accord with Policies 5, 14 and 17 of the JCS.

Impact upon the Character and Appearance of the Area

- 5.7 Concern has been expressed about the impact of the raised land requiring retrospective consent upon the street scene.
- 5.8 The enlargement of the business premises by raising and incorporating the land to the west to provide an area for lawn mower demonstrations without risk from surface water flooding was permitted by planning permission 20202078 although was raised to the level of the existing premises which is higher than permitted. The raised land therefore forms a retrospective element of this current application. Furthermore, the erection of a warehouse to the rear to provide storage in replacement of a shipping container was permitted by planning permission 20202078 and this has been carried out in accordance with the submitted drawings.
- 5.9 The site is visible from Norwich Road which is the nearest public highway to the north. It is considered that the raising of the ground has not resulted in any significant visual harm to the marshes fringe landscape character of the area given level with the premises and highway which contain it. Notwithstanding this it was considered that a hedgerow could be planted to enhance the street scene. It has been agreed to plant mixed native hedging plants (hawthorn, blackthorn, holly, dog rose and wild privet) along the northern boundary and along the top of the western bank of the raised ground.
- 5.10 It is considered that the additional warehouse proposed would not result in any significant visual harm to the marshes fringe landscape character of the area despite the increase in the number of buildings on site given its dimensions, design and external appearance would match the existing and given it would form part of the group of existing buildings.

- 5.11 After consideration of the impact upon the character and appearance of the area it is concluded that the application accords with Policy 2 of the JCS and Policies GC4 and EN2 of the DM DPD.

Impact upon Neighbour Amenities, Human Health and the Natural Environment

- 5.12 Concern has been expressed about the stability of the raised ground in relation to the safety of any children gaining unauthorised entry to the premises given the land is unsecure and in relation to contamination of the land drains. Furthermore concern has been expressed about the intensification of the business through online sales which has generated heavy goods vehicle traffic loading/unloading on-road outside the premises using a forklift truck resulting in noise disturbance caused by the reverse alarm of the forklift truck and running engines.
- 5.13 With regard to the concern about the safety of children entering the premises and contamination of the land drains by the soil used in the raising of the land as a result of its perceived instability, a site visit was undertaken to assess its stability. It was concluded that given the banks are 45 degrees and the ground felt solid, it is unlikely that the raised land is eroding significantly or would collapse. However, a barrier is not included along the top of the banks which children that have gained unauthorised entry to the premises could fall down. This reinforces the need to screen the premises to discourage unauthorised entry by planting a hedgerow. Furthermore, the environmental management officer had assessed the previous application and raised no objection to the reuse of the soil from the site behind the dwellings on the north side of Norwich Road subject to the submission of testing results to ensure suitable and risks from land contamination are minimised. Validation sampling of material to be used in the raising of the land was approved 12-November-2021.
- 5.14 The noise disturbance generated by loading/unloading vehicles reported is a result of the existing business premises. It is considered that, given the site has previously been used for storage, it is likely that the traffic generated would be similar. It is therefore considered that the additional warehouse would not worsen noise disturbance caused by loading/unloading on-road by a significant degree.
- 5.15 With regard to the additional warehouse proposed it is considered that it would not result in overshadowing or over-massing of neighbouring properties given the degree of separation and the scale, massing and height of the building.

- 5.16 After consideration of the impact upon neighbour amenity, human health and the natural environment it is concluded that the application complies with Policy GC4 and EN4 of the DM DPD.

Impact upon Biodiversity and Habitats

- 5.17 Concern has been expressed about the stability of the raised land and the impact upon the biodiversity and habitats within the adjoining wetlands.
- 5.18 The natural environment team advised that an updated preliminary ecological appraisal should be undertaken. However, the natural environment team assessed the previous application and raised no objections subject to a minimum 3 metre buffer between the area raised and the boundary ditch. It is considered that it is reasonable to conclude that this previous advice still stands and an updated preliminary ecological appraisal unnecessary.
- 5.19 The application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission.
- 5.20 This site is located outside of the catchment area of the sites identified by Natural England. The development proposed does not involve the creation of additional overnight accommodation and as such it is not likely to lead to a significant effect as it would not involve a net increase in population in the catchment and is not considered a high water use development.
- 5.21 This application has been screened, using a precautionary approach, as is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

- 5.22 After consideration of the impact upon biodiversity and habitats including the nutrients of protected habitats it is concluded that the application complies with Policy EN1 of the DM DPD.

Impact upon Highway Safety

- 5.23 Concern was expressed about the intensification of the business through online sales which has generated heavy goods vehicle traffic loading/unloading on-road outside the premises using a forklift truck resulting in obstruction of the carriageway and footway to the detriment of highway function.
- 5.24 It was demonstrated that parking/manoeuvring of cars and loading/unloading/manoeuvring of long wheel based vans can be accommodated on site. However loading/unloading/manoeuvring of long goods vehicles cannot be accommodated on-site therefore such must take place on road. The highway has not been restricted to prevent this. The highway authority suggested that the kerb could be raised or bollards installed to prevent obstruction of the footway although considered such cannot be insisted upon given it is considered that the traffic generated as a result of this application would be similar.
- 5.25 After consideration of the impact upon highway function and safety it is concluded that the application would comply with Policies TS3 and TS4 of the DM DPD.

Impact upon Surface Water Flood Risk

- 5.26 Concern was expressed about there being no drainage of hard surfaced areas which would exacerbate surface water flooding.
- 5.27 The NPPF gives preference to the use of sustainable drainage systems. However it was originally declared that surface water would be disposed of to an existing watercourse.
- 5.28 The vehicle hardstanding to the front of the premises includes a short drainage channel in the centre and was resurfaced with tarmac. It was also extended with tarmac to provide access to the existing warehouse erected to the rear. No additional drainage has been provided and the proposal is to extend the hardstanding further to provide access to the additional warehouse proposed leading to the concern raised.

- 5.29 The application was amended to address the NPPF and the concern raised by installing a soakaway within the fenced enclosure to the west side of the workshop. The existing drainage channel would be extended across the front of the premises and a drainage channel provided along the edge of the extended hardstanding proposed to provide access to the additional warehouse proposed.
- 5.30 The infiltration of the ground where the soakaway would be installed has been tested and it is concluded from the results that infiltration rates would be sufficient. It is also reasonable to assume that groundwater would be a sufficient depth below ground level given the position of the soakaway within the raised ground. It is therefore considered that the soakaway would function.
- 5.31 After consideration of the impact upon surface water flood risk it is concluded that the application would comply with the broad aims of Policy CSU5 of the DM DPD.

Other Issues

- 5.32 Concern was expressed about access to the land drains. However access can be gained by an access to Norwich Road with a five bar gate opposite a dwelling named Orana.
- 5.33 Concern was expressed about the intended use of the raised land. The use was considered in relation to the previous application. That application specified it would be used for the demonstration of lawnmowers which is incidental to the retail use of the premises. The use of the land was not restricted by condition given it is limited what it can be used for without having first gained planning permission. Furthermore the erection of another building or provision of a hard surface on this land would also require planning permission.
- 5.34 A complaint was made about the number of heavy goods vehicles generated by the work to raise the ground as well as the continual use of a JCB used to level the ground and road sweeper continually driving up and down the highway. It was advised that this spanned several months and caused significant disturbance. However, this would have been a matter for environmental protection and the highway authority.
- 5.35 Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

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

5.37 The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

Conclusion

5.38 It is evident from the above that the principle of development for this commercial related application is acceptable and that the scheme would not cause any particular concerns in terms of the impact upon the character and appearance of the area; neighbour amenity, human health and the natural environment; biodiversity and habitats; highway function and safety; and surface water flood risk; and as such the application accords with Policies 2, 5, 14 and 17 of the JCS and Policies GC2, GC4, EN1, EN2, EN4, TS3, TS4 and CSU5 of the DM DPD. Therefore, the application is recommended for approval subject to the conditions listed below.

Recommendation:	Authorise the Director of Place to approve with conditions.
	1. 3 year time limit 2. Development shall be carried out in accordance with the amended plans and documents 3. Hedge planting 4. On-site parking and manoeuvring 5. Surface water drainage

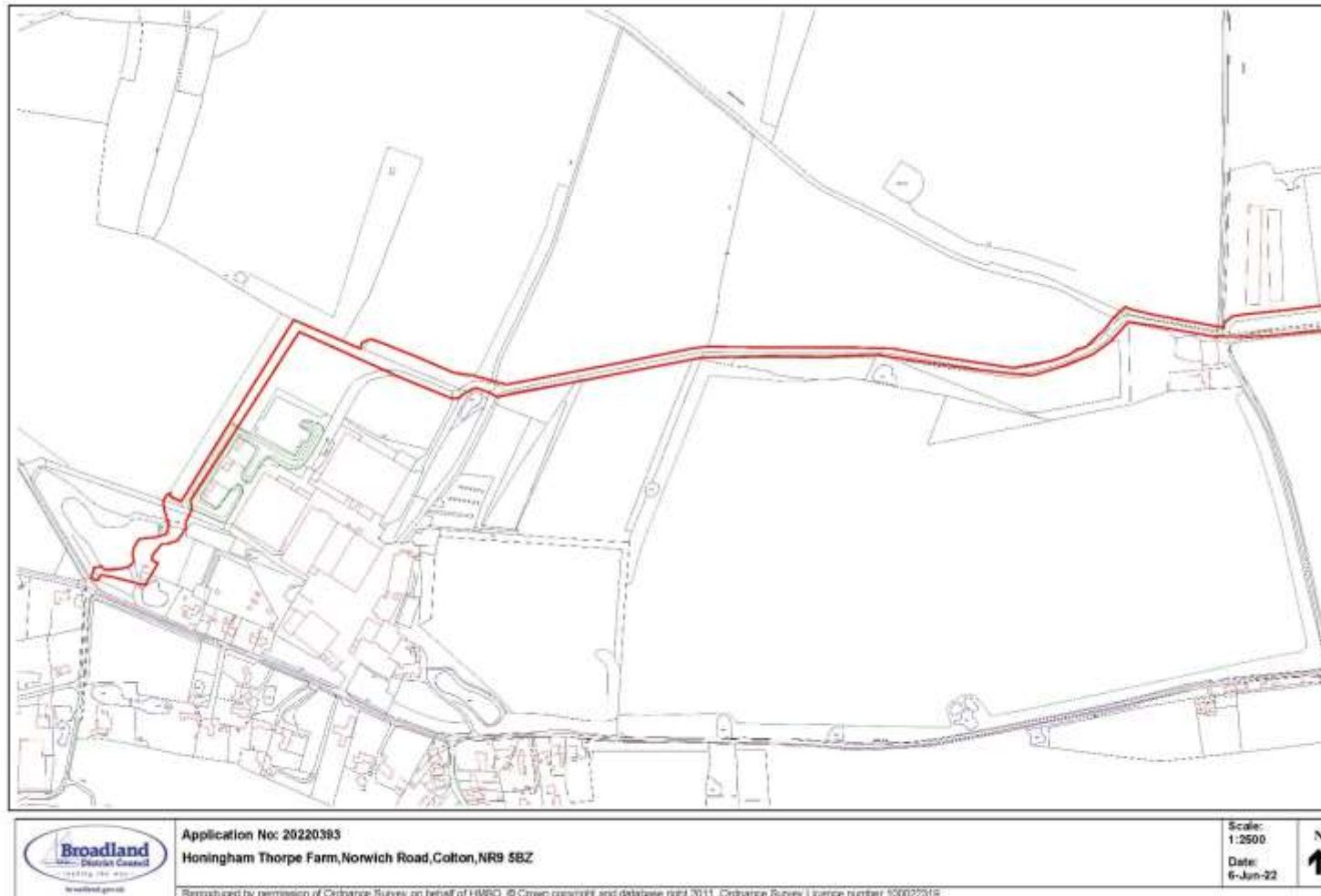
Contact Officer: Philip Baum

Telephone Number: 01603 430 555

E-mail: philip.baum@southnorfolkandbroadland.gov.uk

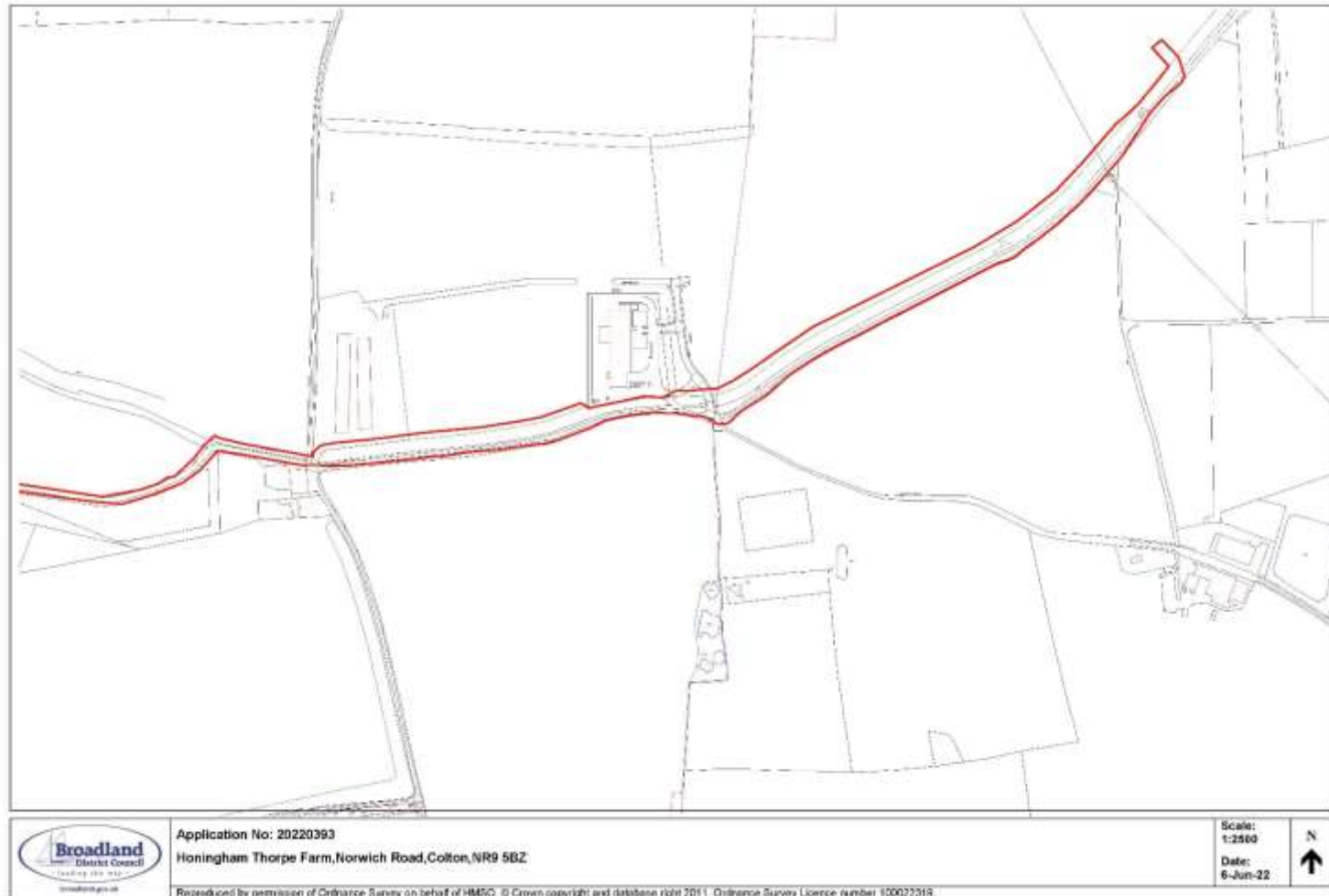
Planning Committee

Application 2 – West Side



Planning Committee

Application 2 – East Side





- 2. Application No: 20220393**
Parish: HONINGHAM

Applicant's Name: Mr H Sond, Pathfinder Clean Energy (PACE) Ltd
Site Address: Honingham Thorpe Farm, Honingham
Proposal: Installation of temporary cable and associated works

Reason for reporting to committee

The Council has an interest in the Food Enterprise Park, which is connected to this application.

Recommendation summary:

Approval with conditions

1 Proposal and site context

- 1.1** South Norfolk Council is currently considering a planning application for a 30MW solar farm to the west of the village of Colton. Associated with that development is an electric cable that will connect the solar farm to an electricity substation that is currently under construction to the west of the village of Easton. The route of the cable passes through the districts of Broadland and South Norfolk and accordingly, it has been necessary for the applicant to apply to Broadland District Council for the section of cable that passes through the district. Approximately 2.16km of the cable passes through the Broadland district.
- 1.2** The cable will be laid into a trench measuring approximately 1 metre in depth and 0.7 metres in width. With the exception of where it passes underneath the public highway, the cable will pass through land entirely within the ownership of Honingham Thorpe Farm. It will exit the solar farm from its northern edge (in the village of Colton) and will enter the Broadland district underneath Norwich Road to the west of Honingham Thorpe Farm. It will then run to the west and north of the Honingham Thorpe Farm complex before running in the verge alongside the private road that serves the complex from Church Lane to the east. The cable will continue east in the verge on Church Lane and alongside the southern boundary of the Food Enterprise Park (FEP) that is currently being developed. At the eastern end of the FEP, the cable will continue along the verge into the South Norfolk district and onto the electricity substation.

- 1.3 As a whole, it is anticipated the construction of the solar farm and the provision of the cable will take between 30 and 40 weeks. If approved, the scheme will be operational for 40 years and at the end of this period, the land will be returned to its current use and works decommissioned and removed, hence the reference to the installation of a temporary cable.
- 1.4 By way of background information, it is intended that the solar farm will provide power to the FEP. The agent has explained that the Council's Food Innovation Centre and Fischer Farm's Vertical Farm (currently under construction) will use all existing available power and that the latest power requirement modelling indicates that the existing supply is insufficient. The solar farm and the electric cable associated with it will meet the power needs of businesses that will occupy the FEP and potentially provide power to homes that benefit from planning permission to the east in Easton.
- 1.5 Land uses along the route of the cable vary. As well as being an agricultural operation, Honingham Thorpe Farm accommodates a number of businesses including light and general industrial, storage and distribution and offices but outside of the complex, for the most part, land is in agricultural use. The FEP to the east on Church Lane is currently being developed under the terms of a Local Development Order that was approved in 2017 and which permits a range of food and agricultural related businesses to operate from the site.
- 1.6 Prior to the application being submitted, the Council provided a screening opinion as to whether the proposal was EIA development under paragraph 3(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Having regard to the criteria set out in Schedule 3 of those Regulations, the Council adopted the opinion that the proposal was not EIA development.

2 Relevant planning history

- 2.1 20170052: Greater Norwich Food Enterprise Zone. Approved.
- 2.2 20211927: Request for a screening opinion for cable route for solar farm. EIA not required.

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02: Achieving sustainable development
NPPF 04: Decision-making
NPPF 06: Building a strong, competitive economy
NPPF 12: Achieving well-designed places

NPPF 14: Meeting the challenge of climate change, flooding and coastal change

NPPF 15: Conserving and enhancing the natural environment

NPPF 16: Conserving and enhancing the historic environment

3.2 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 17: Small rural communities and the countryside

3.3 Development Management Development Plan Document (DM DPD) 2015

Policy GC1: Presumption in favour of sustainable development

Policy GC2: Location of new development

Policy GC4: Design

Policy GC5: Renewable Energy

Policy EN1: Biodiversity and habitats

Policy EN2: Landscape

Policy TS3: Highway safety

Policy CSU5: Surface water drainage

3.4 Food Enterprise Zone SPD

4 Consultations

4.1 Honingham Parish Council:

No objections

4.2 District Councillor:

To be reported if appropriate.

4.3 Highway Authority:

It needs to be confirmed that the proposed cable is to be installed in the ground outside of the public highway but assuming this to be the case I have no objection to this proposal subject to the following conditions being included:-

1. Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

2. Prior to the commencement of any works a Construction Traffic Management Plan (and Access Route) which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority (together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic*).
3. For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and

4.4 Other representations

None received.

5 Assessment

Key Considerations

- 5.1 Principle of development
Impact on the appearance of the area
Heritage assets
Impacts on residents
Trees
Ecology
Highway safety
Economic benefits

Principle of development

- 5.2 Under Section 38 of The Planning and Compulsory Purchase Act 2004 ('The 2004 Act'), the determination of planning applications must be in accordance with the approved development plan unless material considerations indicate otherwise.
- 5.3 The site is outside of any defined settlement limit and so in planning policy terms, is in the countryside. Policy GC2 of the DM DPD states that outside of settlement limits, development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan.

- 5.4 In this case, Policy GC5 is relevant. It states that proposals for renewable energy technology, associated infrastructure and integration of renewable technology will be encouraged where its impacts are (or can be made) acceptable.
- 5.5 This application seeks planning permission for infrastructure associated with renewable energy technology and subject to consideration being given to other relevant material considerations, the general principle of development is acceptable.
- 5.6 Added to the above is that the UK is legally bound through the Climate Change Act (2008) to cut greenhouse gas emissions by 80% by 2050 compared to 1990 levels. The development would contribute towards meeting this requirement and would also be fully supported by energy policy because it would assist in replacing outdated energy infrastructure and the move to a low carbon economy.

Impact on the appearance of the area

- 5.7 The cable will be provided entirely underground along its route. Consequently, I consider that the appearance of the surrounding area and the landscape character will be maintained. The application therefore complies with Policies 1 and 2 of the JCS and Policies GC4 and EN2 of the DM DPD.

Heritage assets

- 5.8 No listed buildings are located along the route of the cable. In respect of archaeology, the Heritage Baseline and Impact Assessment explains that the cable passes through areas within the Broadland executive area that have been identified as being cropmarks of possible archaeological interest. Given the relatively modest nature of excavations (i.e. 1m deep and 0.7m wide), a proportionate approach would be for a watching brief to be maintained during works. This could be secured via an appropriately worded planning condition to ensure compliance with Policy 1 of the JCS.

Impacts on residents

- 5.9 The route the cable follows and it being buried underground are such that any impacts on nearby residents will be minimal. There will likely be some level of disruption when work is taking place in, under and/or alongside public highways but when having regard to the relatively short period this will likely take place for in any one location, I am not persuaded that harm to living conditions will be significant. The application therefore complies with Policy GC4 of the DM DPD insofar as it relates to impacts on existing residents.

Trees

- 5.10 An Arboricultural Impact Assessment was submitted in support of the application. At the point at which the cable first enters the Broadland district on Norwich Road, it will pass through the boundary hedge fronting the road and then through a tree belt on the southern side of the access road that serves Honingham Thorpe Farm. To the west of Honingham Thorpe Farm, the cable will be laid underneath a track adjacent to two category C2 mixed species tree belts. Impacts arising from the digging of the trench for the cable will vary according to its proximity to these trees and hedges but in view of its relatively limited width and depth along with the substantial tree cover that will be retained, I do not consider that the impacts will be so significant so as to amount to significant harm, particularly as the majority of tree cover will remain along with the contributions that the tree belts make to the surrounding area. The application complies with Policy 1 of the JCS.

Ecology

- 5.11 A Preliminary Ecology Appraisal (PEA) was submitted with the application. This covered the development as a whole (i.e. the solar farm and cable route) and identified potential impacts on Great Crested Newts, breeding birds, bats, badgers and hedgehogs. For the most part, the cable route passes alongside tracks, around existing buildings and mown verges and there are large parts of the route that appear to be of limited ecological value. Nevertheless, a precautionary approach should be taken and these are reflected in the measures recommended within the PEA, which in turn can be secured via an appropriately worded planning condition to secure compliance with Policy 1 of the JCS and Policy EN1 of the DM DPD.
- 5.12 A District Level Licensing Certificate signed by both the applicant and Natural England has also been received and in due course, this will enable suitable mitigation to be provided in respect of impacts on Great Crested Newts.

Highway safety

- 5.13 Most vehicular activity associated with the entire project is related to the construction of the solar farm, for which traffic is proposed to access the site from Barnham Broom Road to the west. The level of traffic associated with the laying of the cable is not expected to be as high as the construction of the solar farm. However, the Highway Authority has recommended the use of planning conditions relating to on-site parking for construction workers during the construction period and the submission of a construction traffic management plan that has regard to any wear and tear to the highway and wheel cleaning facilities for vehicles associated with provision of the cable. These are considered to be necessary to maintain highway safety and efficiency in accordance with Policy TS3 of the DM DPD.

Economic benefits

- 5.14 The cable is linked to the solar farm that is currently being considered by South Norfolk Council and if both applications are approved, they will provide power to and support the growth of the FEP and the agri-tech employment opportunities associated with that. At present, there is not enough power to support that growth and with renewable energy, this application will be in the spirit of Policy 5 of the JCS, which seeks to develop the economy in a sustainable way to support jobs and economic growth.

Other Issues

- 5.15 The area of the cable run within the Broadland district is 3.52 hectares. A Flood Risk Assessment was submitted that took account of the solar farm and cable route. In view of the cable trench being backfilled with soil, it is unlikely that infiltration into the soil will be hindered nor that the works will increase flood risk. The application therefore complies with Policy 1 of the JCS and Policy CSU5 of the DM DPD.
- 5.16 This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission. This site is located within the catchment area of one or more of these sites as identified by Natural England and as such the impact of the of the development must be assessed. The development proposed does not involve the creation of additional overnight accommodation and as such it is not likely to lead to a significant effect as it would not involve a net increase in population in the catchment and is not considered a high water use development. This application has been screened, using a precautionary approach, as is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).
- 5.17 Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

Conclusion

- 5.18 When having regard to those matters raised, the application seeks to provide infrastructure in support of a renewable energy project. When taken as a whole, it will make a positive contribution towards achieving green energy targets, tackling the challenges of climate change, lessening dependency on fossil fuels and benefit from energy security. It will help to meet the energy needs of the FEP as it develops out and in turn, support the economic growth and opportunities arising from that site. In addition, the appearance of the surrounding area will be maintained and it not considered that there will be any significant adverse impacts on heritage assets, highway safety, biodiversity and residential amenity. The application is considered to comply with Policies 1, 2 and 5 of the JCS and Policies GC2, GC4, GC5, EN1, EN2, TS3 and CSU5 of the DM DPD and is therefore recommended for approval.

Recommendation:	Approval with conditions:
	1. 40 year consent 2. Decommissioning of works 3. In accordance with submitted drawings 4. Archaeological watching brief 5. Submission of details of on-site parking for construction workers 6. Submission of a construction traffic management plan. 7. Adherence to the approved construction traffic management plan. 8. Ecological mitigation

Contact Officer, Glen Beaumont
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 E-mail glen.beaumont@southnorfolkandbroadland.gov.uk

Application 3

20201647 – Catton House, 4 Park Close, Old
Catton, NR6 7DL



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- 3. Application No: 20201647**
Parish: OLD CATTON

Applicant's Name: Mr Harry Kandola
Site Address: Catton House, 4 Park Close, Old Catton, NR6 7DL
Proposal: Multi-purpose Outbuilding

Reason for reporting to committee

The Local Member has requested that the application be determined by the Planning Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary:

Approval with Conditions

1 Proposal and site context

- 1.1** This application proposes a multi-purpose outbuilding within the grounds of Catton House in Old Catton. Catton House, is located as part of Park Close and its frontage runs along Church Street. The dwelling is located to the rear of the plot with the main garden and amenity area located to the front of the property adjacent to Church Street. There is a high red brick wall [former estate wall] along the majority of Church Street frontage. The dwelling includes an existing outbuilding which is located to the west of the plot.
- 1.2** The site is located within the Old Catton Conservation Area, and there are a number of listed buildings located to the west of the site. The site includes a number of trees which are the subject of a tree preservation order.
- 1.3** Since the application was submitted it has been subject to a number of amendments which has looked to revise the position and use of the building. The following represents a summary of the application and amendments:
- Proposal is for a two storey building with garages on the ground floor and a games room. The building is located to the west of the site attached to the existing out building.
 - Amendments received December 2020 – building relocated to the east of the site, adjacent to Park Close.
 - Amendments received October 2021 – building relocated to the north of the site adjacent to Church Street. The proposed building is two storey with garaging at ground floor, office, games room at first floor, and a swimming pool included within a basement.

- Amendment received May 2022 – minor revision to the position of the building to move it further from the root protection areas of existing trees.

1.4 The building design is a two storey building with a pitched roof and two dormer windows. The dormer are included within the south-west elevation which faces into the site, towards Catton House. From Church street the roof of the pitched roof will be visible above the existing wall. The building is proposed to be constructed from red brick and with a grey pantile roof. From Church Street

2 Relevant planning history

2.1 No relevant planning history

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development

NPPF 04 : Decision-making

NPPF 12 : Achieving well-designed places

NPPF 16 : Conserving and enhancing the historic environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

3.3 Development Management Development Plan Document (DM DPD) 2015

Policy GC4 : Design

Policy EN2 : Landscape

Policy TS4 : Parking guidelines

3.4 Old Catton Neighbourhood Plan

Policy 7: Design and Housing

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.”

4 Consultations

4.1 Old Catton Parish Council

Object to the proposal – Design will have an adverse effect on the neighbouring property. Design creates a 2 storey wall which will over shadow neighbour and affect natural light. The size and position of the structure does not benefit the conservation area. The structure is also near a mature Yew tree and the Council would not wish to see it adversely affected.

Comments on amended proposal

Object to the proposal in respect to Policy 7 of the Old Catton Neighbourhood plan and DM policy GC4. The following concerns have been raised:

- Proposed structure is to be sited to the north of the boundary, some 1.5m from the historic red brick boundary wall that is listed in the Broadland District Council Old Catton Conservation Area Character Statement to be of “sufficient interest and, in their own right, warrant every effort being made to maintain their special character”.
- Proposed structure now includes basement swimming pool, the excavation of which would be approximately 15ft deep, 49ft long and 8ft wide would have significant impact on the foundations of the boundary wall and the root structure of the separately TPO protected Yew tree
- Gabled dormer windows are proposed for the south side of the structure. These are not in keeping with the street scene or the conservation of this part of Church Street
- Plans make no allowance for driveway, turning circle or vehicle access to the proposed structure.
- The Parish Council are concerned that the proposed structure has the possibility for conversion to a residential or business premises at a later date. From the outside design already potentially looks like a residential property with separate front and garage door already in place

4.2 Cllr Kenneth Leggett

Request application is determined by committee due to the strong feelings put to me by the Old Catton Parish Council and 2 local residents about the impact of the building in respect of the neighbourhood plan and to ensure that the building preserves and enhances the character of the area

4.3 Senior Heritage and Design Officer

Comments on amended plans

The amended position of the building further back within the plot is a better location and means it will have less impact on neighbouring properties within Park Close. The building runs parallel to the existing estate wall. In street views the main element which will be visible is the pantile roof that is traditional for the area. The upper sections of the weather boarded gable end will be recessive. No objection, recommend conditions for materials and window design.

4.4 Old Catton Society (Comments on amended proposal)

The Old Catton Society object to this application. The proposed building, sited in front of the existing main dwelling and immediately adjacent to the boundary of Park Close, would by reason of its height and mass constitute an intrusive element in the street scene and result in serious damage to the special character of this part of Church Street included in the Old Catton Conservation Area.

4.5 Other Representations

One representations was received on the original proposal objecting to the scheme on the basis of the 2 storey extension overshadowing the neighbouring property, disturbance and overlooking.

A further two representations were received on amended plans in January 2021. These set out the following concerns:

- Proposal would block light
- Proposal is not in keeping with the special character of Park Close
- Pleasant green outlook is slowly being destroyed.
- Building of this scale will dominate the landscape and make Park Close feel hemmed in and gloomy.

Public representations on November 2021 amendments

- 1 letter offering no objection
- Two representations objecting to the proposal on the basis off:
 - Scale of the building. It is very big and obtrusive and out of keeping with the character of Church Street.
 - Impact upon an old protected yew tree and mature ash
 - Concern that building will become a dwelling. Impact upon conservation area.

Public representation on May 2022 amendments

- 1 letter offering no objection

5 Assessment

Principle

- 5.1 The application site is located within the development boundary where the principle of the erection of outbuildings within residential curtilages is considered to be acceptable. As such the main consideration in the determination of this application are as follows:

- Design
- Impact upon designated heritage assets
- Impact upon amenity
- Trees

Design and Impact upon Heritage Assets

- 5.2 Whilst the building has been subject to a number of amendments as set out at paragraph 1.3, the building as proposed is for a 1.5 storey dwelling with a basement swimming pool. The use of the building is proposed to include garaging at the ground floor and an office space/games room at the first floor level. The first floor includes two dormer windows which will look into the site.
- 5.3 The proposal has been reviewed by the Councils Senior Heritage and Design Officer, and the position of the existing dwelling on site and its design has been an important consideration in his comments on the proposed development. The building will be visible from Church Street and the site itself forms part of the conservation area. From Church Street the roof of the building will be visible above the boundary wall. This is a pantile roof, and the Senior Heritage and Design Officer has confirmed that he does not object to the proposal. Side views of the building will also be visible and include views of the dormer windows. These are pitched dormers, which face into the site, and have been designed to appear recessive. A condition is proposed to secure the details of the materials.
- 5.4 Concerns have been raised within the representations in relation to the scale of the building and this has included concerns that the building may be changed into a dwelling in future. At 1.5 storey with a basement, the out building is relatively large, however having regard to the existing dwelling and its position within the plot, it is not considered to be disproportionate in scale. Whilst the concerns in relation to a future change of use of the building are understood, this would need to be the subject to a further planning application, and so the Council has control over any material change of use.

- 5.5 In relation to the impact upon designated heritage assets Policy 16 of the NPPF, JCS Policy 1 and Policy EN2 requires Local Planning Authorities to assess the impact of any development on the significance of heritage assets and Sections 16, S66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that local planning authorities must 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. In addition it requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Area. The revised position of the outbuilding located to the north of the application site, has moved it further away from the listed buildings to the west. Furthermore, by virtue of the design of the building and position it is not considered that the proposal will harm the character and appearance of the conservation area.
- 5.6 Overall the proposal is considered to conform to the requirements of Policies 1 and 2 of the JCS, Policies GC4 and EN2 of the D M DPD and Policy 7 of the Old Catton Neighbourhood Plan

Impact Upon Amenity

- 5.7 Policy GC4 considers the impact of the development on the amenity of neighbouring residents and also the existing occupiers of the site. The impact on amenity of neighbouring residents was a key reason for the position of the building to be amended from its original proposal to the west of the site, which was considered to result in an adverse impact upon amenity.
- 5.8 As part of the public representations concerns have been raised in relation to the loss of light and outlook. The position of the building as amended is to be located to the north of the property adjacent to Church Street. There is a good level of separation between the building and surrounding residential properties. Whilst the proposal will vary the outlook from the adjacent properties, as set out in relation to design the proposal is considered to be acceptable. Overall the proposal is considered to conform to the requirements of GC4 and not result in an adverse impact upon amenity.

Trees

- 5.9 There are a number of trees located within the garden of the property, which includes trees covered by a tree preservation order and an arboricultural impact assessment has been submitted in support of the application. The public and Parish Council representations have raised concerns in relation to the impact of the development on the trees and amendments have been made to move it further from the root protection areas.

- 5.10 The position of the outbuilding will result in minor encroachment into the root protection areas of one of the TPO trees. The proposal has been reviewed by the Councils Tree Officer who has confirmed that the proposal is acceptable subject to the inclusion of a condition. A condition has been included to secure the tree protection details as set out within the arboricultural impact assessment. Subject to the inclusion of the condition, the proposal is considered to be acceptable in relation to trees and complies with Policy EN2 of the DMDPD.

Other Issues

- 5.11 This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission. The proposal relates to an existing residential unit and will not increase the number of dwellings. Using the average occupancy rate of 2.4 people, the proposal is unlikely to lead to a significant effect as it would not involve a net increase in population in the catchment and is not considered a high water use development. This application has been screened, using a precautionary approach, as is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).
- 5.12 Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.13 This application is not liable for Community Infrastructure Levy (CIL)

Conclusion

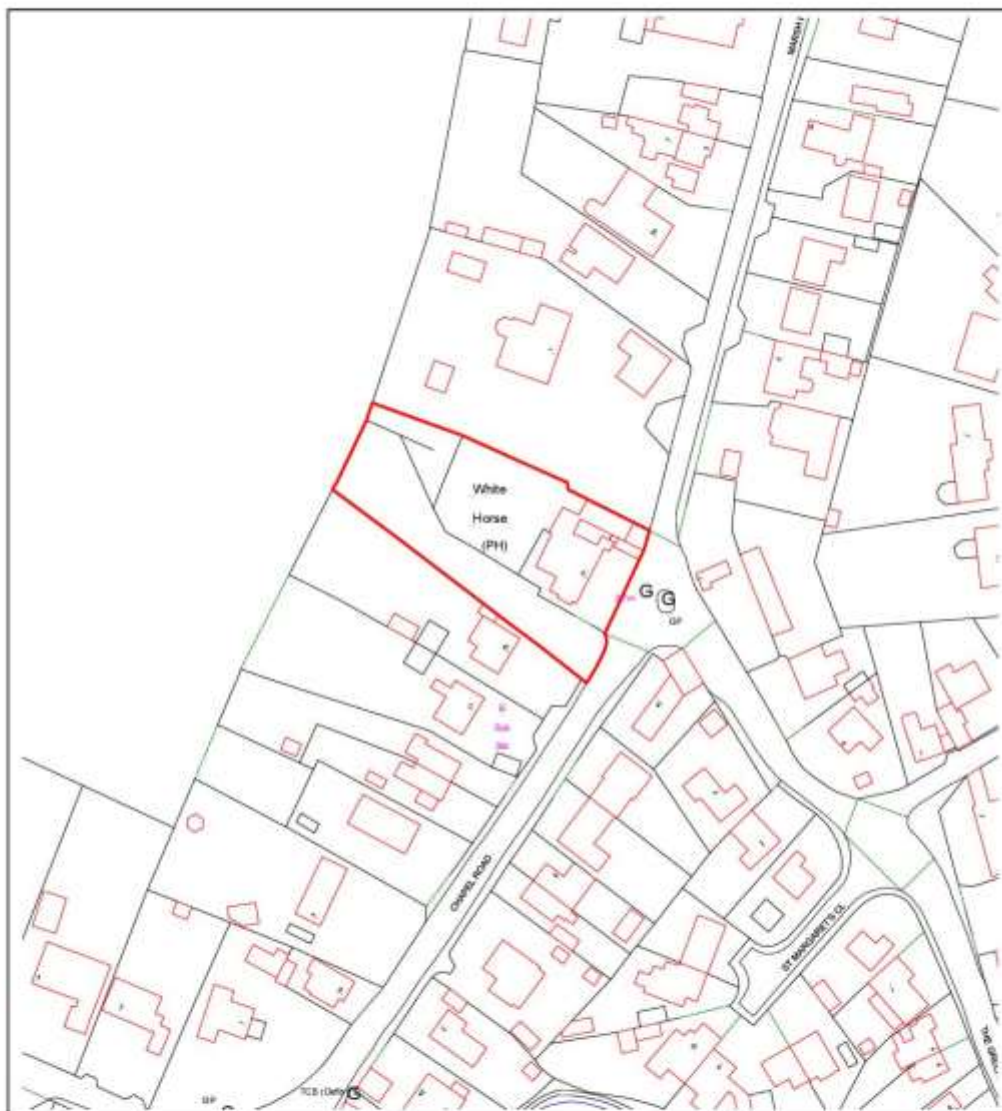
- 5.14 The principle of an outbuilding within the grounds of Catton House is considered to be acceptable. The design and position of the building in its amended form has had regard to concerns raised in relation to designated heritage assets, the impact upon amenity and trees. The proposal is considered to represent an acceptable form of development and as such is recommended for approval subject to conditions.

Recommendation:	Approval with conditions
	1. Time limit 2. Submitted drawings 3. Materials to be agreed 4. Tree protection fencing

Contact Officer, Sarah Everard
Telephone Number 01508 533 674
E-mail sarah.everard@southnorfolkandbroadland.gov.uk

Application 4

20211990 - White Horse, 17 Chapel Road, Upton, NR13 6BT



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4. **Application No:** **20211990**
 Parish: **UPTON**

Applicant's Name: Mr Nigel Brennan
Site Address: White Horse, 17 Chapel Road, Upton, NR13 6BT
Proposal: Retrospective permission for erection of outdoor seating
 'pods' due to Covid-19 restrictions

Reason for reporting to committee

The applicant is known to be a Member, employee, or close relative of a member of Broadland District Council.

Recommendation summary:

Approval with conditions

1 Proposal and site context

- a. The application site relates to a pub known as The White Horse which is a community pub. The pub is located on the west side of Chapel Road in Upton and includes Upton Community Shop. There is a seating/table area at the front of the pub and to the rear is a large beer garden with outdoor seating/tables. Access is taken from Chapel Road with off street parking to the side and rear of the site. Opposite the site is a road junction with The Green and to the north is Marsh Road. The pub backs onto open countryside.
- b. The application seeks retrospective planning permission for the erection of six no. outdoor seating pods [undercover dining/drinking area]. The seating pods are located within the rear beer garden aligned with the northern boundary and facing into the beer garden. The pods were erected last year during Covid-19 restrictions and the pub wishes to retain these. The rear beer garden is enclosed by fencing separating it from the car park to the south and west and on the northern boundary with 1 Marsh Road there is 1.9m high close boarded fencing.
- c. The structure covers an area of approx. 14.3m long by 2.1m deep and takes the form of treated timber posts equally spaced forming 6 bays and supporting a sloped clear uPVC corrugated sheet roof. The roof measures 2.65m high to the south [front] and 2.2m to the north [rear]. The bays are open to the north and south and divided by timber screen fencing and contain 6 no. bench tables upon flooring of gravel within plastic stabilisation grids. The roof is wider than the floor area by about 0.5m both to the front and the rear to give weather protection.

- d. There are residential properties adjoining both sides of the pub and opposite. The nearest neighbour to the undercover seating is 1 Marsh Road, a large detached house. The seating pods are 1.7m from the dividing boundary fence.
- e. During the course of the application accurate revised plans had to be requested to reflect the structure erected on site.

2 Relevant planning history

- 2.1 20171125:
Removal of Existing Conservatory & Erection of rear extensions to form new beer store/cellar/new restaurant area & extension to existing kitchen
FULL APPROVAL 16/08/2017
- 2.2 20141914:
Conversion of Existing Outbuilding to provide Community Shop.
FULL APPROVAL 22/12/2014
- 2.3 20121570:
1. Change of Use of Storage Room into Meeting, Training and Function Room with Disabled WC 2. Construction of Lobby Linking Public House to Meeting Room.
FULL APPROVAL 05/12/2012

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)
NPPF 06: Building a strong, competitive economy
NPPF 11: Making effective use of land
NPPF 12: Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)
Policy 2: Promoting good design
Policy 5: The Economy
Policy 7: Supporting Communities
Policy 8: Culture, leisure and entertainment
- 3.3 Development Management Development Plan Document (DM DPD) 2015
Policy GC2: Location of new development
Policy GC4: Design
Policy EN4: Pollution
Policy CSU1: Additional community facilities

4 Consultations

4.1 Upton with Fishley Parish Council:

Supports the application

4.2 Environmental Quality Team:

Having considered the application documentation along with the nature and location of this proposal, we have no comments to make regarding this application.

4.3 Other Representations:

Representations have been received from one neighbour objecting to the application on the following grounds:

- Inaccurate plan drawings
- Noise pollution
- Overlooking
- Odour from food and cigarettes
- Design and appearance

5 Assessment

Key Considerations

- Principle of development
- Design and visual impact
- Impact on amenity

Principle

5.1 The National Planning Policy Framework supports the retention and development of local services and community facilities such as public houses in terms of supporting a prosperous rural economy [para 84].

5.2 In terms of the development plan, the development which is proposed to be retained relates to the primary use on site and is considered acceptable in principle in accordance with Policy CSU1 of the DMDPD. This relates to additional community facilities which the council will look favourably upon provided it does not result in any significant adverse impacts which in this particular case are design/appearance and amenity. These issues are assessed below.

Design and visual impact

- 5.3 The seating pods as described in section 1 above are constructed from appropriate materials and are not out of keeping with a pub garden. The structure is barely visible from the public highway given boundary fencing.
- 5.4 No. 1 Marsh Road, a residential dwelling, does have ground and first floor windows towards the site in its south elevation and as such they have a view, particularly at first floor level, towards the site. Given the boundary fencing and open nature of the structure it is mainly the roof structure that will be visible. However, this is considered neither harmful nor detrimental to the outlook from the property which is distanced around 18.5m from the dividing boundary fence.
- 5.5 Overall, the design, scale, form and choice of materials are all considered appropriate and are in keeping with its immediate local character. As such the development complies with JCS Policy 2 and DMDPD Policy GC4.

Impact on neighbouring amenity

- 5.6 It is pertinent to note that the application site relates to an established public house and beer garden including outdoor bench tables.
- 5.7 The use of the seating pods is not considered significantly different from what the beer garden area is currently being used for. The only real difference is the roof over the seating area which will provide cover during inclement weather conditions.
- 5.8 In terms of any adverse impacts upon neighbouring amenity especially No.1 Marsh Road located towards the north of the site; the seating pods are unlikely to significantly increase the impacts of use of the established beer garden area to an unacceptable degree.
- 5.9 In terms of proximity to the dividing boundary with No.1 Marsh Road, the bench tables are around 2m from the 1.9m high vertical close boarded boundary fence and this avoids any potential for overlooking of the neighbouring property.
- 5.10 It is to be noted that the councils Environmental Management Officer has assessed the application in terms of its nature and location and has raised no issues.
- 5.11 Overall, the siting of the seating pods is not likely to result in any significant unacceptable impacts to amenity of the neighbouring properties. The development therefore complies with Policies GC4 and EN4 of the DMDPD.

Other Issues

Nutrient Neutrality Non Overnight Accommodation Outside catchment

- 5.12 This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission. This site is located outside of the catchment area of the sites identified by Natural England. The development proposed does not involve the creation of additional overnight accommodation and as such it is not likely to lead to a significant effect as it would not involve a net increase in population in the catchment and is not considered a high water use development. This application has been screened, using a precautionary approach, as is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).
- 5.13 Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.14 This application is not liable for Community Infrastructure Levy (CIL).
- 5.15 In conclusion, the proposal to retain the structure is acceptable and would not significantly adversely affect the character or appearance of the area or neighbouring amenity.

Recommendation:	Approval with conditions
	1. Development to be retained in accordance with application form and approved drawing 01 Rev A.

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Planning Appeals: 6 May 2022 to 1 June 2022

Appeal decisions received:

Ref	Site	Proposal	Decision maker	Officer recommendation	Appeal decision
20210182	Redbourne House, 27 Station Road, Coltishall, NR12 7JG	Demolition of existing dwelling and garage and erection of six detached dwellings	Delegated	Full Refusal	Dismissed

Appeals lodged:

Ref	Site	Proposal	Decision maker	Officer recommendation
20211420	The Old Saw Mill, South Burlingham Road, Lingwood, NR13 4ET	Single dwelling (outline)	Delegated	Outline Refusal
20211717	Land at Dawsons Lane, Blofield, NR13 4SB	Details for condition 3 of 20202164 - (3) verification report for surface water drainage	Committee	Approval
20212183	48 Mansel Drive, Old Catton, NR6 7NB	Single Storey dwelling	Delegated	Outline Refusal
20212188	Land to the west of Ivy House Farm, Weston Green Road, Weston Longville, NR9 5LB	Erection of zero carbon/zero energy dwelling	Delegated	Full Refusal

PLANNING COMMITTEE

15 June 2022

Final Papers

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Supplementary Schedule	52

Attached is the Supplementary Schedule showing those representations received since the Agenda was published and other relevant information.

DEMOCRATIC SERVICES

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SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
3	20201647	Old Catton	Council Tree and Conservation Officer: The structure has been moved outside of the RPA of the protected ash tree. I also requested that trial holes were dug at the location of the structure proposed within the Root Protection Area's (RPA's) of Yew's T1 & T2 both A' category trees, to establish if the trees were at risk of root damage, the trial holes showed that no large diameter roots were present. In summary, if the details of the Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) are fully implemented, the existing trees at the location should be adequately protected. Three further public representations have also been received objecting to the proposal setting out the following concerns: • Church Street is a conservation area • Concern that the building will be changed to a dwelling in future • The building will be visible in the line of sight from 48, 43, 44, 42, 40, 38 and to some extent 36 and 34 Church street as the roofline will protrude over the wall. It will also include rooflights directed towards the other side of the road which had not previously been overlooked. • Impact upon the outlook from the adjacent properties. • Concerns about the impact of the proposal on the trees as there is still encroachment into root areas. Should they die off the whole	35

			landscape of Church Street would be severely impacted. Officer comments: In relation to the impact of the building on the Conservation Area, the proposal has been reviewed by the Senior Heritage and Design Officer who has confirmed that the design is considered to be acceptable and not result in harm to the conservation area. Comments also noted the roof lights and the potential for overlooking. Whilst the building will include roof lights which look towards Church Street, the building is located on the opposite side of the road and has a good level of separation from the buildings opposite, which are also set further back. Formal comments have also been provided from the tree officer (previously these had been verbally communicated to officers), this has confirmed that subject to conditions the proposal is acceptable in relation to its impact upon the protected trees.	
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