

Minutes of a meeting of the **Planning Committee** held via video link on **Wednesday 20 May 2020** at **9.30am**.

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

Miss S Lawn – Chairman

Mr A D Adams  
Mr S C Beadle  
Mr J Fisher  
Mr R R Foulger

Ms R M Grattan  
Mrs C Karimi-Ghovanlou  
Mr K S Kelly

Mr I N Moncur  
Mr S Riley  
Mr J M Ward

The following Member attended the meeting and spoke with the Chairman's concurrence on the item shown:

Ms S Holland                      Minute no: 90 Application no: 20190904 – 81 Buxton Road, Spixworth

Also in attendance were the Assistant Director - Planning; the Governance Manager, the Development Manager (TL), the East Area Team Manager (NH) and the Committee Officer (DM).

### **85      DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8**

The following declarations were made during a roll call:

<b>Member</b>	<b>Minute No &amp; Heading</b>	<b>Nature of Interest</b>
Mr K Kelly	88 - 20181601 – LAND SOUTH OF SMEE LANE, POSTWICK	Member of the Norfolk Rivers Internal Drainage Board - consultee for the application. Non-disclosable local choice interest.
Ms R M Grattan		Ward Member - had not been involved in any discussions on the application. Non-disclosable local choice interest.
Mr J M Ward*	89 - 20181762 – SITE 4 NORWICH AIRPORT HORSHAM ST FAITH	Member of Sprowston Town Council - had attended the meeting when the application had been discussed but had not voted. Non-disclosable local choice interest.

*\*interest declared during the meeting*

### **86 APOLOGY FOR ABSENCE**

An apology for absence was received from Mr Clancy.

### **87 MINUTES**

The Minutes of the meeting held on 4 March 2020 were confirmed as a correct record and signed by the Chairman.

*In respect of the decisions indicated in the following Minutes (nos: 88 to 90), 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 were subject to the final determination of the Director of Place.*

### **88 APPLICATION NUMBER 20181601 – LAND SOUTH OF SMEE LANE, POSTWICK**

The Committee considered a hybrid application for:

(1) Outline application for the erection of up to 205 dwellings with associated infrastructure, public open space and 2 ha site for the following range of uses: Primary School (D1); Crèche, Community Hall, Day Nursery (D1); Outdoor/Indoor Sports Facilities (D2); A Continuing Care Retirement Community (CCRC), Nursing Home Care Facilities (C2)

(2) Full application for the erection of 315 dwellings, accesses and associated works

The full application area amounted to 13.5 ha and the outline application area amounted to 9.5 ha. The site was part of allocation GT11 of the Growth Triangle Area Action Plan (2016) (GT AAP) which allocated approximately 45 ha of land for mixed use development. The balance of GT11, not subject to this application, was being promoted separately and already had outline permission for a total of 283 dwellings and a 2 ha site for a primary school.

The application was reported to committee as it was being recommended for approval contrary to the Development Plan.

The East Area Team Manager (NH) presented the report in detail, taking Members through a number of plans, maps, drawings and photographs detailing the proposals. Members noted the context of the site as set out in detail in the report and the detailed proposals in relation to the outline application and the full application.

The Committee noted the content of a letter from Mr Bryan Robson in relation to concerns about the provision for affordable submitted as a late addition to the supplementary papers and the officer response to the concerns. The Committee also noted the views expressed at the meeting of Hannah Guy – agent for the applicants who outlined the main features of the application and welcomed the officer recommendation and presentation of the application.

In response to questions from Members, the East Area Team Manager (NH) confirmed that regard had been given to the need to promote sustainable development in accordance with the relevant paragraph of the NPPF and that appropriate provision had been made within the scheme to offer alternative transport options/links. The site was within a sustainable location. Officers were satisfied with the tenure and mix of affordable housing and, in terms of aviation safety, the SuDs were designed to not be permanently wet so as to not attract bird wildlife and the risk of bird strike. In regard to mitigating impacts on education infrastructure, this would be dealt with via Norfolk County Council through CIL. In terms of impacts on healthcare this was not on the Broadland CIL 123 list and it was not considered that obligations could reasonably be sought through S106 as the responsibility for health care provision remained with the health providers, primarily with NHS England. It was confirmed that the bunding to be provided would be progressed in line with the phasing of the development. A concern was raised about the urban feel of the development in particular the “town houses” and officers commented that site GT11, as with other nearby allocations, was located within the line of the new Broadland Northway and was an extension of the existing and consented suburban development to the west with the more rural landscape setting to be retained on the eastern side of the Broadland Northway. With regard to the requirement within the wider allocation to provide a site for a new primary school, and the fact that potential provision had been made for this in both the application site and an alternative site to the north, the preferred site would become clear as the developments progressed but provision needed to be secured as part of the current application. Either site would require a means of safe crossing over Smee Lane. With regard to a site for a Police Deployment Base, whilst noting that the allocation referred to this, it was noted that no such provision was included within either this current hybrid application or the permission to the north. It was noted that Norfolk Constabulary had confirmed that they were now progressing with plans for a much larger facility which required a 4.5ac site and had submitted a full planning application for the facility on the Broadland Gate site [allocation GT10]. Given that the needs of Norfolk Constabulary had changed from when the GT AAP was produced it was not considered reasonable for these needs to still be met on the application site.

A comment was made about housing mix and density and, whilst there was currently no provision for bungalows in the current full application and no requirement as part of the relevant policy for this, it was felt desirable to include provision for bungalows in forthcoming detailed applications for this wider site. This could be encouraged as part of consideration of future

reserved matters applications on the northern part of the site subject to the outline application.

Section 38(6) required applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The site was allocated in the Growth Triangle Area Action Plan 2016 for mixed use development. The scheme included 520 dwellings with reserved 2 ha for alternative uses and it was considered that the principle of development was acceptable. The proportion of affordable housing (28%) was below that expected by the GT AAP (33%), but did comply with the requirements of the JCS Policy 4 being in accordance with the most up to date needs assessment for the area.

Members supported the officer view that this was a material consideration which justified a departure from the GT AAP.

Members noted that the direct and indirect significant effects of the proposed development on biodiversity (with particular attention to species and habitats protected under EU Directive), heritage, landscape, transport, and the interaction between these factors had been assessed and mitigation measures were embedded in the design of the development or secured either through conditions or the section 106 agreement to avoid significant effects. They therefore agreed that the proposal complied with other relevant policies of the development plan and would not result in significant adverse impacts which could not be mitigated either by way of condition or Section 106 Agreement.

It was proposed, seconded and, by way of a roll call, with 11 members voting for, 0 against,

### **RESOLVED:**

to delegate authority to the Director of Place to approve the application subject to no objections from the Highway Authority and the Contracts Officer and subject to the following conditions and Section 106 Agreement to secure the following heads of terms:

#### Conditions (Full):

- (1) Time Limit
- (2) Plans and Documents
- (3) Foul drainage strategy
- (4) Surface water drainage strategy
- (5) Arboricultural Method Statement and Tree Protection
- (6) Plans
- (7) Detailed landscaping scheme
- (8) Landscape Ecological Management Plan

- (9) Construction Environment Management Plan
- (10) Precise details of external materials
- (11) Highways conditions (TBC)
- (12) Archaeology
- (13) Land contamination
- (14) Dust mitigation during construction
- (15) Implementation of noise mitigation measures – bund, fence and ventilation
- (16) Fire hydrants
- (17) Energy and water efficiency measures
- (18) Lighting

### Conditions (Outline):

- (1) Time limit
- (2) RM condition – layout, scale, appearance, landscaping
- (3) Limit to 205 dwellings and in accordance with parameters and phasing plan
- (4) Foul drainage per phase
- (5) Surface water drainage per phase
- (6) Arboricultural Method Statement and Tree Protection Plans per phase
- (7) Landscape Ecological Management Plan per phase
- (8) Construction Ecological Management Plan per phase
- (9) Highways (tbc)
- (10) Archaeology per phase
- (11) Land contamination per phase
- (12) Dust mitigation during construction per phase
- (13) Noise assessment per phase
- (14) Fire hydrants per phase
- (15) Energy efficiency measures per phase
- (16) Lighting per phase

### Section 106 Agreement Heads of Terms:

- (1) 28% Affordable Housing (65% Affordable Rent and 35% Shared Ownership) (or as otherwise agreed by the Council in its absolute discretion)
- (2) Open Space to comply with EN1, EN3 and RL1 of DM DPD
- (3) Provision of 2ha site for Primary School
- (4) Travel Plan

*[The Committee adjourned for a 5 minute comfort break following which a roll call was taken to confirm that all members as recorded above were in attendance.]*

**89 APPLICATION NUMBER 20181762 – SITE 4 NORWICH AIRPORT  
HORSHAM ST FAITH**

The Committee considered an application for the Variation of conditions 1, 2, 3, 4, 5, 6, 11, 13, 20 and 25 of planning permissions 20161133 and 16/00965/VC to allow up to 47,517.5 sqm (GEA) of aviation related employment floor space and 47,517.5 sqm (GEA) of general employment floor space in use classes B1(b), B1(c), B2, B8 and changes to the development parameters, height parameters and phasing plans.

Members noted the full variations/changes to the conditions as set out in the report which in summary sought to amend the conditions to allow 50 per cent of the approved floor space to be used for employment purposes not related to aviation and to raise building heights on part of the site due to the removal of safeguarding constraints from the location of radar equipment.

The application was reported to Committee as the site area that was within the district council's administrative boundary was outside of any settlement limit and the variation to allow 50% of the total approved floor space for general employment uses did not accord with any specific policy or allocation in the current Development Plan. Norwich Airport straddled the administrative boundaries of Broadland and Norwich City Councils [NCC] and a duplicate planning application had also been submitted to NCC. With the greater part of the application site falling within NCC's boundary (approximately 12 ha of the building area was within Broadland and about 22.6 ha within NCC area).

Gareth Wilson agent for the application advised Members that he was available to answer any questions about the proposal and, in response to a question about future aviation/alternative uses of the site, particularly post Covid19, Mr Wilson commented that the airport master plan which was the evidence base used to determine potential uses covered the period 2020-2045 and would provided for future needs based on a split of uses with up to 50% aviation related.

Members noted the context of the site as set out in detail in the report and the detailed proposals in relation to the variation application. They noted the relevant planning history of the site as set out in the report and that the proposals were supported by evidence commissioned by the Airport and the City Council that not all the site was likely to be required for aviation related purposes in the future and an Airport Masterplan endorsed by the City Council and supported at officer level by BDC referred to safeguarding 44% of Site 4 for aviation related purposes, which corresponded to 50% of the development approved under the outline consent.

Members agreed that these represented significant material considerations in the consideration of this application and although the site was not formally allocated for general employment development, there was extant planning

permission for development on the site and it was considered that allowing some non-aviation employment development could help deliver some of the essential site infrastructure, increasing the viability of the site for occupancy by aviation related businesses in the future. This would deliver a significant boost to the provision of high skilled jobs in the wider Norwich area with resultant social and economic benefits for the locality.

Whilst there were issues in terms of accessibility by non-car modes of transport due to its location, Members noted that a new cycle path alongside the NDR now connected the site to St Faith's Road and north Norwich together with Horsham St Faith. In addition, the applicant had committed to providing space for a mobility hub which would assist in promoting sustainable forms of transport.

Members noted the enhancements proposed to landscape parameters to address sensitivities in terms of public views and the setting of heritage assets and to mitigate increases to the maximum height parameters.

Having balanced the planning merits of the proposal and having regard to the material considerations, Members felt there were sufficient reasons to approve the application contrary to the provisions of the Development Plan subject to the imposition of the conditions.

It was proposed, seconded and, by way of a roll call, with 11 members voting for, 0 against,

### **RESOLVED:**

To approve the application, proposed conditions and reasons as revised and set out in Appendix B of the report.

*[The Committee adjourned for a 5 minute comfort break following which a roll call was taken to confirm that all members as recorded above were in attendance.]*

## **90 APPLICATION NUMBER 20190904 – 81 BUXTON ROAD, SPIXWORTH**

The Committee considered an application to subdivide the plot at 81 Buxton Road, Spixworth and erect two new dwellings with shared access to William Peck Close. The application followed a previous proposal permitted in outline for the same; the difference being the size, design and external appearance of both dwellings and the siting of the plot 1 dwelling which was now further to the rear of the plot.

The application was reported to committee at the request of the local Member for appropriate planning reasons as set out in Section 4 of the report.

The proposed dwellings would both be one-and-a-half stories, external materials would include red brick for the walls; red clay pantiles for the roof slopes; and dark grey aluminium for the windows and doors. Members noted the revised siting of plot 1 dwelling as detailed in the report and considered the changes to the size, design and external appearance of both dwellings.

Members noted the surrounding built form of the area and that the site was within the private garden of a residential property within the Spixworth settlement limit. Trees within the rear gardens of nos: 79 and 81 were subject to a TPO and the scheme required the removal of a number of trees, in particular the poorer specimens.

The Committee received verbal views from Ms S Holland, the Ward Member, who raised concerns about the detrimental impact of the proposal on the character and amenity of the area, it was not in keeping with the surrounding built form and the proposed Juliette balcony [plot 1] would increase overlooking. There was also an issue of lack of provision for visitor parking. Members also noted concerns received by email from the owner of No. 79 Buxton Road regarding the close proximity of a Leyland Cypress and the north wall of the dwelling on plot 1 as reported in the Supplementary Schedule.

With regard to plot 1, a concern was raised about the increased size of the building and its impact. It was not in keeping with the surrounding area and was overdevelopment of the site, In particular, the excavation of the newly proposed basement level would have an adverse impact on tree T7 whose location was very close to the boundary albeit not clear how close from the plans/photographs. There was also insufficient parking. In effect the proposal was not acceptable in design terms and did not satisfy Policy GC4.

Members generally, however, supported officer views that the proposal, despite being larger in size was still acceptable having regard to the distances to neighbouring properties and that the scale, design and form were acceptable. The Juliette balcony did not provide for sitting outside at first floor level and was sufficient distance from the properties to the rear so would not therefore have a significant impact on overlooking. Members also noted the measures in place in relation to root pruning and tree protection required and agreed, particularly in relation to tree T7 which had been assessed on site by the Council's Tree and Conservation Officer.

Taking all the relevant information into account and subject to the approval of details on external materials; implementation of the agreed tree protection measures; approval of details on replacement planting; provision of the new access, visibility splay and parking/turning space; implementation of the boundary treatments; and the removal of permitted development for Classes A, B and C on Plots 1 and 2 and Class E on Plot 1, Members felt the development proposed would be acceptable and would not result in any significant detrimental impact on the character and appearance of the area,



the amenity of potential future occupiers, the amenity of existing properties or highway safety,. The proposal would therefore comply with Policies GC1, GC2, GC4, EN2, TS3 and TS4 of the DM DPD.

It was proposed, seconded and, by way of a roll call, with 9 members voting for, 2 against,

### **RESOLVED:**

to approve the application, subject to the following conditions:

- (1) Time limit – full permission
- (2) In accordance with submitted drawings
- (3) External materials to be agreed
- (4) Tree protection (implementation only – details already agreed)
- (5) Replacement planting
- (6) New access
- (7) Visibility splay
- (8) Provision of parking
- (9) Implementation of boundary treatment
- (10) No PD for Classes A, B & C on Plots 1 and 2 and No PD for Class E on Plot 1

Informatives: 117 Planning Committee 20190904 – 81 Buxton Road, Spixworth 20 May 2020 (1) NPPF Statement of conformity (2) CIL Full permission (3) CNC (4) When vehicular access works are required

## **91 PLANNING APPEALS**

The Committee noted details of the latest planning appeal decisions received and appeals lodged.

*The meeting closed at 12:13pm*