

Planning Committee

Agenda

Members of the Planning Committee

Cllr S Lawn (Chairman)	Cllr J M Ward (Vice Chairman)
Cllr A D Adams	Cllr C Karimi-Ghovanlou
Cllr S C Beadle	Cllr I N Moncur
Cllr N J Brennan	Cllr S M Prutton
Cllr J F Fisher	Cllr S Riley
Cllr R R Foulger	

Substitute pools – trained Councillors listed below

Conservative

Cllr S M Clancy
Cllr J K Copplestone
Cllr A D Crotch
Cllr R M Grattan
Cllr K S Kelly
Cllr D King
Cllr K G Leggett
Cllr T M Mancini-Boyle
Cllr M L Murrell
Cllr G K Nurden
Cllr C E Ryman-Tubb
Cllr M D Snowling
Cllr J L Thomas
Cllr K A Vincent
Cllr S A Vincent
Cllr S C Walker
Cllr F Whymark

Liberal Democrat

Cllr D J Britcher
Cllr S J Catchpole
Cllr D G Harrison
Cllr S I Holland
Cllr K E Lawrence **
Cllr J A Neesam
Cllr L A Starling
Cllr D M Thomas

** Not trained

If any Member wishes to clarify details relating to any matter on the agenda they are requested to contact the relevant Area Planning Manager, Assistant Director Planning or the Assistant Director Governance & Business Support (Monitoring Officer) prior to the meeting.

Date

Wednesday 27 January 2021

Time

9.30am

Place

To be held remotely

Contact

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Council
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@BDCDemServices

In light of Government guidance, there is restricted public access to the Council offices.

PUBLIC ATTENDANCE – This meeting will be live streamed for public viewing via the following link:
<https://www.youtube.com/channel/UCZciRgwo84-iPyRlmsTCIng>

PUBLIC SPEAKING – You may register to speak by emailing us at
committee.services@broadland.gov.uk no later than 3pm on Friday 22 January 2021

A G E N D A

Page No

1	To receive declarations of interest under Procedural Rule no 8	
2	Apologies for absence	
3	Minutes of meeting held on 6 January 2021	5
4	Matters arising therefrom (if any)	
5	Applications for planning permission to be considered by the Committee in the following order:	
	Schedule of Applications	8
	Planning Applications	9
6	Planning Appeals (for information) - for the period 18 December to 15 January 2021	37

Trevor Holden
Managing Director

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.

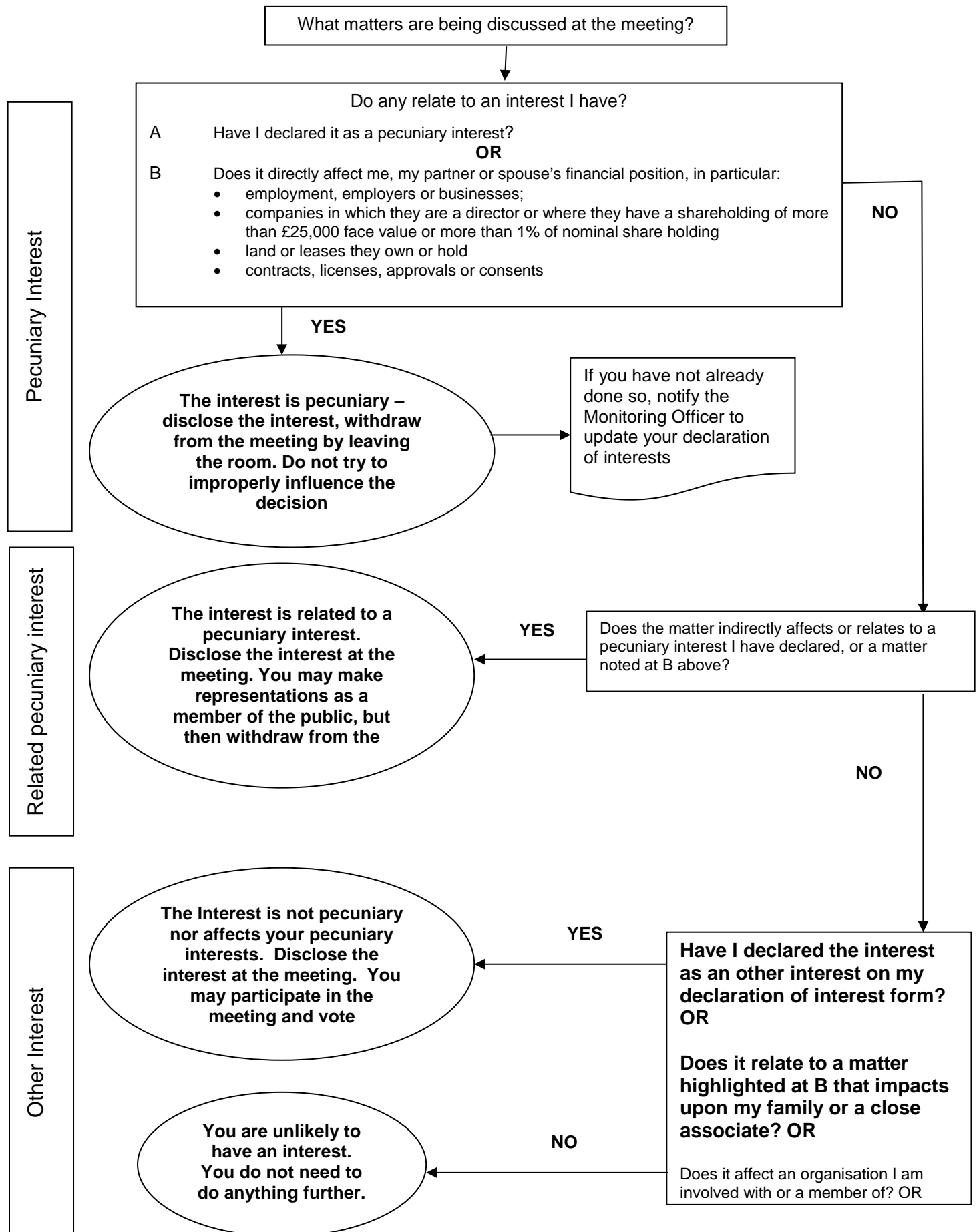
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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



Minutes of a meeting of the **Planning Committee** held via video link on **Wednesday 6 January 2021** at **9.30am**.

A roll call was taken and the following members were present:

Cllr S Lawn – Chairman

Cllr A D Adams
Cllr S Beadle
Cllr N J Brennan
Cllr J Fisher

Cllr C Karimi-Ghovanlou
Cllr K Kelly
Cllr I Moncur

Cllr S Prutton
Cllr S Riley
Cllr J M Ward

Also present was Cllr L Hemsall.

In attendance were the Assistant Director Planning, the Area Team Manager (NH) and the Democratic Services Officers (DM & LA).

156 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Cllr Brennan	Minute no 160 – application no: 20202062 – land at Clark's Loke, Blofield	Ward Member for the application – had not taken part in any meetings or conversations about the application

157 MINUTES

The minutes of the meeting held on 17 December 2020 were agreed as a correct record and signed by the Chairman.

158 MATTERS ARISING

No matters were raised.

159 APOLOGIES FOR ABSENCE

An apology for absence was received from Cllr R Foulger.

In respect of the decisions indicated in the following minutes, conditions or reasons for refusal of planning permission as determined by the Committee being in summary form only and based on standard conditions where indicated and subject to the final determination of the Director of Place.

160 APPLICATION NUMBER 20202062 – LAND AT CLARK’S LOKE, BLOFIELD

The Committee considered an application for the erection of a house and garage.

The application was reported to Committee as it was contrary to the provisions of the development plan and the officer recommendation was for approval. Members noted the location and context of the site as set out in detail in the report.

The key issues in the determination of the application were the principle of the development, the planning history, the impact on neighbouring properties, the design of the dwelling and the impact on highway safety.

In assessing these issues, it was acknowledged that the application site was outside the settlement limit and therefore contrary to Policy. However, it was considered that the planning history and lack of evidence of any harm to neighbouring properties were significant material considerations to support the application, as they outweighed the development plan conflict. It was noted that concerns regarding highway safety resulting in a previous refusal of the application had not been upheld by the Inspector on appeal who was of the view that the proposal would not result in significant adverse impact on the satisfactory functioning or safety of the highway network.

It was then proposed, duly seconded, that the officer recommendation be supported. On being put to the vote, by way of a roll call, it was

RESOLVED:

to **APPROVE** application no 20202062 subject to the following conditions:

- (1) Time limit;
- (2) In accordance with submitted plans and documents;
- (3) External materials;
- (4) Highways – passing bay, parking/turning areas laid out prior to occupation.

161 APPLICATION NUMBER 20201801 – UNIT 2, WOOD GREEN INDUSTRIAL ESTATE, STATION ROAD, SALHOUSE

The Committee considered an application for change of use from a storage space to a commercial studio gym.

The application was reported to Committee as the applicant was a close relative of a member of Broadland District Council and an objection had been received.

Members noted the location and context of the site as set out in detail in the report. The Committee heard from Stephen Snowling, applicant, supporting the proposal.

The key issues in the determination of the application were the principle of development, the impact on the character of the area, the impact upon highway safety, parking and neighbour amenity.

Members supported the view that re-use of a current vacant unit would provide employment and the building could revert back to a warehouse if the need arose. They did not feel that the proposal would have a detrimental impact on the character of the area or highway safety and, with the conditions proposed, would not have a detrimental impact on the amenity of neighbouring residents. With regard to the potential noise concerns, it was noted that a condition was included to seek to ensure that noise levels did not go above background noise levels arising from the legitimate use of the industrial area. The applicant had confirmed the nature of the use of the premises did not include the playing of loud music. It was also noted that the applicant had agreed a revised start time of 7:30am on a weekday instead of the applied for 6:30am and 08:30am on a Saturday instead of the applied for 08:00am. The proposal was therefore considered to be in accordance with the criteria of the relevant policies and could be supported as an acceptable form of development.

It was proposed, duly seconded, that the officer recommendation be supported. On being put to the vote, by way of a roll call, it was

RESOLVED:

to **APPROVE** application no: 20201801 subject to the following conditions:

- (1) TL01 - Time limit (TL01);
- (2) AD01 - In accordance with submitted drawings;
- (3) R03 – Restricting use to E(d) Indoor recreation/ fitness use and also that unit will revert back to a B8 Use once the proposed use ceases to operate;
- (4) R02 - Hours of operation limited;
- (5) NS – Noise at boundary with 14 – 16 Wood Green shall not exceed background noise level when measured in accordance with British Standard 4142 until noise assessment has been submitted and approved by LPA.

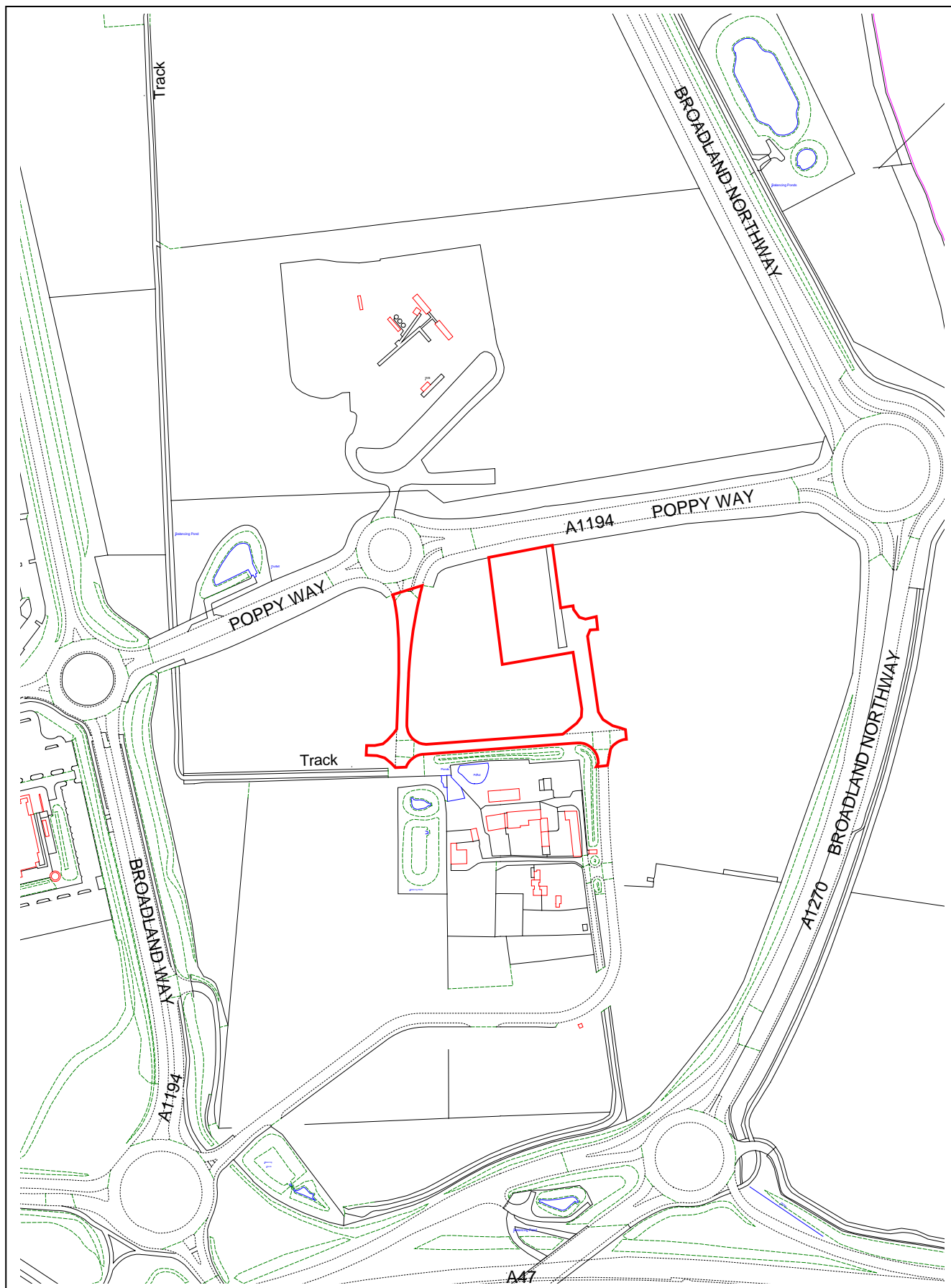
162 PLANNING APPEALS

No appeals had been lodged and no decisions received for the period 7 December 2020 to 18 December 2020.

The meeting closed at 10:35am

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Area	Application No	Location	Officer Recommendation	Page No
1	20201949	Postwick, Broadland Gate, land to east of Broadland Way & north of A47	APPROVE subject to conditions	9
2	20201976	Land adjacent to Sunny Acres, Yarmouth Road, Blofield	REFUSE	26



Application No: 20201949

**Broadland Gate, Land to the East of
Broadland Way and to the North of A47**

**Scale:
1:2500**

**Date:
18-Jan-21**



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Application No: [20201949](#)
Parish: **Postwick**

Applicant's Name: McDonalds Restaurants Ltd
Site Address: Broadland Gate, Land to the East of Broadland Way and to the North of A47
Proposal: Erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD), Goal Post Height restrictor and play frame

Reason for reporting to committee

The application is contrary to the provisions of the development plan but the officer recommendation is for approval.

Recommendation summary:

Approve subject to conditions.

1 Proposal and site context

- 1.1 The application site including access roads is 0.9ha in size and located to the east of Norwich at Broadland Gate Business Park. Application [20081773](#) granted outline planning permission for a range of B1, C1, A3, A4, D2 and Sui Generis uses on the business park and full planning permission for junction improvements at Postwick Interchange. The consent was subsequently amended under section 73 applications [20170827](#) and [20201372](#) to vary conditions to alter the amount of floor spaces permitted for certain uses. The site also forms part of the GT10 allocation in the Growth Triangle Area Action Plan (GTAAP).
- 1.2 This is a full application for the erection of a restaurant with 'drive-thru' facility and associated car parking, landscaping and other work. Associated applications for advertisement consent have been submitted separately.
- 1.3 To the north of the site is Poppy Way, constructed as part of the Postwick Interchange improvements. To the west of the site is a plot where a reserved matters application for an A1 retail unit has been approved under [20201490](#). To the south and east of the site are plots associated with Broadland Gate but have not come forward for detailed consideration. Central within Broadland Gate are a number of residential dwellings within a complex of former agricultural buildings. Beyond the immediate surroundings to the west is the existing Broadland Business Park. To the north there is agricultural land that benefits from a residential led mixed-use allocation through GT11 of the GTAAP (which was granted a resolution to approve at the May Planning Committee through planning application [20181601](#)). Beyond Broadland Northway to the east there are agricultural fields. To the south there is the Postwick interchange and A47.

- 1.4 Broadland Gate Business Park is accessed from the Broadland Northway roundabout to the southwest or the roundabout to the north of the business park on Poppy Way. An estate road with associated foot and cycle paths have been constructed to link these two roundabouts, from which access to the proposed development would be taken.
- 1.5 The application seeks permission for a single storey building with internal seating, service counter, food preparation area and back of house facilities. Externally a drive through facility is proposed with associated infrastructure including service booths, ordering kiosks and queuing lanes. Also proposed is external seating and children's play equipment. Full details of the development is specified in the description of development and demonstrated on the submitted plans. It is proposed that the development would be open 24 hours a day.
- 2 Relevant planning history
- 2.1 [20081773](#): (1) Outline for a Business Park containing a commercial zone of up to 42,000 sqm of B1 and B8 uses, a business village containing up to 4,500 sqm of A1, A2, A3 and A4 uses, a community zone containing up to 7,500 sqm of C2, C3 (excluding residential dwellings) and D1 uses, a hotel of up to 7,000 sqm and leisure facility up to 2,100 sqm including C1, A3, A4 and D2 uses and a 1,200 sqm car showroom, associated infrastructure to include highway works, car parking, landscaping, drainage and other ancillary infrastructure (2) Application in detail for junction improvements at Postwick interchange to include new slip roads, link roads, overbridge, landscaping, formation of balancing ponds and drainage. Approved 19 October 2011.
- 2.2 [20170827](#): Variation of Conditions 8_9 & 27 of Planning Permission 20081773 (Revised Plans, Revised Quantum of Development & Infiltration Basins respectively). GT10 Broadland Gate Land to the East of Broadland Way and to the North of A47 Postwick. Approved 14 September 2017.
- 2.3 [20201372](#): Variation of condition 10 of 20081773 to allow a discount food store. Approved 11 September 2020.
- 2.4 [20201490](#): Reserved Matters application in pursuant to planning permission 20201372 comprising details of appearance, landscaping, layout and scale. Approved 4 December 2020.
- 2.5 Various condition discharge applications for site wide infrastructure, detailed applications for other plots across the Broadland Gate site and applications for advertisement consent have also been approved/are being considered currently. There have been no other applications for any uses on this particular plot.

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 07 : Ensuring the vitality of town centres
NPPF 08 : Promoting healthy and safe communities
NPPF 09 : Promoting sustainable transport
NPPF 11 : Making effective use of land
NPPF 12 : Achieving well-designed places
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 3 : Energy and water
Policy 5 : The Economy
Policy 6 : Access and Transportation
Policy 9 : Strategy for growth in the Norwich Policy Area
Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area
Policy 12 : Strategy for growth in the Norwich Fringes
Policy 19 : The hierarchy of centres
Policy 20 : Implementation

3.3 Development Management Development Plan 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 TS2 : Travel Plans and Transport Assessments
Policy TS3 : Highway safety
Policy TS4 : Parking guidelines
Policy CSU4 : Provision of waste collection and recycling facilities within major development
Policy CSU5 : Surface water drainage

3.4 Growth Triangle Area Action Plan 2016

Policy GT1: Form of development
Policy GT3: Transport
Policy GT10: Broadland Gate

3.5 Supplementary Planning Documents (SPD)

Landscape Character Assessment
Parking Standards SPD

4 Consultations

4.1 Lead Local Flood Authority:

Having reviewed the submitted information from the applicant for this phase of the development, we object to this application in the absence of an acceptable drainage strategy or supporting information.

Comments on amended information:

The applicant has now supplied a covering letter (Glanville Ref: 4190560/ KLJ/013 dated 13 November 2020) in response to our comments however we maintain an objection until it is demonstrated that finished ground floor levels of the development are a minimum of 300mm above expected flood levels of all sources of flooding and a minimum of 150mm above the surrounding landscape.

Comments on amended information:

The applicant has now supplied a covering letter (Glanville Ref: 4190560/ CP/014 dated 26 November 2020) in response to our comments and we can remove our objection to this full application subject to a pre-commencement condition securing a detailed surface water drainage scheme.

4.2 Environmental Quality Team:

Noise: The Noise Assessment by Sharps Redmore dated May 2020 is satisfactory. In accordance with the recommendations within the report a condition is recommended regarding the submission of details for fixed plan and/or machinery.

Odour: I have reviewed the Odour Control Assessment by CDM Partnership dated August 2020. I accept that there are no sensitive receptors likely to experience odour nuisance and that the standard McDonald's kitchen extract installation will be adopted. However I note that they are willing to apply active odour control measures retrospectively if nuisance is experienced once trading.

Ground contamination: The contents of the Phase 1 and Phase 2 Geo-Environmental Assessment by Pam Brown Associates dated November

2019 are accepted. Condition recommended regarding unexpected contamination.

4.3 Historic Environment Officer:

The proposed development site lies within the area of a probable Roman farmstead, found by archaeological trenching both in this plot and trenches in the surrounding area. Consequently there is a strong potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework paragraph 199.

4.4 Natural Environment Team:

The application is supported by an ecological report (Practical Ecology, 2019). The site was surveyed in December 2019. Habitats on site are common and ubiquitous, and of low ecological value. A single tree onsite has 'moderate' suitability for roosting bats and will be removed to facilitate the development - the report recommends an aerial inspection of this tree is undertaken. This tree also supports two Schwegler bat boxes (not inspected). The following recommendations for mitigation/enhancement were made:

- Two pole mounted bat boxes
- Three native oak trees (mitigation)
- A native hedgerow (mitigation)
- Two planters with pollinator friendly plants (enhancement)
- Four insect boxes (enhancement)
- Species rich amenity lawn (enhancement)
- Gaps beneath any fences for hedgehogs and with signs (enhancement).

It is considered that the report is fit for purpose and the findings are consistent with ecological surveys elsewhere within the Broadland Gate area. However, in line with best practice guidelines and Circular 06/2005 it is recommended that the additional aerial inspection of the tree (and bat boxes) is undertaken by a suitably qualified and experienced ecologist and the results of this survey submitted in support of planning. Please note that reports are typically valid for around 18 months (the report is practically a year old). Should consent not be granted it may be necessary to request an updated survey if consent is not granted within the next six months.

It is recommended that mitigation proposed at outline (within the ES), and within the Ecology report (Practical Ecology, 2019), are incorporated within the landscape proposals.

It is recommended, in line with the amended ES (Mott Macdonald, 2011) that five trees are planted as mitigation for the tree to be lost, and that the logs are used to create log piles onsite.

I would recommend that the bat boxes are relocated within the wider site to a tree where they will not be subject to further disturbance/lighting impacts.

It is recommended that the lighting proposal is reviewed to reflect proposals within the updated ES (Mott Macdonald, 2011).

Comments on amended plans:

We welcome the additional hedgerows and amendments to the planting scheme (as per agents email dated 18/12/2020).

The ecological report has been updated (Practical Ecology, December, 2020). The tree has been subject to an aerial survey during which the cavity and bat boxes were inspected. No evidence of bat use was found. Prior to felling the tree should be checked for bats.

The landscape plan 17015-VL-McD-L01 Rev C has been amended (dated 2020/12/15) and includes management prescriptions. There are a few errors in the amended landscape plan which should be amended. If these amendments can be addressed there would be no objections on ecological grounds.

Prior to felling it is also recommended a condition is secured to ensure that a final inspection of the tree for bats is undertaken by a suitably experienced and qualified ecologist. A letter confirming the inspection has been undertaken and the tree felled should be sent by ecologist to the LPA to discharge the condition.

4.5 Highway Authority:

The application is sited within the Broadland Gate development area. The highway authority will require the 3m footway/cycleway connecting the site to the adjacent highway network to be in place prior to the opening of the facility. This is to ensure that sustainable modes are catered for.

The site block plan does not include any staff parking. This is required. Across the county and in similar locations to this such as the McDonalds at Thickthorn, parking has been allocated for staff. This should be provided at this site.

When pedestrians and cyclists enter the site, their facility immediately stops and no provision is made for their safe circulation within the site. It is also not possible to access the cycle stands without coming into conflict with vehicles entering the facility. This needs to be addressed.

The current site plan proposes a very limited number of cycle parking facilities (8) to which it is not possible to safely cycle. Given the location of the site and the proposed development in the vicinity, the highway authority considers that additional cycle parking should be provided and that it should be located where it is possible to safely access it by bike.

Comments on amended plans:

Staff parking should be increased from 4 No. to 6 No; Cycle parking should be located closer to building and exit of drive-thru should be tracked to ensure vehicles do not stray into oncoming lane. Subject to these issues being resolved there is no objections on highway grounds.

Comments on amended plans:

No objection subject to conditions.

4.6 Environmental Contracts Officer:

Large vehicles can enter and exit this site in a forward direction, with site given notice of deliveries to ensure that spaces can be coned off as appropriate to enable manoeuvres to be undertaken as safely as possible for deliveries. Given refuse collection is happening outside peak hours and the vehicle is smaller, this should also be achievable safely. McDonalds have a good reputation for tackling litter by providing numerous waste/recycling bins for customers. Restaurants in Broadland also often have a regime of litter picking the site and we would request the same approach here to prevent litter escaping onto adjacent roads and footpaths.

4.7 Landscape Architect:

Informal comments provided requiring amendments to be made to provide a hedge to the eastern boundary of the site and the addition of trees to the north of the site. Following the submission of an amended landscape plan no objections were raised subject to the delivery and management of the landscaping as proposed.

4.8 Postwick Parish Council:

Object on the following grounds:

- That this was a retail business which was not allowed on the Business Park.
- The retail side was now outgrowing the Business Park which was not what this business park was for.
- The adjacent Heath Farm residents would be greatly affected by the 24 hour opening.
- The adjacent Heath Farm residents would be greatly affected by the loitering of customers in the area.

- The adjacent Heath Farm residents would be greatly affected by the traffic noise.
- The adjacent Heath Farm residents would be greatly affected by the 24 hour light pollution.
- Concern for litter problems in the area.

4.9 Other Representations

Comments received from one resident raising the following issues:

- Disgust and dismay that there is plans for building a McDonalds only 5 minutes from an existing McDonald's.
- Will attract 'young people' with vehicles for 24 hours.
- Not dismissing the idea of a drive-thru but an alternative one that closes early to retain privacy would be better suited.

5 Assessment

Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), other policy documents detailed above and any other matters referred to specifically in the assessment below.

Key Considerations

5.1 The key considerations in the determination of this application are:

- Principle of development
- Impact on residential amenity
- Impact on highway safety
- Impact on character and appearance and landscape
- Impact on ecology
- Other issues

Principle

- 5.2 The site is located outside of a settlement limit where policy GC2 of the DM DPD does not permit new development unless the proposal accords with a specific allocation/and or policy of the plan and results in no significant adverse impact.
- 5.3 Within the adopted Joint Core Strategy (JCS) (2011, amended 2014), the area in which the site is located is defined as the 'Old Catton, Sprowston, Rackheath and Thorpe St Andrew Growth Triangle' (now known as the

Broadland Growth Triangle), whilst the Broadland Business Park and associated expansion itself is identified as forming a 'strategic employment site' on the key diagram (Spatial Vision, page 27). Policy 9 of the JCS establishes the strategy for growth in the Norwich Policy Area, which sets the policy context for expansion at the Broadland Business Park.

- 5.4 Following the identification of the Broadland Growth Triangle within the JCS, an Area Action Plan (the GT AAP) has been adopted which aims to enable and co-ordinate sustainable strategic scale development to the Northeast of Norwich. The area in which this site is located is specifically identified within Policy GT10 of the GT AAP as providing a policy opportunity to achieve JCS ambitions for the extension to the Broadland Business Park. The policy requires development to take place in accordance with the existing planning permission for a high-quality business park, business village, community zone, hotel, leisure facilities and car showroom on land to the east of Broadland Business Park. The policy requires that any new planning permission will provide for a comprehensive development including a mix of employment uses (with no more than 50% of the gross land area to fall within class B1). Hybrid planning permission as described above was granted in 2011 ref 20081773 granting outline consent for a range of uses. Subsequent amendments have been approved including a variation of condition section 73 in September 2017 (20170827) and another in September 2020 (20201372).
- 5.5 Whilst the outline planning permission does permit A3 restaurants, the proposed scheme, by virtue of the drive-thru and take-away element of the scheme render the overall use a Sui Generis proposal. Therefore, it is contrary to policy GT10 as it is not in accordance with the range of uses permitted under the outline planning permission and does not provide for the comprehensive development of the allocation.
- 5.6 The site is located outside of a settlement limit where policy GC2 of the DM DPD does not permit new development unless the proposal accords with a specific allocation/and or policy of the plan and results in no significant adverse impact. Given that the relevant policy is GT10 and that the proposal conflicts with this (for the reasons given above) I consider that the scheme also conflicts with GC2. However, the underlying purpose of GC2 is to direct development for commercial development towards accessible locations which are well placed to serve the needs of residents nearby (see supporting text at paragraph 2.13 of the DM DPD). In this instance I consider the site to be highly suitable for the uses proposed being highly accessible to road users and providing an increased range of services to future occupiers of the Business Park and serving the new residential community to the north of the site on allocation GT11. Consequently, whilst in conflict with GC2, the scheme would comply with its underlying objectives which limits the harm that I give to the conflict with this policy. Furthermore, the use proposed would not diminish the primary function of the Business Park as an employment (formerly B1 and B8) led development and would

complement the range of permitted uses complying with the underlying objectives of the allocation.

- 5.7 Furthermore, the scheme would generate employment – stated in the application to be the equivalent of 65 full time posts – contributing towards the local economy. In light of these considerations, notwithstanding the conflict with GC2 and GT10 I consider that the principle of development in this location to be acceptable.
- 5.8 The glossary to the NPPF defines drive-through restaurants as a “Main town centre use”. Paragraph 86 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available (or expected to become available) should out of centre sites be considered. Paragraph 87 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre and flexibility should be applied by applicants and local planning authorities on issues such as format and scale.
- 5.9 Whilst flexibility should be applied, intrinsic to this proposal is the drive-thru facility which requires a highly accessible location with particular characteristics in relation to size and passing traffic and consequently the scope for flexibility is considered limited compared to other town centre uses. This is an approach supported in case law, details of which are provided in the applicant’s submissions. The applicants have undertaken a sequential assessment of sites within and on the edge of the closest local centre to the proposed development, this being Dussindale District Centre. Within this assessment the applicant has not identified any sites which are sequentially preferable, suitable, available and viable for the development proposed. I agree with the conclusions of his assessment and am satisfied that the sequential test is ‘passed’.
- 5.10 Therefore with regard to the principle of development, the site is not located within a settlement limit and the drive-thru and takeaway element of the scheme do not comply with the range of uses permitted by the outline consent, so accordingly the scheme results in a conflict with policies GC2 and GT10. However, the location is highly accessible for the use proposed and the scheme is complementary to the strategic objectives of the business park, consequently the harm associated with this conflict is given very limited weight. In addition the scheme has passed the sequential test ensuring that it does not adversely impact upon existing centres in accordance with the NPPF and policy 19 of the JCS. Given these considerations I am satisfied that the principle of development is acceptable.

Impact on residential amenity:

- 5.11 Policy GC4 of the DM DPD requires development to avoid any significant detrimental harm and pay adequate regard to the impact upon the amenity of existing properties. Policy EN4 requires development proposals to include an assessment of the extent of potential pollution.
- 5.12 To the south of the site is a cluster of residential dwellings on a former complex of farm buildings. Also relevant is the residential scheme to the north of Poppy Way (application 20181601) which has a resolution to approve from Planning Committee.
- 5.13 In support of the application is an odour assessment and noise assessment which have regard to both existing residents and future residents near the site. These have been reviewed by the Environmental Quality Team who raise no objections. With regard to noise it is recommended that a condition is imposed to require details of fixed plant and machinery to be submitted which limit the sound emitted from the site to 46 dBA between 0700 and 2300 hours and 37 dBA at all other times. With regard to odour, it is determined that there are no sensitive receptors likely to experience odour nuisance and that the standard McDonald's kitchen extract installation will be adopted. Consequently it is not considered that there would be a likely significant noise or odour issue on residential amenity of existing or future properties as a result of the scheme in accordance with GC4 and EN4.
- 5.14 A resident and the Parish Council has raised concerns about noise and light nuisance, as well as anti-social behaviour associated with loitering and littering. However, the site is not directly adjacent to existing residents and is located on a business park with an extant permission for a range of uses that would result in lighting, noise and traffic. The Environmental Contracts Officer has advised that McDonalds provide bins for customers to use and locally they implement a scheme of litter picking. It is not considered that these are issues result in a conflict with policy GC4.

Highway safety

- 5.15 Policy TS2 requires applications for major development to be accompanied by a Transport Assessment and/or Travel Plan. Policy TS3 states that development would not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the local highway network. Policy TS4 requires parking and manoeuvring space to be provided to reflect the use and location as well as its accessibility by non-car modes.
- 5.16 The scheme, as amended, proposes 41 customer parking spaces (including 2 for disabled uses and 2 for electric vehicles), 4 staff parking spaces, 10 customer bike stands and 6 staff bike lockers. Access is via the existing Broadland Gate highway infrastructure and the site layout proposes a

circulatory system with vehicles moving around the site in a clockwise direction.

- 5.17 The Highway Authority has raised no objection to the principle of the development proposed but had requested amended plans be submitted to provide staff parking, increase the cycle parking provision, make the cycle parking more accessible and commit to the delivery of the footway cycleway connecting the scheme to Poppy Way ahead of the first use of the scheme. These amendments have subsequently been made and the Highway Authority has confirmed that they have no objections subject to conditions.
- 5.18 On this basis I consider that the application would comply with policies TS2, TS3 and TS4 of the DM DPD.

Design, Landscape and character and appearance

- 5.19 Policy GC4 requires development proposals to have adequate regard to the environment, character and appearance of an area and policy EN2 seeks to consider the impact upon the landscape. Policy 1 of the JCS seeks to protect the environmental assets of the area and policy 2 requires development to be designed to the highest possible standards, creating a strong sense of place.
- 5.20 The scheme is for a building of a scale and layout designed with significant regard to the operational requirements of the business and the design of the store reflects corporate image and surrounding urban form. However, other design considerations have also influenced the building with materials designed to complement the local built form. These materials include a combination of mixed timber effect, contemporary grey block and stone effect panels all of which will provide both durability and future flexibility but with natural or neutral colours. Given the location of the building on a business park, the form and function of which will be varied, it is not considered that the proposal would be unacceptable in design terms.
- 5.21 Similarly, the scheme will have an urbanising impact on the landscape, however the site is located on a business park and major residential led development is allocated to the north so consequently the landscape character of the area is to change significantly over the plan period. The scheme results in the loss of an existing category 'C' hedgerow and 'U' Oak tree which is in a poor physical condition with hollowing and decay. The scheme has been discussed with the Landscape Architect who has no objection in principle to the development proposed but requires an amended landscaping scheme to continue a hedge along the eastern boundary and provide a greater number and different species of tree planting. This has now been incorporated into a revised landscaping plan to the satisfaction of the Landscape Architect. Therefore whilst the scheme will impact the character and appearance of the area, this would not be significantly harmful given the location of the site in an area of significant

growth and the scheme provides a suitable landscape strategy to reduce the impact of the proposal.

- 5.22 I am therefore satisfied that the scheme complies with policies GC4 and EN2 of the DM DPD and policies 1 and 2 of the JCS.

Ecology

- 5.23 Policy EN1 of the DM DPD requires development to protect and enhance the biodiversity of the district. The application is supported by an ecological appraisal and the Natural Environment Team highlight that the report identifies that the habitats on site are common and ubiquitous, and of low ecological value. A single tree onsite has 'moderate' suitability for roosting bats and will be removed to facilitate the development and the report recommends an aerial inspection of this tree is undertaken. The report also provides recommendations for mitigation and enhancement including native hedgerow and tree planting, the installation of bug hotels/insect boxes, bat boxes and species rich turf.
- 5.24 The Natural Environment Team consider that the report is fit for purpose and the findings are consistent with the ecological surveys elsewhere in the Broadland Gate area. However, they did highlight the need for further information. In response the applicant has provided an updated ecological report, the tree to be felled has been surveyed and no evidence of bat roosts have been found. Additional hedgerows and tree planting is now proposed within the site. Subject to some minor amendments to clarify the provision of bee poles and bat boxes the Natural Environment Team have confirmed that there are no objections on ecological grounds. This has been resolved through the submission of an amended ecological report which provides recommendations for ecological mitigation and enhancement which are shown to be provided on the submitted landscape plan. Whilst no bat boxes are proposed the Natural Environment Team has confirmed that the other mitigation and enhancement measures which are proposed as part of the scheme are an acceptable alternative. It is therefore considered that the application complies with policy EN1 of the DM DPD.

Surface water drainage

- 5.25 Policy CSU5 states that mitigation measures to deal with surface water arising from development should be incorporated to minimise the risk of flooding on the site without increasing the risk of flooding elsewhere.
- 5.26 The application is supported by a drainage Statement identifying that due to limited infiltration the surface water will be discharged via the Broadland Gate surface water drainage system. Comments have been received from the LLFA who required further information to be provided. The applicant has provided this and the LLFA have advised that they have no objection subject to a condition securing the submission and approval of a detailed surface water drainage strategy.

Archaeology

- 5.27 Policy 1 of the JCS seeks to conserve and enhance heritage assets, which would include below ground archaeology. The Historic Environment Team has confirmed that the proposed development site lies within the area of a probable Roman farmstead, found by archaeological trenching both in this plot and trenches in the surrounding area. Consequently there is a strong potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. As such, a condition is necessary to secure a programme of archaeological works in accordance with the submitted written scheme of investigation.

Environmental Assessment

- 5.28 With regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the development could be classed as Schedule 2, 10 (b) (i) Urban Development Projects that include more than 1 ha of urban development which is not dwellinghouse development. Whilst the site area is less than 1 ha, the development is proposed to be located within the wider Broadland Gate development which does exceed 1ha and was considered to be EIA development. In isolation it is not considered that the proposal would result in significant environmental impacts, however in screening the proposal regard should be had to the cumulative impact of the development.
- 5.29 The Environmental Statement (ES) for the outline approval concluded that the development would lead to some adverse effects on the environment from site clearance, construction activities (noise) and through its operation (from increased local traffic). It then went on to say that these effects would be offset by the beneficial effects of the proposed development by providing employment opportunities, improvements to the local road network, and public transport and pedestrian and cycle accessibility. Further to this the application was approved and therefore it was considered, through the planning process, that the mitigation for the environmental impacts were acceptable. The subsequent s73 applications (20170827 and 20201372) to vary conditions relating to the floorspace of development permitted at Broadland Gate were each accompanied by an addendum to the original ES, neither of which identified further environmental effects.
- 5.30 The proposed development includes a restaurant which was approved by the outline permission, however the drive-thru and takeaway element of the application result in a Sui Generis use. However, this is considered to be complimentary to the permitted range of uses and will not result in significant effects beyond those previously identified. No objections are raised by statutory consultees and conditions, as identified in this report, will be sufficient to ensure that any harm arising from the proposal will be mitigated in a manner consistent with the outline scheme. Given this the

proposed development will have no worse an effect on the key environmental impacts raised through the ES accompanying the outline approval and subsequent addendums. Therefore, I consider that there is no significant impact on the environment through the cumulative effects of this development and the outline approval taken together.

COVID-19

- 5.31 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will provide employment during the construction phase and significant levels of employment once built and operational. This weighs in favour of the proposal.

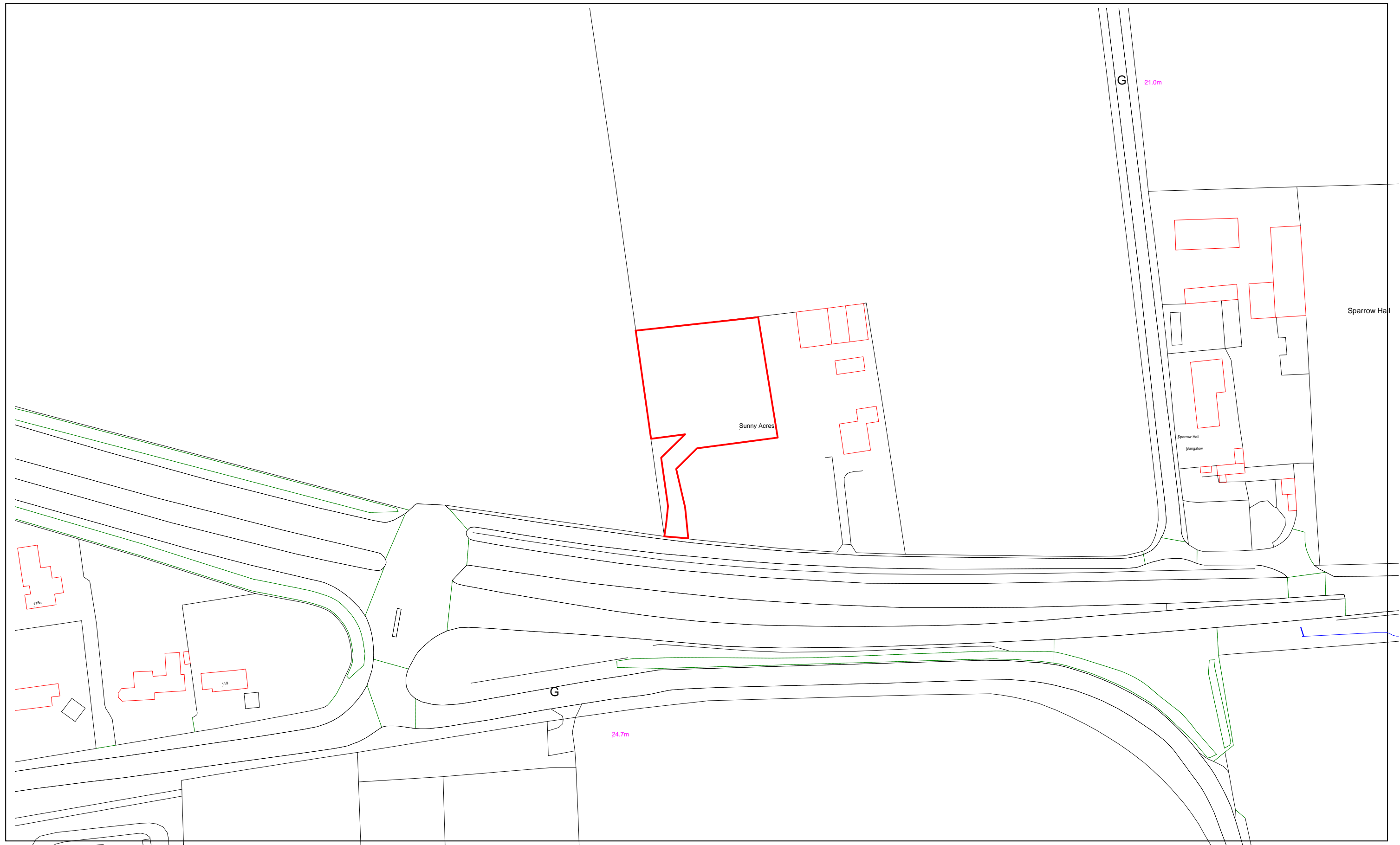
Conclusion

- 5.32 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.33 The development is located on a plot of land that forms part of the allocation GT10 in in the GT AAP 2016 for employment led development. Furthermore, the wider site benefits from outline approval for the same. Whilst the proposed Sui Generis use is strictly contrary to the provisions of the development plan I consider that the proposal is complementary to, and does not undermine, the range of approved uses and strategic function of Broadland Gate. The location is considered to be suitable in principle for a restaurant with takeaway and drive-thru element and I consider that there is very limited harm with regard to the principle of development. Notwithstanding the primacy of the development plan, given the limited harm the conflict with the development plan carries very little weight in the overall balance.
- 5.34 I consider the design of the building to be acceptable, the layout to be well thought through, the impact on the closest residents to be minimal, the impact on ecology will not be significant and the scheme will have positive economic impacts which weigh in favour of the proposal.
- 5.35 Whilst the Parish Council and one resident have raised concerns, no objections have been received from other consultees subject to conditions. Having had regard to the development plan as a whole I consider that the application should be approved.
- 5.36 This application was screened as required through the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Through screening the application, I am satisfied that this development does not constitute EIA development.

Recommendation: Approve subject to the following conditions:

- (1) Time limit
- (2) Plans and documents
- (3) Details of fixed plant and/or machinery
- (4) Unexpected contamination
- (5) Archaeology
- (6) Implementation of landscaping and ecology scheme
- (7) Inspection of tree for bats
- (8) Surface water drainage
- (9) Highways conditions (layout to be provided as proposed; parking for construction workers; construction traffic management plan; delivery of highway infrastructure on approved plans prior to first use)

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Application No: 20201976
Land adjacent to Sunny Acres, Yarmouth Road, NR13 4LH

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Scale:
1:1250
Date:
19-Jan-21



Application No: [20201976](#)
Parish: **Blofield**

Applicants' Names: Anna Randlesome and Ryan Woodward
Site Address: Land adjacent to Sunny Acres, Yarmouth Road,
NR13 4LH
Proposal: Subdivide plot and erect a two storey dwelling with
attached one-and-a-half storey double garage

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:

Refuse.

1 Proposal and site context

- 1.1 The proposal is to subdivide the plot of the existing dwelling to erect a two storey self-build dwelling with attached one-and-a-half storey double garage and shared access. The proposed dwelling would be occupied by the daughter of the existing occupants and her family. The design would include the use of decentralised and renewable/low carbon energy sources, sustainable construction technologies (insulated concrete framework, under floor heating, mechanical ventilation and heat recovery system and triple glazing) and rainwater harvesting to minimise the impact on the environment.
- 1.2 The site is part of an existing isolated dwelling in the countryside [outside of any settlement limit] on the north side of the A47 which segregates it from the main settlement of Blofield to the south-west. The site lies some 1.5km (as the crow flies) distant from the settlement of Blofield Heath to the north. The landscape character of the area is tributary farmland.
- 1.3 The site has vehicular access to a private frontage road to the A47 trunk road and provides two points of access/egress to the A47; one to the east and one to the west of the site. The eastern most access point allows access only onto the A47 eastbound at a point where it is currently single carriageway. The western most access point provides access to the central reservation cross over junction of the A47 dual carriageway allowing for access to the A47 westbound and Yarmouth Road that leads into the east side of Blofield. The private frontage road also provides access to High Noon Lane to the east of the site, which leads northwards to a wider County Council maintained highway network.

2 Relevant planning history

- 2.1 [20201608](#): Subdivide plot and erect a two storey dwelling with attached one-and-a-half storey double garage. Withdrawn 14 October 2020.
- 2.2 [20190557](#): Non Material amendment following grant of permission [20181841](#) – reduction in veranda piers and retention of existing roof structure to single storey extension to east elevation. Agreed 11 April 2019.
- 2.3 [20181841](#): (1) New raised roof to form a chalet bungalow (2) One and a half storey extension to the front, side and rear (3) New driveway position. Approved 3 January 2019.

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 05 : Delivering a sufficient supply homes
NPPF 09 : Promoting sustainable transport
NPPF 12 : Achieving well-designed places
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 3 : Energy and water
Policy 6 : Access and Transportation
Policy 9 : Strategy for growth in the Norwich policy area
Policy 14 : Key service centres
Policy 15 : Service villages
Policy 17 : Small rural communities and the countryside

3.3 Development Management Development Plan Document (DM DPD)

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 EN4 : Pollution
Policy TS3 : Highway Safety
Policy TS4 : Parking Guidelines
Policy CSU5 : Surface water drainage

3.4 Blofield Neighbourhood Plan

Policy HOU4 : Rural image, heights and massing

Policy HOU5 : Parking for new developments

Policy ENV2 : Soft site boundaries and trees

Policy ENV3 : Drainage

3.5 Site Allocations DPD

The site is not within the Blofield or Blofield Heath settlement limits and is not allocated for development.

3.6 Supplementary Planning Documents (SPD)

Design Guide

Landscape Character Assessment

Parking Standards for Norfolk

4 Consultations

4.1 Blofield Parish Council:

The parish council wishes to make no comment.

4.2 Councillor Nigel Brennan:

If the delegated decision is to refuse this application it should be changed to a committee decision. The application is to subdivide the plot to self-build a new dwelling to be occupied by relatives of the existing household to provide additional security and potentially on-site care in the future. It is considered that the design and self-build construction is of exceptional quality, in that it would use decentralised and renewable/low carbon energy sources, sustainable construction technologies and rainwater harvesting to minimise the impact on the environment.

4.3 BDC Community Planning Officer:

Based on the monitoring that has been conducted to date, the permissions that have been granted in the year following each base period has, so far, provided sufficient numbers of potential self-build plots to meet the numbers on the register for those periods.

4.4 BDC Environmental Contracts Officer:

No objection to a bin collection point immediately adjacent to High Noon Lane either side of the proposed shared access.

4.5 NCC Highways:

No objection. Although the proposed shared access would be to a private road it is considered it would not have a significant detrimental impact on county highway function or safety. However, given the private road provides access to the A47 trunk road, Highways England would also need to be consulted.

4.6 Highways England:

No comments received as yet.

4.7 Other Representations:

No other representations received.

5 Assessment

Key Considerations

- 5.1
 - Principle of development
 - Impact on the character and appearance of the area
 - The amenities of future occupants
 - Impact on biodiversity and habitats
 - Highway safety and on-site car parking/turning space
 - Surface water drainage

Principle

- 5.2 As set out in paragraph 1.1 of this report the application seeks full planning permission for the subdivision of the existing dwelling and erection of a detached two storey house.
- 5.3 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the Development Plan, the National Planning Policy Framework (NPPF) and whether the merits of the application warrant granting it planning permission outside of a defined settlement limit. Also key is the impacts of the development on the character and appearance of the area, residential amenity, highway safety and drainage.
- 5.4 Applications for planning permission must 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.
- 5.5 As noted in paragraph 1.2 of this report the application site is situated outside the defined settlement limits of both Blofield and Blofield Heath where Policy GC2 of the DM DPD seeks to accommodate new development. Policy GC2

does however go on to state outside defined 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. The proposal does not accord with a specific policy or allocation in the development plan that allows for development outside of these development boundaries.

- 5.6 The Council is able to demonstrate a 5 year housing land supply for the purposes of paragraph 11d of the NPPF and therefore its development plan policies are up-to-date. As such, it is concluded that the proposal would be contrary to Policies 14 and 15 of the JCS and Policy GC2 of the DM DPD.
- 5.7 Policy 17 of the JCS also aims to limit development outside of the development boundaries. This policy limits development outside of the development boundaries to specific types and uses, such as affordable housing and commercial enterprises.
- 5.8 Furthermore, access to services and facilities in the service village of Blofield Heath to the north other than by private car are limited given the distance and nature of the road network. Also, access to services and facilities in the key service centre of Blofield to the south-west are limited to private car or having to negotiate crossing of the A47 dual carriageway on foot or cycle which is a significant constraint and hazard. This poor connectivity makes the proposed development isolated and unsustainable contrary to the aims of Policy 1 of the JCS and Policy GC2 of the DM DPD.

Material Considerations

- 5.9 Paragraph 61 of the NPPF requires Councils to plan for people wishing to build their own homes. This is a material planning consideration for this application given self-build has been identified as the method of delivering the dwelling. 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. Notwithstanding this, based on the monitoring that has been conducted to date, the permissions that have been granted in the year following each base period has, so far, provided sufficient numbers of potential self-build plots to meet the numbers on the register for those periods. It is therefore considered that only limited weight can be given to the fact that the proposal is for a self-build dwelling and that the other material planning considerations detailed above are of greater significance. Even if there was a shortfall in supply of self-build plots, a single dwelling would only make a limited contribution that would not outweigh the harms identified above in terms of conflict with the development plan
- 5.10 Policy GC5 of the DMDPD is that integration of renewable energy technology will be encouraged. The design of the proposed dwelling is considered innovative in terms of its integration of decentralised and renewable/low carbon energy sources (solar photovoltaic panels and air source heat pump), sustainable construction technologies (insulated concrete framework, under

floor heating, mechanical ventilation and heat recovery system and triple glazing) and rainwater harvesting to minimise the impact on the environment. However, whilst laudable and to be encouraged in new house building, it is not considered that the integration of such technologies outweighs the harms identified above in terms of conflict with the development plan.

- 5.11 The applicant has referred to the proposed dualing of the A47 Blofield to North Burlingham which if delivered will change the means of connection between the site and the settlement of Blofield. A Development Consent Order application was received by the Planning Inspectorate from Highways England on 30 December 2020. As proposed, the existing single carriageway of the A47 trunk road heading east would be de-trunked and the new 2.6km section of dual carriageway would be constructed offline to its south. In terms of the application site under consideration, the existing accesses from the private frontage road to the A47 trunk road would be closed. Access to High Noon Lane and the de-trunked road would remain. A new overbridge would be constructed which would provide access to Blofield and the A47 westbound. Access to the A47 eastbound and B1140 would be provided by a new grade separated junction to the east of North Burlingham. Even if these planned road improvements are approved, the work is not expected to start construction until 2022/2023. It is suggested that little if any weight can be given to these planned road improvements at this stage as the DCO application is pending consideration and even if delivered the policy conflicts identified above will remain.
- 5.12 In summary, none of the material considerations are considered to outweigh the harms identified above and the proposed development is considered to represent an unsustainable form of development. The application site falls outside of the settlement limit and is contrary to Policies 14, 15 and 17 of the JCS and Policies GC1 and GC2 of the DM DPD for the reasons set out above.

Character and Appearance

- 5.13 Policy GC4 of the DM DPD states that proposals should consider the impact upon the character and appearance of the area. Policy EN2 seeks to protect the character of the area. Policy HOU4 of the Blofield Neighbourhood plan is that new development should be small scale, and should respect the character, height and massing of surrounding properties. Regard should be given to the density, footprint and separation of buildings in the locality. Wherever possible, development should deliver enhancements to the landscape character. Throughout the parish, development proposals should be of high quality design and should seek to demonstrate how they will enhance the character of the local area. Policy ENV2 of the Blofield Neighbourhood Plan is that new development site boundary edges should be soft, using trees and native hedgerows where adjacent to the countryside, giving a rural edge.

- 5.14 I consider that the proposed dwelling would have a significant detrimental impact on the landscape character of the area by virtue of the domestic character and appearance of its design. I consider its scale acceptable given the scale of the existing bungalow but its massing and height would not be in keeping with it. Furthermore the use of stone would not be in keeping with the materials used in existing buildings within the area. Although existing soft boundaries would be retained, I consider the proposed dwelling would not conserve the simple, predominantly rural character of the area and would not deliver any enhancements to the landscape character of the area. Therefore it is considered that the proposed dwelling would be contrary to this aspect of Policy GC4 and Policy EN2 of the DM DPD and Policy HOU4 of the Blofield Neighbourhood Plan.

Amenity

- 5.15 Policy GC4 of the DM DPD states that proposals should consider the impact upon the amenity of existing properties and future occupants of the proposed property. Policy EN4 of the DM DPD is that development proposals will be expected to include an assessment of the extent of potential pollution.
- 5.16 A site plan was submitted with the application showing that the proposed dwelling would be sited with the front elevation east facing towards the existing residential dwelling. The private garden area would be to the north and west side of the dwelling. I consider it would be of adequate size and shape. Bedrooms 3 and 4 and the external staircase on the east end of the garage would overlook the existing dwelling given the separation distance. Bedrooms 3 and 4 would be approximately 16 m from the proposed boundary and the external staircase would be approximately 6m from the proposed boundary and to an extent there would be a degree of overlooking and poor relationship between the proposed and existing dwellings. This could be overcome with a revised layout and or design but does not overcome the other policy harms identified above. The proposed dwelling and garage would not have a significant detrimental impact on daylight, direct sunlight or outlook by virtue of their scale, massing, height and siting.
- 5.17 The potential impact associated with noise arising from the A47 trunk road on the amenity of the proposed dwelling is a consideration under Policy EN4 of the DMDPD. No noise impact assessment has been provided with the application, therefore the significance of such an impact on the proposed dwelling is unknown. A noise impact assessment was not specifically requested in support of the application given the fundamental conflict of the proposal with the development plan. Whilst supporting documentation with the proposed A47 dualling DCO does not identify the site location as a noise important area this relates to existing development. The potential for impact of road noise on the amenity of the proposed dwelling contributes to the unsatisfactory nature of the proposal.
- 5.18 Overall, it is considered that the proposed development would result in a detrimental impact upon the amenity of the existing dwelling by virtue of

overlooking from the proposed dwelling and the proposal is likely to be exposed to higher levels of traffic noise compared with a dwelling within the settlement limit of Blofield. The application is therefore considered to be contrary with these aspect of Policy GC4 of the DM DPD relating to amenity needs of both proposed and existing dwellings.

Biodiversity and Habitats

- 5.19 Policy EN1 of the DM DPD is that biodiversity shall be protected and enhanced and fragmentation of habitats avoided. A preliminary ecological assessment has been submitted as part of the application. I consider that no harmful impacts will occur given the site is part of an existing dwellinghouse. Notwithstanding this the assessment does recommend enhancement although I do not consider such would outweigh the location of the proposed dwelling.

Highway Safety and Parking

- 5.20 Policy TS3 of the DM DPD is that development will not be permitted where it would result in a significant adverse impact upon highway function or safety. Policy TS4 of the DM DPD is that appropriate parking and manoeuvring space should be provided. Policy HOU5 of the Blofield Neighbourhood Plan is that a 4 bedroom dwelling should have 4 car parking spaces where feasible and practical.
- 5.21 Norfolk County Council as the Highway Authority for county roads has assessed the proposal and raised that the proposed shared access is to a private road but has no objection in terms of the impact on county highway function or safety. It was also raised that given the private frontage road provides access to the A47 trunk road, Highways England should be consulted. Comments from Highways England are waited and the impact on the function and safety of the A47 trunk road is therefore unknown at this stage and members will be updated accordingly.
- 5.22 The proposed dwelling would have 4 bedrooms. The parking standards for Norfolk are that 3 car parking spaces should be provided. However Policy HOU5 of the Blofield Neighbourhood Plan requires 4 car parking spaces. I consider that the proposed dwelling could provide more than 4 car parking spaces.
- 5.23 The application in terms of current consultee replies received complies with Policy TS4 of the DM DPD and Policy HOU5 of the Blofield Neighbourhood Plan but compliance with the aims of Policy TS3 of the DM DPD remains to be determined depending upon the comments of Highways England.

Surface Water Drainage

- 5.24 Policy CSU5 of the DM DPD is that mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise

the risk of flooding on the development site without increasing flood risk elsewhere. Policy ENV3 of the Blofield Neighbourhood Plan is that all developments should not cause or contribute to flooding or drainage issues. Permeable materials should be used on freestanding areas such as parking areas.

- 5.25 The site is not at risk from flooding. Surface water drainage would therefore be in accordance with building regulations, incorporating any water attenuation and storage measures as may be required by such regulations. A rainwater harvesting tank would form part of the attenuation measures.

Other Issues

- 5.26 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.
- 5.27 The economic impact from the government's imposition of restrictions in response to the novel coronavirus outbreak is a material consideration. The proposed dwelling would provide employment and the occupiers would contribute to the economy when furnishing, decorating and carrying out maintenance. However in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.28 **This application is liable for Community Infrastructure Levy (CIL) if permitted.**

Conclusion

- 5.29 The principle of the proposed dwelling in a countryside location outside of the defined settlement limit is not considered to be acceptable given the Council is able to demonstrate in excess of a 5 year housing land supply and the proposal is not considered to be justified or sustainable and with no overriding material considerations.
- 5.30 It is considered that the proposed dwelling would have a detrimental impact on the character and appearance of the area. The impact on the function and safety of the A47 trunk road is unknown at this stage given no comments been provided by Highways England.
- 5.31 The proposal as submitted fails to comply with Policies 1, 2, 14, 15 and 17 of the JCS, Policies GC1, GC2, GC4, EN2, and EN4 of the Development Management DPD and Policy HOU4 of the Blofield Neighbourhood Plan.

Recommendation: That authority be delegated to the Head of Place to refuse the application, subject to receiving the comments of Highways England, for the following reasons:

Reasons for Refusal

- (1) The proposal does not accord with a specific policy in the development plan that allows for development outside of the development boundaries. The Council is able to demonstrate a 5 year housing land supply for the purposes of paragraph 11d of the NPPF and therefore its development plan policies are up-to-date. As such, it is concluded that the proposal would be contrary to Policies 14, 15 and 17 of the JCS and GC1 and GC2 of the DM DPD.

Furthermore, access to services and facilities in the service village of Blofield Heath to the north other than by private car are limited given the distance and nature of the road network. Also, access to services and facilities in the key service centre of Blofield to the south-west are limited to private car or having to negotiate crossing of the A47 dual carriageway on foot or cycle which is a significant constraint and hazard. This poor connectivity makes the proposed development isolated and unsustainable contrary to the aims of Policy 1 of the JCS and Policy GC2 of the DM DPD.

- (2) The layout and appearance of the proposed dwelling gives rise to a poor relationship in terms of overlooking with the adjoining dwelling and as such has an impact upon the amenity of the existing property contrary to Policy GC4 of the DMDPD

The location of the proposed dwelling would be relatively more exposed to higher levels of traffic noise compared to locations within the settlement boundary of Blofield. The location of the proposed dwelling is therefore unlikely to provide occupiers with particularly good living conditions on account of road noise. This conflicts with Policy GC4 of the DMDPD insofar as this seeks that development proposals meet the reasonable amenity needs of all future occupiers.

- (3) Highway safety depending upon comments of Highways England.

**Contact Officer,
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Planning Appeals: 18 December 2020 to 15 January 2021

Appeal decisions received:

Ref	Site	Proposal	Decision maker	Officer recommendation	Appeal decision
20200135	Land to the rear of 116 Fakenham Road, Taverham, NR8 6QH	Erection of single storey 3 bedroom dwelling	Delegated	Full Refusal	Appeal Dismissed
20200709	Thickthorns, 12 Church Road, Reedham, NR13 3TY	Erection of 4 no. detached dwellings, parking and gardens	Delegated	Refusal	Appeal Dismissed

Appeals lodged:

Ref	Site	Proposal	Decision maker	Officer recommendation
20201296	50 Blackwell Avenue, Sprowston, NR7 8XN	Erection of two storey rear extension (Appeal against condition)	Delegated	Full Approval

PLANNING COMMITTEE

27 January 2021

Final Papers

	Page No
Supplementary Schedule	39

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
1	20201949	Broadland Gate, Land East of Broadland Way and to the North of A47, Postwick	<p>Further representation received from a resident of Thorpe St Andrew:</p> <p>It is stated in the documents that the application is contrary to the provisions of the development plan. This is a retail business, rather than a business originally envisaged for the business park.</p> <p>There is already a McDonalds restaurant 3-4 miles further up the A47 near the Brundall roundabout (approx 5-10 minutes drive away) - is there need for another?</p> <p>Restaurants such as this type of drive-thru tend to lead to increased littering of the local area</p> <p>Restaurants such as this one cause increased traffic flow at all times of the day. (and night if it is open for 24 hours a day)</p> <p>The access via cycle path for cyclists approaching from the west, Yarmouth Road, to get to the south west entrance of the business park is actually quite dangerous because even on existing cycle paths it involves crossing a very busy road, the A1042. There is a crossing point in place, but it is not controlled. I am concerned about the risk to cyclists and in particular young people who might try to cycle this way to get to the restaurant.</p> <p>I would imagine that the quality of life for any residents of Heath Farm would be adversely affected by the 24 hour opening of the restaurant, the traffic volume and associated noise and light pollution and probably any odour emitted.</p> <p>I also note that an application has been submitted (20210081) for a 3 storey 66 bed care home which will be very close to the proposed drive through restaurant. If both go ahead the residents and staff in the care home would be adversely affected by the 24 hour opening of the restaurant, the traffic volume and associated noise and light pollution and probably odour emitted.</p>

			<p>I would argue we need residential care homes in this locality more than we need another drive thru restaurant and both in such close proximity would not be appropriate.</p> <p>Does this development fit in with the NPPF and BDC policy?</p> <p>NPPF 02 and JCS Policy 1 and Policy EN4 of the DPDPD I would argue that this is not sustainable development as it is encouraging substantial levels of car use NPPF 08 and Policy TS3 of the DPDPD I would argue that it is not in line with promoting health and safe communities as the south west access to cyclists is potentially dangerous and the food on sale does not fit within PHE (Public Health England) Guidelines for healthy eating</p> <p>Policy 9 of the JCS indicates that there is a need for local business to occupy the space but would it be more appropriate and in line with environmental policy to encourage placement of a different outlet such as a local farm shop and restaurant business which would still provide employment but not encourage a trade in unhealthy foods.</p> <p>In encouraging this type of local development all revenue generated would stay in the UK. A significant part of McDonald's revenue goes to Luxembourg and is taxed there instead of in the UK, owing to arrangements the company makes for tax planning.</p>
2	20201976	Sunny Acres, Yarmouth Road, Blofield, NR13 4LH	<p>Update to paragraphs 5.9 to 5.12 under Material Considerations sub-heading - The applicant considers that the proposed dwelling would improve the security of the existing dwelling on site and therefore improve the safety of the existing occupants. Furthermore, they state that it would enable the applicant to care for the related occupants of the existing dwelling on site.</p> <p>Officer response – these are considered personal circumstances that are not exceptional and in accordance with Planning Practice Guidance are non-material considerations.</p>

			<p>Update to recommendation on page 36 of the agenda - Additional reason for refusal:</p> <p>(4) It is considered that the proposal would be harmful to the character and visual appearance of the area by virtue of its massing and appearance and represents an unacceptable consolidation of existing sporadic development in the countryside. The proposal is therefore contrary to Policies GC4 and EN2 of the DM DPD and Policy HOU4 of the Blofield Neighbourhood Plan.</p>
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