

Planning Committee

Agenda

Date

Wednesday 6 January 2021

Members of the Planning Committee

Cllr S Lawn
(Chairman)

Cllr J M Ward
(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 I N Moncur
Cllr S M Prutton
Cllr S Riley

Time

9.30am

Place

To be held remotely

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

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@BDCCDemServices

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.

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-iPyRimsTCIng>

PUBLIC SPEAKING – You may register to speak by emailing us at
committee.services@broadland.gov.uk no later than 3pm on Monday 4 January 2021

A G E N D A

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|----------|---|-----------|
| 1 | To receive declarations of interest under Procedural Rule no 8 | |
| 2 | Apologies for absence | |
| 3 | Minutes of meeting held on 17 December 2020 | 5 |
| 4 | Matters arising therefrom (if any) | |
| 5 | Applications for planning permission to be considered by the Committee in the following order: | |
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| | Planning Applications | 10 |
| 6 | Planning Appeals (for information) - none received for the period 7 December to 18 December 2020 | |

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.

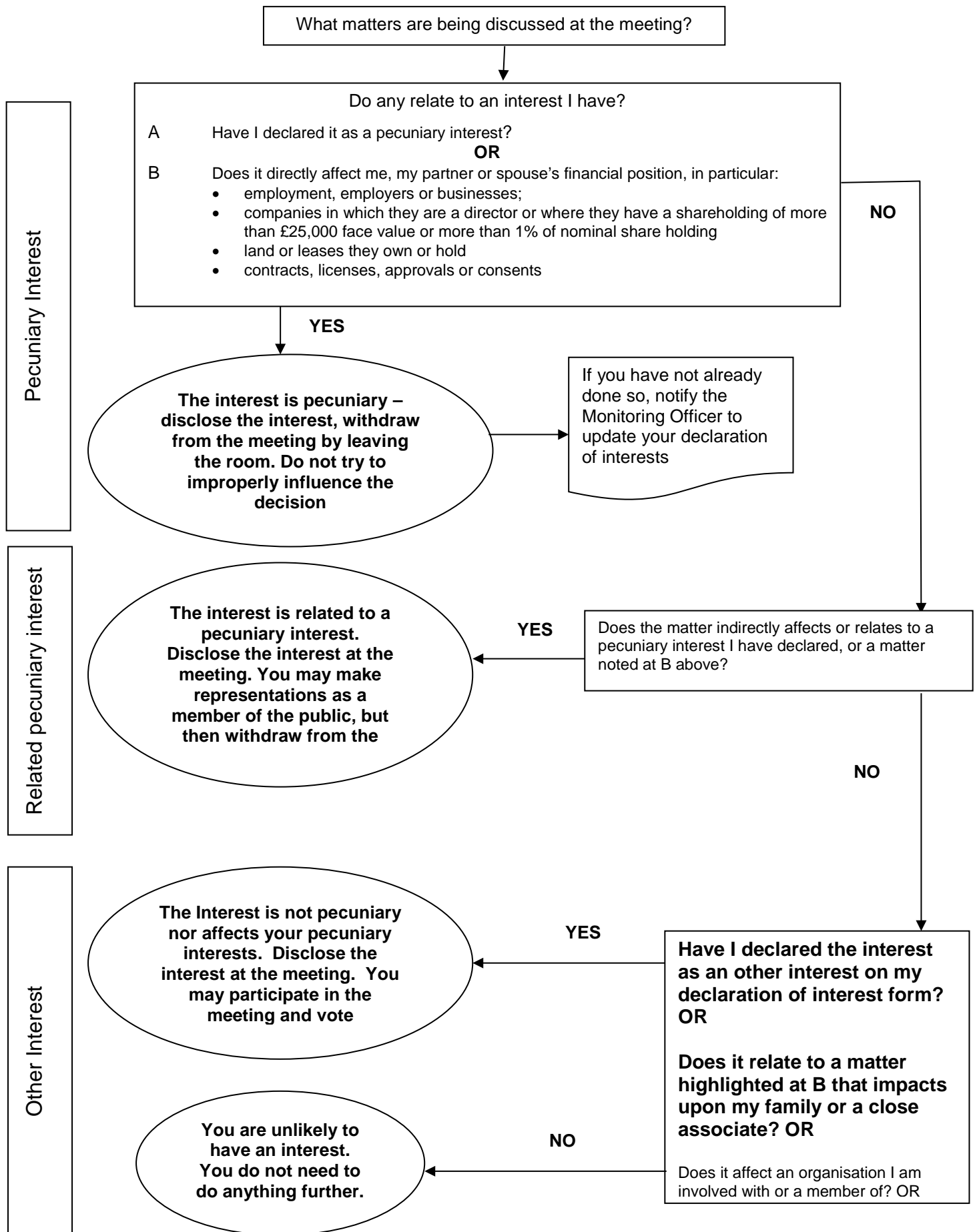
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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 **Thursday 17 December 2020 at 9.30am.**

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

Cllr S Lawn – Chairman

Cllr A D Adams
Cllr N J Brennan

Cllr J Fisher
Cllr R Foulger
(minutes 154/155 only)
Cllr C Karimi-Ghovanlou

Cllr S Prutton
Cllr S Riley

Cllr S Catchpole

Cllr J M Ward

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

149 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Cllr Adams Cllr Karimi-Ghovanlou	Minute no 153 – Application no: 20201930 - 224 Fakenham Road, Taverham	Attended a parish council meeting at which the application was considered but had not participated in any conversation about the application.
Cllr Ward	Minute no 154 - Application no: 20201650 – Royal Oak, North Walsham Road, Sprowston	Member of Sprowston Town Council but had not participated in any meetings or conversations about the application. Non-disclosable - non pecuniary interest.

150 MINUTES

The minutes of the meeting held on 2 December 2020 were agreed as a correct record and signed by the Chairman.

151 MATTERS ARISING

No matters were raised.

152 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr S Beadle and Cllr I Moncur.

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.

Note: the order of applications considered was changed by the Chairman at the meeting to accommodate public speaking.

153 APPLICATION NUMBER 20201930 - 224 FAKENHAM ROAD, TAVERHAM

The Committee considered an application for the demolition of an existing dwelling and erection of two dwellings (outline).

The application was reported to Committee as the applicant was known to be a relative of an officer of Broadland District Council (not a member as stated in the report).

Members noted the location and context of the site as set out in detail in the report.

The Committee heard from Leanne Gunns objecting and Dr Rattan objecting on behalf of Asha Ratton.

The key issues in the determination of the application were the principle of the development and the impact on amenity, trees and highway safety.

In assessing these issues, a number of concerns were raised about the ability to accommodate two dwellings on the site due to its limited width. Officers reminded members that further details regarding the size, form, scale and design of the properties would be considered as part of the subsequent reserved matters application; they were satisfied that the application site could accommodate two dwellings in principle. There was concern that development of the site for two dwellings could not be achieved without compromising the amenity of neighbours and without causing harm to the character and appearance of the area. It was suggested therefore that the proposal did not comply with the relevant policies and could not be supported.

It was then proposed, duly seconded, that contrary to the officer's recommendation, the application be refused as the narrow plot would result in the two proposed dwellings, sited within the area identified in the parameter plan, being out of keeping with the established character and appearance of the area contrary to Policy GC4 of the DM DPD and the NPPF. On being put to the vote, by way of a roll call, it was

RESOLVED:

to **REFUSE** outline application no 20201930 for the following reason:

The narrow plot would result in the two proposed dwellings, sited within the area identified in the parameter plan, being out of keeping with the

established character and appearance of the area contrary to Policy GC4 of the DM DPD and the NPPF.

154 APPLICATION NUMBER 20201650 – ROYAL OAK, NORTH WALSHAM ROAD, SPROWSTON

The Committee considered a full application for demolition of existing buildings and erection of 8 new dwellings and garages.

The application was reported to Committee as the proposal would result in the loss of an employment site.

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 development, the design, the impact on the character and appearance of the area, the impact upon highway safety, parking and neighbour amenity.

Members noted that a marketing strategy had taken place over two periods since December 2019 which had not attracted a commercial re-use of the site and supported the view that the loss of an employment site was balanced against the benefits that the development would have for the appearance of the site, the provision of dwellings in what was a sustainable location and the improved relationship with residential neighbours as a result of the commercial uses being replaced.

Adequate car parking had been provided and there were no highway safety issues. The development would contribute to the provision/enhancement of formal recreation and green infrastructure. Members therefore concluded that the proposal complied with the aims of the relevant policies and should be approved.

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 delegate authority to the Director of Place to **APPROVE** application no: 20201650 subject to the following conditions and successful completion of a Section 106 Agreement with the following Heads of Terms:

Heads of Terms

- (1) Offsite contributions for formal recreation
- (2) Green Infrastructure

Conditions:

- (1) Time limit (TL01)
- (2) In accordance with plans and documents (AD01)
- (3) External materials (D02)
- (4) Landscaping scheme, including details of bin collection area and relocation of pub sign (L04)
- (5) Implementation of landscaping scheme (L07)
- (6) Tree works in accordance with submitted AIA
- (7) Access gates restriction (HC11)
- (8) Provision of parking (HC21)
- (9) Removal of PD rights Plots 6 garage (NS)
- (10) Removal of sign and post adjacent to proposed development (NS)
- (11) Roof light windows to be obscure glazed on rear roof slope of plot 6 (P05)
- (12) No dormer windows or additional first floor openings on the rear roof slopes of plots 7 and 8 (P10)

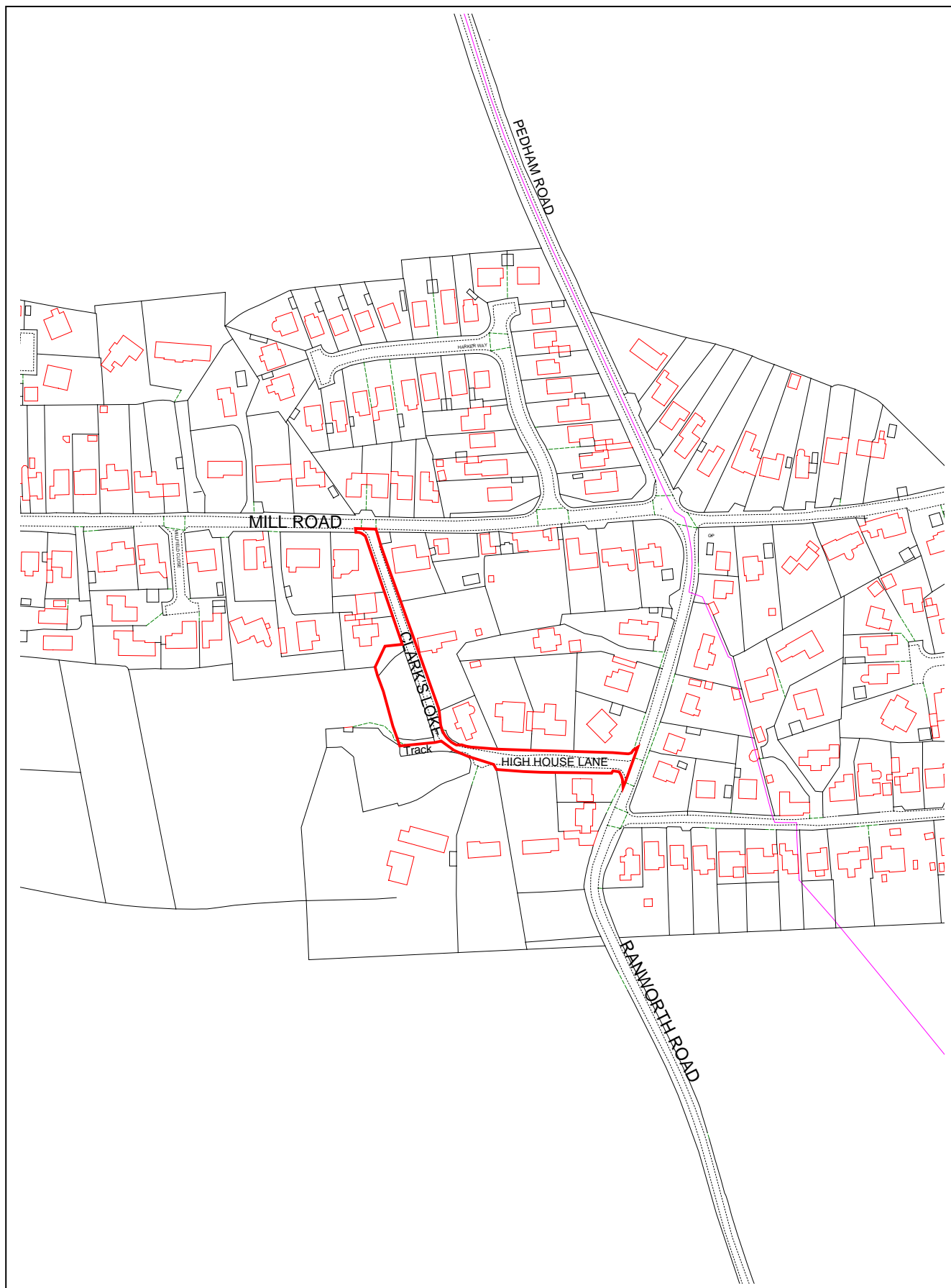
155 PLANNING APPEALS

The Committee noted the appeal decisions received and appeals lodged for the period 19 November 2020 to 7 December 2020.

The meeting closed at 11:05am

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Area	Application No	Location	Officer Recommendation	Page No
1	20202062	Land at Clark's Loke, Blofield	APPROVE subject to conditions	10
2	20201801	Unit 2, Wood Green Industrial Estate, Salhouse	APPROVE subject to conditions	22



Application No: 20202062
Land at Clarks Loke, Blofield

Scale:
1:2500
Date:
21-Dec-20



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Application No: [20202062](#)
Parish: **Blofield**

Applicant's Name: Mr Claxton
Site Address: Land at Clark's Loke, Blofield
Proposal: Erection of house and garage

Reason for reporting to committee

The application is reported to committee as it is contrary to the provisions of the development plan and the officer recommendation is for approval.

Recommendation summary:

Approve, subject to conditions.

1 Proposal and site context

- 1.1 This application is seeking full planning permission for the erection of one dwelling and garage on land at Clarks Loke in Blofield Heath. The proposed dwelling is to be two storey with five bedrooms and associated garage to the front of the property. This proposal and its design is identical to that of planning permission [20190553](#) which was granted planning permission to vary the original design of [20170634](#) and which was allowed on appeal.
- 1.2 The site is located outside of the defined settlement limit for Blofield Heath where development is not normally considered acceptable. The site is immediately adjacent the settlement limit and is considered to be sustainable given its central location to the village and is within walking distance to facilities including a shop, school and public transport.
- 1.3 The dwelling would be accessed via Clark's Loke, a single width gravelled track, which can be accessed from Mill Road or Ranworth Road, via High House Lane. It is proposed to have a new access serving the proposed dwelling. There will be a remaining access for access to the adjoining agricultural field which third parties have a right of way over.
- 1.4 The proposed dwelling would have an approximate footprint of 184m² and would have a maximum height of 8.5m to the highest part of the dwelling. The garage would sit forward of the site and would have an approximate footprint of 32m² and would have a maximum height of 4.5m to the highest part of the garage.

As part of the details submitted with the application, the application form refers to the external materials as follows:

Boundary treatments (fences/walls) : Close boarded timber fencing
Roof : Concrete roof tiles

Walls : Brickwork and render

Windows : UPVC

Precise details of the materials for the house and garage will be conditioned.

2 Relevant planning history

2.1 [872703](#): Outline planning application. Refused 23 February 1988.

2.2 [20160742](#): Erection of 1 no. detached dwelling and associated works. Withdrawn.

2.3 [20161455](#): Erection of 1 no. detached dwelling and associated works (revised proposal). Refused 4 October 2016.

2.4 [20170634](#): Erection of house and garage. Refused 6 June 2017.

Appeal allowed 26 February 2018 (expiry date 26 February 2021) – attached as Appendix 1 at the end of this report.

2.5 [20190553](#): Variation of condition 2 of planning permission 20170634 (Appeal reference APP/K2610/W/17/3183955) – revised house design to include detached garage. Approved 24 May 2019, expiry date 26 February 2021.

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 of homes

NPPF 09: Promoting sustainable transport

NPPF 12: Achieving well-designed places

3.2 Joint Core Strategy (JCS)

Policy 1: Addressing climate change and protecting environmental assets

Policy 2: Promoting good design

Policy 4: Housing delivery

Policy 6: Access and transportation

Policy 9: Strategy for growth in the Norwich Policy Area

Policy 15: Service Villages

3.3 Development Management Development Plan Development Plan Document (DM DPD) 2015

Policy GC1: Presumption in favour of sustainable development

Policy GC2: Location of development

Policy GC4: Design

Policy TS3: Highway safety

Policy TS4: Parking guidelines

3.4 Blofield Neighbourhood Plan 2016

HOU4: Rural image, heights and massing

HOU5: Parking for new development

3.5 Parking Standards SPD

Landscape Character Assessment SPD

4 Consultations

4.1 Blofield Parish Council:

Blofield Parish Council has now had an opportunity to consider the above planning application and wishes to make the following comments:

- NP HOU 5: proposal only offered 3 parking spaces when the policy requests 4 are provided for a 4-bedroom dwelling.
- NP ENV 2: to retain as many trees / hedging as possible to ensure privacy and screening from neighbouring properties.
- Outside the settlement limit for Blofield Heath.
- Question's over land access, ownership rights and rights of access issues.
- Given the development that has been passed in Blofield Heath in the period since this was granted on appeal, I think Blofield Heath has met its quota for contributions to the BDC land supply.

4.2 NCC Highways:

This application appears to be on the same site as previous application 20170634 and whilst the Highway Authority objected to that application the highway reasons for refusal were not upheld at Appeal (APP/K/2610/W/17/3183955).

On the above basis I would find it very difficult to any pass adverse comment upon a single dwelling at the same location.

In the interests of residential amenity/highway safety I suggest the condition required by the Appeal Inspector in regard to on-site parking and passing facilities are included with any consent notice issued by your Authority.

4.3 District Councillor:

No comments received.

Other Representations

4.4 Orchard House, High House Lane, Blofield Heath:

I would ask you to note in relation to this application that part of the site shown on the site plan is a field access, which I understand to be in the ownership of a Mr P Rose and across which I have a right of way in order to access the field to the west from Clark's Loke. The part of the site in question is on the northern side, outside the area where the proposed house and garage are shown.

5 Assessment

Key Considerations

- 5.1
 - Principle of development and planning history
 - Impact on neighbouring properties
 - Design of the dwelling
 - Impact on highway safety

Principle

- 5.2 The main issues to be taken into account in the determination of this application are an assessment of the proposal against the policies of the development plan, the NPPF and Planning Practice Guidance and any material considerations. The key considerations in this case are the principle of the development and the history of the development, the impact of the development on the character and appearance of the area, residential amenity and highway safety.
- 5.3 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This point is reinforced by the NPPF, which itself is a material consideration.
- 5.4 The site is located outside of the defined settlement limit for Blofield Heath, however, it adjoins the settlement limit on the northern and eastern boundaries.
- 5.5 Blofield Heath is within the Norwich Policy Area [NPA] and is identified as a Service Village in Policy 15 of the Joint Core Strategy. This means that allocations will be made for small housing developments subject to form and character considerations. Blofield Heath is one of those settlements identified in the policy that is within the NPA and may be considered for additional

development if necessary to help deliver the smaller sites in the NPA in accordance with Policy 9 of the JCS.

- 5.6 Policy GC2 of the DM DPD seeks to locate new development within defined Settlement Limits, but outside of these limits it permits development where it accords with a specific allocation and/or policy of the development plan and does not result in any significant adverse impact. The site is outside of, but adjacent to the Settlement for this part of Blofield Heath and is not allocated for any purpose. The proposal does not accord with a specific policy in the development plan that allows for development outside of the settlement limit. Furthermore, 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 Policy 15 of the JCS and GC2 of the DMDPD.
- 5.7 The sustainable location of the site was accepted on the previous application which was granted at appeal. Neither the Local Planning Authority nor the Planning Inspectorate disagreed in relation to the sites location and its sustainability. The site is located centrally within the village and is within walking distance from a shop, school and public transport. Therefore, although the site is located outside of the defined settlement limit, I do not have any evidence before me to disagree with the previous findings from the previous case officer and Planning Inspector.

Planning History/Material Considerations

- 5.8 There have been a number of planning applications since 1987 relating to a dwelling being proposed on this date, of which the Local Planning Authority has refused planning permission. However in 2017, an application was refused planning permission for one dwelling for which was appealed to the Planning Inspectorate.
- 5.9 The Planning Inspector disagreed with the Council's decision and allowed said appeal to grant planning permission for one dwelling on this parcel of land. This in turn, becomes a material consideration in the determination of this application.
- 5.10 The principle of development was established when the previous application (20170634) was allowed at appeal. This permission and the variation of house type permitted by 20190553 are currently still valid/remain extant and can be implemented. These are significant material considerations in this instance that weigh heavily in favour of the current application.

Impact on neighbouring properties

- 5.11 Policy GC4 of the DM DPD states that proposals should, amongst other things, consider the impact on the amenity of existing properties.

- 5.12 The location of the proposed dwelling is south facing with no immediate neighbouring properties to the southern or western boundaries. The closest dwellings are to the north of the site and on the opposite side of Clarks Loke. The orientation of the dwelling will mean there are windows on the front and rear elevations, leaving minimal impact in regard to overlooking neighbours opposite the site to the east. The front elevation of the dwelling would be some 20m-24m respectively to the front boundary of the site with Hillrest which is a west facing property. Immediately adjacent Hillrest, and within the site boundary, is access to the adjoining field which a third party has a right of way over. This area will be used for access to the adjoining field and not for part of the dwelling.
- 5.13 Given the distances between the proposed dwelling and existing dwellings, it is not considered that this proposal would result in any significant loss of amenity to neighbouring properties as required by policy GC4 of the DM DPD.
- 5.14 The two former applications relating to this site come to the same conclusion and as this is an identical submission to what already has planning permission under the variation of condition application to alter the design of the application allowed by appeal.
- 5.15 Therefore, I do not have any reasons to object to this application.

Design of the dwelling

- 5.16 In relation to the design of the dwelling, the original application (20170634) gave planning permission for a 4 bed dwelling with the main roof sloping towards the road. The variation of condition application (20190553) gave permission to alter the design of the dwelling to include a gable, with a detached double garage as it was deemed in-keeping with the area.
- 5.17 Therefore, as this design is identical to that of application 20190553, I cannot have any objection to this proposal given that the former permission could be implemented.
- 5.18 As a result, it is considered that the proposed development complies with policy GC4 of the DM DPD and policy HOU4 of the Blofield Neighbourhood Plan.
- 5.19 The external materials for the proposed dwelling have been outlined in para 1.5 of this report. I consider it necessary to request details of external materials to allow for the Local Planning Authority to retain control of the development, given that no specific details of type/colour have been stated.

Impact on highway safety

- 5.20 Norfolk County Council in their capacity as the Highways Authority commented on the application stating that they would find it very difficult to pass any adverse comment upon a single dwelling at the same location.

- 5.21 Application 20170634 was originally refused planning permission by the Local Planning Authority with the only reason for refusal relating to highway safety.
- 5.22 The application was appealed and subsequently allowed by the Planning Inspector concluding in para 13 of the decision: *'the proposal would not result in the significant adverse impact upon the satisfactory functioning or safety of the highway network that Policy TS3 of the DM DPD seeks to prevent. The proposal would therefore accord with this policy and it would also accord with the National Planning Policy Framework in terms of ensuring safe and suitable access for all people'*.
- 5.23 As the original highway safety reasons for refusal were not upheld at appeal, and the submission is almost identical to the former application, it would be unreasonable to refuse this application on highway safety grounds. The use of this Loke for an additional dwelling as already been considered at appeal and the proposed changes would not materially change this view.
- 5.24 A condition has been suggested by the Highways Officer which relates to the condition which was imposed on the original application for proposed access, passing bay and parking/turning areas.

Other Issues

- 5.25 Concerns have been raised by the parish council relating to a number of points including parking spaces, landscaping, the site being outside of the settlement limit and land access/right of way.
- 5.26 This proposal appears to contain sufficient parking either within the garage or within the plot to provide in-curtilage parking of the numbers required by the Neighbourhood Plan and as a result it is considered that the proposal does comply with policy HOU5 of the Blofield Neighbourhood Plan and Policies TS3 and TS4 of the DM DPD. A landscaping condition was suggested to the Planning Inspectorate under application 20170634, the Planning Inspector did not impose this condition within the decision notice and therefore it would be unreasonable for me to impose this condition on the application. The principle of the development has already been considered at appeal and is considered a sustainable location. The plans show an area for a right of way access to the adjacent land and any disputes about this will be a civil matter between landowners as is outside the remit of the council in its role as Local Planning Authority.

This application is liable for Community Infrastructure Levy (CIL)

- 5.27 The application will generate housing, and some employment during construction and help to support the local community it therefore makes a positive contribution in the reaction to COVID-19.

- 5.28 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.
- 5.29 In conclusion, the application lies outside the settlement limit and is contrary to Policy GC2 of the DM DPD. Overall, however it is considered that the planning history and lack of evidenced harms are significant material considerations in this particular case to indicate that the application should be approved, as these outweigh the development plan conflict.

Recommendation: Approve, 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

Contact Officer, Ellie Yarham
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and E-mail ellie.yarham@broadland.gov.uk



Appeal Decision

Site visit made on 5 February 2018

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2018

Appeal Ref: APP/K2610/W/17/3183955

Land off Clark's Loke, Blofield Heath, Norwich

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr P Rose (c/o Fusion 13) against the decision of Broadland District Council.
 - The application Ref 20170634, dated 10 April 2017, was refused by notice dated 6 June 2017.
 - The development proposed is construction of 4 bedroom house with associated external works.
-

Decision

1. The appeal is allowed and planning permission is granted for construction of 4 bedroom house with associated external works at Land off Clark's Loke, Blofield Heath, Norwich in accordance with the terms of the application, Ref 20170634, dated 10 April 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 02 Rev C and 01 Rev E.
 - 3) No development shall take place above slab level until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) Prior to the first occupation of the development hereby permitted the proposed access, passing bay and parking/turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with details that shall first have been submitted to and approved in writing by the local planning authority and retained thereafter in the approved form.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Application for costs

3. An application for costs was made by Mr P Rose (c/o Fusion 13) against Broadland District Council. This application is the subject of a separate Decision.

Main Issue

4. The appeal site lies outside of any settlement boundary but the Council do not object to the principle of development and on the evidence before me I have no reasons to disagree. Consequently, the main issue is the effect of the proposal on highway safety.

Reasons

5. Clark's Loke ('CL') is a single width, gravelled track which serves 3 residential properties. There are 2 entrances to CL, one via Mill Road ('MR') and the other via High House Lane ('HHL') from Ranworth Road ('RR') which is subject to a 30mph speed limit. High House Lane is a private road, much wider than CL and serves 6 detached dwellings.
6. All of the properties have off street parking and CL is straight in its alignment. Therefore the driver of a vehicle entering CL from MR would have clear visibility before making any manoeuvre. Moreover, there is space at the entrance to pass and the plans show a new passing bay next to the access to the appeal site. In combination with the number of movements associated with a single dwelling and such low traffic speeds, I am satisfied that vehicles would be able to pass safely with no harm to users of the highway.
7. At the junction of HHL with RR the entrance and the track are wide and in combination with the frontages of properties either side of it, there would be adequate visibility of vehicles approaching from the far side. Moreover, there would be adequate visibility towards nearside approaching traffic which to my mind is the more decisive consideration.
8. At the junction with MR there is an existing brick outbuilding on its eastern side which is associated with No. 74 MR. The appellant accepts that this restricts visibility to 2m x 14.3m¹ but also contends, amongst other things, that the preferred and primary access route will be from HHL. I agree that the CL junction with MR is a more direct route into the village and this would be an attractive route to future occupiers accessing the services and facilities within it. Nonetheless, it is also reasonable to conclude that a substantial number of trips would also take place via the HHL junction which provides quicker and easier access to the A47.
9. I observed at my visit that a single vehicle was parked abutting the existing outbuilding and it appeared from the condition of the verge that this may be a typical occurrence. This has not been accounted for in the appellant's visibility splays shown on drawing no. 03/002 Rev A. Manual for Streets ('MfS') advises on suitable visibility splays² but in my experience, unless there is local evidence to the contrary a reduction in visibility below the recommended levels is not necessarily a problem and the objective standards within MfS are not entirely determinative.

¹ Paragraph 4.9 of appellant's statement of case.

² In this instance, 2.4m x 43m.

10. Furthermore, MfS states a minimum figure of 2m setback (as opposed to 2.4m) may be considered in very lightly trafficked and slow speed situations and that the ability of users to see any overhang from a reasonable distance in order to manoeuvre around it should be considered. This has been subsequently amended in Manual for Streets 2 which refers to reduced setbacks of 2m when 'flows on the minor arm are low' and that drivers in such situations cautiously will nose out into traffic. This also applies to 'lightly trafficked rural lanes'.
11. Conditions are such that drivers would indeed 'nose out' to improve visibility, access points are located on fairly straight sections of carriageway and there is a low flow of traffic. To my mind, any cyclist or vehicle passing along these routes would be able to see the bonnet of a vehicle exiting from the access.
12. I am also mindful that there is no evidence of any accidents before me and future residents would have a choice as to which access to as there is nothing substantive to suggest that HHL would not be available for use by future occupants. Furthermore, the likely number of trips from an additional dwelling would be low and future occupants would have access to local bus services along MR. There is also a continuous footway on the northern side of MR and I am not persuaded that there would be any harmful conflict between pedestrians and vehicles were I to allow the appeal.
13. Overall and for these reasons, the proposal would not result in the significant adverse impact upon the satisfactory functioning or safety of the highway network that Policy TS3 of the Broadland District Council Development Management DPD 2015 seeks to prevent. The proposal would therefore accord with this policy and it would also accord with the National Planning Policy Framework in terms of ensuring safe and suitable access for all people.

Conditions

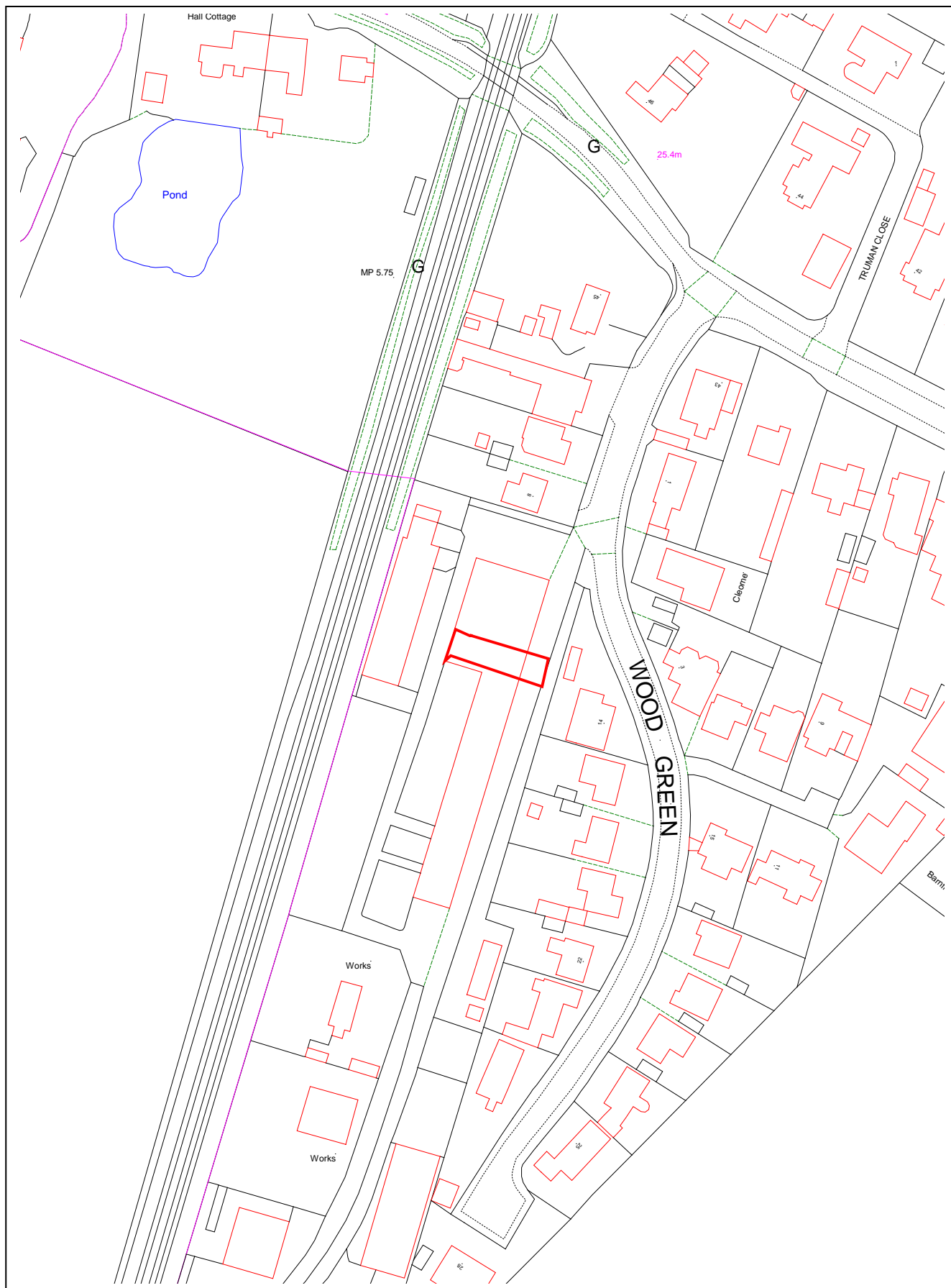
14. I have considered the conditions put forward by the Council and have amended the wording where necessary in the interests of clarity and simplicity. A condition is required to ensure compliance with the approved plans as this provides clarity. A condition requiring details of the external materials to be agreed is necessary, in order to protect the character and appearance of the area. In the interests of highway safety a condition is required that the access, parking and passing bays are provided prior to occupation. As there is insufficient detail on the plans I have amended this to include approval of the details.

Conclusion

15. For the reasons set out above the proposal would accord with the development plan, when read as a whole. Material considerations, including the Framework do not indicate that a decision should be made other than in accordance with it. Having considered all other matters raised, including the concerns of Blofield Parish Council, I therefore conclude that the appeal should be allowed.

Richard Aston

INSPECTOR



Application No: 20201801

**Unit 2, Wood Green Industrial Estate,
Station Road, Salhouse, NR13 6NY**

**Scale:
1:1250**

**Date:
21-Dec-20**



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Application No: [20201801](#)
Parish: **Salhouse**

Applicant's Name: Mr Stephen Snowling
Site Address: Unit 2, Wood Green Industrial Estate, Station Road,
Salhouse, NR13 6NY
Proposal: Change of use from storage space to commercial
studio gym

Reason for reporting to committee

The application is reported to committee as the applicant is a close relative of a member of Broadland District Council and an objection has been received.

Recommendation summary:

Approve, subject to conditions

1 Proposal and site context

- 1.1 The application seeks full planning permission for the change of use of a warehouse/storage unit (Use Class B8 - storage or distribution) to a gym (Use Class E(d) - indoor sport, recreation, fitness use) (former use class D2 Assembly and Leisure). The unit is currently vacant.
- 1.2 The applicant and his partner currently run 'Fitness at The Street' from Lingwood Village Hall. After some successful charity events the hall committee asked them to open a community gym with classes in January 2018. It began in a small function room with 37 members, became popular with local residents and expanded to use more of the available space at the hall. It was nominated for two Broadland Community at Heart awards this year which recognised its contribution to residents' physical and mental health well-being particularly during the pandemic, when it was able to operate in an outdoor area. The gym has now outgrown the space at Lingwood and needs a new base.
- 1.3 The applicant, who wants to stay as local as possible, would still run the exercise classes at Lingwood Village Hall with the gym machines, cardio equipment and free weights being permanently located at this new unit. Members range from 16-80 years old with the average age around 50 years. They would have an in-depth induction and a training plan set out by the applicants. Some small classes could run here along with personal training sessions. The applicant has submitted a supporting statement which sets this out in detail.
- 1.4 The site is located within the defined settlement limits for Salhouse and within Wood Green Industrial Estate, a former granary complex adjacent to

the railway line which has expanded to form a small but well established industrial estate. Wood Green itself is to the south of Station Road. There are a variety of uses within the estate including a joinery business in the adjoining unit to the north, as well as a ventilation manufacturer, building contractor, mobility scooters sales, flooring sales, car sales and a kennels at the southern end.

- 1.5 Unit 2 is part of a block of five units and is one of the smaller units within the estate. The unit is rectangular in shape and has a floor area of 154m², this includes a small first floor room of approximately 29 m². The building is of a pre-fab construction, with corrugated metal walls and a corrugated metal roof, which is low and curved in its design. On the east (front) elevation there is only a pedestrian entrance door and no windows. On the west (rear) elevation there is a set of double doors at ground floor level and a single window at first floor level.
- 1.6 No physical alterations are proposed to the exterior of the building. There will also be no structural internal alterations. The main part of the building downstairs will be used as a gym with a toilet and kitchen. There are stairs up to the small first floor area which is proposed to be used as a private office space.
- 1.7 The road off Wood Green serving the estate runs along the eastern side of the unit with vehicular access to the west. There are areas of hard-standing to the front and rear of the unit which have been used for larger vehicles and lorries as well as car parking. The application has stated that these areas can accommodate around 16 cars in total. The applicant noted that they usually have 6-8 cars at the gym and the estimated maximum number of cars at the busiest time is 10-12. The applicant has said that the peak times are between are 9.30-11am and 5-7pm.
- 1.8 The proposed hours of operation are 06:30 to 20:30 Monday to Thursday, 06:30 to 18:00 on a Friday, 08:00 until 13:00 on a Saturday and with no sessions running on Sundays and Bank Holidays.

2 Relevant planning history

- 2.1 There is not considered to be any relevant planning history on the application site itself.

3 Planning Policies

3.1 National Planning Policy Framework (NPPF) 2019

NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 06 : Building a strong, competitive economy

NPPF 08 : Promoting healthy and safe communities

NPPF 11 : Making effective use of land

NPPF 12 : Achieving well-designed places

3.2 Joint Core Strategy (JCS) 2014

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

Policy 5 : The economy

Policy 6 : Access and transportation

Policy 8 : Culture, leisure and entertainment

Policy 15 : Service Villages

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 EN4 : Pollution

Policy E2: Retention of Employment Sites

Policy TS3: Highway Safety

Policy TS4: Parking Guidelines

3.4 Salhouse Neighbourhood Plan (NP) (2016)

EMP1: Existing facilities

4 Consultations

4.1 Salhouse Parish Council:

No objection.

4.2 Economic Development Officer:

I can confirm that I have no objection to the reuse of this small vacant unit for the proposed use.

4.3 Environmental Protection Team (Community Protection Officer):

Having considered the application documentation along with the nature and location of this proposal, we would make the following observations:

- The application site is part of the established Wood Green Industrial Estate containing a number of commercial and industrial activities. Thus, it is recognised that there will be some existing impact

on the amenity of the residents of the area already, although the extent of this is unknown.

- It is proposed to operate the gym outside the hours when we would expect the majority of the other businesses on the Wood Green Industrial Estate to be operational. Thus this application could introduce noise from the Industrial Estate to residents of Wood Green when previously there was little or none. In particular, it is noted that the amended Supporting Statement states that the proposed opening hours will be 06:30am to 08:30pm Monday to Thursday, 06:30am to 06:00pm Friday, 08:00am to 01:00pm Saturday with the possibility of opening 9:00am to 1:00pm on Sundays in the future.
- We have had concerns expressed to us in the past about noise from gym type premises and in particular noise from music being played loudly (especially where it has a strong bass component), the crashing / banging of equipment and noise from patrons / instructors (eg the shouting of instructions by the instructor). It is noted from the application documentation that the proposal is for a modest gym where it is not intended to play loud music, but we have concerns that the situation could change in the future.
- The construction of the building to which this application relates is expected to offer poor resistance to sound propagation due to the nature of its construction.
- Under the circumstances, ideally we would wish to see a comprehensive noise assessment included with such an application but we appreciate that this may be a significant expense to such a small business when first establishing itself in permanent premises.
- The proposal would make use of, and arguably intensify, the parking provision on the boundary with the dwellings in Wood Green. This has the potential to impact the amenity of the residents of these dwellings due to patrons and their cars when in this area, particularly outside the hours when we would expect the majority of other businesses on the Wood Green Industrial Estate to be operational. It is noted that the application documentation indicates that there is some parking provision available at the rear of the application premises but it is unclear how practicable it would be to require this is used for all vehicles arriving and departing outside the hours when we would expect the majority of other businesses on the Wood Green Industrial Estate to be operational.
- It is envisaged that patrons would arrive on site before the premises open and depart the site after the premises close thus effectively extending the hours the amenity of the residents of the area could be impacted.

Having regard to the above, we would recommend that any approval of this application includes the following conditions:

- A condition, such as standard planning condition R02, limiting the hours of opening of the proposal to patrons to between the hours of 07:30am to 08:30pm Monday to Friday and 08:30am to 13:00am on Saturdays with no opening on a Sunday or Bank Holiday.
- A condition requiring that noise from within the proposed gym shall not be audible at any point on the boundary of Wood Green Industrial Estate, Station Road, Salhouse with numbers 14 and 16 Wood Green, Salhouse, as shown in red on the attached plan, until such time as the applicant chooses to commission, and implement in full the recommendations of, a comprehensive noise assessment which:
 - Is to the written approval of the Local Planning Authority.
 - Includes as a recommendation noise limits at specified locations with regard to noise from the gym at different times of the day on weekdays and a Saturday to protect the amenity of the residents of the area.
 - Includes as a recommendation any noise control measure required to ensure that the gym can meet the recommended noise limits.
 - Has been undertaken by a competent person with the investigation and reports carried out in accordance with current best practice.

4.4 Norfolk County Council as Highway Authority:

The application provides no details about how many vehicular movements will be associated with the proposed change of use, therefore please could I request that the applicant be asked what level of traffic would be generated if the application was approved. In addition could the applicant clarify the kind of gym that has been applied for? Is this an adult gym with weight lifting equipment or is this proposed as a space for children's gymnastics classes for example.

Without the information outlined above I am unable to assess the application fully. Consequently, I would request that the applicant submits further information.

Further comments following submission of additional information:

Having received further information and having visited the site I would not wish to restrict the grant of permission.

Other Representations:

4.5 14 Wood Green, Salhouse:

I am concerned about the proposed change of use of the property listed above.

This unit is metres from my and other residential bungalows and noise generated by any business in this unit will be clear from our property. Due to the nature (Corrugated roof and iron construction) of the building any noise suppression will be difficult – the nature of the business indicates the noise may be constant during trading hours.

I also have concerns about the increase in local traffic into what is a difficult junction out of the industrial estate – adherence to speed limits and appropriate levels of attention are already issues at current traffic volumes. With the decision recently to put a preservation order on the huge Leylandii at the entrance of the industrial estate to Wood Green which significantly reduces visibility on leaving the estate a decision to increase the volumes of traffic and hours of traffic into the estate will significantly increase the risk to the residents and visitors of Wood Green unless significant improvements are made to the junction with Wood Green. Finally, I have concerns for the fence that is the boundary of my property and the industrial estate, a change in use will see parking increase against my boundary fence and historically damage caused the estate side of the fence has never been accepted or replaced by those on the estate – again increased traffic in the area will increase the risk of damage to the fence.

4.6 JTec fabrications, Wood Green Industrial Estate, Salhouse:

We have no objections to the change of use however we would like to bring to your attention that we and other businesses here have lorries travelling along the road in front of the building.

5 Assessment

Key Considerations:

- 5.1
 - The principle of the proposal
 - The impact on the character of the area
 - The impact on neighbour amenity
 - The impact on highway safety & parking provision

The Principle of the Proposal

- 5.2 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against Development Plan policies and national planning guidance. In particular, whether the proposed reuse of an employment unit in this location is acceptable, the

impact on the character of the area, neighbour amenity and highway safety and whether there is adequate parking provision on the site.

- 5.3 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This point is reinforced by the NPPF, which itself is a material consideration.
- 5.4 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals that accord with the development plan should be approved without delay.
- 5.5 The aim of part 6 of the NPPF is to build a strong and competitive economy and it acknowledges that this encompasses a wide range of uses, including tourism and leisure. Policy 5 of the JCS aims to allow the local economy to develop in a sustainable way to support jobs and employment in both urban and rural locations.
- 5.6 The unit is located within the settlement limit for Salhouse where the principle of development is considered acceptable under Policy GC2 of the Local Plan. The settlement is also identified within Policy 15 of the JCS as a Service Village where small scale employment development of an appropriate scale will be supported.
- 5.7 The Local Plan and Neighbourhood Plan set out policies relating to employment. Policy E2 of the DM DPD states that sites in the settlement limit which are in employment use or were last used for employment will be retained in an employment use unless the proposed new use will not result in any detrimental impact and:
- (i) It has been demonstrated that continued employment use is not viable; or
 - (ii) There is a significant environmental or community gain from redevelopment and/or change of use which outweighs the employment benefits.
- 5.8 Policy EMP1 of the Salhouse Neighbourhood Plan has the same aim of retaining employment in the parish of Salhouse. It states that proposals for expansion of existing businesses or the development of starter units in the Wood Green commercial area will be supported where they do not result in harm to the living conditions of neighbouring residents, have harmful visual impact in views from the surrounding countryside or generate traffic that would clearly be harmful to road safety.
- 5.9 In determining a planning application under these employment policies reference needs to be made to the Use Class Order. Whilst Policy E2 does not specifically state which employment uses it relates to, the glossary of

terms within the DM DPD lists employment uses as being Use Classes B1 Business, B2 Industrial, and B8 Storage. The existing use of the unit is a storage warehouse which is Class B8.

- 5.10 The proposed use as an indoor gym was, until September, a Class D2 Use which is defined as 'Assembly and Leisure'. Gyms are now specifically in Class E(d) because Class E was introduced from September this year to up-date the Use Class Order 1987. It is a more broad Use Class which links commercial, business and service uses by bringing together the previous Classes A1/2/3, B1, D1(a-b) and 'indoor sport' from D2(e). The new Class E comprises uses which all generate employment. Use class B8 remains separate from the new Class E and this is why the application requires planning permission.
- 5.11 The reason for Policies E2 and EMP1 is to protect employment uses and jobs within the District by retaining appropriate premises. For this reason it requires any proposal to demonstrate that continued employment use is not viable.
- 5.12 The sub text within Policy E2 states that in order to demonstrate that a continued employment use is not viable it will normally be expected for the site to be marketed at a realistic price for 12 months by a reputable estate agent, without any definite offers having been received. Full details of the marketing exercise and any offers received should be submitted in support of any application for alternative use. In similar circumstances on other sites within the district, non-employment uses have been permitted where no adverse impact has been demonstrated and the building has been vacant for a number of months, actively marketed and found to have no likely prospect of being occupied as an employment use.
- 5.13 An email from the marketing agents Brown & Co has been submitted to support the application. This states that the unit has been vacant and available since July 2020 and has been actively marketed with Brown & Co for the five months since this time. It also states that they have received no other offers other than that received from the applicant.
- 5.14 The proposal will provide jobs for 2 full time employees, ensuring the continuation of a local business, and the intention of the applicant is to create further local employment opportunities in the future. The unit is currently vacant and the previous storage use employed only one person, therefore the proposal demonstrates a net gain in jobs.
- 5.15 There are already a variety of uses at Wood Green and it is considered that the proposal is similar in nature to uses which are deemed acceptable within an employment site and are now categorised as E uses. In addition, the use as a gym does not physically alter the building and will allow reversion to warehousing or indeed to another employment use in the future. If approved, control can be retained by attaching a condition to restrict it to a gym use only therefore ensuring the unit reverts back to its

previous use should the gym cease to operate here. The District Economic Development Officer and the Parish Council have no objection to the proposed re-use of this vacant unit for this use.

5.16 The site is easily accessible by road, is well served by public footpaths and there are bus stops and Salhouse railway station located nearby. The proposal is therefore considered to represent a sustainable development.

5.17 Furthermore, the need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. The proposal would create the equivalent of two full-time jobs which is likely to be beneficial both economically and socially. This weighs in favour of the proposal. Although not an employment use (i.e. those that fall within the B1, B2 and B8 Use Classes), the proposed use is still a business that could arguably employ a similar number of people to an employment use would in a unit of this size.

5.18 Overall, officers do not consider that the change of use to a gym undermines the development plan to a significant degree. On balance, it is considered that it has been demonstrated that the continued employment use is not viable and the proposal would still provide employment and help support a new business in accordance with Policy E2 of the DM DPD, Policy EM1 of the Salhouse Neighbourhood Plan and Policy 5 of the Joint Core Strategy.

The impact on the character of the area

5.19 The impact on the character of the area also needs to be considered. The site is located within an existing employment area which has evolved from an old granary complex adjacent to the railway line and there are now a number of premises with differing uses. It is an older style estate with a mix of brick and pre-fab built buildings used for manufacturing, warehousing and wholesale retail units. This means that there is traffic and general activity associated with an industrial estate. There will be no external changes to the building with minimal physical internal alterations.

5.20 It is not considered that the proposed use will have a detrimental impact on the character an appearance of the surrounding area. Therefore, the proposal complies with Policy 2 of the JCS and Policy GC4 of the DM DPD.

The impact upon neighbour amenity

5.21 Concerns have been raised by a neighbouring resident that the proposals will result in excessive noise and disturbance. It should be noted that this is an existing industrial unit with no restrictions on either the use or hours of operation. The applicant states that loud music is not played and that the volume is kept low. There are no windows in the east elevation facing the closest residential properties. The proposal sets out its hours of use which are based on standard working hours. The proposal would be 06:30am

until 8.30pm on four days and 06:30am until 6:00pm on the other. The applicant sets out the busiest times are for one and a half hours in the morning and two hours in the evening. They have stated that Friday's and Saturday's tend to be quieter, which is why the hours of use would be less at the weekends, as set out in paragraph 1.8 of this report.

- 5.22 The Council's Community Protection Officer has suggested that the hours of operation should start from 07:30am on a weekday rather than 06:30am as previously proposed and from 08:30am on a Saturday rather than 08:00am. The rest of the operating hours are considered to be acceptable. A condition is proposed to be imposed to ensure adherence to the revised suggested hours of operation. With this in place it is not considered that these are excessive hours which would lead to any additional impact on neighbouring properties.
- 5.23 The Council's Community Protection Officer has been consulted on the application and has raised some concerns, due to past concerns from this type of business, the prospect of the proposal intensifying the parking provision on the site and due to the building offering poor resistance to proper sound propagation due to its construction. The Community Protection Officer has stated that ideally they would wish to see a comprehensive noise assessment included with such an application but have taken into account that this may be a significant expense to such a small business when first establishing itself in permanent premises. They have therefore proposed a condition which requires the noise levels on the boundary of the Industrial Estate with numbers 14 and 16 Wood Green to not exceed background noise levels when measured in accordance with British Standard 4142. This is until such time as the applicant chooses to commission, and implement in full the recommendations of, a comprehensive noise assessment. It is confirmed that this condition is proposed to be added to any subsequent approved decision notice as recommended.
- 5.24 With the proposed conditions in place and given that the site is surrounded by a number of premises with mixed use classes and is located within an existing employment site, it is not considered that the application would cause a detrimental impact on neighbouring properties. The application is therefore considered to accord with Policies EN4 and GC4 of the DM DPD.

The impact on highway safety & parking provision

- 5.25 This is a long established industrial estate and the unit has an existing storage / warehouse use. The unit is currently vacant which means there have not been recent associated vehicular movements and previously the intensity of use was low with only one person believed to be employed from this unit. However, the existing authorised use of the unit as a warehouse means that a new B8 or B1 use could start without the need for an application. There would be no control over this, its intensity or vehicular movements.

- 5.26 The estimated traffic movements associated with the proposal are set out in paragraph 1.7 above and the applicant has pointed out that as a community gym which caters for a more middle-aged clientele then, for health reasons there are a large number of people who will walk or cycle.
- 5.27 A local resident has raised a concern about an increase in traffic movements compared to the existing use and the impact of this on highway safety. Norfolk County Council, in their role as Highway Authority have been consulted on the application, and following the submission of further information, by request, they have raised no objection to the application. The application is therefore not considered to cause any detrimental impact upon Highway Safety.
- 5.28 In terms of parking, there are areas of parking to the front and rear of the unit which the applicant has estimated could house up to 16 cars. It is estimated that a maximum of 10 – 12 cars would visit the site at any one time and therefore there should be sufficient space for parking on site. In addition, some of the times when the gym is busiest may be outside the hours when neighbouring units on the Wood Green Industrial Estate are not operational which would help to alleviate any parking pressures across the site as a whole. The Highway Authority have also raised no objection to the application in regard to parking provision.
- 5.29 Overall, it is therefore considered that the proposal complies with Policies TS3 and TS4 of the DM DPD.

Other Issues

- 5.30 The neighbouring resident at No.14 Wood Green has raised concern that the proposals will increase the risk of damage to the boundary fence between No.14 and the Industrial Estate. There is nothing to say that, even if there was an increase in traffic at the site, then this would result in any damage to this boundary fence. Notwithstanding this, it is considered that in the event that any damage was caused to this fence in the future then this would be a civil matter between the two respective parties and is not therefore a material consideration in determining this application.
- 5.31 This application is not liable for Community Infrastructure Levy (CIL).
- 5.32 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.
- 5.33 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

- 5.34 The proposal is re-using a current vacant unit which, whilst not a B1, B2 or B8 employment use, will provide employment in the local area and is compatible with such uses. There are no external or internal works to the building which means it could revert to a warehouse in the future should the need arise.
- 5.35 The proposed development by virtue of its scale, form and location, will not have a significant detrimental impact on the character of the area or highway safety. With the conditions that are proposed to be imposed on any subsequent approval, it is also considered that the proposals will not have any significant detrimental impact upon the amenity of neighbouring residents.
- 5.36 As such the proposal accords with the criteria set out within Policies GC2, GC4, EN4, E2, TS3 & TS4 of the Development Management DPD, Policies 2, 5 and 15 of the Joint Core Strategy and Policy EMP1 of the Salhouse Neighbourhood Plan. The proposal is in accordance with the National Planning Policy Framework and is considered to be an acceptable form of development.

Recommendation: Approve 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

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