

Planning Committee

Agenda

Date

Wednesday 8 January 2020

Members of the Planning Committee

Miss S Lawn
(Chairman)

Mr J M Ward
(Vice Chairman)

Mr A D Adams
Mr S C Beadle
Mr S M Clancy
Mr J F Fisher
Mr R R Foulger

Ms R M Grattan
Mrs C Karimi-Ghovanlou
Mr I N Moncur
Mr S Riley

Time

9.30am

Place

Council Chamber
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Substitutes

Conservative pool

Mr N J Brennan
Mr A D Crotch
Mr K S Kelly
Mr D King
Mr K G Leggett
Mrs T M Mancini-Boyle
Mr M L Murrell
Mr G K Nurden
Mrs S M Prutton
Ms C E Ryman-Tubb
Mr M D Snowling
Miss J L Thomas
Mrs K A Vincent
Mr S A Vincent
Mr S C Walker
Mr F Whymark

Liberal Democrat

Mr D J Britcher
Mr D G Harrison*
Mrs L A Starling
Mr D M Thomas

Contact

Sara Utting tel (01603) 430428

Broadland District
Council
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich NR7 0DU



*not met training requirement so ineligible to serve

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.

E-mail: sara.utting@broadland.gov.uk



@BDCCDemServices

The Openness of Local Government Bodies Regulations 2014

Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.

**The Chairman will ask if anyone wishes to
film / record this meeting**

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 | <u>Minutes of meeting held on 18 December 2019</u> | 5 - 9 |
| 4 | Matters arising therefrom (if any) | |
| 5 | Applications for planning permission to be considered by the Committee in the following order: | |
| | <u>Schedule of Applications</u> | 10 |
| | Planning Applications | 11 - 99 |
| 6 | <u>Planning Appeals (for information)</u> | 100 - 101 |

Please Note: In the event that the Committee has not completed its business by 1.00pm, at the discretion of the Chairman the meeting will adjourn for 30 minutes.

Trevor Holden
Managing Director

Copies of the applications and any supporting documents, third party representations and views of consultees are available for inspection in the planning control section.

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.

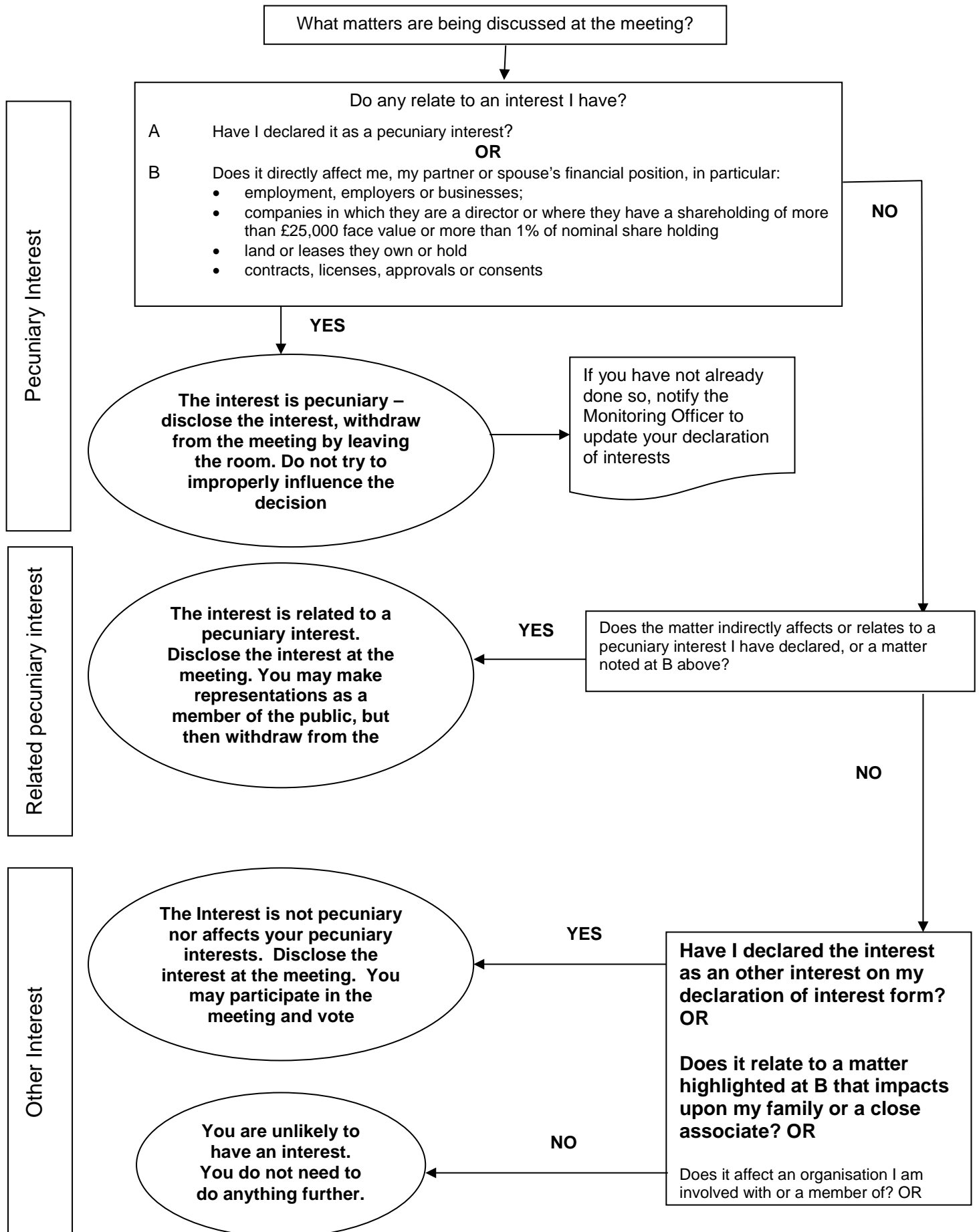
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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 at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 18 December 2019** at **9.30am** when there were present:

Mr J M Ward – Chairman

Mr A D Adams
Mr S C Beadle
Mr N J Brennan

Mr S M Clancy
Mr J F Fisher
Mr R R Foulger

Ms R M Grattan
Mrs C Karimi-Ghovanlou
Mrs S M Prutton

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

Mrs L Hempsall Minute no: 62 (land north of Norwich Road, Acle)

Also in attendance were the Assistant Director of Planning; Area Planning Manager (West); Senior Planning Officer (East) and the Senior Committee Officer.

59 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mr Adams, Mr Clancy, Mr Fisher and Mr Ward	62 (land north of Norwich Road, Acle)	Norfolk County Councillors. Repton Property Developments Ltd (company wholly owned by Norfolk County Council) was the owner of the site. Local choice, non-pecuniary interest.

60 APOLOGIES FOR ABSENCE

Apologies for absence were received from Miss Lawn, Mr Moncur and Mr Riley.

61 MINUTES

The Minutes of the meeting held on 27 November 2019 were confirmed as a correct record and signed by the Chairman.

In respect of the decisions indicated in the following Minute (no: 62), 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.

62 APPLICATION NUMBER 20191215 – LAND NORTH OF NORWICH ROAD, ACLE

The Committee considered a reserved matters application for 137 dwellings following grant of outline planning permission (20172189) with full details of appearance, landscaping, layout and scale of development, together with associated highway works on land to the north of Norwich Road in Acle. All matters except access had been reserved as part of the outline application and the outline permission had included vehicular access and egress via the existing roundabout on Norwich Road to the south of the site and pedestrian accesses and emergency vehicular access provided to Mill Lane to the north. A pedestrian footpath was proposed along the southern side on Mill Lane. The proposal included a mix of single and two storey dwellings and flats and comprised 45 affordable units (equating to 33%). A central area of open space was proposed along with a play area and informal open space along the western boundary. A series of drainage lagoons for surface water drainage purposes were proposed in the south west corner.

The application was reported to committee at the request of the Ward Member for the reasons given in paragraph 4.2 of the report.

The Committee noted the receipt of: three additional letters of objection; a revised refuse strategy together with the comments of the Contracts Officer and the Senior Planning Officer's response; additional sections showing relationships between proposed plots and neighbouring properties at Mill Road, St Edmunds Road and Norwich Road, together with the officer response and an email received from the agent, together with the officer response, all as reported in the Supplementary Schedule. The Senior Planning Officer also reported at the meeting that the comments on the current proposal on page 26 listed under the Highway Authority should have been attributed to the Lead Local Flood Authority at the end of paragraph 4.6 on page 27 and advised that the officer recommendation was to be updated to include reference to the levels and boundaries treatments on the southern and eastern boundaries were to be resolved prior to planning permission being granted and the imposition of an additional condition relating to the removal of Permitted Development Rights for garage conversions on plots where a garage was counted as part of the parking requirement.

In addition, the Committee received the verbal views of Pauline James, Clerk to Acle Parish Council; Janet Clay of The Firs, Norwich Road in Acle; John Harriss of 23 St Edmunds Road in Acle; Brian Iles (Norfolk County Councillor) all either objecting or expressing concerns on the application and Sam Sinclair of Lovell Homes (the applicant) and Iain Hill of Bidwells (the agent) at the meeting. Mrs Hempsall, the Ward Member, expressed her support for the application but requested the committee to ensure the outstanding issues were resolved before planning permission was granted.

The site had been allocated in the Broadland Site Specific Allocations under Policy ACL1 for 120-150 dwellings and as outline planning permission had been granted in May 2018 for up to 140 dwellings, the Committee accepted that the principle of development had been established.

It was noted that the application had been amended a number of times to address concerns or ensure conditions imposed at the outline stage were adhered to, such as the provision of single storey dwellings only on plots adjacent to Norwich Road and St Edmunds Road to protect the residential amenity of those properties. Regarding the properties on Mill Lane, Members noted that these were two storey dwellings and therefore, it would be unreasonable to require new dwellings to be single storey. Furthermore, the distances between the existing and proposed dwellings exceeded the recommended distances in the Broadland Design Guide and whilst there would be increased overlooking, this was not considered significant enough to warrant refusal of the application. Careful placement of new boundary treatments would provide screening to reduce potential overlooking towards neighbouring properties. Members took into consideration one of the key objectives in the NPPF which was to make the most effective use of land and, therefore, although the density of the dwelling was higher in the north east of the site, on balance, it was not considered to be unacceptable. The density was less on the western edge of the site which, along with the public open space and proposed landscaping, would help soften the impact of the development within the landscape, including the nearby Broads Area. Accordingly, the proposal was considered to comply with Policies 2 and 18 in the JCS, Policy GC4 of the DM DPD and Policies 5 and 10 of the Acle Neighbourhood Plan.

It was noted that the Section 106 Agreement, imposed on the outline permission, required 0.36 hectares of on-site play space and 0.66 hectares of informal open space. The play space would be provided to the west of the site and include a variety of equipment and the informal open space was largely to be provided as a central area of green space in the centre of the site with the remainder provided to the west of the site which would provide an important buffer and help to integrate the development into the wider rural landscape. An additional one hectare of off-site informal open space was also required as part of the application and details of this were still awaited.

In terms of highway safety, the Committee noted that the Highway Authority was not objecting to the proposal. Members noted the concerns raised through the consultation on the level of proposed car parking but took into consideration the fact that this complied with the standards in the Acle Neighbouring Plan and also the County Council's highway standards and furthermore, many properties had in excess of the minimum standard. All the garages on the site were 7 metres long which would allow for storage in addition to a car parking space. Members noted the proposed additional condition relating to the garages, as referred to above, which would ensure the parking provision would be retained. Accordingly, the proposal was

considered to comply with Policy TS4 of the DM DPD and Policy 11 in the Acle Neighbourhood Plan. The issues regarding access for refuse collection vehicles remained outstanding and Members noted these would be resolved prior to planning permission being granted.

In terms of surface water drainage, it was noted that the proposal was for this to infiltrate in shared soakaways, with water from the highway being transferred to the southwest corner of the site via a surface water sewer into a series of cascading infiltration basins located alongside the access road to the site. The Committee was mindful that locations of all the proposed soakaways and percolation tests in those areas had not been provided and, as a result, it had not been demonstrated that the proposed surface water strategy would work and accordingly, the LLFA had objected to the application on that basis. However, further negotiations would take place and further soakaway and percolation testing would take place to ensure a satisfactory surface water drainage scheme could be achieved and Members acknowledged these matters would be resolved prior to planning permission being granted, as they were an integral part of the reserved matters layout.

Regarding foul water drainage, the Committee noted that it was proposed to discharge water into the foul sewer on Norwich Road, acknowledging that this would be resolved via a condition to allow the details to be fully considered and approved which Anglian Water had accepted.

The Committee noted that two properties on Norwich Road used water from a well as part of their domestic supply and heard from one of the speakers that there were concerns the supply might be contaminated or reduced as a result of the development. Officers had discussed the matter informally with the Environment Agency who had confirmed that it was unlikely the development would adversely impact the supply but a ground water report needed to be produced to demonstrate that would be the case and this had been conditioned. Nevertheless, Members wanted an assurance prior to development commencing and officers agreed the officer recommendation could be further amended to reflect this.

Members were pleased to note the provision of 45 affordable dwellings as part of the development (33%) which complied with Policy 4 in the JCS and the requirements of the S106 Agreement and in addition, the properties would be provided in clusters throughout the development.

In terms of all other matters raised through the consultation, Members noted that these had either been resolved or would be dealt with by the imposition of appropriate conditions.

In conclusion, it was considered that the proposed developed, in its revised form, would provide a well-designed scheme with legible links to the surrounding area and would not significantly adversely affect residential

amenity, highway safety, the local landscape or increase flood risk elsewhere. Accordingly, it was

RESOLVED:

to delegate authority to the Director of Place to approve application number 20191215, subject to the conditions below and subject to sufficient information being submitted to demonstrate the surface water drainage strategy is acceptable; the private water supply on Norwich Road will not be adversely affected; refuse collection can be adequately accommodated and the levels and boundaries treatments on the southern and eastern boundaries are resolved.

Conditions:

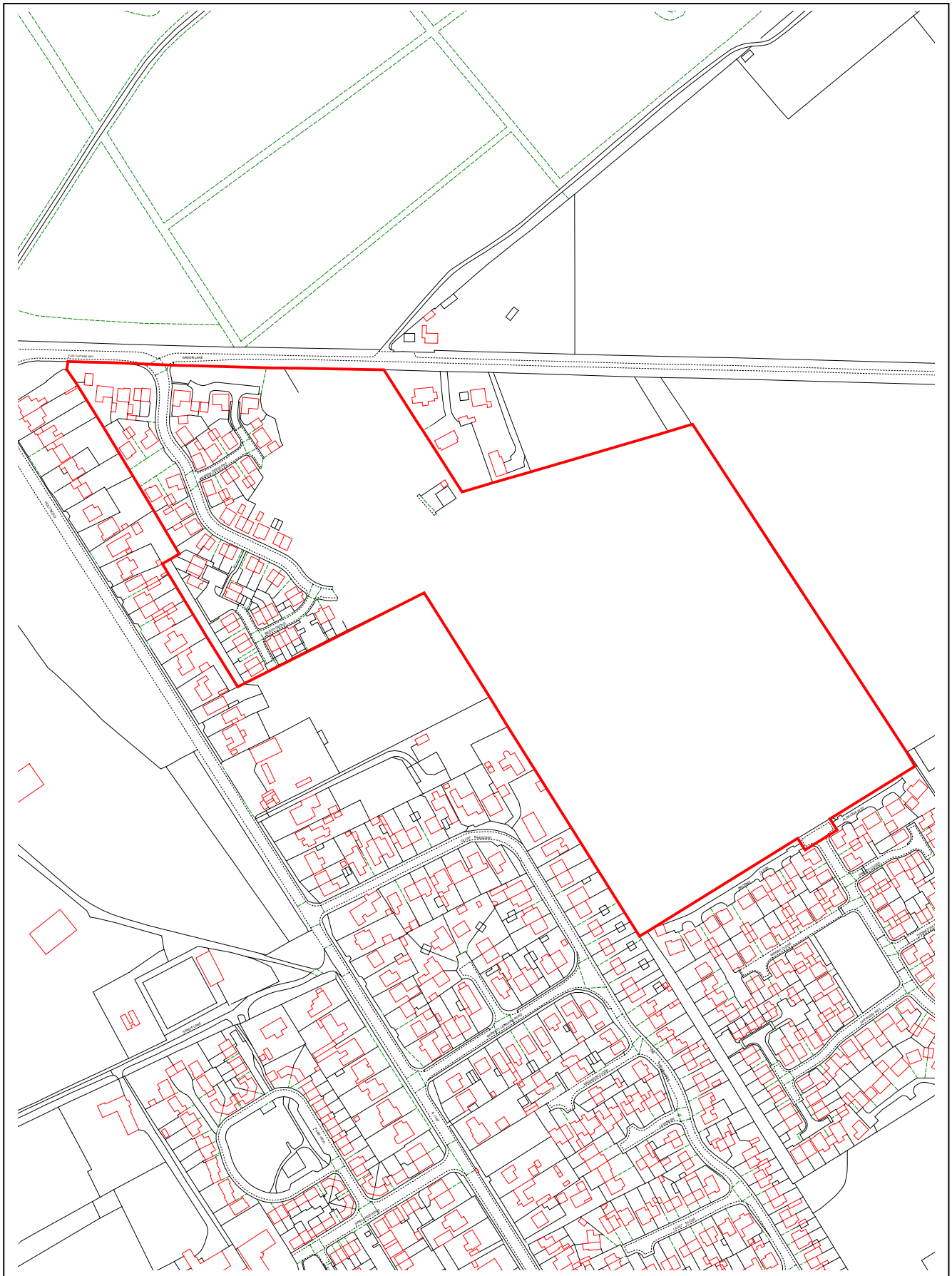
- (1) Compliance with outline conditions (bespoke)
- (2) In accordance with submitted drawings (AD01)
- (3) Materials (D02)
- (4) Landscaping (L05)
- (5) Trees protection (L08)
- (6) Boundary treatments (bespoke)
- (7) Standard estate road (HC01)
- (8) Standard estate road (HC02)
- (9) Standard estate road (HC03A)
- (10) Foul water drainage (bespoke)
- (11) Private water supply protection report (bespoke)
- (12) Fire hydrants (D09)
- (13) Permitted Development Rights removed for garage conversion on plots where a garage is counted as part of the parking requirement (bespoke).

The meeting closed at 10:25am

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Area	Application No	Location	Officer Recommendation	Page Nos
1	<u>20190999</u>	<u>Land East of Holt Road, Horsford</u>	Delegate authority to the DoP to APPROVE subject to completion of a Section 106 Agreement and conditions	11 – 43
2	<u>20190597</u>	<u>St Michael's Hospital, Cawston Road, Aylsham</u>	Delegate authority to the DoP to APPROVE subject to completion of a Section 106 Agreement and conditions	44 – 64
3	<u>20191655</u>	<u>Land rear of 41b & 41c The Street, Felthorpe</u>	WITHDRAWN by applicant	65 – 93
4	<u>20191678</u>	<u>Perrys Lane Farm, Perrys Lane, Cawston</u>	APPROVE subject to conditions	94 - 99

DoP Director of Place



Application No: 20190999

Land East of Holt Road, Horsford, NR10 3ED

**Scale:
1:3800**

**Date:
23-Dec-19**



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Application No: [20190999](#)
Parish: **Horsford**

Applicant's Name: BDW Eastern Counties
Site Address: Land East of Holt Road, Horsford, NR10 3ED
Proposal: Erection of 304 dwellings together with associated public open space, landscaping, internal roads, drainage and infrastructure works.

Reasons for reporting to committee

- (1) As it is being recommended for approval contrary to the current development plan policies.
- (2) 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:

Delegate authority to Director of Place to approve subject to completion of a Section 106 Agreement and conditions.

1 Proposal and site context

- 1.1 The application seeks full planning permission for the erection of 304 dwellings, together with associated public open space, landscaping, internal roads, drainage and infrastructure works. This is a revised application following approval for 259 dwellings for the same application site. The proposed development is made up of 110 dwellings previously approved under planning permission [20161770](#) granted in October 2017 and 194 units on the second part of the site (an additional 45 units). The first phase of the approved application are currently under construction and largely completed.
- 1.2 The 304 dwellings consist of 213 open market houses comprising 26 two-bedroom properties, 82 three-bedroom properties, 96 four-bedroom properties and 9 five-bedroom properties. It is intended that 91 of the dwellings would be provided as affordable housing (30%) comprising of 46 affordable rent, 32 discount market units and 13 shared ownership units.
- 1.3 The main vehicular access and pedestrian access to the site will continue to be from Holt Road via Green Lane and the newly constructed roundabout on Holt Road at the junction of Green Lane. The secondary access to the south will provide pedestrian, cycle and bus access only.
- 1.4 A series of small green spaces will be provided across the site totalling 14,733m². The largest area of public open space (2,926m²) is proposed in a central location and is designed as a multi-function space, used as a location for play equipment, open playing field and landscaping. The space will include

an equipped pay area (LEAP) of 400 m²).

- 1.5 The application site is situated to the far north end of Horsford, to the east of the main Holt Road, which runs through the village. It is outside the settlement limit that has been defined for the village within the Local Plan.
- 1.6 The application site is comprised of approximately 11.27 hectares of relatively flat former agricultural land. The site is bordered by existing residential development on Holt Road, Olive Crescent and Butterfly Mill to the south, south east and south west. To the east, the site is bordered by arable farmland. To the north is Green Lane with three residential properties, one with a detached annex. To the north of Green Lane is Horsford Woods, which is designated as a County Wildlife Site
- 1.7 Residential dwellings comprising of detached and semi-detached two storey dwellings and bungalows are located along the Holt Road boundary to the west. To the south-west are the rear boundaries of properties, which front onto Olive Crescent. To the south, the site shares a boundary with the recently constructed David Wilson Homes development for 125 dwellings, known as Butterfly Mill.

2 Relevant planning history

- 2.1 [20161418](#): Environmental Impact Assessment Screening Opinion issued by the Local Planning Authority on 1 September 2016 concluding that the development did not require an Environmental Impact Assessment.
- 2.2 [20161770](#): Erection of 259 dwellings, together with associated public open space, landscaping, highways and drainage infrastructure works. Approved 6 October 2017.

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 05 : Delivering a sufficient supply of homes
NPPF 08 : Promoting healthy and safe communities
NPPF 09 : Promoting sustainable transport
NPPF 12 : Achieving well-designed places
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
NPPF 15 : Conserving and enhancing the natural environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design

Policy 3: Energy and water
Policy 4 : Housing delivery
Policy 6 : Access and Transportation
Policy 7 : Supporting Communities
Policy 9 : Strategy for growth in the Norwich Policy Area
Policy 15 : Service Villages
Policy 21 : Implementation of proposals in the Norwich Policy Area

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 EN3 : Green Infrastructure
Policy EN4 : Pollution
Policy RL1 : Provision of formal recreational space
Policy TS2 : Travel Plans and Transport Assessments
Policy TS3 : Highway safety
Policy TS4 : Parking guidelines
Policy CSU5 : Surface water drainage

Horsford Neighbourhood Plan

Policy CM02 : New outdoor recreation space
Policy HBE1 : Mixed housing
Policy HBE2 : Connectivity
Policy HBE3 : High quality design
Policy TRA3 : Private parking

3.4 Supplementary Planning Documents (SPD)

Recreational Provision in Residential Development SPD
Landscape Character Assessment
Parking Standards SPD
Affordable Housing SPD

4 Consultations

4.1 Horsford Parish Council

The Parish Council totally and unanimously rejects this application to increase the size of the DW Homes development with the consequent loss of recreational space. The objections are given in more detail in the two attachments. One compares with the policies in the Horsford Neighbourhood Plan (July 2018) and the other is a more detailed criticism. (Officer summary

below.)

- The application does not comply with Policy COM2 of the Horsford Neighbourhood Plan (NP), which requires all large development to make a generous provision for formal and informal recreation. The application has now reduced the recreational space by approximately 60%, which has been compensated for by the introduction of pocket and linear parks along the main spine road;
- Small areas are now scattered within the development reducing recreational and amenity value. The design will encourage children to play along the side of a main road and is totally inappropriate for recreational use;
- The application does not comply with Policy TRA3 of the Horsford NP that requires new housing developments to minimise visual impact and dangerous obstruction of cars parking on the streets. Sufficient off-road parking should also be designed into developments;
- The safety of the site access ignores agreed standards and good practice highlighted by the Department of Transport. Access to the site does not comply with Development Management Policy TS3 which states development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network.

Further comments

The Parish Council is totally opposed to this application for the reasons set out in the attached document.

The modified design for the roundabout is totally unacceptable. By taking it slightly westwards it gives a straighter line to traffic travelling north on Holt Road which could lead to more speeding. The Council urges the planning authority to insist on reverting to the plan, which was put forward for a roundabout in line with Holt Road. When this was dropped, agreement had been reached with the various third parties to relinquish small parcels of land adjacent to the site, which would be needed for that location to be used. Planning conditions should seek to complete the work in the shortest possible time with the minimum disruption to traffic flow and local residents.

Since the previous application, other matters have come to light. Drainage is inadequate on the junction of Green Lane and Flagcutters Way and the layout encourages speeding.

The Parish Council has forwarded correspondence from a resident of Flagcutters Way raising concerns following a road traffic accident outside his home allegedly due to excessive speed. The Parish Council state that this highlights layout issues associated with the roundabout and layout of

Flagcutters Way. This must be given urgent consideration by the Highway authority and be a matter for consideration by the planning committee.

The Council understands that this has been 'called in' and is likely to be considered by the Planning Committee possibly in January. The Parish Council would like to be represented at this meeting.

4.2 Councillor Lisa Starling

I wish to call in this application, however if the Council are minded to refuse I would be happy that the local planning authority will act under their delegated powers.

My reasons are as follows:

- The Joint Core Strategy Policy 15 states that only small-scale developments are to be permitted in Horsford.
- Approximately 467 dwellings have already been approved (Butterfly Mill, Kingfisher Meadow, Crown Hill and West of Holt road). As there is a 5-year supply of housing land I believe there is no justification for an additional 47 houses on top of the 259 already approved for this site.
- Extra strain on services. GP practice, local shop. Entertainment – one public house due to close in December.
- Extra traffic through the village. Specifically Mill Lane past the school, which will also be the bus route.
- Reduction in the size of the proposed recreation area is not beneficial to the residents. With gardens becoming smaller, it is important to have space for people to meet and children to play.
- Residents in Horsford feel that they have had more than enough of their fair share of development particularly at the east of Horsford.
- The roundabout is still deemed as unsafe and is still I believe being looked into.
- Supporting information with the original plans for 259 houses stated that there was a supermarket and a public house in the village. I do not believe the local shop can be deemed a supermarket and the public house has shut down.

No further comments received following re-consultation in relation to proposed highway/roundabout revisions.

4.3 Norfolk County Council Highways

With reference to the application and in relation to highways issues only,

notice is hereby given that Norfolk County Council would have no objection in principle to the proposed increase in properties. However, the recently constructed roundabout at the Green Lane/Holt Road junction has not been approved by the County Council. As a consequence, in the interests of highway safety, until such time as the roundabout and associated off-site highway improvements have passed a stage 3 safety audit and the final certificate of completion is issued, the County Council would have a holding highways objection to any further development served via Green Lane.

In addition to the above, with reference to the layout shown on drawing H7136-2A-SP-008, I would request that the following amendment/additional information be submitted.

- The red application boundary should extend over the full extent of off-site highway improvements required by the previous planning permission, including the widening of Green Lane, footway improvements and the roundabout at the junction with Holt Road.
- The proposed bus stop locations, including provision of a widened footway and shelter have not been provided.
- The number of visitor parking in the form of lay-bys has been significantly reduced from the approved layout.
- The footway adjacent to the main spine road should be widened or re-aligned to the extent of the required visibility splays.
- An adopted road is not required unless it serves at least 10 dwellings. Therefore, the access roads to plots 132-136, 183-185, 187-191, 195-197 and the section beyond the parking spaces to plot 178 would not be adopted.
- Why does the junction radii at the turning head between plots 142 and 165 need to be 8.0m? Additionally the side stub of the turning head between these plots should not narrow to 4.8m and should match the shared surface road width.
- The access to the private drive serving plots 260-263 is too close to the adjacent lay-by.
- The access to the private drive plots 166 and 167 is too close to the adjacent junction.
- The 90 degree bends on the shared surface road with a 10m centre line radius are too tight.
- The junction radii adjacent to plots 167 and 172 should be increased to 10m if this road is intended to serve further development beyond this site.

- All shared private drives must have a size 5 turning head.
- The submitted garage details show various dimensions, some of which will result in garages that are too small to be considered big enough to be used for parking. Any garage providing the third allocated parking space for a four or five bedroom dwelling must have minimum internal dimensions measuring 3m x 6m.
- All parking spaces located adjacent to a wall or fence must be 3m wide.
- The garage serving plot 135 must be 6m from the end of the turning head.
- All tandem parking spaces with a wall or fence at the end must be 11m long.
- Throughout the network of shared surface roads, all parking spaces must be set back 1m from the adopted highway.
- Pedestrian access from the highway to the entrance to all dwellings must be clear of the parking spaces.
- The garages serving plots 184 and 189 must be 11m from the end of the adjacent turning head.
- All shared private drives should be provided with visibility splays measuring 2.4m x 25m at junctions with shared surface roads.
- Plot 237 is a 4-bedroom dwelling with only two parking spaces, not 3 as required.
- One-bedroom flats should be provided with additional parking spaces for visitors or higher levels of car ownership, normally at the rate of 1.5 spaces per dwelling.
- The fence/wall and garage at the end of the parking spaces serving plots 245 and 246 must be 11m from the adjacent footway.
- Is the lay-by adjacent to plot 256 intended to be its allocated parking space, in which case it cannot form part of the adopted highway and must be clearly differentiated from the adjacent carriageway.
- The internal garage in the H349 house type is too small to accommodate a parked car.

Further comments:

The latest version of the masterplan layout that I have is H713602A-SP-001 rev B and the approved roundabout drawings are as follows:

22587_03_020_SK01.1 Rev L - S278 Amendments to Roundabout

22587_03_020_SK04 Rev G - Contours and Profiles
22587_03_020_SK05 Rev C - Impermeable Areas Plan
22587_03_020_SK06 Rev A – Surface Finishes Plan
22587_03_020_SK07 Rev A– Site Clearance
22587_03_080_SK05 Rev D – Remedial Works Standard Details
22587_03_100_01 Rev G – S278 Street lighting Layout Sheet 1 of 1
BDW_2A_DOE_001 Rev B – Deed of Easement Variation

All other S38 layout plans, long sections, construction drawings, etc have been superseded by later revisions that are still going through our technical vetting process and cannot be approved yet.

Should the District Council deem the proposed layout shown on drawing H713602A-SP-001 rev B to be acceptable, I have no objection to the granting of planning permission subject to the following conditions.

No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

Prior to the construction of the final dwelling all works shall be carried out on roads, footways, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority. Before any dwelling is first occupied, the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.

Prior to the first occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) shown on drawing 22587_03_020_SK01.1 Rev L shall be completed to the written satisfaction of the Local Planning Authority.

4.4 Norfolk County Council Minerals and Waste

The proposal site is underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Norfolk Minerals and Waste Core Strategy, and Core Strategy Policy CS16 'Safeguarding' is applicable. Safeguarded mineral resources are derived primarily from the BGS Mineral resources map (2004) as amended by the DiGMapGB-50 dataset.

A duty is placed upon Local Planning Authorities to ensure that mineral resources are not needlessly sterilised, as indicated in National Planning

Policy Framework (2019) paragraph 204, and 'A Guide to Mineral Safeguarding in England' published jointly by DCLG and the BGS. Paragraph 206 of the NPPF (2019) states that "Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working".

The documents supporting the application do include reference to the adopted Norfolk Minerals and Waste Core Strategy, which forms part of the development plan; and those parts of the NPPF, which relate to mineral safeguarding. A mineral resource assessment and a Materials Management Plan-Minerals have been carried out.

The Planning Statement includes reference to the minerals assessment and safeguarding. In Paragraph 4.66. of the Planning Statement, the applicant notes that the Mineral Management Plan prepared for the previous application was considered suitable by the Mineral Planning Authority.

The Mineral Management Plan assesses the onsite resources, through Particle Size Distribution testing of samples taken across the site. These results indicate that the material onsite meets the specification for a number of applications, which would be relevant to the construction phase. The MMP recommends that suitable material recovered from the groundworks phases of construction could be reused during the construction phases of the proposed development.

The County Council in its capacity as the Mineral Planning Authority (MPA) objects to the planning application (20190999) on this site unless:

A condition to require the proposed development to follow the recommendations of the Mineral Management Plan; regarding the reuse of material extracted from groundworks (including attenuation basins) in the construction phases; is contained within in any permission granted.

Norfolk County Council is objecting to the application 20190999 on the grounds of mineral resource safeguarding unless a condition is included in any grant of planning permission. This is in its capacity as the Statutory Authority for mineral planning in Norfolk.

Further comments:

The Mineral Planning Authority has been in discussion with the applicant. This application is for a revised second phase of the development, and an existing process is in place for the reuse of any mineral extracted as part of the overall development. There is an existing condition is in place to cover mineral reuse over the whole development (20161770) and construction is underway.

Therefore, it is considered in this case that it would be more expedient for this

existing condition to be replicated for the current application; rather than requiring the implementation of the Mineral Planning Authority's proposed condition as set out in our earlier response. This forms an updated response to application 2019099.

4.5 Norfolk County Council Lead Local Flood Authority

The applicant has provided a Flood Risk Assessment (FRA/Drainage Strategy) to account for the local flood risk issues and surface water drainage at this location. We refer to our previous response ref, FWP/17/5/4155, dated 8th February 2017 for the wider site, which we believe, is largely constructed. We welcome that Sustainable Drainage Systems (SuDS) have been proposed throughout the development.

An amended Maintenance and Management Plan is required to address the responsibility for maintaining the attenuation and infiltration basins and also the catch pits described in Section 5 of the submitted FRA and Drainage Strategy.

We have no objection subject to conditions being attached to any consent if this application is approved and the Applicant is in agreement with pre-commencement conditions. If not, we would request detailed designs of a surface water drainage scheme to be submitted and agreed prior to commencement of development and to be implemented prior to first occupation of the development.

Further comments

The applicant has provided an updated Flood Risk Assessment/Drainage Strategy to account for the local flood risk issues and surface water drainage in this location.

In our previous response, we pointed out the need for an amended Maintenance and Management Plan to address the responsibility for maintaining the attenuation and infiltration basins and also the catch pits described in the submitted FRA and Drainage Strategy.

This amendment has now been provided by the applicant. We therefore continue to have no objection subject to revised conditions being attached to any consent if this application is approved and the applicant is in agreement with pre-commencement conditions. If not, we would request detailed designs of a surface water drainage scheme to be submitted and agreed prior to first occupation of the development.

Alternatively, if further information is submitted, we request we are re-consulted.

Further comments

We have reviewed the application as submitted and wish to make the following comments:

The applicant has provided an updated Floor Risk Assessment/Drainage Strategy, along with supporting plans, drawings and calculations to account for the local floor risk issues and surface water drainage at this location.

We therefore recommend the pre-commencement conditions can be removed for this application.

4.6 Broadland District Council Contracts Officer

I have looked at the tracking plans which show the vehicle movements and it is pleasing to see the developer has tracked a large vehicle. There are some areas of footpath over running, but in reality, the actual vehicle used will be able to navigate this.

I have highlighted in red the areas on each plan where an issue was picked up on the tracking plans. Most of these are over running of the footpath but with specific reference to the attached plans these other issues should be addressed:

Drawing ref Site Layout Vehicle Tracking 1 H7136-2A-VT-001

- The area leading to plots 140 and 182 has been changed to remove the turning head. The vehicle will only reverse a maximum of 12m, so for all properties north of 141 and 179 in this area, a communal bin collection point will need to be provided nearest where the vehicle can safely reverse to, which will be around the boundary of 141/142 and 178/179.
- I'm sure this is probably a mistake, but the vehicle appears to turn into plot 189. This is unsafe and an appropriate vehicle tracking plan needs to be provided for this area of the site. If the vehicle cannot be safely manoeuvred in this area then a collection point will be needed nearest the turning head by plot 188.

Drawing ref Site Layout Vehicle Tracking 3 H7136-2A-VT-003

- If the vehicle is going to be using the turning head by plot 188 just to turn (see above comments regarding this area), then the turning head needs extending so the vehicle does not go onto the driveway section which it is currently shown as doing and a bin collection point needs adding.
- If the vehicle is expected to drive onto this road serving plots 187 - 191, then an appropriately tracking turning area needs to be shown.
- There area of plots 299 to 301 has been highlighted as a reversing

vehicle is likely to pass very close to front doors. However, a reversing assistant can be used in this area safely so we feel this risk can be mitigated in this particular area.

I have also looked at:

Drawing ref Site Layout Refuse Collection Strategy H7136-2A-SP-006

- Some changes to refuse collection points are needed across the site, also taking into account the comments above from the tracking plans. These necessary changes are highlighted on the attached plan.
- Please can the developer provide updated plans so we can confirm we are able to service all areas of the site and can agree the collection points with them.

Further comments:

Thanks for the updates to bin collection points. These are now in the most part agreeable.

There is one I'd like to seek clarification – can I check the section below will be adoptable highway? If so and we can access it, the only points to mention are that parking is included in the turning head design (although it looks like there are enough spaces for the households so they should park in the actual turning head) and the landscape feature to the right of the road. This looks to be a slope. If this is a downward slope, the vehicle may hit any installed fencing in the turn, if it is an upward slope, the vehicle will need enough space for the overhang before the slope.

The section at the top of the site where the turning head was removed is still a problem. Can you let me know how far this reversing distance is? It looks longer than the 12m specified and if it is, the bin collection points will need to be moved closer to where the vehicle can access. I expect that Highways are also likely to raise this as an issue as any removal vans/delivery vehicles would have similar issues as the layout encourages either reversing onto the private driveways to turn, or making a long reversing manoeuvre.

Further comments on revised plans:

With the extra information that this top road is designed as a through road to new further development (ie it is not a permanent arrangement), it is straight, and there is plenty of space for a reversing assistant to be seen during the manoeuvre, we are able to reverse along this stretch until the road is opened. The only thing that is likely to impede this is parked vehicles.

Further comments:

Revised plans take account all previous concerns and are now acceptable.

4.7 Norfolk County Council – Planning Obligations

The following infrastructure will need to be funded through CIL:

Education: Additional high school and sixth form places. £94,051 (41 x £2271 and 4 x £940).

Library: New development will have an impact on the library service and mitigation will be required to develop the service Between £75 per dwelling (£22,800) and £244 per dwelling (£74,176).

Education: It is understood that this development comprised of 18 1-bed houses and 286 multi-bed houses, this is the equivalent of 286 houses and would generate:

Early Education age: 28	High School age: 41
Primary School age: 80	Sixth Form age: 4

Current situation at local schools:

School	Capacity	Numbers on roll (Sept 2018)	Spare capacity No. of places
Early Education (2-4)	182	120	+62
Horsford C of E Primary (4-11)	420	293	+107
Hellesdon High School (11-16)	1195	1238	-43
Hellesdon High School (16-18)	183	298	-115

Taking into account the permitted planning application [20181136](#), a total of 370 chargeable dwellings (including the land to the East of Holt Road site) would generate an additional 36 Early Education (2-4 year old) children, an additional 104 primary school age (4-11) children, and additional 54 high school age (11-16) children and an additional 6 6th Form age (16-18) children. Although there would still be spare capacity in the Early Education sector and at Horsford Primary school, there would be insufficient capacity at Hellesdon High School for children from this proposed development should it be approved.

Fire: This development will require 1 fire hydrant per 50 dwellings at a cost of £824 per hydrant, which should be dealt with through condition. This development would require 7 fire hydrants equalling £5768.

Library: New development will have an impact on the library service and mitigation will be required to develop the service, so it can accommodate the residents from new development and adapt to user's needs.

Green Infrastructure: Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. Direct mitigation and GI provision should therefore be included within the site proposal. Mitigation for new and existing GI features identified as strategic shall be funded by the Community Infrastructure Levy (CIL) through the Greater Norwich Investment Programme. These requirements for consideration and implementation, for both on and off-site GI provision, will help the local GI network to facilitate the development without receiving negative impact and equally, allow the development to integrate and enhance the existing network. Green Infrastructure within this proposal should respond to the Greater Norwich Green Infrastructure Strategy (2007) which informs the Joint Core Strategy, adopted January 2014. Development proposals are expected to fit with strategic visions for the area and respond to corridors as outlined in the Joint Core Strategy. Should this development intend to be the first phase of a larger development or vision, consideration will need to be given to how the local GI network will be impacted, adapted and enhanced in the future.

Although the design and layout of this site offers a sense of space and connectivity with the surrounding landscape, green space is compartmentalised with no off-road pathways linking them, so there is little opportunity for on-site, off-road recreation particularly for dog-walking, which will result in increased pressure on adjacent woodland and the local Public Rights of Way network. We request a contribution for improvements to the PRow in the vicinity including on-site signage to inform residents of additional recreational opportunities than in the adjacent woodland, and we request the developer contributes the cost of a Creation Agreement with the owner of the land to the south of Green Lane at its eastern junction with the A140 to create a new Public Footpath linking Green Lane with Horsford Public Footpath 9.

4.8 Anglian Water

Assets

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost before development commences.

The development site is within 15m of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15m from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

Wastewater Treatment

The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows.

Used Water Network

The sewerage system at present has available capacity for these flows via a pumped connection to the public foul sewer in Holt Road.

Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. From the details submitted to support the planning application, the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

4.9 Norfolk County Council Fire and Rescue Service

No objections providing the proposal meets the necessary requirements of the current Building Regulations.

Of particular note will be fire service access and water supplies;

- All pumping appliance access points to be within 45m of each dwelling;
- Dead end routes longer than 20m require turning areas;
- Dwellings should be within 125m of a fire hydrant;
- Hydrants should be positioned 250m apart;
- Hydrants to deliver 8 litres per second water to dwellings.

4.10 Natural England

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Standing Advice can be used to assess impacts on protected species, ancient woodland and veteran trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. LPAs are advised to obtain specialist ecological or other

environmental advice when determining the environmental impacts of development.

4.11 Norfolk County Council Historic Environment Officer

An archaeological evaluation by trial trenching took place at the above site in 2017, in advance of the previous application. Based on the results of the trenching further development at the above mentioned site would not have any significant implications for the historic environment. There are no recommendations for further archaeological work.

4.12 Broadland District Council Conservation Officer (Trees and Landscape)

An Arboricultural Report has been produced which follows the methodology within BS 5837 and considers the existing tree constraints and the impact to the trees from the proposed development.

Tree removals appear to be limited to the loss of a single tree and I have no objections to the removal of this tree.

Other significant tree constraints highlighted within the report relate to the amount of new hard surfacing within the Root Protection Areas (RPA's) of two trees. Whilst this encroachment has been dismissed as acceptable within the report, the introduction of hard surfacing will have an influence on the amount of rainwater entering the trees RPA and could potentially have a detrimental impact on the health of the trees. As the site is an open agricultural field, the layout could be amended to reduce the encroachment within the RPA's to an acceptable amount or none at all.

There are no details relating to or demonstrating the overshadowing to the site from the existing trees. This information is essential to provide a full picture of the tree constraints and will be most significant to the plots located due north-west to due east of any retained trees. The quality of life for future residents will be influenced by the shadow patterns and amount of direct light reaching the dwellings and smaller garden areas, this additional information should be requested.

A Landscaping Scheme and Landscape Strategy Report has been produced which details the species, size, number, densities and planting specifications for the proposed soft landscaping of the site.

It is noticeable that the central area of formal public open space has been significantly reduced in the revised layout and now incorporates an area of dual function with a LEAP and SUDS basin combined. The reduction in the area of public space is regrettable and the change to accommodate additional housing units should be considered carefully to verify the benefits outweigh this loss.

The choice of tree and hedge species appears to be suitable for the soil

conditions referred to within the Arboricultural Report.

Soft landscape details show sections of the planting pit specifications. For clarity, this should be amended and the tree support detail added to Tree Planting & Support text.

Root barriers have been included on the section drawings for the planting pits adjacent to hard surfacing and specifies contacting GreenBlue Urban for supervision during installation, which is good.

Planting pits requiring root barriers should be marked on the detailed planting proposals drawings and added to any corresponding hard landscaping drawings to ensure they are installed when the carriageway/footways are built.

The linear dimensions of root barrier should be sufficient to allow the trees to grow to maturity, whilst still protecting the hard surfaces adjacent, the advice of the product manufacturer should be sought on this specification and the length of root barrier shown on the scale drawings.

Only a brief outline of the proposed maintenance regime post planting is given. To ensure the trees and shrubs successfully establish additional detail on the weeding, watering, mulching, pruning and turf establishment operations should be requested.

Further comments:

Additional information has been submitted to address previous observations. No further comments to make. The details contained within the AIA, AMS & TPP and landscaping plans should be specifically conditioned.

4.13 CPRE

Object due to the proposed site's nature, location and size.

The site lies outside the settlement area of Horsford. Although the Site Allocations DPD and the Joint Core Strategy allow for small-scale housing outside the settlement area, this development sacrifices too much open greenfield land to build 304 homes, when other solutions exist.

With application [20161770](#) already being approved for 259 houses on this site, this current application is attempting to over-develop the site with too high a density of housing, with a consequential reduction in land for open land such as gardens. This would have a negative effect on the well-being of the residents of the new development if the higher-density plans were to be approved.

As Broadland can demonstrate that it has a 5-year land supply for housing, there are no clear grounds for permitting such a large development, which is

contrary to the Local Plan.

By using land to the north of Horsford too much pressure will be put on local roads, especially the B1149 through Horsford, as well as other local services and infrastructure.

4.14 Norfolk Constabulary Architectural Liaison Officer

Layout:

It is encouraging that the D&A Statement specifies that crime prevention is incorporated within the design's context.

The main access road moves east to west through the site with a number of arterial ways branching from this. The level of connectivity over the development could compromise security, however with outward facing residential blocks providing good passive surveillance over the street scene and creating secure back-to-back gardens, the layout does promote a safe layout by inhibiting criminal behaviour and protecting the vulnerable rear aspects of dwellings.

Secondary roads will need clear signage (naming and/or numbering) of properties to assist residents, postal workers and the attendance of emergency services through abundant ways/routes to navigation of movement over the site. Perhaps some further landmarks would also assist.

The D&A Statement also mentions lighting in that well-lit spaces are crucial in reducing fear of crime and making places more liveable, this is supported.

The 'green corridor' denoting the electricity cable and casement is an awkward space in the layout from a security perspective, running parallel to the vulnerable rear garden boundaries of nos. 260, 272–304 (29 x dwellings). There is indication that this will be gated at both ends, which is endorsed. These gates and adjacent post/fencing should be of robust commercial height of 2.4m.

Maintenance of vegetation to be implemented and kept visually clear to assist surveillance.

Communal Areas:

The design of the external environment aims to provide passive surveillance over the green spaces provided. It is encouraging that the LEAP area is to be secured with a 1,200mm bow top fence to discourage casual entry and provide a safe clean play area.

Boundary for LAP area within formal gardens if any equipment to be involved. Any proposed planting in these areas is to be carefully considered to maintain levels of surveillance and supervision and to allow natural surveillance from nearby dwellings with safe and accessible routes for users to come and go.

As a general recommendation, where good visibility is needed, shrubs should be selected to have a mature growth height no higher than 1 metre, and trees should have no foliage, epicormic growth or lower branches below 2 metres, thereby allowing a 1 metre clear field of vision.

Communal spaces should not immediately abut residential buildings as this can increase the potential for crime and complaints arising from increased noise and nuisance. The boundaries between public and private space should be clearly defined.

However, there are a few open space areas within the design of concern:

Amenity strip adjacent a semi-private parking court provides opportunity to access the rear gardens for 9 dwellings (Plots 30-38) and the adjacent existing homes on Holt Road. The External Works Plan does indicate a 1.8m close board fence to be erected but the purpose of this space is unclear and creates an unnecessary void.

The layout around the utility stations introduces some potential hiding places, which could encourage loitering or other antisocial behaviour. Also care should be taken to ensure that a dwelling (no 110) will not be adversely affected by the location of this amenity space.

Open spaces must have features which prevent unauthorised vehicular access.

Dwelling boundaries:

The security function of boundaries is understood within the plans and the appropriate height & style installed as required. Additional buffer zones (eg shrubs of 1m max) have been provided to prevent accidental contact with the shell of building on corner/exposed units, numbers 192, 219, 243 and 269, which is endorsed.

Where 1.8m fencing is adjacent to shared rear pathways consider substituting a trellis topping, especially if the path changes direction – to elevate any tunnel-like feeling and improve passive surveillance from within.

Gates must be capable of being locked (operable by key from both sides of the gate), and where possible be placed at front build line to prevent unnecessary recesses.

Gable Ends:

There are no details at this stage in the application but Plots 14 & 15 would benefit from additional windows for additional surveillance over pathway leading to a parking court.

Car Parking:

All areas for the parking of cars should be designed to be visually 'policed' by the surrounding dwellings and within easy walking distance from the intended users.

Whilst accepting that the development has avoided where possible rear parking by orientating some dwellings within the courts to promote improved surveillance, it should be noted this surveillance is to be from 'active' windows over the allocated parking.

Further comments:

Clarification on the points raised have been received from the applicant. No further comments to make.

4.15 Broadland District Council Pollution Control Officer

No objection.

4.16 Broadland District Council Housing Enabling Officer

It is noted that this site is only delivering 12 rather than 13 Shared Ownership units now. We appreciate that the application is for less units than previously but we would expect the loss of any affordable housing to be from the Discounted Market Units (DM). This is because of the exceptionally high level of delivery of these DM units across both Phases of the site (2A and 2B) rather than reducing the more affordable Shared Ownership (SO) units. This will also ensure that there is a mix of affordable homes that can be accessed by all applicants in need of an affordable home ownership product.

Further comments:

I can confirm that a change from DM to SO for one unit will be acceptable to give a revised total of 13 SO units.

Otherwise, all of the rental units look to be as previously agreed to acceptable space standards (Level 1) and to include a 4 bedroom 7 person house type, 1 bedroom w/c accessible (GF) flats and 2 and 3 bedroom w/c accessible bungalows within the later part of Phase 2B.

4.17 Broadland District Council Section 106 Officer

The equipment proposed does not really provide much play value to the slightly older children. LEAP should ideally provide for children up to the age of around 12 years.

Further comments:

I note the change in play equipment, which is an improvement on the original design.

4.18 Drayton Medical Practice

I am writing on behalf of the partnership to comment on the application.

The proposed development is within the patient list boundary of Drayton Medical Practice. The impact of this development, along with other developments within our practice boundary, which have recently been granted planning permission, is considerable.

The Council will be all too aware of the pressures on General Practice at the moment and 304 extra dwellings in Horsford, along with other previously approved developments will place an increasing strain on resources, particularly at our Horsford Surgery, which will negatively impact on the services provided to existing and new patients. Particular note should be paid to the demands these extra developments are having on car parking, not just at Horsford but also our Drayton and St Faiths surgeries. There is very little we can feasibly do to accommodate any new parking arrangements.

On this basis, we object to this planning application and trust that this objection will be considered by the committee.

4.19 Other Representations

31 letters making comments and 12 letters of objection summarised as follows:

- Development will result in increased traffic
- Dangerous access onto roundabout
- Road safety
- Increased pressure on healthcare facilities
- Increased pressure on education provision
- Rise in anti-social behaviour
- Overstretched local amenities
- Proposal reduces the amount of recreation space
- New dwellings will cause overlooking
- Development is out of character
- Noise and pollution from additional traffic
- Gardens of new properties too small

- Roads too narrow and congested
- Insufficient car parking
- Development poorly located for the NDR
- Houses too close together
- Light pollution from street lamps
- Insufficient public open space
- There is a need to provide a facility for local football clubs rather than using land for more housing

Further comments on revised plans for roundabout:

- Changes still do not give enough vision
- The road needs to move over the full width of both lanes plus 2m to give visibility to safely exit drives
- Option to close exit from Haveringland Lane, remove roundabout and reform Green Lane junction with Holt Road as other estates in the area
- No decision should be made until changes viewed on site
- Street lights should be removed opposite houses as a blight
- Unsuitable access into and out of estate for 304 homes
- As the County Councillor for Horsford, my comment is we should go back to square one and get the roundabout in the centre of the four- way junction by resurrecting discussions with landowners of adjoining land. To me this a great opportunity to rectify what was a grave error in allowing the roundabout to be built where it is and put it where it should always have been.

5 Assessment

Key Considerations

5.1 The key considerations are:

- Principle of development
- The five-year housing land supply in the Plan Area.
- Whether the revised application adequately demonstrates that the proposed increase in housing numbers will not result in a detrimental impact on highway safety, open space, flood risk, the character and appearance of the surrounding area, ecology and landscape and the residential amenity of neighbouring properties and future occupants.

Principle

- 5.2 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 and the National Planning Policy Framework (NPPF) and whether there are any other material considerations. These include whether the application contributes towards achieving sustainable development. The details of its impact on the access, layout and scale of the development and the relationship of the proposal to the existing development must also be considered.
- 5.3 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 as is the web-based Planning Practice Guidance.
- 5.4 The site lies outside the defined settlement limit for Horsford and for this reason granting permission for the development of the site for housing was originally contrary to Policy 1 of the JCS and Policy GC2 of the DM DPD. Because the site already has planning permission for 259 dwellings the impacts of increasing the number of dwellings by 45 on the same site is now the key consideration.
- 5.5 Consideration must also be given to the supply of land for housing in the Greater Norwich Area. The most recent Greater Norwich statement on five-year housing land supply was published as Appendix A of the Annual Monitoring Report (AMR) 2017-2018. This statement shows that there is currently 6.64 years housing land supply within the Greater Norwich Area. Given that there is a five year supply of housing land this application must be considered in the context that it is contrary to Policy GC2 of the Development Plan, which states that 'New development will be accommodated within the settlement limits defined on the policies map. Outside of these limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan.'
- 5.6 Policy 15 of the JCS identifies Horsford as a Service Village, which are defined as having a good level of services and facilities. Settlements identified as Service Villages that are also within the Norwich Policy Area (NPA) may be considered for additional development.

Housing Land Supply

- 5.7 The JCS states that approximately 33,000 new homes will be built within the NPA by 2026. This figure is a material consideration. It was intended that land for housing development to meet the targets in the JCS would be identified through the Site Allocations Development Plan Document (SA DPD). Planning permission has already been granted for a significant amount of residential development in Horsford both on allocated sites and outside the

settlement limits including an affordable housing exception site.

- 5.8 The proposed development will create an additional 45 dwellings in addition to the 259 already approved on this site, 125 dwellings already constructed at Butterfly Mill, 32 dwellings at Pinelands Industrial Estate and 84 dwellings under construction at the southern end of Holt Road. This would result in a total housing commitment located outside the settlement limit in Horsford of 545 dwellings. This is a housing commitment commensurate with a Key Service Centre.
- 5.9 However, Horsford is one of the larger Service Villages and contains a level of local services associated with a Key Service Centre. In terms of facilities, Horsford has the following: doctors surgery, infant school, junior school, dentist, Post Office, food shop, Public House, village hall, social club and public recreational facilities, convenience store, hair salon, bakery, takeaway, restaurants, garage, commercial units and employment land, butchers, place of worship, residential care home, access to public transport. Secondary school education is provided at Hellesdon, 6.3km from the site and Taverham High School is an alternative.
- 5.10 The majority of these services are located within 1.1km of the site making walking a realistic option to access them. It is acknowledged that sites in the built up parts of the urban fringe parishes are likely to be closer to a wider range of facilities and services and to be served by a greater variety of public transport than would be the case at Horsford. Nevertheless the site is served by bus services including one to Norwich, the First Group bus no 36 (and 36B evening service) which runs a twice hourly service throughout the day including early morning and early evening (Monday-Saturday) providing good public transport links to the centre of Norwich.
- 5.11 Notwithstanding there is no demonstrable deficit in the supply of housing land within the Greater Norwich Policy Area, it is considered that Horsford is a sustainable location for additional residential development on this site of the scale proposed. Paragraph 122 of the National Planning Policy Framework reinforces the approach that decisions should support development that makes efficient use of land taking into account the availability and capacity of infrastructure and services.

Highway impact

- 5.12 The Parish Council and a number of Horsford residents have raised concerns about the additional traffic, traffic speeds and safety of residents resulting from increased housing numbers. The additional housing on this development would increase traffic onto Green Lane and the number of vehicular movements at the roundabout onto Holt Road. The village is made up of a series of cul-de-sacs and loop roads all of which have access onto Holt Road. The development, including the additional dwellings, would continue to have a single point of vehicular access onto Holt Road via Green Lane and no other large-scale development has access onto Holt Road at this point. The

Highway Authority has no objection in principle to increasing housing numbers as proposed and considers that the local highway network has sufficient capacity to accommodate the development.

- 5.13 A roundabout has recently been constructed at the junction of Green Lane and Holt Road to mitigate against the additional highway impact associated with the approved housing development (259 dwellings). However, local residents have expressed concerns that the roundabout alignment is causing restrictions to visibility and causing a danger to road users. The Highway Authority also has concerns with the configuration of the roundabout. They have advised that the roundabout does not pass the necessary safety audit as currently constructed and requires modifications.
- 5.14 The applicant has been working on a technical solution to the safety issues associated with the roundabout and the Highway Authority has now formally agreed a final design. Subject to a planning condition being added to any planning permission requiring remedial works to be completed before any of the new dwellings are occupied, the Highway Authority has no further concerns and has removed their holding objection to the proposed development.
- 5.15 Given previous concerns of local residents on Mill Road about the traffic arising from the proposed development driving through Butterfly Mill, there will still be no connection between the two residential developments for car access. Access will be restricted to buses, emergency vehicles, cycles and pedestrians.
- 5.16 The Highway Authority and Contract Services raised a number of points (see section 4.3 and 4.6 above), primarily in relation to internal road layout, provision of parking and accessibility for refuse collection vehicles. To take account of all matters raised, the applicant has submitted revised plans. Both the Highway Authority and the Environmental Contracts Officer are satisfied with the amended details. The application therefore complies with Policies TS3 and TS4 of the DM DPD.

Open space

- 5.17 The Parish Council has raised objections to the proposed increase in the number of homes on the site, in part due to the reduction in the size of the on-site recreational space compared to the approved scheme. They have stated that the proposed development does not comply with Policy COM2 of the Horsford Neighbourhood Plan that requires all large developments to make generous provision for further formal and informal outdoor recreation space in Horsford. This policy requires a range of informal and formal recreation land and facilities that are located within a reasonable distance of roads, paths and public transport. The main area of open space has been reduced in size but overall the total amount of open space has not decreased. This has been compensated by smaller areas of open space distributed throughout the development forming more localised green space. The Horsford

Neighbourhood Plan does not define the term 'generous'. The development is providing a range of green spaces and equipment on-site and a significant contribution to off-site provision. It is considered that the proposal complies with Policy COM2 of the Neighbourhood Plan.

- 5.18 The Neighbourhood Plan also identifies a need for more facilities for Horsford Football Club. A number of objections have been received from parents of children using existing facilities on grounds that the development is not meeting the shortfall in football pitches. The development will be contributing a significant amount of Community Infrastructure Levy, a proportion of which will be allocated to the Parish Council to spend on community projects and would be the mechanism to provide additional pitches in the village.
- 5.19 The proposed on site open space will be a combination of play space within informal open space and smaller interconnecting green spaces creating a total area of 1.48 ha located along the spine road and perimeter of the site and across a number of locations within the site. An equipped play area (LEAP) will be provided on part of the largest green area (2926 sqm) located centrally on the site. A LAP is provided in a formal pocket park in the northern half of the site. The amount of open space complies with Policy RL1 and is considered acceptable in planning policy terms. Accordingly, no contribution towards off site play space would be required. A Section 106 Agreement has already secured the maintenance and management of the on-site open space and also secured off-site contributions for formal recreation provision (e.g. pitches) in the region of £370,000 and for allotments in the region £17,000 respectively. However, a new Section 106 Agreement will be required to take account of the additional properties and to secure increased financial contributions required as a result. The additional 45 houses will contribute in the region of a further £46,000 for off-site formal recreation provision and in the region of a further £1500 for allotments. The requirements of Policy RL1 of the DM DPD can therefore be met.
- 5.20 Policy EN3 of the DM DPD requires the applicant to provide informal open space in order to meet the recreational needs of existing and future residents and to mitigate the potential impacts of visitor pressure on sensitive internationally designated sites, such as Buxton Heath SSSI and SAC. The small amount of informal open space on site does not meet this requirement and as it cannot be counted towards the requirement it is therefore over and above what the applicants have to provide on-site. However, the informal open space requirement still needs to be met and the Planning Policy Team has confirmed that there are opportunities to improve provision around Horsford, which would benefit both existing and future residents to facilitate this provision in the local area and mitigate this impact. A section 106 Agreement is already in place securing in the region of £560,000 through a commuted sum. A new Section 106 Agreement will be prepared to ensure that the uplift in housing numbers will also contribute to this off-site requirement, which will be in the region of a further £96,000. The requirements of Policy EN3 of the DM DPD are met.

Flood Risk

- 5.21 Given that the area of the site exceeds 1 hectare, the applicants are required to submit a Flood Risk Assessment with the application. The site is within Flood Zone 1, where the risk of flooding is considered to be low, but the applicant is still required to demonstrate that the development would not increase the risk of flooding elsewhere. This has been achieved. An updated Flood Risk Assessment and Drainage Strategy along with supporting plans, drawings and calculations account for the local flood risk issues and surface water drainage at this location. The Lead Local Flood Authority has no objection to the application in flood risk terms subject to a condition that the development is carried out in accordance with details of the Flood Risk Assessment, Drainage Strategy and Maintenance and Management Plan. It is considered that the proposal complies with Policy CSU5 of the DM DPD.

Character and Appearance

- 5.22 Policy EN2 of the DMDPD seeks to protect the character of the area. Reference is also made in the policy to the Landscape Character SPD. The application site is within Landscape Character Type B Woodland Heath Mosaic, character area B1 Horsford. In respect of the impact of the development on the character of the surrounding area, this was taken into consideration in the determination of the previous application. Changes to the layout and density of the development will not create any further impact on the appearance or character of the area. The site is an open and relatively flat agricultural field with few distinguishing features within it. It is open to a field on the east side but contained by hedges/woods and properties on all other sides. Holt Road contains dwellings of varied form and appearance and is generally suburban in character along its length, beyond which to the north travelling out of the village it becomes rural and wooded in character. Clearly, the development has already irreversibly changed this part of the village in terms of its character. Views of the second phase of the development site from public vantage points are generally localised and it is considered that the development will have a neutral impact on the character and appearance of the wider landscape with regard to the layout, scale and form of development proposed when seen in context of existing development. The proposed development is therefore considered to meet the aims of Policies GC4 and EN2 of the DM DPD.

Ecology and Landscape

- 5.23 A Landscape Strategy has been submitted with this application. The design incorporates multifunctional green spaces throughout the site and detailed landscaping and tree planting proposals. The revised layout does not result in any additional loss of trees and appropriate protection measures for existing trees have been set out in the submitted Arboricultural Report and Tree Protection Plans. A landscaped buffer has already been incorporated along Green Lane reinforced with native tree planting. The majority of the existing hedges on this boundary have been retained. The houses are set back,

softening the entrance to the development. This maintains an element of green landscaping adjacent to Green Lane and Horsford Woods. A linear landscaped strip is proposed along the southern boundary adjacent to Butterfly Mill. This will be planted with a number of parkland species trees. A 5m buffer strip is being maintained along the western boundary of the site where it abuts Olive Crescent. Existing boundary trees are being retained within this area. Some space is being maintained along the eastern boundary of the site, which creates a softer edge between the built development and the fields beyond. The proposal is therefore considered to meet the aims of Policies GC4 and EN2 of the DM DPD.

- 5.24 Policy EN1 of the DM DPD requires development proposals to protect and enhance the biodiversity of the district, avoid fragmentation of habitats and support delivery of a co-ordinated green infrastructure network throughout the district. Policy ENV3 of the DM DPD expects development to maximise opportunities for the creation of well-managed network of wildlife habitats and to make adequate arrangements for the management and maintenance of green infrastructure. An updated ecological appraisal and bat survey has been submitted in support of the current application. Natural England has not objected to the proposal but has advised, as with the previous application that ecological advice should be obtained to assess the proposal. Norfolk Wildlife Trust and County Ecologist previously supported the recommendations for on-site mitigation and enhancements set out in the appraisal, which include the provision of bat, bird and hedgehog boxes, invertebrate habitat and wildlife corridors. The requirement for a Construction Environmental Management Plan (CEMP) will be conditioned. Accordingly, the development should be conditioned to be carried out in accordance with submitted report and Eco Enhancement Plan.

Neighbour Amenity

- 5.25 The impact on residential amenity through overlooking and overshadowing must be taken into account in the determination of the application. Details of the design and floor plans have been submitted for each property along with materials. The revised layout has not significantly changed around the perimeter of the site where it shares a boundary with existing residential properties. The plans show a 5m wide landscape buffer between the properties on Olive Crescent and the new properties resulting in a minimum distance of 12m from the boundary with 15a Olive Crescent to the closest rear elevation of Plots 291 and 292, both of which are bungalows. Back to back distances in all other cases are at least 28m. Existing trees will be retained on this boundary. It is considered that the layout of the development would ensure the occupants of existing dwellings are not overlooked or overshadowed. The proposal is considered to meet the aims of Policy GC4 of the DM DPD.
- 5.26 Local residents are concerned about the impact on their amenity during construction. A Construction Management Plan has been submitted with the application and is already being implemented on this site. Measures include

setting out the hours of working on the site, suggested as Monday to Friday 7.30am-6pm and Saturday 8am-1pm. This will be a condition of planning permission.

Affordable Housing

- 5.27 In developments of 16 or more dwellings, there is a target of 33% affordable housing under Policy 4 of the JCS, which would equate to 109 of 304 dwellings. Following negotiations the development as a whole proposes a total of 30% affordable housing equating to 91 units split between affordable rent (46 units), discount market housing (33 units) and shared ownership housing (13 units). The Council's Housing Team are willing to accept a level of affordable housing below the JCS Policy requirement as three of the affordable units would be delivered as wheelchair accessible. The Affordable units are located in groups and integrated into the layout of the private housing. It is considered that the proposal complies with Policy 4 of the JCS, as this recognises that the proportion of affordable housing sought may be reduced in specific circumstances.

Other Issues

- 5.28 Norfolk County Council as Mineral and Waste Authority has not objected to the application on the grounds of mineral resource safeguarding. As with the originally approved development, they have requested that the potential to reuse any minerals extracted as part of the development be investigated in order to improve sustainability. There is an existing condition in place to cover mineral reuse over the whole development and therefore it is recommended that the condition is replicated for the current application.
- 5.29 With regard to the current and former use of the site for agricultural purposes, a desk study was undertaken for the whole site in relation to the previous application to assess the site for possible contamination and, as requested soil testing was undertaken. The Council's Pollution Control Officer considered this and did not require any further work to be carried out. Consequently, no objection has been raised in respect of the current proposal.
- 5.30 An archaeological desk-based assessment submitted with the previous planning application identified that there is some potential for heritage assets with archaeological interest of prehistoric and medieval to post medieval date to be present at the site and that their significance could be affected by the proposed development. The Written Scheme of Investigation has been subsequently agreed and the trial trenching stage has taken place where it was found that no further archaeological work is required.
- 5.31 Policy 3 of the JCS states that 10% of the site's expected energy requirements should be met by renewable or low carbon energy sources. This can be achieved through a fabric first approach to construction as well as through the use of solar panels, an appropriate condition can be used to

require details and to secure these energy efficiency measures should planning permission be granted.

- 5.32 Norfolk Constabulary has commented on the proposal from an architectural perspective in terms of whether the development would meet Secured by Design standards. The details of this have been considered and some amendments made to the proposal to their satisfaction.
- 5.33 Anglian Water has advised that there is available capacity at Whitlingham Trowse Recycling Centre and there are no indications that the local electricity or gas supplies would be unable to serve the development proposed. It is therefore considered that Horsford has the infrastructure capacity to cope with the development proposed.
- 5.34 The public consultation exercise has raised some local concern with residents commenting that the infrastructure in Horsford is not adequate to cope with the proposed development, with particular regard to the capacity at local schools and the doctor's surgery.
- 5.35 Norfolk County Council has confirmed that there is capacity for children aged 4-11 at Horsford Primary School and Horsford Junior School to cope with the scale of development and proposed housing mix. There is a deficit of 45 places for high school and sixth from places (11-18 years) which has been calculated as requiring £94,051, which will be funded through CIL. A contribution for library provision will also be met through CIL. In addition, seven fire hydrants would be required by condition.
- 5.36 Horsford Medical Centre is located at 205 Holt Road and is within walking distance of the site. The Medical Centre was consulted and the response from the Practice Manager is included at paragraph 4.18. The responsibility for health provision remains with the health providers, primarily with NHS England who provide funding for doctors based on the population/number of patients in an area. The residents in new developments will contribute to this national funding through taxes in the same way as existing residents. Consequently, in general terms the impact of additional residential development should be managed by health providers.
- 5.37 This application is liable for Community Infrastructure Levy (CIL) because additional floor space is being created.
- 5.38 If Members resolve to grant planning permission, the application will need to be accompanied by a Section 106 Agreement to secure planning obligations in connection to the additional development on this site. This would need to cover contributions towards and/or agreements to provide:
- Affordable housing (15 affordable rent, 9 discount market and 13 shared ownership)

- Provision and maintenance of on-site open space
- Provision of a commuted sum for off-site formal recreation
- Provision of a commuted sum for off-site informal open space

Matters regarding off-site highway improvements to make revisions to the roundabout would be secured not through a Section 106 Agreement but through appropriate planning conditions and undertaken by the developer following completion of a Section 278 (Highway Act 1980) Agreement with the County Council.

5.39 The Community Infrastructure Levy (CIL) Regulations 2010 require that planning benefits secured through Section 106 Agreements must meet the three tests set out at Regulation 122 if they are to be a reason for granting planning permission. These tests are that the benefits must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and,
- Fairly and reasonably related in scale and kind to the development.

5.40 It is considered that the matters relating to affordable housing, on-site recreation provision and public open space and off-site contributions towards informal open space meet the tests set out within the CIL Regulations. These benefits can therefore be taken into account in determining the application.

6 Conclusion

6.1 In having regard to all matters raised, it is considered that this application will not have a significant detrimental impact on the character and appearance of the area, residential amenity, flood risk or highway safety. The design and layout provides adequate amenity space and parking for residents and sufficient on-site open space. Increasing the density of the development makes more efficient use of the land without encroaching further into undeveloped or unallocated land. The additional housing will provide additional financial contributions towards off-site informal and formal open space.

6.2 Horsford is considered to be a sustainable location for new development given the level of services which it offers. Although it has been demonstrated that there is a five year supply of land for housing in the Greater Norwich Area, this development will contribute towards housing delivery and provide affordable housing for Horsford. It is considered that all of these material considerations are sufficient to justify approving the application.

Recommendation: Delegate authority to the Director of Place to **APPROVE** subject to the following conditions and successful completion of a Section 106 Agreement with the following Heads of Terms:

On-Site Affordable Housing

- (1) 15 Affordable rent
- (2) 13 Shared ownership
- (3) 9 Discount market housing

Open Space

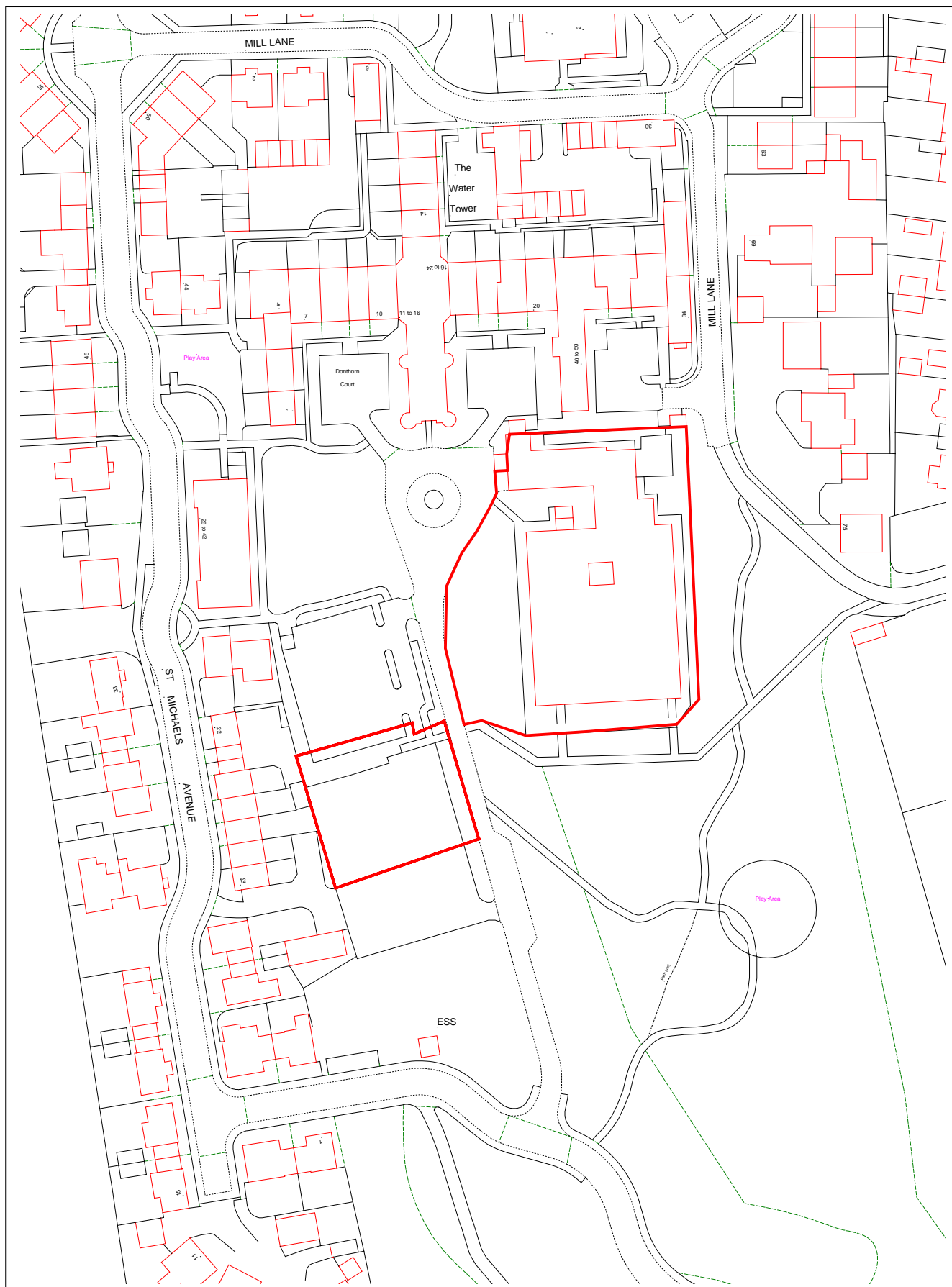
- (1) Provision and maintenance of on-site open space
- (2) Provision of a commuted sum for off-site formal recreation
- (3) Provision of a commuted sum for off-site informal open space

and subject to the following conditions:

- (1) Time limit
- (2) In accordance with plans and documents
- (3) External materials
- (4) Hard and soft landscaping
- (5) Landscape management
- (6) Boundary treatments
- (7) Tree Protection
- (8) Ecological mitigation measures
- (9) Renewable energy
- (10) Highways
- (11) Construction management
- (12) Revised roundabout design
- (13) Drainage
- (14) Provision of fire hydrants
- (15) Minerals management plan

**Contact Officer,
Telephone Number
and E-mail**

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Application No: 20190597
St Michaels Hospital, Cawston
Road, Aylsham, NR11 6NA

Scale:
1:1250
Date:
23-Dec-19



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Application No: [20190597](#)
Parish: **Aylsham**

Applicant's Name: Astris Homes
Site Address: St Michael's Hospital, Cawston Road, Aylsham, NR11 6NA
Proposal: Demolition of former care home and erection of 16 dwellings

Reason for reporting to committee

One of the Ward Members has requested that the application be determined by the Planning Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary:

Delegate authority to Director of Place to approve subject to completion of a Section 106 Agreement and conditions

1 Proposal and site context

- 1.1 The application is seeking full planning permission for the demolition of a former NHS care home and the erection of 16 open market dwellings, comprising 7 two bedroom houses and 9 three bedroom houses in a mix of detached, semi-detached and terraced two-storey properties located on Donthorn Court, Aylsham. Parking areas for 34 cars is to be provided for residents and visitors with vehicular access from the existing access road serving Donthorn Court. This access also serves existing car parking areas allocated to surrounding residential development.
- 1.2 The main vehicular access and pedestrian access to the site will be from Cawston Road. Secondary pedestrian and cycle connections exist to the north and east of the site.
- 1.3 The site is located to the south of Donthorn Court and is approximately 0.5 hectares in size split between land that is occupied by the disused former care home and a separate area of hard surfacing that is currently used as an undesignated car park.
- 1.4 The houses are proposed to be of six different design variations each drawing reference from surrounding development, most notably Donthorn Court which is a converted former hospital and Grade II Listed Building. The houses will be constructed using traditional brick, stone window surrounds, slate roofs and sash windows in keeping with the Listed Building.
- 1.5 The site includes a number of mature trees which are covered by a Tree Preservation Order. These are located mainly to the east of the site along the access road, with others to the south and west on the public open space.

Some smaller trees will be removed to facilitate the proposed layout of the houses but the most significant of the trees will be retained.

2 Relevant planning history

2.1 No relevant planning history.

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 05 : Delivering a sufficient supply of homes
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 14 : Meeting the challenge of climate change, flooding and coastal change
NPPF 15 : Conserving and enhancing the natural environment
NPPF 16 : Conserving and enhancing the historic environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3: Energy and water
Policy 4 : Housing delivery
Policy 13 : Main Towns
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 EN2 : Landscape
Policy EN3 : Green Infrastructure
Policy EN4 : Pollution
Policy RL1 : Provision of formal recreational space
Policy TS3 : Highway Safety
Policy TS4 : Parking guidelines
Policy CSU5 : Surface water drainage

3.4 Aylsham Neighbourhood Plan 2019

Policy 1 : Improving housing design
Policy 2 : Improving the design of development
Policy 9 : Flood risk
Policy 12 : Traffic Impact

3.5 Supplementary Planning Documents (SPD)

Recreational Provision in Residential Development SPD
Landscape Character Assessment
Parking Standards SPD
Affordable Housing SPD

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

S16 (2) and S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

4 Consultations

4.1 Aylsham Town Council

The Town Council discussed the plan at their meeting and in its current proposals wishes to object. Below are the reasons for objection but the Town Council wish to make it clear they are not objecting to the principle of development, this is likely to improve the site, they are objecting to this particular design proposal. I would also like to mention that all the aerial photographs of the site date to at the latest 2014 as neither of the two play areas on the surrounding grass are shown.

Reasons for objecting:

- The density of the proposal is very great and is out of keeping with the look of the old hospital;
- The footprint of the new development is greater than the part of the old hospital it is replacing. Instead of enhancing the Victorian aspect of St Michael's it will to some degree block it. As you access the site the full impact of the hospital frontage will be marred by the properties on plots 12-16. The main view will be that of the two bin stores which have no

visual appeal;

- The access to the site, by vehicle, is we are advised over private land which the current residents pay to upkeep. The additional traffic on this unadopted road would place a significant impact on the surface and seems disproportionate;
- In the design and access statement the developer states they will 'maintain Cawston Road'. Is this true or is it an incorrect statement having misnamed the road? If it is Cawston Road what are their plans?
- The tree survey is dated 2015 and is therefore somewhat out of date. Is a re-inspection programmed?
- The Town Council are concerned at the removal of 10 trees all of which are in the area covered by 2006 TPO 22. If the development area was retained as the existing area this number could possibly be reduced;
- The parking proposed does not meet the requirements of the Aylsham Neighbourhood Plan Policy 1(i);
- Access to the individual properties has restricted vehicular access and whilst this is welcomed it is believed this will also cause an issue especially when the occupiers move in or have any heavy purchases. There is a possibility that the residents will access properties via the grass and back gates. What measures will be put in place to ensure this does not occur? I should add that the land around the site is owned by the Town Council, received via a Section 106 Agreement with Hopkins Homes.

Further comments on amended plans:

The Town Council discussed the amended plans for the development at their meeting. The Town Council wish to reiterate that they are not opposed to the principle of planning but do not feel this scheme as it stands is right for this site.

It was noted that a further tree survey had been undertaken so many of the comments relating to trees have been addressed. However, the trees on this site may have been inadequately managed over recent years. As you know the Town Council received the remaining land around this site as part of a Section 106 Agreement. In that time we have had one mature oak fall in high winds and numerous trees die quickly and suddenly. The Council would like any application to include a requirement for professional supervision by an arboricultural expert to be a condition of planning rather than a recommendation.

The Town Council felt that the points raised in their response in May have not been addressed. Furthermore the proposals do not meet the Policies 1(i), 2(i) and 2(vi) in the Aylsham Neighbourhood Plan.

4.2 Councillor Steve Riley

I attended the Aylsham Town Council meeting tonight where the amended planning application was reviewed. Also in attendance were several residents who also made comment on the amended plan who had previously written to you regarding their concerns.

I noted that the Town Council and residents recognised that the issue of the out of date tree survey had been addressed. As a result of further consideration by the applicant, resulting in amendments in respect of the trees the original concerns have largely been addressed which was welcomed.

However, in regards to other amendments, concerns still remain. Therefore, please accept this email as my written request to call the application in for the Planning Committee to review and determine.

Reasons:

- Concerns still exist in regards to Town Council and residents letters;
- Not consistent with the Aylsham Neighbourhood Plan as stated in Aylsham Town Council's response;
- Scale of development in the existing setting and landscape;
- Footprint and roof height change to existing building and existing line of sight.

4.3 Historic Environment Officer

The former hospital site was built in 1849 as a workhouse, later being used as a hospital. It is a particularly imposing building, with its main elevation facing south, a central range framed by two turrets with projecting wings to either side. The workhouse would have been built some way from the town centre, and an impression of the former openness of the site can still be gained to the south, where there is an open area. The relationship between the listed building and this space is therefore of some significance to its setting, especially as much of its setting has been compromised by 20th century and later residential development which now largely surrounds the site. I have no objection to the demolition of the 20th century single storey healthcare facility that is proposed to demolish. It is of no architectural merit or historic value and causes harm to the setting of the listed building. Its removal will therefore be of great benefit.

Although the ideal scenario for the listed building would be the removal of the existing building and the enhancement of the site as an open landscaped area, it is recognised that the setting of the hospital is now largely residential

and that in order to get the benefit of the building's demolition, new buildings are likely to be required. It is reassuring that the proposed dwellings have been designed in such a way that they reflect and enhance the character of the listed building, through their scale, detailed design, the proposed materials and the rectilinear plan form. They have also been set back as far as possible into the site from the west so that the primary view of the hospital building is not obscured, but framed by the new development and so that the buildings can be set within the landscape amongst the mature trees on the site. It is also considered beneficial that the housing is outward facing and so has a positive relationship with the surrounding area. As well as making the scheme more attractive and engaging, this also improves natural surveillance of the area, which will be of benefit. I would however suggest that permitted development rights for front boundary treatments are removed.

Some minor points:

- I would suggest that Norfolk County Council are consulted on archaeology matters if they haven't been already;
- Perhaps the path that runs north to south in front of units 12-16 could be connected to the car park entrance at its northern end to prevent a desire line being created across the grass;
- It is not clear if any boundary treatment is proposed between this site and the hospital to the north. If something is necessary I would suggest a low wall or railings, so that views are not obscured and it does not detract from the setting of the listed building which is in very close proximity;
- I understand some revisions are needed to the two bin stores. Perhaps these should be open fronted bin stores enclosed by walls, although some thought should be given to the detailing, copings etc given the prominent position.

Further comments on amended plans

My main concern is the re-locating of the two northern-most units in front of the south gable of the listed building. We had always wanted the new builds to be set back from the listed building and I think that this is something that we should insist on. Apart from ensuring that the setting of the listed building is respected, it would be a rather awkward juxtaposition between the two in such close proximity and I would have thought that from a planning perspective it would not be ideal in terms of outlook from existing flats.

My other concern is at the south-west corner of the site, where it is proposed to change the brick wall that links the bin store to unit 11 to a close-boarded fence. This is a very prominent corner and as such this would not be acceptable, especially as the amount of wall/close –boarded fence has increased as unit 11 has moved eastwards. Could more of this area of land be left as public space or as front garden to unit 11 (without a wall/fence may

be a low-post and chain) and then a wall/close-boarded fence from the southeast corner of the bin store to the north-west corner of unit 11 could enclose the rear garden? Although this would reduce the size of unit 11's garden it would still be larger than the others.

I think in principle the changes to the house types are ok but would it be possible to have elevations showing them in relation to the adjoining houses?

Further comments on amended plans

Amended plans to move Plots 1 and 2 back and amended position of garden fence to Plot 11 would be an acceptable compromise to ensure tree T24 is retained in line with Arboricultural Officers request.

4.4 Conservation Officer (Arboriculture and Landscape)

Having studied the information provided I have the following comments and observations:

- There are many significant trees within the application site and the trees are protected by Tree Preservation Order (TPO) 2006 No. 22 Modified.
- An Arboricultural Survey has been produced by Geosphere Environmental Ltd which records the details of the existing trees and follows the recommended format within BS5837 to demonstrate the tree root constraints the trees pose to the development of the site. This document was produced without a site layout being available.
- It is stated within the report that the Tree Constraints Plan (TCP) should be consulted when designing any proposed development.
- Drawing no. 1479,EC,AR,GI/022/Rev 0 – Tree Constraints, shows the positions, BS Category and estimated Root Protection Area's (RPA's) of the trees, no details of the shadow patterns have been included, these are important details to allow a full assessment of the constraints.
- As a layout is now available an Arboricultural Impact Assessment (AIA) should be requested, which considers the existing trees and the development proposed.
- This should include details of all proposed tree removals or construction within any retained trees RPA's, the impact of the shadow patterns of the existing trees and the measures that will be used to mitigate any impact on the individual plots.
- A Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) should also be provided which are informed by the detail of the AIA.
- Once we have this additional information I will be able to comment further

on the development proposals.

Further comments following receipt of revised information

I have now had the opportunity to visit the St Michael's Hospital site in Aylsham and study the revised Tree Report provided by the applicant. I have the following additional comments and observations.

- Having viewed the layout shown on the drawings within the revised Tree Report, it is evident that no changes have been made to reflect the tree constraints within and adjacent to the site and that the TCP hasn't been used to inform the design of the development and the trees shown for removal remain unchanged, which is rather disappointing, considering the landscape value the trees provide to the location.
- The revised Tree Survey has provided some additional information and two drawings showing tree removals and a Tree Protection Plan (TPP), no details of the overshadowing to the site has been produced to demonstrate the shadow patterns, although this was requested in my previous comments and is essential to show the true extent of the tree constraints at the site.
- Some of the trees protected by the TPO are shown for removal and this will not be acceptable, specifically Scots Pine T1, T8, T29 which form part of the informal avenue leading to the listed building of the Old Hospital; T17 Copper Beech, T18 Norway Maple and T19 Western Hemlock which are a group of significant trees at the southern edge of the existing public open space; T24 Whitebeam which is a magnificent example of the species, with its silvery foliage contrasting with the red bark of the adjacent Scots Pine; G5 two semi mature Scots Pine and G6 two Fastigate Hornbeam, which form part of the landscape planting of the existing car parks.
- There is also a rather nice Hawthorn located within G1 that should be retained.
- I have concerns relating to the footpaths and bin storage areas shown located within the Root Protection Areas of T1, T2, T3, T4 Scots Pine and T6 Copper Beech all of which are significant landscape trees, the use of 'no-dig' surfacing has been specified within the Tree Report (although limited excavation is mentioned in the report), the principle of 'no-dig' means no excavation within the RPA's.
- On paper the use of this method appears acceptable, however the details of existing levels and transition between 'no-dig' and conventional construction is not straightforward and this detail should be requested as sectional drawings specific to the application.
- As the proposals include the demolition of the existing building a considerable amount of material will have to be moved from the site

which will involve the use of HGV's the haul route should be identified and the tree constraints considered which extend beyond the application site and may impact the adjoining public open space, measures should be put in place to ensure sufficient height clearance to prevent branch damage and suitable ground protection measures if the route enters any RPA's.

- Details of the proposed Landscaping Scheme should be requested.

Further comments on revised details

Thank you for consulting me on the revised development plan (Drawing No.10420-0107 P3), having studied the details it is good to note that the proposals have been amended and the amount of tree removals has been reduced.

My only additional comments at this stage would relate to the construction of the footpaths which are located within the Root Protection Areas (RPA's) of Scots Pine T1, T2, T3, T4, T5, T6 Copper Beech and Norway Maple T8 and the bin store which is show located within the RPA of Scots Pine T2.

I highlighted in my earlier comments that the construction of these must be undertaken following a 'no dig' method, I would ask that the use of this design is verified as achievable with the existing and proposed levels, as excavation within the RPA's of the protected trees will not be acceptable.

It will also be essential that the service trenches are located outside any retained trees RPAs.

4.5 Pollution Control Officer

Has there been any assessment or desk study of the ground conditions on site? If not a condition will be required on the planning permission.

4.6 Anglian Water

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that an informative is included within the decision notice should permission be granted.

The foul drainage from this development is in the catchment of Aylsham Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows via a gravity discharge regime.

From the details submitted to support the planning application, the proposed method of surface water management does not relate to Anglian Water related assets.

4.7 Environmental Contracts Officer

We would request that due to the number of problems caused by communal bins and communal bin stores in the district that individual 240 litre bins are provided for each property. The existing bin stores on Mill Lane are causing several issues with misuse and fly tipping, and individual bins are more appropriate for these properties.

I can see that all properties have an enclosed outside space where there is room for individual bins to be stored at each property with no impact on visual amenity. There are also clear routes identified from the outside space at each property to the nearest highway.

We would therefore ask that:

- Storage points for 3 x 240 litre wheelie bins are provided in the enclosed garden at each property (refuse, recycling and optional garden waste service). The bins will not be unsightly as gardens are surrounded by a boundary structure, and bins will be stored at the property between collections;
- Instead of bin stores as outlined on the plan, these are created as hard stand bin collection areas in the same locations, which have room for up to two bins per property. Bins would only be stored here for 24 hours around collection so this would have far less visual impact than 2 bin stores. If the developer has concerns around visual impact of bins being left out for the 24 hours around collection, then screening could be installed;
- That the route from bin storage area to the nearest road (the turning head by the front of the hospital) are smooth, free draining surfaces to minimise manual handling issues, i.e. not gravelled.

4.8 Norfolk County Council Historic Environment Service

Based on currently available information the proposed development will not have any significant impact on the historic environment and we do not wish to make any recommendations for archaeological work.

4.9 Norfolk County Council as Mineral Planning Authority (MPA)

While the application site is underlain by a Mineral Safeguarding Area (sand and gravel), it is considered that as a result of the site area it would be exempt from the requirements of Policy CS16 –safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

4.10 Section 106 Officer

Assuming there will be a Section 106 Agreement and we are looking for contributions I would make the following comments. There is adequate play provision on the surrounding development but we should take the equipping and maintenance sum. There is also adequate allotment provision nearby but again we should take the equipping sum. Both the play spaces and allotments are owned by Aylsham Town Council so any contributions should go to Aylsham Town Council. We should take a full off-site formal recreation and Green Infrastructure commuted sum.

4.11 Norfolk County Council as Highway Authority

Given the location and existence of good highway links to this site, I have no objections to the granting of permission.

Should your Authority be minded to approve the application I would be grateful for the inclusion of a condition that requires the proposed on-site car parking areas to be laid out in accordance with the approved plan before first occupation of the dwellings and retained thereafter for that specific use to ensure the permanent availability of the parking areas and in the interests of a satisfactory development and highway safety.

4.12 Other representations

Letters of representation have been received from 13 addresses close to the site which raise the following issues:

- Concerned that the proposal is for 16 two-storey buildings of varying roof heights around three side of the plot in place of a single storey building;
- The height of the proposal will have an adverse effect on the appearance of the historic building that is Donthorn Court;
- The height of the building should not detract from the prevailing character of the adjacent structure and natural beauty of its surroundings;
- The Heritage Impact Assessment concludes that the increased height of the development has low potential harm to the setting of the Grade II Listed Building, however we consider the harm to be significant ;
- The development extends substantially beyond the footprint of the existing building. In particular the extension to the west together with the two-storey elevation will impact on views from Donthorn Court and more significantly of the main building of Donthorn Court.
- The development will detract from the visual aspect of the historic building and its approach from the south.
- The physical structure of the proposed development should be restricted

to the existing footprint and its western extension to the sight line of the existing structure;

- Any tree removal should be confined within the actual perimeter of the site;
- The proposal for 16 units will increase the population density and increase vehicle usage of the surrounding area and of the access road and mini roundabout to the front of Donthorn Court;
- Parking for Donthorn Court residents is provided by two parking courts accessed off the mini roundabout, the allocated parking for the development also accessed from the mini roundabout will result in a 50% increase in traffic flow in front of the building;
- Increased traffic will adversely impact on the tranquillity of the development for existing residents and increase road risks. Parking in this area should be limited to occasional use only with all allocated parking provided within the parking area opposite the site;
- The access road is a private road and maintenance is the responsibility of existing residents and it seems incomprehensible that the new development will have the right to use the access with no obligation to pay for its upkeep;
- Construction traffic will not only cause inconvenience and disturbance to existing residents but will also result in considerable wear and tear and damage to surrounding road surfaces. No reference is made by the developer that the access road will be maintained to accommodate the new traffic.
- Developer should be required to make good and repair any damage to the private access road (Donthorn Court) and the future residents/owners of the development should undertake or be legally obliged to contribute to the future upkeep of the access road and surrounding areas;
- If part of the undesignated car park is to be retained as a public car park, the council should consider adopting the access road;
- The undesignated car park at the entrance to Donthorn Court is already heavily used by members of the general public. The transfer to residents only parking will result in displacement parking to the surrounding roads causing further congestion and inconvenience to existing residents and people using the open space;
- None of the properties have garages and car parking is allocated to the car park south of Hopkins Homes parking spaces, which is already well utilised by other cars. St Michael's estate already has a problem with parking which is getting worse;

- The area shown on the plans in blue should be upgraded to form additional parking for visitors;
- Development will increase the use of the surrounding open space and place an additional strain on the existing recreational space and surrounding habitat that cannot be altered to accommodate additional use;
- If this development goes ahead the ambiance and the ecology of the surroundings will soon become compromised;
- The loss of any trees is unacceptable;
- The Arboricultural Survey states that the whole hospital site is the subject of an area Tree Preservation Order and states the importance of retaining the trees in any future development. The development proposes to remove 10 of the 29 largest trees surrounding the development thus reducing the biodiversity and ecological quality of the current site;
- No mention has been made of the Ecological Survey carried out in 2015;
- In order to preserve the existing character and natural beauty of this heritage asset, all well-established category B and C trees in the vicinity of the new structure should be retained;
- Any additional street lighting should not add to light pollution and street furniture should be in keeping with the existing buildings;
- Welcome demolition of the existing structure but seek a development that enhances and does not compromise the unique character of the site;
- The scale of the proposed development will adversely impact on the surrounding amenities and seriously detract from the character of this important heritage asset;
- Cawston Road is already too busy and dangerous and can't cope with additional traffic. It is unsafe with no footpath and has to be crossed several times heading into town. There should be a 20 mph road into Aylsham or some traffic calming measures;
- The plan to maintain the immediate area should include the trees and land bordering the Windmill and Oak Lodge as this area has been neglected and trees are in a poor state;
- Hopkins Homes did all they could to maintain the character of the area, this development does no such thing with such an impact on the heritage of the site;
- Fencing right up to the kerb would look obtrusive, a curved brick wall is

suggested for Plot 1;

- Should there be a footpath on the north east corner of the site?
- Number of properties should be reduced by half and provided with garage space;
- The site lends itself to fewer, higher value properties rather than the current proposal.

Further comments on amended plans

- Proposed amendments are not substantial enough to alter views expressed in original objection;
- Density, scale and position of proposed development and impact on the existing heritage site and surrounding public space remain wholly relevant;
- The Arboricultural Survey recommends that Arboricultural supervision may be required during the works. If consent is granted we ask that Arboricultural supervision is a requirement of the planning permission during both demolition and any excavation works;
- Pleased to see that the proposal now preserves all of the significant trees;
- Plots 1, 2 and 3 will result in loss of light, noise and overlooking to the east wing of the old hospital. Plots 4, 5 and 6 have their gardens facing inwards, could Plots 1, 2 and 3 be repositioned similarly?

5 Assessment

Key Considerations

- 5.1
- The principle of development
 - The design and impact upon the character and appearance of the area
 - The impact upon the character and setting of the Listed Building
 - The impact upon the trees
 - The impact upon highway safety and parking
 - Neighbour amenity

Principle

- 5.2 As set out in paragraph 1.1 of this report the application seeks full planning permission for the demolition of a former care home and the erection of 16 dwellings.
- 5.3 The application site is located within the defined settlement limits for Aylsham where Policy GC2 of the Development Management Development Plan Document (DM DPD) seeks to accommodate new development. Policy 13 of the Joint Core Strategy (JCS) identifies Aylsham as a main town that would be expected to accommodate new housing as it has a high level of shops, services and employment within the town. There is a good bus service to and from Norwich and Sheringham/Cromer from the Aylsham Town Centre or Cawston Road approximately half a mile and third of a mile respectively from the site.
- 5.4 Furthermore, the site is a previously developed site and as set out in paragraph 118 of the NPPF, local planning authorities are required to give substantial weight to the value of using suitable brownfield land within settlements for homes and to support appropriate opportunities to remediate derelict land. The principle of development of this site is therefore acceptable.

Design, Character and Appearance

- 5.5 Policy 2 of the JCS, Policy GC4 of the DMDPD and Policy 2 of the Aylsham Neighbourhood Plan require new development to be designed to the highest possible standards, and to recognise and reinforce local distinctiveness through careful consideration of the treatment of space, the appearance of the new development and local character in relation to height, scale, density, and materials.
- 5.6 Neighbours and the Town Council have objected to the proposed development on grounds that the scale and density of the proposed development is out of keeping with the site. They state that increasing the footprint of the development outside that of the existing building and increasing the height from a single storey building to two-storey development will have a detrimental impact on the setting and block important views of the Listed Building.
- 5.7 The scale and density of the proposed dwellings is considered to be in keeping with existing development. The Old Hospital is a prominent building on the site, comprising of a two and three storey winged building beyond which is the taller structure of the former water tower. The three southern wings enclose shared car parking and small landscaped areas. The existing mature trees along the eastern edge of the access drive already restrict views of the Listed Building and none of these large trees are being removed. The new development will not result in any additional loss of the key view of the Listed Building. Being only two-storey development, the new houses will still appear subsidiary to the Listed Building and the proposed layout and density

aims to create the appearance of blocks of development to replicate the form and density of the Listed Building beyond and is appropriate for this site.

- 5.8 The proposed design of the dwellings are in keeping with surrounding development drawing architectural references and a pallet materials for their construction from the Listed Building immediately to the north and existing housing to the west. To ensure that the appearance of the development is maintained the Historic Environment Officer has suggested that permitted development rights should be removed for front boundary treatments (walls, fences and other forms of enclosure). In addition, any alterations or additions to the front elevations and front roof slopes of the dwellings should also be restricted by the removal of permitted development rights for porches, replacement windows/doors, exterior painting and satellite dishes. These conditions will be added to the decision notice.
- 5.9 The design, scale and density of the proposed development is in accordance with policies listed in paragraph 5.5 above.

Setting of the Listed Building

- 5.10 A number of comments have been received from neighbours in relation to the harm the proposed development will have on the appearance and setting of the Listed Building, concerned that the scale and design of the new development is inappropriate for the site.
- 5.11 The Historic Environment Officer was heavily involved in pre-application discussions in relation to the design and layout of the scheme and has been instrumental in amendments during consideration of the application. Because of this engagement and through various rounds of negotiation with the applicant, the proposal has evolved to its current form. Although the Historic Environment Officer suggests the ideal situation for the site would be to clear the vacant building from the land and return it to landscaped open space there is recognition that this is not a viable reuse of a Brownfield site.
- 5.12 The Historic Environment Officer has determined that the proposed layout, design, scale and materials is acceptable, resulting in an enhancement of the site that will not significantly harm the setting of the Listed Building. In coming to this view special regard has been had to the desirability of preserving the setting of the Listed Building in accordance with S16 (2) and S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990.

Trees

- 5.13 A key concern for local residents, the Town Council and the Council's Tree Officer was the impact that the proposed development would have on the trees that surround the site. These trees, which are the subject of a Tree Preservation Order, are a significant feature of the site and add to the attractiveness, special character and setting of the open space and Listed Building. The trees adjacent to the access road are within the application site

boundary, others are located on the public open space to the south and east.

- 5.14 The original plans indicated that a number of trees would have to be removed to allow the development to take place including some of the trees along the access road, which was not considered acceptable. Some smaller, less important trees will still have to be removed but a revised layout now shows that all the significant trees on the site can be retained. Subject to tree protection measures being in place before any work starts on site and the supervision of works during demolition and building, the Tree Officer has agreed the revised layout. A request has also been made that a landscaping condition is imposed to help mitigate past and proposed tree removals. It is confirmed that these conditions will be added to the decision notice as requested.

Highway Safety and Parking

- 5.15 Use of Donthorn Court for additional traffic has resulted in objections from residents on highway safety grounds and concerns about parking obstructions. The highway authority has raised no highway safety issues regarding the level of additional traffic or in relation to increased use of the access onto Cawston Road. The former use of the building as a care facility generated its own vehicular traffic and parking requirements. The highway authority supports the application subject to the provision and retention of the proposed car parking as set out in the submitted plans.
- 5.16 Policy 1 of the Aylsham Neighbourhood Plan requires development to provide off-road car parking adjacent to or in front of new dwellings that would be accessible to the occupants. Aylsham Town Council has objected to the development stating that the car parking as proposed is not in accordance with this policy. Car park areas are being provided to the north and west of the development and within short walking distance. Pedestrian paths link each new property with their allocated parking areas. Although contrary to the aims of the Neighbourhood Plan there is easy access for residents to the car parking areas. Providing parking 'on-plot' for each dwelling would create a development out of keeping with the character of the area and communal parking exists elsewhere locally. The amount and location of parking meets parking requirements and is in accordance with Policy TS4 of the DMDPD.

Neighbour Amenity

- 5.17 Policy GC4 of the DMDPD requires consideration of the impact upon the amenity of existing properties. One resident has raised concerns about loss of light, outlook and views due to the proximity and height of the proposed dwellings. The impact on residential amenity through overlooking, loss of outlook and overshadowing must be taken into account. The proposed dwelling on Plot 1 is the closest property and is located to the south and east of the eastern most block of Donthorn Court. The front building line of the new dwelling is 900mm behind the east-facing elevation of this block and is positioned six metres to the south. The east facing windows will have views of

the end gable of the new dwelling and the south facing windows will have views over the front of the new dwelling but the space between the existing and proposed development is sufficient to not affect light or outlook. It is acknowledged that the proposed housing will alter the view from properties in Donthorn Court however, the layout of the development would ensure that occupants of existing dwellings are not overshadowed and would not experience any significant loss of outlook.

- 5.18 Concerns have also been raised regarding loss of tranquillity due to increased traffic and increased activity associated with the development. It is acknowledged that in its current state the site generates no noise or traffic. However, former use of the site as a care home created its own traffic and associated activity. Although general residential use of the site is different to that of a care home the scale of the proposed development is unlikely to lead to an unacceptable level of noise for neighbours.

Other Issues

- 5.19 Policy H4 in the Joint Core Strategy requires a proportion of affordable housing on sites of 5 or more dwellings, however amendments to the National Planning Policy Guidance (NPPG) in 2016 changed the way that affordable housing contributions can be sought from development. Paragraph 63 of the NPPF states that any affordable housing contribution should be reduced by a proportionate amount where vacant buildings are being redeveloped or reused to encourage the effective use of previously developed land. Where a vacant building is replaced by a new building, a financial credit equivalent to the existing gross floor space of relevant vacant buildings is offset against the affordable housing contribution that can be sought. The floor space of the existing building is greater than the floor space of the proposed new housing and as a result no affordable housing contribution will be sought for this development.
- 5.20 The site is located in Flood Risk Zone 1 and there is a low risk of flooding on the site. Surface water will be disposed of using soakaways. A condition will be required for further details relating to the soakaways and surface water drainage to be submitted to and approved in writing by the Local Planning Authority. This condition is proposed to be added to the decision notice.
- 5.21 The foul water associated with the development is proposed to connect into the existing Anglian Water mains foul water sewer network. Anglian Water has confirmed that there will be available capacity for these flows in the catchment area. Overall, the application accords with Policy 1 of the JCS and Policy CSU of the DMDPD with regards to foul and surface water drainage.
- 5.22 The access road serving Donthorn Court and car parking areas is in private ownership and residents of Donthorn Court are responsible for maintenance costs. The Town Council and some of the residents have raised this matter. A request for occupants of the new dwellings to share this cost with existing owners has been requested. This is a private matter that does not affect the

ability to deliver this development. The applicant is aware.

- 5.23 Policy EN1 of the DMDPD requires development proposals to protect and enhance the biodiversity of the district and where harmful impacts may occur should demonstrate that adequate mitigation is incorporated. A bat and nesting bird survey was submitted with the application. This report found that there were no bats roosting in any of the buildings and there were no suitable nesting places for barn owls in the buildings to be demolished. There was evidence of nesting birds in the boundary trees and shrubs. The results of the survey indicate that a European Protected Species Mitigation Licence is unlikely to be required for the demolition of the buildings as there is no evidence of bat activity, bat roosts and low probability of bat interest. There is high potential for nesting birds in broken soffit boxes, ledges and trees therefore the buildings and vegetation must be inspected if works are to commence between March and September. The ecological mitigation and enhancement measures contained within the report will be added as a condition to the decision notice.
- 5.24 The Council's Pollution Control Officer has requested that a condition is imposed that requires an assessment of ground conditions on site. It is confirmed that this condition is to be added to the decision notice as requested.
- 5.25 Policy EN3 of the DMDPD requires all development of five or more dwellings to contribute to the provision, enhancement and maintenance of informal open space in order to meet the recreational needs of existing and future residents and to mitigate the potential impacts of visitor pressure upon sensitive internationally designate sites (Natura 2000 sites). Where appropriate on-site provision will be expected or an off-site contribution will be required as part of wider Green Infrastructure provision. A financial contribution towards off-site provision of informal open space and Green Infrastructure will be secured through a Section 106 Agreement.
- 5.26 Policy RL1 of the DMDPD requires all development of five or more dwellings to make adequate provision and subsequent management arrangements for recreation. The provision of formal recreation, children's play space and allotments is required for this development. There is adequate play provision on the surrounding development and adequate allotment provision nearby therefore only a financial contribution towards the equipping of these will be required. This will be secured through a Section 106 Agreement.
- 5.27 This application is liable for Community Infrastructure Levy (CIL) as although additional floor space is not being created, the building has not been in lawful use for a continuous period of six months within the last 36 months and CIL is chargeable on the entire new floor space.

6 Conclusion

- 6.1 In conclusion, the site is located within the settlement limits, is in a sustainable location close to all services and facilities including public transport and will make a useful contribution to housing supply. The development will make good use of an existing brownfield site that will also help to enhance the site and its surroundings. The development will protect existing trees on site and contribute to the provision, enhancement and maintenance of formal and informal open space in the locality. The proposals will not cause any adverse harm to the general character and appearance of the area, will not harm the setting of the Listed Building or amenity of neighbours. There are no highway safety issues and adequate parking is provided for the new development. The scheme is acceptable in its further revised form subject to the imposition of conditions and successful completion of a legal agreement securing offsite open space contributions.

Recommendation: Delegate authority to the Director of Place to **APPROVE** subject to the following conditions and successful completion of a Section 106 Agreement with the following Heads of Terms:

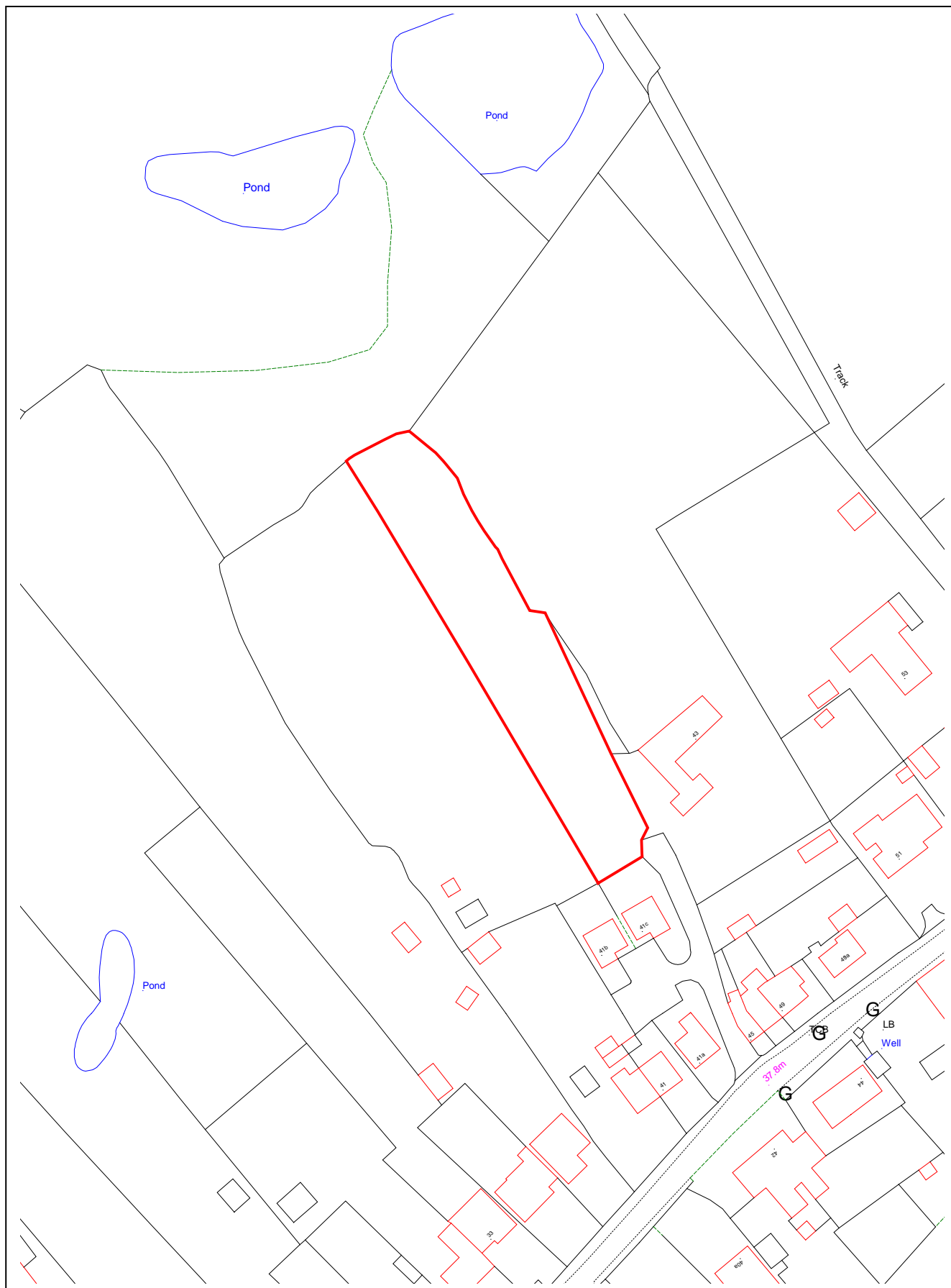
Open Space provision

- (1) Equipping and maintenance of play space
- (2) Equipping of allotments
- (3) Offsite contribution for formal recreation
- (4) Offsite contribution for Green Infrastructure

and subject to the following conditions:

- (1) Time limit
- (2) In accordance with plans and documents
- (3) External materials
- (4) Hard and soft landscaping
- (5) Boundary treatments
- (6) External lighting scheme
- (7) Accordance with AIA, TPP and AMS
- (8) Ecological mitigation measures
- (9) Highways – Parking area provision
- (10) Drainage strategy
- (11) Foul and surface water drainage
- (12) Contamination Assessment
- (13) Removal of Permitted Development walls and fences
- (14) Removal of Permitted Development alterations to front elevations and front roof slopes

Contact Officer, Julie Fox
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Application No: 20191655

Land to the rear of 41b & 41c The Street, Felthorpe, NR10 4AB

**Scale:
1:1250**

**Date:
23-Dec-19**



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Application No: [20191655](#)
Parish: **Felthorpe**

Applicant's Name: MMC Norfolk
Site Address: Land to the rear of 41b & 41c The Street, Felthorpe, NR10 4AB
Proposal: Single storey 3 bedroom dwelling with associated double garage, turning area and garden with associated boundary treatment

Reason for reporting to committee

A Member of Broadland District Council is a Director of the applicant company and also has an interest in the land and objections have been received on the application.

Recommendation summary:

Refuse

1 Proposal and site context

- 1.1 This application seeks full planning permission for the erection of a single storey dwelling with a double garage, turning area, garden and associated boundary treatment.
- 1.2 The site is located in Felthorpe which does not have any defined settlement limit. The nearest settlement limit is Holt Road, Horsford which is approximately 1.5 miles east of the application site.
- 1.3 The dwelling would be accessed off a track which runs from The Street which also serves numbers 41b, 41c and 43 The Street. The driveway is proposed to enter the site over a right of way and is located at the south east part of the site.
- 1.4 The proposed entrance to the dwelling is to be located facing south east with the majority of windows and doors facing west.
- 1.5 The proposed dwelling would have an approximate footprint of 233m² and would have a maximum height of 6.3m to the highest part of the dwelling. The garage would sit forward of the site and would have an approximate footprint of 35m² and would have a maximum height of 4.85m metres to the highest part of the garage.

2 Relevant planning history

- 2.1 [20060562](#): Land adjacent to 41 The Street, Felthorpe – erection of dwelling and garage (outline). Withdrawn 5 May 2006.
- 2.2 [20061817](#): 41 The Street, Felthorpe – 3 no: detached dwelling houses and garages. Withdrawn 7 February 2007.
- 2.3 [20070942](#): 41 The Street, Felthorpe – 3 detached dwelling houses and associated works. Approved 12 October 2007.
- 2.4 [20170408](#): Plot to rear of 41b & 41c The Street, Felthorpe – detached bungalow and garage. Refused 13 July 2017.

(The previous planning committee report for this application is attached to the end of this report as Appendix 1.)

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 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 17 : Small rural communities and the countryside

3.3 Development Management Development Plan Document (DM DPD) 2015

Policy GC1: Presumption in favour of sustainable development
Policy GC2: Location of new development
Policy GC4: Design
Policy EN2: Landscape
Policy TS3: Highway Safety
Policy TS4: Parking Guidelines

4 Consultations

4.1 Norfolk County Council as Highways Authority:

On the basis that nothing has changed in regard to highway matters I must reiterate the comments I provided in regard to the previous application on this site (20170408) for similar development namely:

'I am aware that three dwellings were allowed adjacent to this site and using the same access point to The Street as a result of planning application 20070942.

That application was acceptable to the Highway Authority on the basis of some access and visibility improvements.

I acknowledge that visibility at the site access remains below Manual for Streets requirements to the north-easterly direction.

However, there are a number of mitigating considerations which lead me to believe that objection on highway safety grounds to a further single dwelling using this access point would be unsustainable at Appeal. These considerations being 1) This site appears to have an existing use as smallholding/market garden which potentially generates some degree of vehicular use. 2) The access already serves a number of existing dwellings with similarly arranged access points being in significant evidence on The Street. 3) Traffic calming measures have been introduced on The Street in the last few years.

However, in regard to transport sustainability Felthorpe has little or no everyday service facility or good access to public transport etc and occupiers of the proposed dwelling are realistically therefore reliant on the use of the car for everyday travel. Residential development at this location is therefore contrary to sustainability objectives seeking to site such development at locations where good levels of service facilities are available or alternative travel modes are readily accessible.

The Highway Authority would hope that your Authority would take this into account when considering the overall acceptability of the proposal'.

Should your Authority be minded to approve the application I would be grateful for the inclusion of the following condition on any consent notice issued;

SHC 20 Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking areas shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

4.2 Conservation Officer (Arboricultural & Landscape):

- An Arboricultural Impact Assessment (AIA) has been undertaken by Talking Elm Tree Services, this has considered some of the constraints the existing trees pose to the development of the site.
- The top section of the eastern boundary of the site has trees protected by Tree Preservation Order 2011 No.51 (1022) which has a woodland designation.
- No trees are shown for removal to implement the proposals.
- Within the report it states that T1, T2, & T3, all English Oaks, which have been recently heavily topped, resulting in large wounds, with the works not being undertaken, following the recommendations within the British Standard 3998 for Tree Works or following good arboricultural practice, this is a pity as the trees clearly contributed to the visual amenity of the location and the works will have an impact on the future health of the trees. Due to the close proximity of the proposed dwelling to T1 & T2, there will be continued pressure to reduce the regrowth away from the building to maintain clearance from the structure.
- It is also noted that the footprint of the dwelling encroaches within the Root Protection Area (RPA) of Oak T1, although it is estimated this is less than 20% of the total RPA, whilst this may be within the maximum limits, it will be essential that any work within the RPA is carried out under the supervision of a qualified Arboricultural Consultant.
- No details of the overshadowing to the site have been provided and the shadow patterns have not been annotated on the drawings to show the extent of these and how it would impact the proposals. It is likely the T1, T2 and part of G1 will cause shade to the eastern elevations of the dwelling.
- In summary the size of the proposed dwelling; positions it very close to the eastern boundary, this boundary has existing trees which are a constraint to the development and in my opinion this will lead to future management issues, which will result in a repeat of the heavy lopping that has already taken place and this will have a detrimental effect on the trees health and structural integrity, the layout should be amended to reduce the size of the dwelling allowing it to be moved further away from the eastern boundary.

4.3 Pollution Control Officer:

No objections.

4.4 Environmental Contracts Officer:

The bins will need to be brought down to The Street on collection day, as we wouldn't take the refuse vehicle up the track here.

4.5 Felthorpe Parish Council:

Felthorpe Parish Council objects to Planning Application 20191655 in its entirety.

Planning application 20170408 was refused by Broadland District Council in July 2017. The reasons for that refusal are as valid for the current application as they were for the previous one.

The Settlement Limit for Felthorpe was removed following the adoption of the Joint Core Strategy in 2014 and subsequently, Felthorpe is considered an unsuitable location for further development.

There is an existing 5-year land supply and recent developments at Kingfisher Meadows, Brewery Lane, and the proposed Home Farm development in Horsford adequately meet housing needs in the area. Additionally, the developing Greater Norwich Plan identifies a number of potential development sites within the locality.

Felthorpe was incorrectly re-designated as an 'Other Village' from 'Smaller Rural Community' in the developing Greater Norwich Plan following the determination that the village has a petrol station, which it does not. Felthorpe Parish Council strongly objected to the reclassification.

Felthorpe is served by just four buses per day, two to Norwich and two returning (with an additional service for students) at times that do not meet the needs of the average employee. School buses provided transportation for secondary school students at Hellesdon and Taverham High Schools.

Almost all residents are dependent on cars to meet everyday transportation needs.

Felthorpe employment is minimal with a family owned and operated garage and timber yard and a number of care homes. Other small scale employers in the locality include builders' merchant, abattoir, timber yards etc. all of which are not served by public transport.

The nearest food shops and post office are located in Horsford, a distance of 2.5 miles and are not served by public transport from Felthorpe. The nearest petrol station is 4 miles distant.

Felthorpe has mains electricity and water but no gas. Faster broadband for those who can afford it, is rated at 32 mbps. The new telephone mast is not

yet fully commissioned and does not cover all providers. Obtaining a mobile signal inside a property for the most part is non-existent.

In short, the proposed development does not meet sustainability objectives.

Whilst Felthorpe PC welcomes the upgrading and/or replacement of existing dwellings, we consider the proposed construction as an unwarranted intrusion into the green space surrounding the village that will serve as a precedent for other adjoining land owners to consider development.

With respect to material considerations, the proposed building will result in the loss of privacy for adjoining residents by overlooking the rear of their property. Access to the site is via a single width, unpaved and unadopted track with limited space for vehicles to turn around. Increased vehicle traffic and associated disturbance is a concern to residents. Visibility on exiting the Loke onto The Street is impaired leading to potential accidents particularly with vehicles entrancing and exiting at the same time. Should the proposed property use oil or propane as an energy source, then trucks would have difficulty in accessing the site.

Felthorpe Parish Council requests that Broadland District Council upholds and applies the refusal decision of application 20170408 to the current application.

Other Representations

4.6 5 letters of objection were received for the following reasons:

- Overlooking/loss of Privacy (looks directly over the back garden of no: 39 with all the main windows biased and looking directly over the garden)
- Noise and disturbance resulting from use.
- Road access (the access off the main Street is poor and obscured by a lamp post and a single cars width which already serves 5 properties, 3 of which are all rented out))
- Traffic generation (see above concern)
- Policies as listed in the original REFUSAL dated 13 July 2017. Felthorpe still falls in this scope – see extracts below
 - *'Critical to the determination of the application is whether or not the principle of development is acceptable. Following the adoption of the Joint Core Strategy (JCS) in 2014 the settlement hierarchy for the district was reconsidered which resulted in the settlement of Felthorpe being removed. Felthorpe is consequently considered to be outside of any defined settlement limit policy GC2 of the DPD*

(DM DPD) does not permit new development unless the proposal complies with a specific allocation and /or policy of the development plan.'

- *'Felthorpe has little or no everyday service facility or good access to public transport and it is considered that future occupiers would be dependent upon use of the car for every day travel.....'*
- *"The dwelling therefore constitutes an unwarranted intrusion into the countryside, contrary to the aims of sustainable development'.*
- The access to the proposed dwelling is already overused, is single track, in my opinion and by my observation over the last 8 or so years, is unsafe for vehicular access to and from The Street. The volume of traffic using the access at the side of my house, has made the route hazardous for pedestrians, and the uneven surface has never been maintained by the applicant.
- As you will be aware, there has been the planning granted, and development of three dwellings on the back garden of 41 The Street in the last 8 years. In my opinion, further development will only add to the disturbance I already endure on a daily basis.
- I believe that any further development would add to an already over developed space, and is not in keeping with the area.
- When looking at the plans; the proposed property is right on our border which is currently made up of mature trees and shrubs which are on our property and owned by us. Even with this natural boundary the proposed dwelling would still significantly overlook our living and bedroom areas. There is also a healthy Ash tree within this boundary and with the threat of Ash Dieback still being very real, due care and consideration should be taken when working on this site.
- The proposed dwelling would also result in significant shading / shadowing of our garden and house during day.
- Furthermore; the lane down to the proposed dwelling is not suitable for additional traffic, especially three extra cars for which parking is provided for in the application. The lane down to the proposed site already poses problems as ridges are produced by cars turning into 41b and 41c. Visitors to our home often find the bottom of their vehicles scrape on the ridges.
- The turning into and out of the lane poses traffic danger, with room for single file traffic only and limited visibility down the lane meaning cars turning into the lane from The Street could come face to face with cars coming out of the lane, potentially causing issues on The Street from vehicle turning in and stopping abruptly. Traffic calming measures on

The Street have not changed this situation as we have witnessed on a number of occasions. Visibility and access are also greatly worsened on bin days as wheelie bins from existing dwellings clog the top of the lane. Traffic down the full length of the lane is currently limited to our vehicles, postal services and very occasionally the occupants of 39 The Street to tend to their ornamental garden, although they mainly use the access directly from their house. The lane would not tolerate the additional traffic that three cars would introduce, never-mind the construction traffic that would be required to use this lane to get materials on-site.

- We have concerns regarding the ecological report. The area is rich in wildlife which would be directly impacted by the proposed dwelling. Paragraph 3.4.1 of the report states 'Access was not gained to any ponds within 250m of the site and their suitability in supporting great crested newts could not be ascertained.' Given there are ponds within 250m of the site and the suitability of the area as a habitat for great crested newts, we believe that a full survey should have been carried out to determine the situation.
- From the parish planning perspective nothing has changed since the refusal of planning application 20170408 Broadland District Council in July 2017. Following the adoption of the Joint Core Strategy in 2014 the village of Felthorpe was removed from Policy 16 - Planning Policy Statement 7 (PPS7) Sustainable Development in rural areas. Therefore; Felthorpe is not considered a suitable location for any further development. There is no regular bus service covering Felthorpe so most of its residents are required to drive if they are to leave the village. This would mean occupiers of the proposed dwelling would need to use a car(s) for everyday travel which is in contrast to the aims of sustainable development.
- As a 5-year land supply has already been identified with the proposed Home Farm development and recent builds at Brewery Lane and Kingfisher Meadows adequately fulfilling the remit for housing in the area I can see no benefit to the village by approving this build.
- Our garden runs parallel to this plot with only the land owned by the applicant separating us. A property of this size is just too big for this plot of land and it would result in having not only lots of noise but also the outlook of having to see a building which would be practically in our garden. The residents would also be able to look straight into our garden with no privacy at all.
- The movement of material to the site to enable this build would be noisy, disruptive and more importantly affect many of the wild birds and animals as their habitat will be taken away from them. We bought this property mainly because of the quietness plus being able to see lots of wild life which is important to us so if the build went ahead it will take that away from us.

- In the first instance, BDC is capable of demonstrating a deliverable 5 years' supply of housing, as per the recent Annual Monitoring Report update, Broadland can demonstrate a 7.33 years supply. Therefore the Council's Development Plan Policies relating to the supply of housing are for the purpose of the application, to be considered 'up to date' (with reference to paragraph 73 of the Framework). Specifically, Policy GC2 of the DM DPD does not permit new development unless the proposal accords with another policy of the Development Plan. The site is within the Rural Policy Area (RPA) and lies outside any defined settlement limit, where furthermore, the site has not been allocated for development in the Site Allocations DPD. Policy GC2 states that the settlement hierarchy seeks to focus residential development in settlements which are well linked and well related to services, facilities and employment opportunities. Felthorpe has little or no everyday facilities, no good access to public transport and it is considered that future occupiers would be dependent upon the use of the car for everyday travel. It is therefore considered that residential development at this location is unsustainable and contrary to policy. It is our (me and my partner) opinion that the proposal constitutes an unacceptable form of development outside of settlement limit. Therefore, the principle of development is not accepted at the proposed site and refusal of the application is recommended. In addition to the site being contrary to policy I would like to draw upon the planning history of the site, where in 2017 an application was made at the site for a detached bungalow and garage (planning ref: 20170408), which was subsequently refused in July 2017. This application was refused on grounds of unsustainable location and that there are no benefits to outweigh the introduction of a new dwelling into the countryside.
- Further to this and very importantly to me and my partner, no consideration has been given towards the environmental impacts of the proposed development. Firstly, the applicant has not submitted any details on how surface water and foul drainage will be adequately disposed of and there has been no recognition towards the existing drainage issues within Felthorpe. Felthorpe's main pumping station is located along Chapel Lane which is having to not only serve the village, but from my understanding, a large part of Horsford too. The pumping station is already under severe pressure where there have been numerous (at a guess approximately 50 times) and regular occasions of foul sewage spillage into our garden located off Chapel Lane since moving to my property in 2005.
- The foul sewage is currently being pumped down to the bottom drain and well, located at Chapel Lane (which is also located at the bottom of my garden) before it is pumped back up the system and this is why it overloads as the pumping system does not have capacity. This problem is clear from looking at the Environment Agency Flood Map which highlights that the land at the end of Chapel Lane already suffers from

medium to high risk of surface water flooding (where the pumping station is located). It is also highlighted that this area of risk is linked to the proposed site which also suffers from the same medium to high risk of surface water flooding. The introduction of new development would only cause further issues to an already problematic area. The last incident was just over a month ago for which I cleared the mess up myself what with my dogs having once again rolled in the waste. I have several photographs to prove this.

- My second and final concern is regarding Great Crested Newts (GCN), it is highlighted within the applicants PEA that “No ponds were accessed for an assessment as to their potential to support great crested newts as part of this study”. However, it is noted that there are several ponds between 100- 250m from the site, none of which were accessed as part of this assessment. The report also confirmed that “The habitat within the development site was suitable for terrestrial great crested newts, and there was connectivity to all of the ponds in the wider area along tree belts and hedgerows.” Great crested newts are protected under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). This legislation fully protects great crested newts in all life stages from intentional or reckless activities, as well as protecting their breeding and resting places from damage or destruction. In light of this, the applicant has not demonstrated that newts are not present within the ponds identified and cannot rule out the presence of newts within the development footprint at this stage. It is my understanding that further survey work is required to determine the presence and population of any GCNs within the ponds identified and that the LPA will not grant permission until all surveys are complete, in line with the extant government circular on planning and biodiversity (Circular 06/2005) which makes it explicit that “the presence or absence of protected species, and the extent to which they could be affected by a proposed development, should be established before planning permission is granted, since otherwise all material considerations might not have been considered in making the decision.” The extent to which GCN will be affected by the development has not been accurately assessed and cannot be until presence and population size is provided. In summary, BDC can demonstrate a 5 year land supply and therefore the Council should look to their current Local Plan as the starting point for determining the application, and this does not support the proposed development. Therefore, the principle of development can only be established for such a proposal if the application complies with all the other relevant policies or provides significant material benefit that a departure from policy is warranted. This application does not do this. The site has a history of an unsuccessful planning application, where no fundamental changes have been made to the proposal which would warrant a change in opinion from BDC to issue an approval. Furthermore, the proposal represents significant and demonstrable harms which are not outweighed by the minimal benefits it would deliver. I would request that the application be

determined in line with the previous decision and that issues which I have raised above be included in the reasons for refusal.

5 Assessment

- 5.1 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 site constitutes a sustainable location. The other main issues to be considered are the impact of the proposal on the character and appearance of the area, neighbour amenity and highway safety.

Key Considerations

- 5.2 The principle of the development.
- 5.3 The impact of the development on the character and appearance of the surrounding area.
- 5.4 The impact of the proposal on residential neighbouring amenity.
- 5.5 The impact of the proposal on nearby trees.

Principle

- 5.6 Critical to the determination of the application is whether or not the principle of development is acceptable. Following the adoption of the Joint Core Strategy (JCS) in 2014 the settlement hierarchy for the district was reconsidered which resulted in the settlement limit for Felthorpe being removed. Felthorpe is consequently considered to be an unsustainable location for any further development. The site therefore lies outside of any defined settlement limit where Policy GC2 of the Development Management DPD (DM DPD) does not permit new development unless the proposal complies with a specific allocation and/or policy of the development plan.
- 5.7 Policy GC2 of the DM DPD states that the settlement hierarchy seeks to focus residential development in settlements which are well-linked and well-related to existing development, services, facilities and employment opportunities. Felthorpe has little or no everyday service facility or good access to public transport and it is considered that future occupiers would be dependent upon the use of the car for everyday travel. Residential development at this location is therefore contrary to sustainability objectives.
- 5.8 Paragraph 79 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
 - (b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - (c) the development would re-use redundant or disused buildings and enhance its immediate setting;
 - (d) the development would involve the subdivision of an existing residential dwelling; or
 - (e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.
- 5.9 The dwelling is not required to house a rural worker; the proposal does not make use of a heritage asset; the proposal does not re-use redundant or disused buildings or enhance its immediate setting. It is also considered that the proposal is not a design of exceptional quality. Therefore it is considered that the proposal does not comply with the requirements of paragraph 79 of the NPPF and a dwelling in this unsustainable location is not justified.
- 5.10 There are dwellings in close proximity to the application site, however, the site is still considered to be isolated in relation to its proximity to services and facilities. This proposal constitutes an unwarranted intrusion into the countryside which is contrary to the aims of sustainable development.
- 5.11 Properties including 41a, 41b and 41c are relatively new builds and it is noted that these properties were given planning permission in 2007 when the site was within the settlement limits for Felthorpe.

Land Supply

- 5.12 The Annual Monitoring Report (AMR) of the Joint Core Strategy for Broadland, Norwich and South Norfolk for 2017-18 was published in October 2019. The AMR includes the Greater Norwich Area Housing Land Supply Assessment (HLS) at 1st April 2018, which sets out the housing land supply position for Greater Norwich for the period 1 April 2018 to 31 March 2024. The AMR HLS replaces the interim Housing Land Supply Assessment for the same period. The AMR HLS demonstrates that a 6.54 year housing land supply can be demonstrated across the Greater Norwich area.

The impact of the development on the character and appearance of the surrounding area

- 5.13 The surrounding area is predominantly residential dwellings that vary in design. The site is on a gentle decline from front to back with the road being on higher ground than the site. The proposed new dwelling would not be readily seen within the street scene due to the distance from the highway and natural screening and would not have a detrimental impact on the general character and appearance of the surrounding area. This was not a reason for refusal of the previous planning application.

The impact of the proposal on residential neighbouring amenity

- 5.14 Objections have been received from neighbouring properties in regards to the proposed new dwelling. Some of these reasons include overlooking, overshadowing, noise and disturbance, visibility and environmental impacts. Further details of these objections can be found in section 4 of this report.
- 5.15 Given the single storey nature of the development and the fact that the dwelling would be at a lower level than the properties to the south it is not considered that the proposal will appear overbearing or result in any significant overlooking issues. The neighbouring dwelling at No.43 would also be well screened from the proposal by the trees to the eastern boundary of the site. This was not a reason for refusal of the previous planning application.

The impact of the proposal on nearby trees

- 5.16 The Conservation Officer was consulted on the application and raised concerns over the impact that the development would have on the nearby trees.
- 5.17 The proposed dwellings footprint would encroach into the Root Protection Area (RPA) of a neighbouring Oak Tree and it is estimated that this will be less than 20% of the total RPA which is the maximum limits. Due to the close proximity of the dwelling to the trees, there would be additional pressure to reduce the regrowth away from the building to maintain clearance from the structure.
- 5.18 Concerns were also raised on proposed shadowing from the trees on the dwelling and this puts additional pressure on these trees being removed or have the trees canopies reduced significantly.
- 5.19 The proposed dwelling is in close proximity to the boundary and nearby trees which will lead to future management issues which puts additional pressure on these trees to be removed or heavily lopped, in addition to the heavy lopping which has already occurred. This will have a detrimental

effect on the health of the nearby trees and the structural integrity of the proposal being so close the boundary with the nearby trees.

Other Issues

- 5.20 With regards to highway safety, whilst the Highway Authority referred to the previous comments given for planning application 20170408 and have acknowledged that visibility at the site access remains below Manual for Streets requirements to the north-easterly direction they have raised no objection on highway safety grounds. It is also considered that the site offers room for sufficient parking to be provided on the site and overall the scheme therefore complies with Policies TS3 and TS4 of the DM DPD.
- 5.21 Although the proposed dwelling would be in close proximity to other dwellings and would not be physically isolated, the proposed dwelling would be isolated in terms of access to shops, services, community facilities and transport choices other than that of a private motor vehicle.
- 5.22 This application is liable for Community Infrastructure Levy (CIL)

Recommendation: **REFUSE**, for the following reasons:

This application has been considered against the Development Plan for the area, this being the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk (2011) as amended (2014) and The Development Management DPD (2015). Other material considerations include The National Planning Policy Framework (NPPF) (2019) and The Planning Practice Guidance (2014).

The Policies particularly relevant to the determination of this application are Policies 1, 2, 6 and 17 of the JCS and Policies GC1, GC2, GC4, EN2, TS3 and TS4 of the Development Management DPD.

Critical to the determination of the application is whether or not the principle of development is acceptable. Following the adoption of the Joint Core Strategy (JCS) in 2014 the settlement hierarchy for the district was reconsidered which resulted in the settlement limit for Felthorpe being removed. Felthorpe is consequently considered to be an unsustainable location for any further development. The site therefore lies outside of any defined settlement limit where Policy GC2 of the Development Management DPD (DM DPD) does not permit new development unless the proposal complies with a specific allocation and/or policy of the development plan.

Policy GC2 of the DM DPD states that the settlement hierarchy seeks to focus residential development in settlements which are well-linked and well-related to existing development, services, facilities and employment opportunities. Felthorpe has little or no everyday service facility or good access to public transport and it is considered that future occupiers would be dependent upon the use of the car for everyday travel. Residential development at this location is therefore contrary to sustainability objectives.

The site is located within the Greater Norwich Area where there is in excess of a five year land supply and therefore an additional dwelling on the site would not help to address any recognised shortfall.

The proposed dwellings footprint would encroach into the Root Protection Area (RPA) of a neighbouring Oak Tree and it is estimated that this will be less than 20% of the total RPA which is the maximum limits. Due to the close proximity of the dwelling to the trees, there would be additional pressure to reduce the regrowth away from the building to maintain clearance from the structure.

Concerns were also raised on proposed shadowing from the trees on the dwelling and this puts additional pressure on these trees being removed or have the trees canopies reduced significantly

The proposed dwelling is in close proximity to the boundary and nearby trees which will lead to future management issues which puts additional pressure on these trees to be removed or heavily lopped, in addition to the heavy lopping which has already occurred. This will have a detrimental effect on the health of the nearby trees and the structural integrity of the proposal being so close the boundary with the nearby trees.

Paragraph 79 of the National Planning Policy Framework (NPPF) states that planning polices and decisions should avoid the development of isolated homes in the countryside unless there are special circumstances.

The dwelling is not required to house a rural worker; the proposal does not make use of a heritage asset; the proposal is not to re-use redundant or disused buildings or enhance its immediate setting. It is also considered that the proposal is not a design of exceptional quality. Therefore it is considered that the proposal does not comply with the

requirements of paragraph 79 of the NPPF and a dwelling in this unsustainable location is not justified.

In conclusion, there has been no justification given as an exception to allow residential development in this location. For this reason, the proposal represents a fundamental conflict with the Council's efforts to concentrate new development in more sustainable locations and fails to comply with the sustainability agenda of the NPPF, Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD. Whilst the proposal is not considered to result in any significant detrimental impact upon residential amenity or the safe use of the highway network, these do not outweigh the consideration of the introduction of a new dwelling into the countryside resulting in an inappropriate form of development.

**Contact Officer,
Telephone Number
and E-mail**

Ellie Yarham
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AREA West
PARISH Felthorpe

6

APPLICATION NO: [20170408](#) **TG REF:** 616677 / 317993
LOCATION OF SITE Plot to Rear of 41b & 41c The Street, Felthorpe, NR10 4AB
DESCRIPTION OF DEVELOPMENT Detached bungalow and garage
APPLICANT MMC (Norfolk) Ltd, Willow Tree Barn, Attleborough Road, Morley St Peter, NR18 9TU
AGENT Mr Stephen Bush, The Corner Lodge, 2 Church Lane, Felthorpe, Norwich, NR10 4DP

Date Received: 8 March 2017
8 Week Expiry Date: 20 June 2017

Reason at Committee: The application is submitted by a Member and an objection has been made - consequently it falls outside the scheme of delegation.

1 THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a detached bungalow and double garage on a site which is outside of any defined settlement limit.
- 1.2 The dwelling would be accessed off a track which runs from The Street which also serves No's 41b, 41c and 43 The Street. The driveway is proposed to run down the southern boundary of the site and then along the western boundary towards the detached garage.
- 1.3 The dwelling is proposed to be located facing towards The Street with the garage proposed to be sited to the rear of the dwelling. The dwelling would have a footprint of approximately 145m² and would have a maximum height of 6.3m to the top of the ridge. The garage would have a footprint of approximately 36 m² and would be 4.5m in height.

2 KEY CONSIDERATIONS

- Whether the siting of the proposed dwelling is appropriate having regard to the Development Plan policies relating to the location of new housing.

- Whether the proposal would be sustainable development.
- Impact of the development on the character and appearance of the area, neighbour amenity and highway safety.

3 CONSULTATIONS

3.1 Felthorpe Parish Council: (summarised)

Objects on the following grounds:

- Access and provision of infrastructure. Proponent does not have exclusive access to the proposed site via an unadopted lode. Additional dwelling will add to the general wear and tear.
- Set precedence for others to follow suit. The proposed location is set behind the accepted building line of The Street, Felthorpe on a greenfield site and will set precedence for others to 'backfill' along The Street and other Felthorpe locations.
- Noise and disturbance resulting from use. The additional dwelling will result in additional vehicular and pedestrian traffic along the lode creating additional noise and disturbance to adjacent residents.

3.2 Highway Authority:

I am aware that three dwellings were allowed adjacent to this site and using the same access point to The Street as a result of planning application [20070942](#).

That application was acceptable to the Highway Authority on the basis of some access and visibility improvements. I acknowledge that visibility at the site access remains below Manual for Streets requirements to the north-easterly direction.

However, there are a number of mitigating considerations which lead me to believe that objection on highway safety grounds to a further single dwelling using this access point would be unsustainable at appeal. These considerations being: (1) This site appears to have an existing use as smallholding / market garden which potentially generates some degree of vehicular use. (2) The access already serves a number of existing dwellings with similarly arranged access points being in significant evidence on The Street. (3) Traffic calming measures have been introduced on The Street in the last few years.

However, in regard to transport sustainability Felthorpe has little or no everyday service facility or good access to public transport etc and occupiers

of the proposed dwelling are realistically therefore reliant on the use of the car for everyday travel. Residential development at this location is therefore contrary to sustainability objectives seeking to site such development at locations where good levels of service facilities are available or alternative travel modes are readily accessible.

The Highway Authority would hope that your Authority would take this into account when considering the overall acceptability of the proposal.

Should your Authority be minded to approve the application I would be grateful for the inclusion of the following condition on any consent notice issued. *(Condition relating to the access and on-site car parking areas to be added to any approval.)*

3.3 Pollution Control Officer:

No comment.

3.4 Conservation Officer (Arboriculture and Landscape):

- A Tree Protection Plan is required. This should show the position of the tree protection measures which should include Heras fencing to create a Construction Exclusion Zone as well as ground protection measures. Ground protection will most likely be required for T8 and T9.
- Will there be any paving to the rear of the property near the trees? If so specialist hard surfacing and installation methods will need to be incorporated into the tree protection plan.
- Section 4.9 of the assessment should state that no levels will be changed within the Root Protection Areas. Currently, the section on levels is too vague, it is not clear whether a change in levels will or will not occur and it should be clearer in regards to the negative impacts of changing soil levels around trees.
- Section 4.19 regarding services states that “service runs will be placed outside the crown spread of the trees”. This should be amended to state that underground services should be placed outside the RPAs of the trees. If service runs are located within RPAs, plans to do so should be submitted to a Council Tree Officer.

Once a revised draft of the assessment has been received that adequately addresses the above I can see no further arboricultural constraints to development.

Comments following submission of revised Tree Report:

I just need the actual Tree Protection Plan now which can be conditioned if it can't be added to this report in the timeframe available. The TPP is the main thing that is looked at by contractors when on site so it is important that one is provided showing the positions of protection fences and any other protection measures mentioned in the report, it should be a concise summary of the tree protections.

3.5 Principal Planner (Minerals and Waste Policy):

While the site is underlain by a Mineral Safeguarding Area (Sand and Gravel), it is considered that as a result of the site area it would be exempt from the requirements of Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

4 PUBLICITY

4.1 Press notice:

Expired: 6 June 2017

4.2 Site notice:

Expired: 5 June 2017

4.3 Neighbour notifications:

41A, 41B, 41C, 43, 45 and 47 The Street, Felthorpe

Expired: 2 June 2017

5 REPRESENTATIONS

5.1 Mr Steven Spark and Mrs Sally Newman of 39 The Street, Felthorpe (summarised):

The plot proposed to be built on is next to our garden with no boundary fence / hedge etc. Any such dwelling will severely affect the amenity and enjoyment of our property. I would like to register an objection to the planning application for a four bedroom bungalow for the following reasons:

- Three or four beds – The application states that the development will be for a four bedroom bungalow. The submitted plans show only three

bedrooms. However, the plans show skylights, and what appears to be a window in the eaves. This directly overlooks our property. Should the plans show a fourth bedroom in the eaves?

- Window positions and loss of amenity – The plan indicates that the main windows of the dwelling directly look into our garden, ie the main living area, kitchen and master bedroom all facing over our property. This will again severely affect the amenity and enjoyment of our property by overlooking. Please see photos of our land and the impact of the main living area windows could have on our privacy.
- Limited vehicle access to the track off The Street – The track in the last plans submitted in 2007 – [20070942](#), submitted by the same applicants, had limited vehicle access, which I believe now could be exceeded with this development. We hold one of the four original rights to use the lane, which gives access to the back of our property by way of the track off The Street. If the precedent is now set and development is to go ahead how would this effect our rights to apply for planning and use the lane as the access route as we already hold the right to use it? As do five other dwellings.
- The garage siting – The plan shows the garage is the furthest from the entry point to the plot, which means that we will suffer noise pollution from the vehicle movement as the proposed drive runs along our garden boundary. There could be potentially four individual vehicle movements if this is for a four bedroom bungalow/chalet style bungalow.
- Telegraph pole – In planning application [20070942](#) it is stipulated the telegraph pole be relocated as it restricts the view to get out of the track onto The Street. The telegraph pole remains in the same location and is therefore still an obstruction.
- Right of way over the track off The Street – Adjacent properties have a right to use this track to gain access to their properties. Presently we have a right of way accessed via a 12 foot entrance secured with an iron gate to the back of our garden and property.

Lastly, we were considering erecting a bungalow dwelling for my father who is 84 and finding it difficult to use the stairs. I phoned the Planning Department last year and asked for advice about getting planning permission for a bungalow in our garden. I was informed that under no circumstances would any more residential plans be passed for Felthorpe and not to apply as Felthorpe had been overdeveloped and there was not enough infrastructure to support any more development. So if this four-bedroom dwelling is going to be erected will it affect our planning rights, as we will effectively be taking the new dwelling's view since all the windows plan to overlook our garden?

Further comments received from no: 39:

We have had a survey of our garden done which confirms that the land shown in the planning documents is incorrect and the proposed drive / road shown on the plans that leads to the garage is within our garden. The road in this application needs to be moved to within the applicant's boundary.

5.2 Councillor Joanne Keeler:

As I am the local District Councillor for this area, I wish to fully support this planning application.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012 and Planning Practice Guidance (SPG) 2014:

- 6.1 Sets out the overarching planning policies on the delivery of sustainable development for rural communities through the planning system. It also reinforces the position that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration.

Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk 2011 and as Amended 2014:

- 6.2 Policy 1: Addressing climate change and protecting environmental assets

To address climate change and promote sustainability, all development will be located and designed to use resources efficiently, minimise greenhouse gas emissions and be adapted to a changing climate and more extreme weather. The environmental assets of the area will be protected, maintained restored and enhanced and the benefits for residents and visitors improved.

- 6.3 Policy 2: Promoting good design

All development will be designed to the highest possible standards creating a strong sense of place. In particular, development proposals will respect local distinctiveness.

- 6.4 Policy 3: Energy and Water

Seeks to ensure new development is energy efficient and maximises water efficiency.

6.5 Policy 6: Access and transportation

Seeks to concentrate development close to essential services and facilities to encourage walking and cycling as the primary means of travel with public transport for wider access.

6.6 Policy 17: Smaller rural communities and the countryside

Seeks to maintain and enhance the countryside where inappropriate development should be resisted. Other development will be permitted in the countryside where it can clearly be demonstrated to further the objectives of the JCS.

Development Management Development Plan DPD 2015:

6.7 Policy GC1: Presumption in favour of sustainable development

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

6.8 Policy GC2: Location of new development

New development will be accommodated within the settlement limits defined on the proposals map. Outside these 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.

6.9 Policy GC4: Design

Development will be expected to achieve a high standard of design and avoid any significant detrimental impact. Proposals should pay adequate regard to, amongst other things, the environment, character and appearance of an area, meeting the reasonable amenity needs of all potential future occupiers and considering the impact upon the amenity of existing properties.

6.10 Policy EN2: Landscape

In order to protect the character of the area, development proposals should have regard to the Landscape Character Assessment SPS and, in particular consider impact upon a range of issues.

6.11 Policy TS3: Highway Safety

Development will not be permitted where it would result in significant adverse impact upon the satisfactory functioning or safety of the highway network.

6.12 Policy TS4: Parking Guidelines

Within new developments appropriate parking and manoeuvring space should be provided to reflect the use and location as well as its accessibility by non-car modes.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site sits to the north (rear) of the dwellings at nos: 41, 41a, 41b and 41c on the north side of The Street in Felthorpe. The site is well set back from The Street and is accessed via an access track which runs from The Street to the south east corner of the site. The access track also serves the dwellings at nos: 41b, 41c and 43.
- 7.2 The site is an open parcel of land which is mainly laid to lawn and vegetation and there are no structures on the site. There is a steady slope down towards the north of the site.
- 7.3 Immediately to the south of the application site are two detached houses (nos: 41b and 41c). To the west of the site is a parcel of land associated with the dwelling at no: 39 on which there is a vegetable patch and some small timber sheds. To the north of the site is a continuation of the open parcel of land with some established trees beyond. Immediately to the east of the site is a strip of land which sits between the application site and the detached bungalow at no: 43 The Street.
- 7.4 To the south of the site there is currently fencing of approximately 2m in height which sits on raised ground and forms the boundary between the site and nos: 41b and 41c. There are a number of established trees, both deciduous and coniferous, which form the boundary to the east of the site. The site is currently open to both the north and west.

8 PLANNING HISTORY

- 8.1 There is not considered to be any relevant planning history on the application site itself. Below are applications which have recently been determined adjacent to the site.
- 8.2 [20060562](#): Land adj 41 The Street, Felthorpe – erection of dwelling and garage (outline). Withdrawn 5 May 2006.

- 8.3 [20061817](#): 41 The Street, Felthorpe – 3 no: detached dwelling houses and garages. Withdrawn 7 February 2007.
- 8.4 [20070942](#): 41 The Street, Felthorpe – 3 detached dwelling houses and associated works. Approved 12 October 2007.

9 APPRAISAL

- 9.1 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 site constitutes a sustainable location. The other main issues to be considered are the impact of the proposal on the character and appearance of the area, neighbour amenity and highway safety.
- 9.2 Critical to the determination of the application is whether or not the principle of development is acceptable. Following the adoption of the Joint Core Strategy (JCS) in 2014 the settlement hierarchy for the district was reconsidered which resulted in the settlement limit for Felthorpe being removed. Felthorpe is consequently considered to be an unsustainable location for any further development. The site therefore lies outside of any defined settlement limit where Policy GC2 of the Development Management DPD (DM DPD) does not permit new development unless the proposal complies with a specific allocation and/or policy of the development plan.
- 9.3 Policy GC2 of the DM DPD states that the settlement hierarchy seeks to focus residential development in settlements which are well-linked and well-related to existing development, services, facilities and employment opportunities. Felthorpe has little or no everyday service facility or good access to public transport and it is considered that future occupiers would be dependent upon the use of the car for everyday travel. Residential development at this location is therefore contrary to sustainability objectives.
- 9.4 Furthermore the site is also located within the Rural Policy Area where there is an existing five year land supply and therefore an additional dwelling on the site would not help to address any recognised shortfall.
- 9.5 Paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support the services in a village nearby. It goes on to state that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work in the countryside; or
 - Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
 - Where the development would re-use a redundant or disused building and lead to an enhancement to the immediate setting; or
 - The exceptional quality or innovative nature of the design of the dwelling.
- 9.6 The dwelling is not required to house a rural worker; the proposal does not make use of a heritage asset and does not constitute the re-use of an existing building. It is also not considered that the proposal will be of exceptional quality or innovative design and accordingly, it is considered that the proposal fails to comply with the requirements of paragraph 55 of the NPPF and a dwelling in this, unsustainable location is not justified.
- 9.7 Although there are other dwellings within close proximity, the site is still considered to be isolated in terms of its proximity to services and facilities. It is also worth noting that the adjacent dwellings, such as at nos: 41a, 41b and 41c were approved at a time when they were within the settlement limits for Felthorpe. The proposed dwelling therefore constitutes an unwarranted intrusion into the countryside, contrary to the aims of sustainable development.
- 9.8 A dwelling of the scale proposed would sit comfortably within the proposed plot and would not result in a cramped form of development. The proposed new dwelling would not be clearly visible from the street scene and would not cause material harm to the general character and appearance of the area.
- 9.9 Given the single storey nature of the development and the fact that the dwelling would be at a lower level than the properties to the south it is not considered that the proposal will appear overbearing or result in any significant overlooking issues. The neighbouring dwelling at no: 43 would also be well screened from the proposal by the trees to the eastern boundary of the site.
- 9.10 Concerns were raised by the Local Planning Authority that the driveway, which runs along the southern and western boundaries of the site, may result in excessive noise and disturbance to neighbouring residents. During the course of the application the applicants have submitted an amended Site Plan which states that a brick weave driveway is proposed. With the plans in their current form the driveway should limit the amount of noise created and the application is not considered to cause any significant detrimental impact upon neighbour amenity.

- 9.11 The neighbouring residents at no: 39 have stated that the application site boundary is incorrect and that part of the site is in fact within their ownership. This however, is a land ownership issue and is not a material consideration in determining the application.
- 9.12 With regards to highway safety, whilst the Highway Authority has acknowledged that visibility at the site access remains below Manual for Streets requirements to the north-easterly direction they have raised no objection on highway safety grounds. It is also considered that the site offers room for sufficient parking to be provided on the site and overall the scheme therefore complies with Policies TS3 and TS4 of the DM DPD.
- 9.13 There are a number of established trees along the eastern boundary which are both within the site and within close proximity to the site. A tree assessment has been submitted with the application which shows all of the category B trees being retained and protected. The Council's Conservation Officer has no objections to the report but has requested a condition requiring the addition of a Tree Protection Plan to be submitted should the application be approved.
- 9.14 In conclusion, there has been no justification given as an exception to allow residential development in this location. For this reason, the proposal represents a fundamental conflict with the Council's efforts to concentrate new development in more sustainable locations and fails to comply with the sustainability agenda of the NPPF, Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD. Whilst the proposal is not considered to result in any significant detrimental impact upon residential amenity or the safe use of the highway network, these factors do not outweigh the consideration of the introduction of a new dwelling into the countryside resulting in an inappropriate form of development.
-

RECOMMENDATION: REFUSE for the following reasons:

This application has been considered against the Development Plan for the area, this being the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk (2011) as amended (2014) and The Development Management DPD (2015). Other material considerations include The National Planning Policy Framework (NPPF) (2012) and The Planning Practice Guidance (2014).

The policies particularly relevant to the determination of this application are Policies 1, 2, 6 and 17 of the JCS and Policies GC1, GC2, GC4, EN2, TS3 and TS4 of the Development Management DPD.

Critical to the determination of the application is whether or not the principle of development is acceptable. Following the adoption of the Joint Core Strategy (JCS)

in 2014 the settlement hierarchy for the district was reconsidered which resulted in the settlement limit for Felthorpe being removed. Felthorpe is consequently considered to be an unsustainable location for any further development. The site therefore lies outside of any defined settlement limit where Policy GC2 of the Development Management DPD (DM DPD) does not permit new development unless the proposal complies with a specific allocation and/or policy of the development plan.

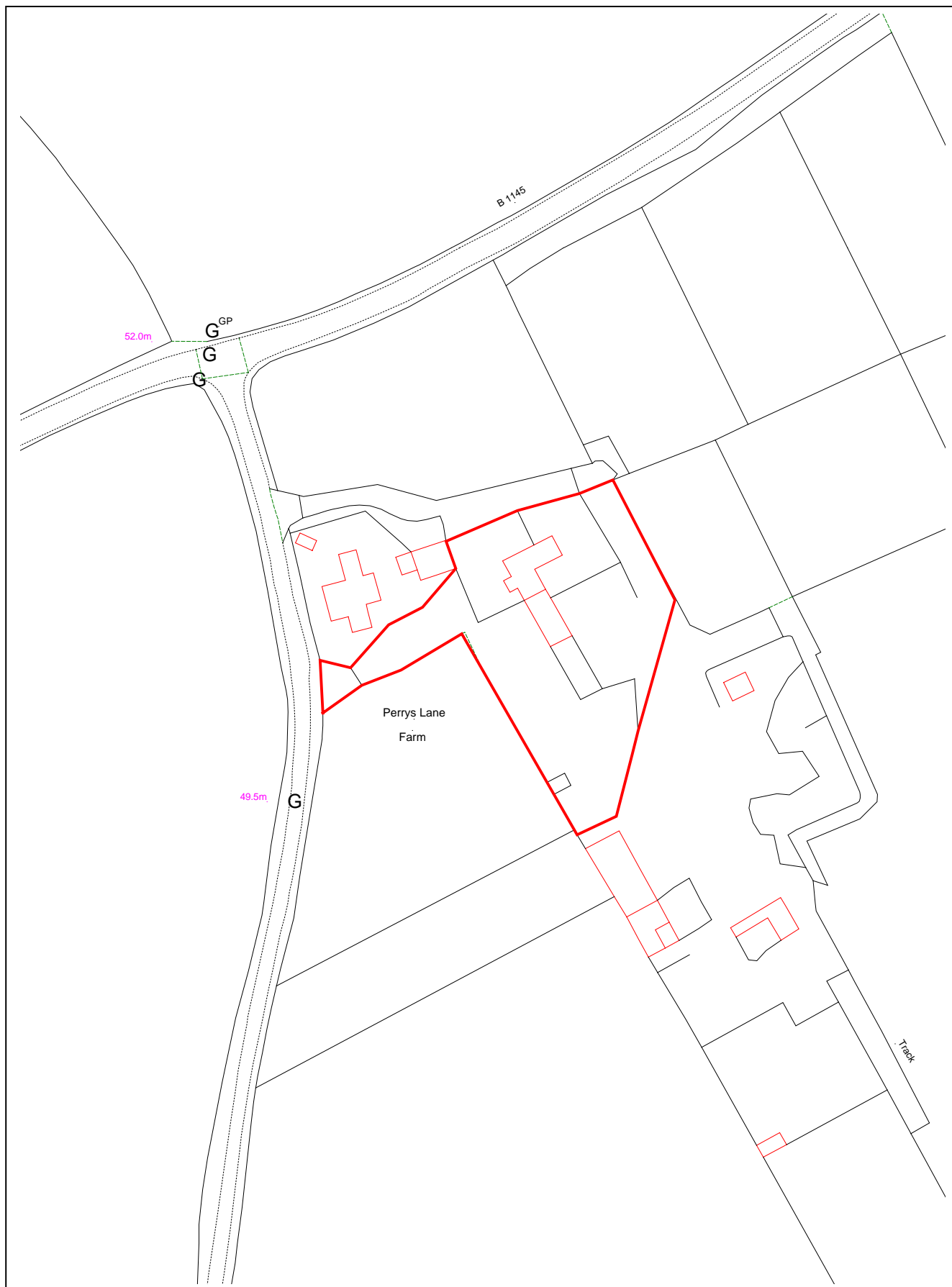
Policy GC2 of the DM DPD states that the settlement hierarchy seeks to focus residential development in settlements which are well-linked and well-related to existing development, services, facilities and employment opportunities. Felthorpe has little or no everyday service facility or good access to public transport and it is considered that future occupiers would be dependent upon the use of the car for everyday travel. Residential development at this location is therefore contrary to sustainability objectives.

Furthermore the site is also located within the Rural Policy Area where there is an existing five year land supply and therefore an additional dwelling on the site would not help to address any recognised shortfall.

Paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support the services in a village nearby. It goes on to state that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

The dwelling is not required to house a rural worker; the proposal does not make use of a heritage asset and does not constitute the re-use of an existing building. It is also not considered that the proposal will be of exceptional quality or innovative design and accordingly, it is considered that the proposal fails to comply with the requirements of paragraph 55 of the NPPF and a dwelling in this, unsustainable location is not justified. The proposed dwelling therefore constitutes an unwarranted intrusion into the countryside, contrary to the aims of sustainable development.

In conclusion, there has been no justification given as an exception to allow residential development in this location. For this reason, the proposal represents a fundamental conflict with the Council's efforts to concentrate new development in more sustainable locations and fails to comply with the sustainability agenda of the NPPF, Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD. Whilst the proposal is not considered to result in any significant detrimental impact upon residential amenity or the safe use of the highway network, these do not outweigh the consideration of the introduction of a new dwelling into the countryside resulting in an inappropriate form of development.



Application No: 20191678

Perrys Lane Farm, Perrys Lane, Cawston, NR10 4HJ

**Scale:
1:1250**

**Date:
23-Dec-19**



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Application No: [20191678](#)
Parish: Cawston

Applicant's Name: Mr & Mrs Vout
Site Address: Perrys Lane Farm, Perrys Lane, Cawston,
NR10 4HJ
Proposal: Merge of two dwellings into one larger dwelling with
rear extension and extension of curtilage

Reason for reporting to committee

The site is outside of the settlement limit and the change of use of land to residential use does not accord with any specific policy of the Development Plan.

Recommendation summary:

Approve subject to conditions

1 Proposal and site context

- 1.1 This application seeks full planning permission to merge two dwellings into one dwelling with a rear extension and extension of residential curtilage at Perrys Lane Farm, Perrys Lane, Cawston, NR10 4HJ.

A flat roof single storey extension with a roof lantern and two Velux style roof lights is proposed to the rear of the dwelling. This will comprise a bedroom, extension to a bedroom and a boot room.

The site currently consists of two residential properties and these two residential properties are linked via an existing agricultural plant room.

The two existing residential properties were separately granted planning permission under references 20110941 and 20160865.

To the front of the site is Perrys Lane Farm. To the rear and side of the site are agricultural fields in association with Perrys Lane Farm.

2 Relevant planning history

- 2.1 [852120](#): Single storey side extension to form granny annexe. Approved 12 December 1985.
- 2.2 [20041223](#): Change of use to livery and menage and change of use of agricultural land to land for the keeping of horses. Approved 15 September 2004.

- 2.3 [20071452](#): Conversion of outbuilding into a self-contained dwelling (Certificate of Lawfulness). Approved 27 February 2008.
- 2.4 [20081400](#): (1) Demolition of existing dwelling (2) Erection of replacement dwelling. Refused 19 November 2008. Appeal dismissed 11 May 2009.
- 2.5 [20101113](#): (1) Change of use of land and part of stable to dwelling/residential curtilage (2) Extensions (3) Raising roof of dwelling (4) Temporary standing of mobile home (retrospective). Withdrawn 23 November 2010.
- 2.6 [20110941](#): (1) Change of use of land & stable to dwelling / residential curtilage (2) Extensions and raising of roof (retrospective). Refused 2 December 2011. Allowed on appeal 26 November 2012.
- 2.7 [20130307](#): Erection of proposed agricultural building for the storage of machinery and materials (prior notification). Withdrawn 8 April 2013.
- 2.8 [20130598](#): Erection of agricultural building for the storage of equipment and livestock shelter. Approved 24 July 2013.
- 2.9 [20160865](#): Change of use of agricultural building to 1 no: residential dwelling – prior notification. Required and granted 21 June 2016.
- 2.10 [20191311](#): Extension to form Sunroom. Approved 11 October 2019.

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 04 : Decision making

NPPF 15: Conserving and enhancing the natural environment

3.2 Joint Core Strategy (JCS)

Policy 2 : Promoting good design

Policy 17 : Small rural communities and the countryside

3.3 Development Management Development Plan Document (DM DPD) 2015

Policy GC1: Presumption in favour of sustainable development

Policy GC2: Location of new development

Policy GC4: Design

Policy EN2: Landscape

4 Consultations

4.1 Cawston Parish Council:

Objects to the application. The appearance of the development is not in keeping with the local vernacular architecture.

4.2 Norfolk County Council as Highways Authority:

On the basis that these buildings presently exist as two separate dwelling units it is very difficult for me to be able to pass any adverse comments to this proposal.

4.3 Pollution Control Officer:

Suggest addition of informative regarding the safe removal and disposal of asbestos material on the site.

5 Assessment

- 5.1 The main issues to be taken into consideration in determination of this application are an assessment of the proposal against the policies of the Development Plan, the National Planning Policy Framework (NPPF), and the Planning Practice Guidance. Other key considerations in the determination of this application are the impact on the character and appearance of the area and impact on neighbouring amenity.

Key Considerations

- 5.2 The principle of the development
- 5.3 The impact of the development on the character and appearance of the surrounding area
- 5.4 The impact of the proposal on residential neighbouring amenity

Principle

- 5.5 The site is located within the countryside where the principle of new development is not normally considered to be acceptable unless the proposal complies with a specific allocation and/or policy of the development plan. The proposed extension of residential curtilage into the countryside is not considered to comply with a specific Policy of the Plan and the development is therefore considered to conflict with Policy GC2 of the Development Management DPD.
- 5.6 The site contains two existing residential dwellings which are currently linked by an agricultural store room. Given that there is already two units on

the site in question, having one larger dwelling on the site should have less of an impact on the surrounding area.

Character and appearance of the surrounding area

- 5.7 The site is not visible from any surrounding public vantage points from Perrys Lane due to natural screening. With the new boundaries in place it is considered that when viewed from the south west the modest extension to the curtilage is not clearly visible. I consider that the extension of curtilage is not unduly excessive and does not represent a significant incursion into the countryside to a degree that would cause harm to the general character and appearance of the surrounding area.
- 5.8 No structures are being proposed on the site and the impact on the character and appearance of the area is not considered to be sufficient to warrant objection to the development on landscape grounds. The proposal therefore complies with Policies, GC4 and EN2 of the Development Management DPD and Policies 1 and 2 of the Joint Core Strategy.
- 5.9 Minimal external changes, with the exception of the single storey rear extension, are being proposed to the two properties in order for them to become one single residential property. The external changes consist of altering windows and doors, and the addition of a front porch. These alterations will have a minimal impact on the character and appearance of the surrounding area and I see no harm in these alterations.

Residential neighbouring amenity

- 5.10 I consider that the material change of use of land to form residential curtilage for the proposed one dwelling would not result in any significant adverse impact to the amenity of any adjacent residents given the degree of separation from the nearest residential properties and the scale of the development being proposed.
- 5.11 The nearest residential dwelling is Perrys Lane Farm which is the applicant for this planning application. Given that the two residential properties are already in place, I do not believe that there will be any issues with the proposed one larger dwelling in regards to neighbouring amenity or overlooking.

Other Issues

- 5.12 I consider it necessary to remove permitted development rights for the addition of extensions, roof alterations and porches. The reasoning for this being that two existing dwelling units are being amalgamated into one larger unit which could result in extensions to the new single dwelling unit which were previously barns associated with Perrys Lane Farm. The Local Planning Authority will retain control of the appearance of the dwelling in the

interests of neighbour amenity and the character and appearance of the surrounding area.

5.13 In conclusion, whilst the extension of the residential curtilage is contrary to Policy GC2 of the DM DPD, it is considered that the development does not cause significant harm in terms of its impact on the character and appearance of the area. Furthermore, there is no other harm associated with approving this development. Therefore, whilst there is a degree of conflict with the development plan with the site being outside of the settlement limit, the lack of harm is considered a material consideration which justifies the approval of the application.

5.14 This application is not liable for Community Infrastructure Levy (CIL)

Recommendation: **APPROVE**, subject to the following conditions:

Time limit
Plans and Documents
Removal of Permitted Development Rights
(Class A, B, C & D)

Contact Officer,	Ellie Yarham
Telephone Number	01603 430136
and E-mail	ellie.yarham@broadland.gov.uk

Planning Appeals: 16 November – 20 December 2019

Appeal decisions received:

Ref	Site	Proposal	Decision maker	Officer recommendation	Appeal decision
20190892	Barn Court, 6 Back Court, Old Rackheath	Erection of one self-build dwelling (revised proposal)	Delegated	Outline refusal	Dismissed
20190288	Rookery Nook, Drayton lane, Horsford	Erection of three detached dwellings and creation of two new access points (outline)	Delegated	Outline refusal	Dismissed. A request for costs was also dismissed.
20181011	The Belt, Mill Row, Millgate, Aylsham	Change of use from studio to holiday let and single storey front and rear extensions	Delegated	Refusal	Dismissed
20181525	Land to the East of Manor Road & to the South of Newton Street, Newton St Faith	Outline application for residential development comprising 64 dwellings with all matters reserved except access	No decision	Appeal against non-determination	Dismissed

Appeals lodged:

Ref	Site	Proposal	Decision maker	Officer recommendation
20190436	Old Monastery Field, The Moor, Reepham	Erection of one single storey dwelling with detached garage and associated development, including access to existing horse paddock	Delegated	Outline refusal
20190723	Land adjacent to Pinewood Farm, Grange Road, Hainford	Erection of detached dwelling and garage	Delegated	Outline refusal
20181623	Hill House, Hall Lane, Drayton	Demolition of dwelling and erection of 56 bed nursing care home, new vehicular access, associated landscaping and erection of new off-site public footpath	Committee	Full approval