

Planning Committee

Agenda

Date

Wednesday 4 March 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

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

Trafford Room *note change of venue*

Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Contact

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*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.

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@BDCEMservices

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 5 February 2020</u> | 5 - 13 |
| 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> | 14 |
| | Planning Applications | 15 - 52 |
| 6 | <u>Planning Appeals (for information)</u> | 53 |

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.

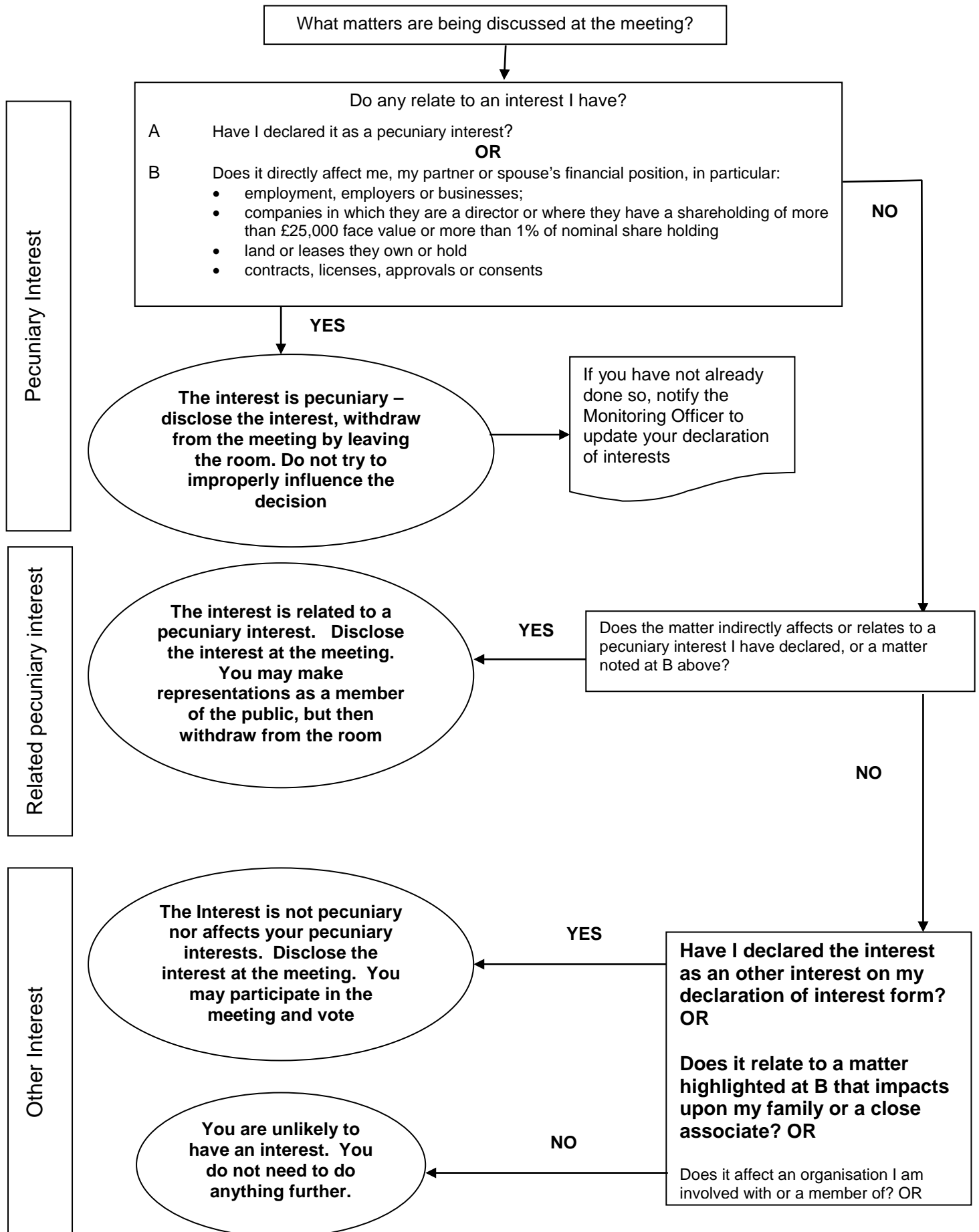
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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 5 February 2020** at **9.30am** when there were present:

Miss S Lawn – Chairman

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

Mr J F Fisher
Mr R R Foulger
Mrs C Karimi-Ghovanlou

Mr S Riley
Mr J M Ward

Also in attendance were the Assistant Director of Planning; Area Team Manager (MR); Senior Planning Officer (CR) and the Senior Governance Officer (SU).

71 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mrs Karimi-Ghovanlou on behalf of all Members present	74 (Glebe Farm, Holt Road, Horsford)	Been lobbied by the applicant. Non-disclosable non-pecuniary interest.
Mr Ward and Mr Fisher	75 (286 Blue Boar Lane, Sprowston)	Sprowston Town Councillors. Had attended the Town Council meeting when the application had been discussed but had not participated or voted. Local choice non pecuniary interest.

72 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Clancy, Ms Grattan and Mr Moncur.

73 MINUTES

The Minutes of the meeting held on 8 January 2020 were confirmed as a correct record and signed by the Chairman.

In respect of the decisions indicated in the following Minutes (nos: 74 to 76), 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.

74 APPLICATION NUMBER 20191788 – GLEBE FARM, HOLT ROAD, HORSFORD

The Committee considered an application for the change of use of land from agricultural to a self-storage facility, including installation of new storage container units, creation of car park area and associated works at Glebe Farm, Holt Road in Horsford. The proposal would involve the siting of 25 storage containers, each measuring 2.5m in width by 6.1m in length and approximately 2.6m in height, sitting on wooden sleeper bases approximately 200mm above ground level. A total of five car parking spaces was proposed, together with a 3.1m high green mesh security fencing to the south, east and west boundaries and a 2.14m high soil bund along the site's western boundary to provide screening. Finally, 2.4m high security gates and CCTV were proposed at the site, with 7 lighting columns, each 4m high, in proximity to the access and containers. Access was proposed from the existing vehicular access off Brewery Lane, to the north of the site, which currently served the adjacent agricultural building.

The application was reported to committee (1) at the request of one of the Ward Members for the reasons given in paragraph 4.7 of the report and (2) as it fell outside the scheme of delegation.

The Committee received comments from the Council's Economic Development Officer and the applicant (including suggested hours of operation), together with the officer's response, all as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of the applicant at the meeting. The Area Team Manager read out a statement on behalf of Mr Thomas, one of the Ward Members, who was in support of the application but unable to attend the meeting.

The site was located outside of the settlement limit and had not been allocated for any purpose. Members noted that Policy GC2 of the DM DPD permitted development outside settlement limits provided it did not result in any significant adverse impact and where it accorded with a specific allocation and / or policy of the development plan. Policy 5 of the JCS supported jobs and economic growth in both urban and rural locations in a sustainable way as well as rural diversification but preferably through the re-use of appropriate non-residential buildings for commercial uses. It was acknowledged that the design and access statement, submitted with the application, stated that two full-time and two part-time jobs would be created. It was also stated that the proposal would help to support existing businesses by providing them with a new storage facility or base in the area from which they could store stock and tools etc. Members noted that the proposals would generate some limited job creation but considered that the number of jobs quoted which would be created could be regarded as ambitious, given the fact that only 25 storage containers were being proposed on the site. Furthermore, the proposals were not considered to be sustainable development and therefore, did not accord with Policy 5 of the JCS. The

Committee also gave consideration to the Horsford Neighbourhood Plan and concluded that the proposals did not comply with the aims of Policy BUS1 which was to support applications for new businesses and employment which fitted in within the surroundings and which were appropriate both in scale and environmental impact.

In terms of the design and impact on the character and appearance of the area, Members noted that the site was currently of a rural appearance and retained a strong countryside character, even though there was a recently erected potato packaging building to the north of the application site. The proposals within this application were considered to be of a more industrial appearance which would be heavily at odds with the prevailing character. Furthermore, the development would constitute a significant intrusion into the countryside which, together with the associated paraphernalia, would intensify the scheme's harmful impact on the rural character and appearance of the area. Members acknowledged that the application included hedging and a soil bund to screen the site but this would only be partially, given the height of the storage units, CCTV apparatus and external lighting and furthermore, the screening of the development by landscaping was not considered to be a sound basis upon which to justify an otherwise harmful visual impact. Accordingly, the proposal was considered to conflict with Policy GC4 of the DMP DPD, Policy 2 of the JCS and Policy HBE3 of the Horsford Neighbourhood Plan as well as Paragraphs 127 and 130 of the NPPF.

In terms of the impact on residential amenity, it was considered that the application would not result in any significant light pollution to neighbouring residents, given the degree of separation (The Homestead was approximately 85m from the nearest proposed container) and Members noted that the Environmental Health Officer had raised no objection to the application. Furthermore, given the small scale of development and its nature, which meant it was highly unlikely for the site to be regularly attended during the more unsociable hours, it was considered that it would not result in any significant detrimental impact upon the amenity of existing properties.

The Committee noted that the Highway Authority was not objecting to the proposals, subject to the imposition of four conditions and Members concurred that there would be sufficient parking and manoeuvring space within the site. Accordingly, the proposals were not considered to result in any detrimental impact to highway safety and the application was considered to comply with Policies TS3 and TS4 of the DM DPD.

In terms of all other matters raised, Members concurred with the officer's appraisal addressing these in the report including the imposition of conditions, as appropriate.

In conclusion it was considered that the development would cause significant harm to the general character and appearance of the area and would not protect or enhance the natural environment or make effective use of the land

as required by the NPPF. On balance, the economic and social benefits would be of very limited value, given the scale of development proposed, and when taken cumulatively would not significantly and demonstrably outweigh the substantial environmental harm to the area. Therefore, the proposals were contrary to the policies of the development plan and government guidance. Accordingly, it was

RESOLVED:

To refuse application number 20191788 for the following reasons:

The site is located outside of the defined settlement limit and as the development is considered to result in significant adverse impacts in relation to the harm caused to the environment, character and appearance of the area, the application is considered to conflict with Policy GC2 of the Development Management DPD.

The proposed development would result in a substantial change to the countryside character of a site in a prominent location. It is considered that the development would constitute a significant visual intrusion into the countryside, which would, by reason of its appearance and associated paraphernalia, intensify the scheme's harmful impact on the rural character and appearance of the area. As a consequence, the proposed development would be discordant and harmful to the general character and appearance of the area in conflict with Policy GC4 of the Development Management DPD, Policy 2 of the Joint Core Strategy, Policies HBE3 and BUS1 of the Horsford Neighbourhood Plan and Paragraphs 127 and 130 of the National Planning Policy Framework.

Furthermore, the proposed development does not constitute economic growth in a sustainable way and conflicts with Policy 5 of the Joint Core Strategy.

75 APPLICATION NUMBER 20191368 – 286 BLUE BOAR LANE, SPROWSTON

The Committee considered an outline application for the sub-division of an existing residential curtilage and the erection of two new, semi-detached dwellings at 286 Blue Boar Lane in Sprowston. The application sought approval for the access and layout with all other matters reserved for later approval. An existing single storey entrance lobby and carport at no: 286 was proposed to be demolished and the two new dwellings would be linked to the existing dwelling at no: 286 by a new, single carport (to serve 286). The access was proposed off Blue Boar Lane via an existing access which was to be widened as part of this application and would be shared by all three dwellings.

In presenting the application, the Senior Planning Officer amended the officer recommendation by the inclusion of a further condition relating to the removal of Permitted Development Rights for side extensions and outbuildings for plot 2 to limit future pressure on the nearby trees in the adjoining woodland.

The application was reported to committee as it fell outside the scheme of delegation as the applicant was related to an employee and an objection had been received to the proposals.

The Committee received the verbal views of the agent at the meeting.

The site was located within the settlement limit and in a sustainable location, close to a range of services and facilities. Accordingly, the principle of development was considered to be acceptable and complied with Policies GC1 and GC2 of the DM DPD, Policies 1 and 6 of the JCs and Policy 3 of the Sprowston Neighbourhood Plan.

In terms of the design and impact upon the character and appearance of the area, it was noted that the new plots would be of a similar size to the existing neighbouring plots and all three properties would have a good amount of rear amenity space. Overall, it was considered that there was sufficient space within the site to accommodate the additional two dwellings without resulting in a cramped form of development and still leaving sufficient room for parking and manoeuvring. The proposed dwellings would follow the same building line as the dwellings immediately to the south and therefore, it was considered that the layout would not be at odds with that seen in the surrounding area. Finally, whilst the proposal would be partially visible, it was not considered that they would be discordant feature in the street scene or cause harm to the general character and appearance of the surrounding area.

Regarding the impact on trees within and adjacent to the site, it was considered that the proposals, in their amended form, would not result in any significant detrimental impact, subject to the imposition of appropriate conditions. Accordingly, the proposal was considered to comply with Policy GC4 of the DM DPD, Policy 2 of the JCS and Policies 1 and 2 of the Sprowston Neighbourhood Plan.

In terms of the impact on residential amenity, the Committee was mindful that the proposals were in outline form only but considered that two additional dwellings could be located as shown on the plans without resulting in any overlooking issues or appear dominant and overbearing. Therefore, at this stage, it was considered that the application would not result in any detrimental impact upon neighbour amenity and, accordingly, complied with Policy GC4 of the DM DPD.

It was noted that the Highway Authority was not objecting to the application, subject to the imposition of three conditions and the Committee concurred that the proposal would not give rise to a severe detrimental impact on the public highway. Overall, it was considered that there was sufficient room within the site to accommodate parking and manoeuvring space and the application complied with Policies TS3 and TS4 of the DM DPD.

In terms of all other matters raised, including the objection raised by Sprowston Town Council, Members concurred with the officer's appraisal addressing these in the report including the imposition of conditions, as appropriate.

In conclusion it was considered that the proposal represented an acceptable form of development in a sustainable location which would not result in demonstrable harm to the general character and appearance of the area, the adjacent woodland at Cottage Plantation, residential amenity or highway safety and therefore, it was

RESOLVED:

To approve application number 20191368, subject to the following conditions:

- (1) TL04 – Application for “reserved matters” must be made to LPA within 3 years
- (2) RM01 – Details of what reserved matters application shall include
- (3) AD01 - In accordance with plans and documents
- (4) HC09 – Access to be widened
- (5) HC11 – no gates or means of obstruction across access
- (6) HC21 – access, parking and turning area to be laid out as on plans
- (7) L09 – All works to be carried out in accordance with the TPP and AMS
- (8) DR04 - Surface water drainage details to be submitted with reserved matters application
- (9) Removal of Permitted Development Rights for side extensions and outbuildings for plot 2.

The Committee adjourned at 10:20am and reconvened at 10:26am when all of the Members listed above were present for the remainder of the meeting.

76 APPLICATION NUMBER 20191879 – STILLWATER FARM, RABBIT LANE, GREAT WITCHINGHAM

The Committee considered an application for the conversion, renovation and extension to a historical barn, to include extensive landscape rehabilitation programme and works, at Stillwater Farm on Rabbit Lane in Great Witchingham. The application had been submitted under Paragraph 79 of the NPPF Access to the site was from Rabbit Lane and the proposal was for

the dwelling to be set back from the road via a long drive running approximately 300m in length. The barn was currently in a poor state of repair and had partially collapsed during a storm in 2017. The proposal sought to restore and preserve the historical barn and to create a residential dwelling, also with contemporary designed extensions. A former wall which had ran through the building was proposed to be reinstated and constructed from gabions with locally sourced small field flint.

The application was reported to committee as the recommendation for approval was contrary to current development plan policies.

The Committee received the verbal views of the architect at the meeting

The Committee noted that the site was outside of the settlement limit in a rural location and, accordingly, the application had been submitted as an example of a dwelling that met the guidance set out in Paragraph 79 of the NPPF which was a material consideration in the determination of applications outside of the settlement limit. Paragraph 79 stated that new isolated homes in the countryside should be avoided unless there were special circumstances such as the exceptional quality of the design of the dwelling. All four aspects of Paragraph 79(e) had to be met.

- Be truly outstanding or innovative, reflecting the highest standards of architecture
- Helping to raise standards of design more generally in rural areas
- Significantly enhance its immediate setting
- Be sensitive to the characteristics of the area

The Committee concurred with the Senior Conservation and Design Officer's comments detailed in the report and concluded that all four tests had been met and accordingly, the application complied with Paragraph 79.

In terms of the impact of the development on the character and appearance of the area, it was considered that the proposed improvements to the site would enhance and improve the appearance of the area as a whole as the site was previously overgrown and had not been maintained for many years. The appearance of some elevations would remain in the style of the agricultural building which existed on the site and it was considered these would not have a detrimental impact on the overall character and appearance of the area.

Regarding residential amenity, given the isolated location of the site and the fact that the nearest neighbouring property was over 300m away with natural screening around the site, it was considered that there would not be any

issues of overlooking. Furthermore, the proposal, in terms of its size and scale, was considered appropriate for the site and should not appear overbearing. Accordingly, the proposal was not considered to result in any detrimental impact upon neighbour amenity and therefore, accorded with Policy GC4 of the DM DPD.

In terms of all other matters raised, Members concurred with the officer's appraisal addressing these in the report including the imposition of conditions, as appropriate.

In conclusion it was considered that the application met the requirements of Paragraph 79 by virtue of its outstanding design, it reflecting the highest standards in architecture, significantly enhancing its immediate setting and being sensitive to the defining characteristics of the local area. In addition, it would have an acceptable impact on the landscape character of the area and not cause harm to any residential amenity or the satisfactory functioning of the highway network. Therefore, the proposal represented an acceptable form of development. Accordingly, it was

RESOLVED:

To approve application number 20191879 subject to the following conditions:

- (1) Time limit (three years)
- (2) Development to be carried out in accordance with approved plans.
- (3) Removal of permitted development rights for Schedule 2, Part 2, Class A (Gates, Fences, and Walls etc.) and Class C (Exterior Painting).
- (4) Removal of permitted development rights for Schedule 2, Part 1, Class A (Extensions), Class B (Additions to Roof), Class C (Roof Alterations), Class D (Porches), Class E (Outbuildings), Class F (Hard Surfaces) and Class G (Chimneys).
- (5) Works shall be carried out in accordance with AIA, TPP and AMS
- (6) Ecological Assessment, mitigation measures (bats).
- (7) Prior to the installation of solar panels, details to be submitted and approved
- (8) Prior to commencement, Biodiversity Enhancement Plan to be submitted and approved
- (9) Prior to commencement, Details of external materials to be submitted and approved
- (10) Prior to first occupation, details of the materials to be used in the laying of the track between Rabbit Lane and the site shall be submitted and approved
- (11) Within two months of completion of the dwelling, the mobile home shall be removed from the site
- (12) Notwithstanding the approved plans, this application does not give permission to the outbuilding shown on Dwg No 18005_03_004 Proposed Site Plan. Details of this are to be submitted and approved.

77 PLANNING APPEALS

The Committee noted details of the planning appeals decisions which had been received and details of the appeals lodged for the period 21 December 2019 to 24 January 2020.

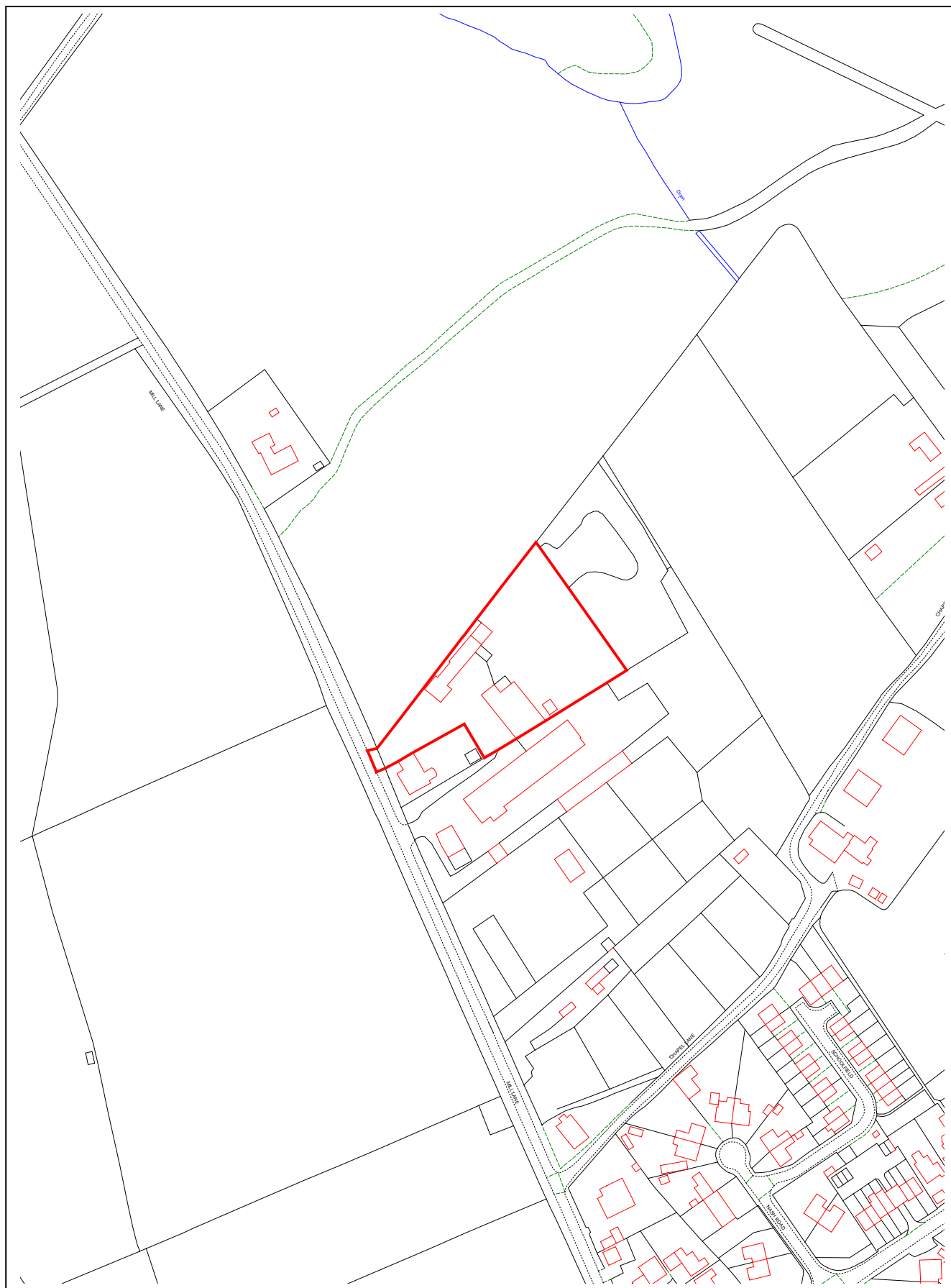
In response to a question on the appeal for land east of Memorial Hall, Brundall, the Assistant Director of Planning advised that this would be considered via a Public Inquiry scheduled to take place 21-24 April 2020. The Principal Planning Officer (Charles Judson) would be representing the Council, assisted by legal representation, together with specialist officers in landscape, heritage and land supply issues. The Inquiry would be held in public at Thorpe Lodge and she recommended Members attend.

The meeting closed at 11am

DRAFT

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Area	Application No	Location	Officer Recommendation	Page Nos
1	<u>20191921</u>	<u>Builders Yard, Mill Lane, Felthorpe</u>	REFUSE	15 – 27
2	<u>20191849</u>	<u>Weir Cottage, The Street, Buxton With Lamas</u>	APPROVE subject to conditions	28 – 37
3	<u>20191926</u>	<u>6 School Lane, Thorpe St Andrew, Norwich</u>	REFUSE	38 - 52



Application No: 20191921

Builders Yard, Mill Lane, Felthorpe, NR10 4DL

**Scale:
1:2500**

**Date:
25-Feb-20**



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Application No: [20191921](#)
Parish: **Felthorpe**

Applicant's Name: Mr and Mrs McCafferty
Site Address: Builders Yard, Mill Lane, Felthorpe, NR10 4DL
Proposal: Change of use of builders yard to HGV drivers training centre

Reason for reporting to committee

The proposal has potential to generate employment but the recommendation is for refusal.

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

Recommendation summary:

Refuse

1 Proposal and site context

- 1.1 The application is seeking full planning permission for the change of use of the formers builder's yard to an HGV drivers training centre. The applicant is proposing to relocate staff and services from two existing sites at Roundtree Way and Whiffler Road in Norwich.
- 1.2 The proposed use would provide a base for eight different types of training. Five types of training would be practical driver training both on-site and off-site. There would be two classroom-based training groups located in existing buildings on site comprising of up to 15 participants. There would also be forklift training on site comprising theoretical training and practical training within an existing warehouse building.
- 1.3 The drivers training centre employs five full time and three part time staff. Hours of operation as stated on the application form are 07.30 to 17.00 Monday to Saturday.
- 1.4 The application site is irregular in shape and comprises of approximately half a hectare in size. Access into the site is from Mill lane. The site is laid with concrete and there are two main buildings on the site. These consist of a two storey brick building formerly used for office accommodation with various attached single storey storage buildings off the back and a larger warehouse building in the centre of the site. The floor area of buildings on the site total 653 sqm.
- 1.5 The boundary to the north and east is adjacent to woodland. The Poplars, a residential property, is located adjacent to the southern boundary of the site

next to the access. Another commercial yard and buildings are located immediately to the south of the dwelling and adjacent to the rear part of the application site.

- 1.6 Due to the existing layout of the site and its buildings and the nature of the proposed use, only minor alterations would be required to the existing buildings to facilitate the change of use. The gates and fencing currently securing the front of the site would be moved back to allow vehicles to manoeuvre into the site without obstructing the carriageway even when the gates are closed. There is on site parking for up to 26 cars located adjacent to the warehouse and office building.
- 1.7 Vehicular access to and from the site is restricted by existing traffic calming measures on The Street and weight restrictions on Taverham Road. The applicant has provided a routing plan that indicates the direction of travel of their vehicles to avoid these roads. Vehicles would take a route turning right from Mill Lane via The Street to the junction with Reepham Road and from Reepham Road, via The Street back to the site on Mill Lane, a distance of approximately 1.5 miles in each direction.
- 1.8 The site is located in a countryside location. Felthorpe does not have a defined settlement limit.

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 06 : Building a strong, competitive economy
NPPF 09 : Promoting sustainable transport
NPPF 11 : Making effective use of land

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets
Policy 5 : The Economy
Policy 17 : Small rural communities and the countryside

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 GC3 : Conversion of buildings outside settlement limits

Policy GC4 : Design

Policy TS3 : Highway safety

4 Consultations

4.1 Felthorpe Parish Council:

Felthorpe Parish Council on behalf of Felthorpe residents objects unreservedly to change of use of builders yard located in Mill Lane, Felthorpe to an HGV driver training centre.

Site Suitability

The decision by the applicant to move from their present locations in Roundtree Way and Whiffler Road, which are predominately industrial sites, to a small rural village is an enigma. Development of this nature is entirely out of character with the rural setting. Within Greater Norwich there are many more suitable sites of an industrial nature where similar businesses are located and where the roads are more suitable for such an operation.

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.

Traffic Issues

Felthorpe Parish Council has campaigned, and will continue to campaign, to introduce a 7.5 ton weight restriction on The Street and Taverham Road due to the roads unsuitability for HGVs as a component of Felthorpe's Traffic Calming Plan. Signs indicating the roads unsuitability for HGVs were erected recently by Highways in an effort to reduce the number of HGVs transiting the village.

The Broadland Northway has had minimal impact on the number of vehicles transiting (rat running) through the village. The addition of a very conservative estimation of an average of 52 journeys per day, some of which will be HGVs is unacceptable.

Felthorpe PC considers the estimate of 162 trips per day from the previous occupant overstated. The declining building business which at the time of liquidation in May 2018 had only 23 operational light vehicles with less than 6 vehicles located on site.

Road Safety

The junction of Mill Lane with The Street and Taverham Road is difficult to manoeuvre with limited visibility coupled with the speed of approaching vehicles. HGVs turning at this location would significantly add to the existing risk and may have insufficient room to turn without mounting the kerb.

Mill Lane is an amenity that is frequently used by walkers, horse riders and cyclists. There are no paved footpaths on Mill Lane, which is not wide enough for two cars to pass without adding HGVs to the mix. Damage to the roads and verges is inevitable. Additionally, Felthorpe village as a whole has neither street lighting nor contiguous pavements, further adding to the hazards faced by pedestrians and cyclists.

Sustainability

Felthorpe is not served by public transport at times suitable for commuting, therefore requiring employees and clients of the applicant to use private transport.

The business is not new and therefore it is reasonable to assume that existing staff would locate to the new site, thus no new local employment opportunities would be created.

Environmental Concerns

Onsite manoeuvring of HGVs and fork lifts, along with significant HGV vehicle movements, will impact air quality in the area. Sound will travel much further than the local area and will potentially force some of the abundant wildlife to relocate.

4.2 Norfolk County Council as Highway Authority:

Mill Lane (U57150) is a narrow, (3.5m wide adjacent to site access) single track rural lane totally unsuited to large or HGV traffic use. Similar concerns apply to a number of adjoining roads which are of unsatisfactory width or alignment to cater for such vehicles.

The proposal suggests a HGV Drivers training centre with HGV vehicles travelling to and from the site on a regular basis.

The applicant's agent is suggesting that this proposal results in a reduction of traffic use of the site from that which was previously the case when it operated as a Builders Yard for its previous occupier; Thrower & Rutland Ltd.

However, there are a number of concerns with this assertion:-

1) Based upon available knowledge Thrower & Rutland are indicated to have been a small building firm mainly carrying out repair, maintenance and new build work to domestic and commercial premises. The Parish Council, who are obviously well placed to be knowledgeable on this matter, in their response to this application, state that the company operated only light (transit type) vehicles with less than six vehicles being located at Mill Lane.

2) A previous traffic use of 162 daily movements is stated; this apparently unsubstantiated figure is totally out of keeping with local Highway Development Management experience of similar builders yard operations

which tend to be occasionally visited bases only (office or supervision staff) with majority of workforce often going from their own homes direct to work site or from individual work site to work site.

3) The Norfolk County Council database of HGV Operators Licence's for the site reveal there only to have been 1 HGV vehicle and no trailers registered to the site. This Licence expired in August 2017 and currently therefore there is no HGV Licence registered to the site. Should this application be allowed, the provided Transport Statement indicates 4 HGV's, as an assumed minimum figure, to be operating, on a daily basis from the site.

The proposal therefore is considered to result in a unsatisfactory increase in vehicular use of the site and surrounding highway network.

In addition to the concerns regarding the suitability of the surrounding road network is the fact that the site vehicular access has severely sub-standard visibility at its intersection with Mill Lane. Measurements taken on site reveal visibility to the critical traffic direction, to the north, to be some 25m from a standard 2.4m setback.

As this section of Mill Lane could be accepted as a semi-rural location with a 30mph speed limit in force it is considered acceptable to use Government Guidance contained within the Communities and Local Government (C&LG) and Department for Transport (DoT) publication Manual for Streets (2007) (MfS) in regard to access visibility requirements; this stating that, given the expected 85th Percentile traffic speeds, past the site of 37Mph visibility splays of 59m x 2.4m should be provided to both directions.

MfS, on page 92 sections 7.7.6-7.7.9, refers to setback ('X') distances with it generally not being required in built-up areas to provide any greater setback. However, if this application were to be allowed the access would be used by a significant number of large vehicles with cab and driver positions further back in the vehicle than that found in a standard car. On this basis, to provide a safe access to the site, I consider it reasonable to require a greater setback ('X' distance) of 4.5m which would result in negligible visibility to vehicles leaving the site to approaching nearside traffic.

Locating an HGV training centre at this semi-rural location is totally unsatisfactory. Such activities should be located either within existing industrial or commercial estates (such as that on a commercial estate adjacent to the Norwich Ring Road which the applicant presently occupies) or a location on, or immediately adjacent to, the strategic road network which are by design suited to cater for large and HGV vehicle use.

The application should therefore be refused for the following reasons:-

1. The unclassified road (Mill Lane (U57150) and adjacent roads serving the site are considered to be inadequate to serve the development proposed, by reason of their poor alignment, restricted width, lack of passing provision and

restricted visibility at adjacent road junctions. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety, contrary to Development Plan Policies.

2. As far as can be determined from the submitted plans, the Applicant does not appear to control sufficient land to provide adequate visibility at the site access. The proposed development would therefore be detrimental to highway safety, contrary to Development Plan Policies.

Further comments on additional information

My previous comments in regard to the unsuitability of the location for this proposed use remain. I remain sceptical of stated previous site traffic use and certainly the previous use was not HGV based as would be the case with the present proposal.

In regard to access visibility splays I acknowledge the agents plan shows the ability to provide the required level of visibility. In reality, this will require the removal of some roadside frontage vegetation, which the agent is indicating to be within the highway verge.

Whether these visibility improvements requires removal of trees or hedging of any value has not been clarified.

4.3 Environmental Management Officer (Pollution):

I have considered the application and do not feel that the volume of traffic movements is likely to give rise to an air quality issue. Geoff Duke is better placed to advise if there is likely to be an issue to consider regarding noise or odour.

4.4 Environmental Management Officer (Noise):

I have looked at the proposed use for the site. The noise seems to be associated with vehicle movements on site and they seem to be prepared to switch off reversing alarms. Are the proposed operating times the same as the current times? On the use of the site, it does not seem like a significant departure of its commercial use.

Further comments

I cannot say with any confidence that fumes will be an issue in terms of nuisance.

The noise I am sure will be clearly audible but variable and intermittent. We could ask for a noise survey but this will not be straightforward in terms of predicting the average sound levels over the day, which will relate mainly to traffic noise. I suppose an average predicted LAeq for the operating hours and maximum noise levels would give us something to go on, so perhaps a

noise report could be submitted. I don't feel however that making it technical would help with the interpretation of the impact when most people can judge what a HGV sounds like at the distances involved and given the predicted hours of operation it seems reasonably obvious what the level of disruption would be. There would clearly be a noticeable change to the existing amenity.

4.5 Other Representations:

Councillor Lisa Starling:

Please can I call this in if the officers are minded to approve on the same grounds as Felthorpe Parish Council's objections.

Letters of representation have been received from 32 addresses within Felthorpe, all of which are objecting to the application. The objections have raised the following issues:

- Mill Lane is a single track road unsuitable for HGVs
- Mill Lane and The Street is already used as a cut through by HGVs
- HGVs have difficulty turning in and out of Mill Lane
- Width of roads are not suitable for HGV traffic
- Verges are eroding
- Mill Lane has a derestricted speed limit and not designed for HGV or other large rigid vehicles
- Rural location unsuitable for this type of use
- Roads linking the site to A roads are unsuitable for HGV traffic
- Incompatible with other rural uses such as walkers and horse riders
- The use would be out of character with the area
- There would be impacts on road safety
- The use would cause noise and disturbance to residents on and offsite
- The use could have impacts on ecology
- Poor visibility at the junction of Mill Lane and The Street
- As there are no footpaths there is a risk to walkers
- The benefits of the traffic calming measures and weight restrictions through the village would be undermined by the proposal
- Flora and fauna would be affected by noise and fumes
- Level of traffic will increase from the site

5 Assessment

Key Considerations

- 5.1
- The principle of development
 - The impact upon neighbour amenity
 - The impact upon highway safety

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 NPPF. The other key considerations are the impact of the development on neighbour amenity and highway safety.
- 5.3 As set out in paragraph 1.1 of this report the application seeks full planning permission for the change of use of the former builder's yard to a driver's training centre.
- 5.4 Critical to the determination of the application is whether the principle of development is acceptable. The application site is located 250m to the north of the village of Felthorpe. Felthorpe has no defined settlement boundary. Policy GC2 of the DM DPD requires new development to be accommodated within the settlement limits defined on the policies map but goes on to state that outside the settlement limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan.
- 5.5 Policy GC3 of the DM DPD states that the conversion of buildings for employment uses outside settlement limits where conversion is capable without substantial alterations and where the new use would lead to an enhancement of the immediate setting will be permitted. Policy 17 of the Joint Core Strategy permits small and medium-scale commercial enterprises where a rural location can be justified, to maintain and enhance the rural economy. Policy 5 of the Joint Core Strategy seeks to support jobs and economic growth in both urban and rural locations in a sustainable way and goes on to state that the rural economy and diversification will be supported by a preference for the re-use of appropriate redundant non-residential buildings for commercial uses. The Planning Statement submitted with the application states that the business currently employs 8 staff members (3 full-time instructors, 2 part-time instructors, 2 full-time office staff and one part-time office staff) who would relocate from Norwich to the site. There is no indication that there would be any increase in employee numbers because of the relocation.
- 5.6 The site was formerly used as a builder's yard and as such is defined as brownfield land. Paragraph 84 of the National Planning Policy Framework states that the use of previously developed land should be encouraged where suitable opportunities exist. This paragraph also states that decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not well served by public transport. However, it goes on to make clear that it is important to ensure that development is sensitive to its surroundings and does not have any unacceptable impacts on local roads.
- 5.7 In summary, a rural location for this proposal cannot be justified. The proposed use does not promote economic growth in a sustainable way, it would not increase rural employment and although it would make use of an existing brownfield site, it would not lead to an enhancement of the site or

immediate setting. In addition, the rural location and the type of use proposed would result in an unacceptable impact for local roads. The proposal is therefore contrary to Policy GC2 and Policy GC3 of the DM DPD, Policy 5 and Policy 17 of the JCS and paragraph 84 of the NPPF.

The impact upon neighbour amenity

- 5.8 Policy GC4 of the DM DPD states that proposals should consider the impact upon the amenity of existing properties. The resident of the property immediately to the south of the site entrance 'The Poplars' has raised concerns about noise, disturbance and fumes associated with on-site vehicle training activities. Other residential neighbours are located further from the site, separated by woodland to the north and east and other commercial buildings to the south. The proposed use would involve regular training activities undertaken on the site. Some of the activities include manoeuvring of various vehicles including lorries and forklifts and these activities would have a degree of impact on the amenity of the closest neighbour. The HGV training courses would start with on-site manoeuvring and would take place on the concrete hard standing to the east of the site at least 60 metres from The Poplars for a duration of up to an hour per vehicle. The hours of operation of the training centre would be from 7.30 am to 5pm Monday to Saturday. The applicant has stated that most of the practical driver training would take place off-site and any reversing alarms would be deactivated whilst on site. Forklift training would take place within the warehouse building.
- 5.9 The Council's Environmental Management Officer's have considered the noise and pollution issues and their comments are included in paragraphs 4.3 and 4.4 above. Based on their comments, although it is acknowledged that the change of use could have some amenity impacts in terms of noise and fumes, it is considered that the application would not result in any significant levels of noise and pollution to neighbouring residents. The warehouse building sits between the outside training area and The Poplars to create a buffer from potential noise. The former use of the site as a builder's yard also had potential to generate noise and disturbance of similar levels to those proposed.
- 5.10 Overall, it is considered that the development would not result in any significant detrimental impact upon the amenity of the neighbour. The application is therefore considered to comply with Policy GC4 of the DM DPD.

The impact upon highway safety

- 5.11 Mill Lane is a single-track carriageway with no formal passing bays or footpaths. Access from the site is directly onto Mill Lane from the existing access that used to serve the builders yard. The Highway Authority has raised objections relating to the suitability of the site access, junction from Mill Lane onto The Street and suitability of the location for increased traffic and HGV traffic, taking account of the surrounding road network. The Highway Authority's objections are set out in full in paragraph 4.2 above.

- 5.12 Traffic calming measures including pavement build outs are in place along The Street through the main built up area of the village and weight restrictions are in place on Taverham Road preventing HGV access along these routes. The applicant has supplied details of the proposed route for their vehicles avoiding turning left onto The Street and avoiding use of Taverham Road, (opposite), both through the village. Instead, vehicles would turn right onto The Street where the road eventually meets the junction with Reepham Road where vehicles can turn either left or right. This is a straight road but also narrow with inadequate junctions with Reepham Road.
- 5.13 The applicant has suggested that visibility from the site access could be improved by creating visibility splays within highway land along Mill Lane. This would involve loss of roadside vegetation, detrimental to the rural character of Mill Lane. The applicant has also suggested that there is potential to increase the width of Mill Lane to implement formal passing bays along Mill Lane before the junction with The Street. While this may resolve issues associated with Mill Lane itself, if the Highway Authority agreed to these improvements, the fundamental issue of the wider highway network could still not be overcome. The application is therefore contrary to the aims of Policy TS3 of the DM DPD.

Other Issues

- 5.14 A number of comments have been received about impact on wildlife and ecology of the site. The site is bounded by woodland to the north and east and is in a semi-rural setting. However, the site itself is hard surfaced and contains existing buildings. No changes are proposed to the site or buildings. The former use as a builder's yard would have created some noise and disturbance from vehicles and people and light from buildings. The proposed use would be unlikely to create significant additional on-site impacts compared with the former use.

Conclusion

- 5.15 To conclude the appraisal above, it is appropriate to consider the proposal against the three objectives of achieving sustainable development – economic, social and environmental.
- 5.16 The NPPF confirms the economic objective as 'helping to build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.'
- 5.17 The proposal would result in some economic benefits given that the proposal would result in up to 8 jobs on the site. However, these are not new jobs but relocated to the site from two other sites in Norwich. There would be no short-term economic benefits as there would be no new construction work to

facilitate the change of use. It is therefore considered that the proposal would have limited economic benefits.

- 5.18 The NPPF confirms the social role as 'supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future need and support communities' health, social and cultural well-being.'
- 5.19 The site is located outside any settlement limit. Felthorpe is not identified as a village where new development will be permitted and it is considered that the proposed development would not help to support the community. The jobs relocated to the site would not be for the benefit of the community, as they would be relocated from Norwich.
- 5.20 The NPPF confirms the environmental role as 'contributing to protecting and enhancing or natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'
- 5.21 As set out above, it is considered that the proposed use would make effective use of a brownfield site in former employment use. However, its rural location and the type of use proposed would not provide any environmental benefits on the site or for the surrounding area.
- 5.22 Overall, the application would provide no economic and social benefits. Although the proposal would not cause any significant detrimental impact on residential amenity, it would not provide any environmental benefits. In addition, the site is in an unsustainable location that would cause significant harm to highway safety. The benefits of the proposal would not significantly and demonstrably outweigh highway concerns. The proposal is contrary to the policies of the development plan and it is therefore recommended that planning permission be refused.

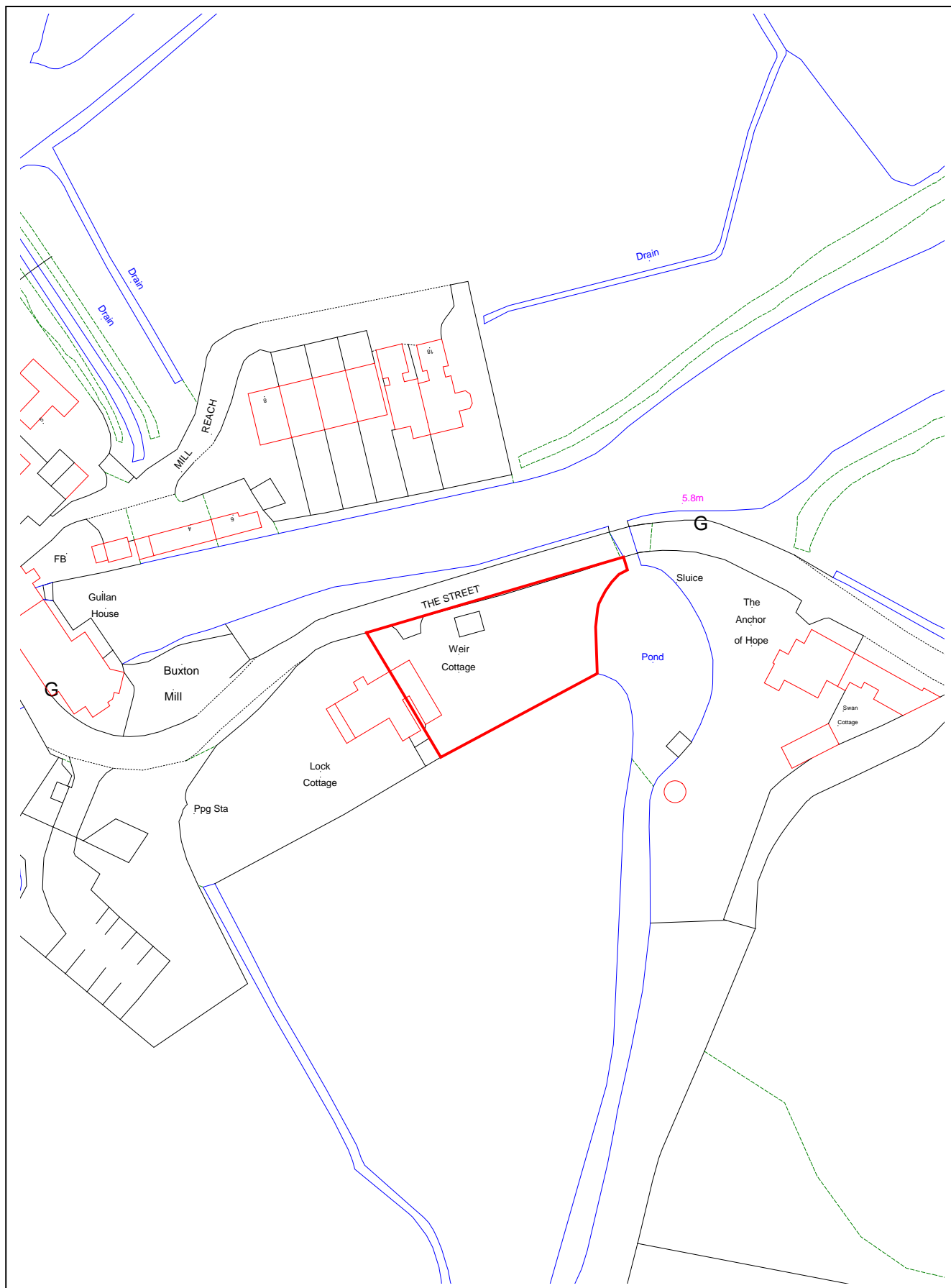
Recommendation: Refuse.

Reasons for Refusal The unclassified road, Mill Lane (U57150) and adjacent roads serving the site are considered inadequate to serve the development proposed, by reason of their poor alignment, restricted width, lack of passing provision and restricted visibility at adjacent road junctions. The proposal, if permitted, would likely give rise to conditions detrimental to highway safety contrary to Policy TS3 of the Development Management DPD.

The applicant does not appear to control sufficient land to

provide adequate visibility at the site access. The proposed development would therefore be detrimental to highway safety contrary to Policy TS3 of the Development Management DPD.

Contact Officer,	Julie Fox
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Application No: 20191849

**Weir Cottage, The Street, Buxton With
Lamas, NR10 5AF**

**Scale:
1:1250**

**Date:
25-Feb-20**



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Application No: [20191849](#)
Parish: **Buxton With Lamas**

Applicant's Name: Mr and Mrs Haswell
Site Address: Weir Cottage, The Street, Buxton With Lamas, NR10 5AF
Proposal: Demolish existing single storey rear wing, erect two storey side and rear extension and single storey rear and side extension

Reason for reporting to committee

The Ward 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:

Approve subject to conditions

1 Proposal and site context

- 1.1 The site is a residential property outside the settlement limits. The dwelling is a two storey semi-detached cottage with two bedrooms and fronts The Street on its south side. The River Bure is on the opposite side of The Street and adjoins the eastern boundary of the site. Buxton Mill is nearby, to the west and this is a grade II listed building. The property is at risk of fluvial flooding and within both flood risk zones 2 and 3.
- 1.2 The residential curtilage includes a small front and back garden area with the majority of the garden area on the north-east side of the dwelling. The north-east boundary adjoins a pond formed in the old River Bure. The Anchor of Hope, a dwelling converted from a Public House, is on the opposite side of this pond.
- 1.3 The property includes 4x trees under tree preservation order TPO 2012 No. 28 (Modified) listed as T14 to T17 and the neighbouring property to the south-west (Lock Cottage) includes 2x trees under the same tree preservation order listed as T12 and T13 within proximity of the site boundary to the front of the dwelling.
- 1.4 The adjoining property – Lock Cottage has been substantially extended by a two storey side and rear extension with a veranda and balcony permitted by Planning Permission 20081205. This measures approximately 9.31m out to the side of the original cottage excluding the veranda/balcony and approximately 11.38m including the veranda/balcony.
- 1.5 In January 2019 a linked two storey side extension was permitted. However the applicants decided not to implement this as it was considered that the

ground floor plan layout would not function well in terms of circulation. Therefore the plans were amended to improve circulation by creating an integrated layout.

- 1.6 The revised proposal as submitted is to demolish the existing long single storey rear wing housing the existing kitchen-diner and then erect a two storey side and rear extension, measuring approximately 10.92m out to the side (approximately 1m further out to the side than that previously permitted) and approximately 4.13m out to the rear, and a single storey rear and side lean-to extension that wraps around the south-western corner of the two storey extension, measuring approximately 7.32m out to the rear and 5.22m out to the side. The extensions would increase the number of bedrooms to three with potential for a fourth.
- 1.7 The two storey extension would be set back from the front elevation of the original cottage and is formed of two parts. The north-eastern end would be a gable ended cross wing measuring approximately 4.7m in height to the eaves and 6.25m in height to ridge. It would be set approximately 3.28m back from the front elevation of the original cottage (approximately 1m further back than that previously permitted). It would house a sitting room on the ground floor and a master bedroom with en-suite on the first floor. The external walls of the cross wing would be rendered in white.
- 1.8 A linking section between the original cottage and the cross wing would measure approximately 4.7m in height to the eaves and 6.25m in height to the ridge (approximately 1.1m higher than that previously permitted) to match the roof ridge of the cross wing. It would be set approximately 3.4m back from the front elevation of the original cottage (approximately 0.5m further forward than that previously permitted) and 0.3m back from the gable end of the cross wing. It would have a duo pitch roof and would include the main entrance. This would be formed by a sage green painted timber door with side margin lights either side sheltered by a lean-to canopy.
- 1.9 The linking section would house an entrance hall with staircase and a kitchen behind on the ground floor and a landing and bedroom behind on the first floor with built in cupboards for this bedroom and the master bedroom within the cross wing. The north-west front external wall of the linking section would be clad with natural stained timber weatherboard and the south-west side and south-east rear external walls would be rendered in white.
- 1.10 The single storey rear and side extension would be formed of three parts. The part to the rear of the original cottage would be formed of two of those parts. The part adjoining the rear of the original cottage would house a utility with internal access to the original cottage and the proposed kitchen. The part to the rear of the utility forming the corner of the extension would be open sided with timber frame. It would form a covered porch to the utility and provide log storage. The part to the side of the covered porch/log store

would be open plan with the kitchen to form the dining area. The external walls would be clad with natural stained timber weatherboard.

- 1.11 The external materials common throughout the extensions include slate tiles for the roofs and sage green painted timber window frames and timber doors/timber door frames.

2 Relevant planning history

- 2.1 20180811 Two Storey Side Extension - Full Approval 7-Jan-2019
- 2.2 20170215 Two Storey Extension Including First Floor Balcony to Rear - Full Refusal 19-May-2017
- 2.3 20081205 Extensions, Alterations and Garage - Full Approval 29-Sep-2008

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 09 : Promoting sustainable transport
NPPF 10 : Supporting high quality communications
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 17 : Small rural communities and the countryside

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 TS3 : Highway safety
Policy TS4 : Parking guidelines

3.4 Supplementary Planning Documents (SPD)

Design Guide
Landscape Character Assessment
Parking Standards

Statutory duties relating to setting of Listed Buildings

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 Ward Member - Councillor Karen Lawrence:

Call in to planning committee on the grounds of the size and design of the extensions proposed and the impact of the vehicular traffic generated on highway safety.

4.2 Buxton With Lamas Parish Council:

Support development proposed.

4.3 Senior Heritage & Design Officer, Broadland District Council:

The setting of the Mill would be preserved given the size and siting of the extensions proposed and the protection of the affected trees. No objection to the use of weatherboarding. The design could be improved by omitting the front gable and render so that the roof and weatherboarding is continued to a gable end forming the east side elevation; amend the front door to include one side margin light and move to line up with the window above; widen porch to include a wood store; and amending the front ground floor sitting room and first floor en-suite window above to simple double height windows kept relatively narrow in order to avoid appearing as a threshing barn opening conversion window.

4.4 Highway Authority, Norfolk County Council:

No objection. It is considered that the site has constraints in terms of access visibility and on-site car parking/turning provision and that the development proposed would likely generate additional traffic and require an additional car parking space. However it is advised that such would not have a significant detrimental impact on highway safety presumably as three car parking spaces, including one in the existing garage, can be achieved and

turning space is currently limited and would not be worsened by the development proposed.

4.5 Environment Agency:

No objection although the impact from river flooding on the development proposed has not been considered as this application is defined minor development and you need to refer to flood risk standing advice. An environmental permit will be required for activities within specified distances of the main river, flood defences etc.

4.6 Pollution Control Officer, Broadland District Council:

No objection.

4.7 Other Representations:

One representation made in objection to the size and design of the extensions proposed; the impact of the extensions proposed on the landscape character and views from The Anchor of Hope across the mill stream; the impact of the extensions proposed on the amenity of The Anchor of Hope by way of overlooking of the dwelling and garden.

5 Assessment

Key Considerations

5.1 The key considerations are:

- Principle of Development Proposed
- Impact on the Character of the Area including the Setting of the Nearby Listed Building
- Impact on the Amenity of Neighbouring Properties
- Fluvial Flood Impact on Extensions Proposed
- Highway Safety

Principle of Development Proposed

- 5.2 Policy GC2 of the DM DPD is that, outside the settlement limits, development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan. It is considered that the development proposed would not have any significant adverse impacts and is in conformity with development plan policies as discussed below.

Impact on the Character of the Area including the Setting of the Nearby Listed Building (Buxton Mill)

- 5.3 Policy 1 of the JCS is that the built environment, heritage assets, and the wider historic environment will be conserved and enhanced through the

protection of buildings and structures which contribute to their surroundings and protection of their settings. Policy 2 of the JCS is that development will respect local distinctiveness including the landscape setting of settlements, the landscape character and historic environment, townscape and use of sustainable and traditional materials. Policy GC4 of the DM DPD is that development will be expected to achieve a high standard of design and avoid any significant detrimental impact on the character of the area. Policy EN2 of the DM DPD is that, in order to protect the character of the area, regard should be given to the Landscape Character Assessment SPD and, relevant to this proposal, consideration given to any impact on the setting of grade II listed Buxton Mill and the impact on as well as protection of the trees subject to TPO 2012 No. 28 (Modified) given such make a significant contribution towards defining the character of the area.

- 5.4 The site is within the Bure river valley landscape character area identified by the Landscape Character Assessment SPD which provides landscape planning guidelines. Relevant to the site location and development proposed, these guidelines seek to conserve the rural character of the area and sense of place; conserve the landscape setting of the village; conserve the landscape setting of grade II listed Buxton Mill, ensure the development is consistent with the built form of the village; and promote use of local materials. Furthermore, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving the setting of Buxton Mill.
- 5.5 One representation was made in objection to the size and design of the extensions proposed; the impact of the extensions proposed on the landscape character and views from The Anchor of Hope across the mill stream. The Senior Heritage & Design Officer does not object to the use of weatherboarding but suggested some amendments to enhance the design and external appearance as set out in paragraph 4.4. Notwithstanding the amendments suggested, the applicant's advised that their application should be determined as submitted.
- 5.6 In terms of the on-site and nearby off-site trees, none are to be removed and construction would not take place within any root protection area. Protective fencing would be installed prior to construction work in accordance with the tree protection plan received 27-Nov-2019. Planning permission should be subject to the condition that the tree protection fencing is installed prior to construction work and kept in-situ until such work is complete.
- 5.7 It is considered that the extensions proposed would not be contrary to the landscape planning guidelines of the Landscape Character Assessment SPD and would not have a significant detrimental impact on the character of the area given their size, siting, design and external appearance and considering the extension of Weir Cottage permitted and extension of Lock Cottage constructed. Furthermore it is considered that the setting of Buxton Mill would be preserved given the size and siting of the extensions

proposed (approximately 67m to the east of the Mill, on the opposite side of the highway) and given the protection of the affected trees. Although it is considered that the suggested amendments would enhance the design and external appearance, the general form of that submitted and use of render on the external walls of the cross wing are no different to that previously approved. It is therefore considered that, in terms of the impact on the character of the area, the extensions proposed would comply with Policies 1 and 2 of the JCS and Policies GC4 and EN2 of the DM DPD.

Impact on the Amenity of Existing Properties

- 5.8 Policy GC4 of the DM DPD is that development will be expected to achieve a high standard of design and avoid any significant detrimental impact on the amenity of existing properties. One representation was made in objection to the impact of the extensions proposed on the amenity of The Anchor of Hope by way of overlooking of the dwelling and garden.
- 5.9 The extensions proposed include a north-east first floor window serving the master bedroom; a south-east first floor window serving the master bedroom; and a south-east first floor window serving bedroom one. It is considered that these windows would not overlook The Anchor of Hope given the separation distance of approximately 74m and difference in angle of orientation which is greater than 30 degrees.
- 5.10 In terms of the occupants of Lock Cottage, it is considered that the extensions proposed would not have a detrimental impact on their amenity given the size, siting and design. It is therefore considered that, in terms of the impact on the amenity of existing properties, the extensions proposed would comply with Policy GC4 of the DM DPD.

Fluvial Flood Impact on Extensions Proposed

- 5.11 In terms of domestic extensions, Policy 1 of the JCS is that development will mitigate flood risk through design. Regard is also had to the Environment Agency Flood Risk standing advice. The site is within fluvial flood risk zones 2 and 3 therefore a flood risk assessment is required and was submitted. Furthermore, the Environment Agency is a statutory consultee given the development proposed would be within 20m of the top of a bank of a main river whereby a flood risk activity permit may be required.
- 5.12 The Environment Agency has no objection but advised to refer to their standing advice for householder extensions (minor development) in flood zones 2 and 3. A minor development in this location is unlikely to raise significant flood risk issues and the applicant has to choose either to set floor levels 300mm above the estimated flood level or no lower than existing floor levels and flood risk resistance and/or resilience measures incorporated as appropriate.

- 5.13 The ground floor levels would be no lower than existing floor levels and the estimated flood level would be 0.6m above floor level. Flood resistance and resilience measures would be employed in the form of water exclusion and water entry strategies as detailed in the submitted flood risk assessment. Planning permission should be subject to the condition that the flood resistance and resilience measures detailed are included in perpetuity. Given flood resilience and resistance measures the extensions proposed therefore comply with Policy 1 of the JCS and the flood risk standing advice.

Highway Safety

- 5.14 Policy TS3 of the DM DPD is that development will not be permitted where it would result in any significant adverse impact on the satisfactory functioning or safety of the highway. Parking standards for dwellings are based on the number of bedrooms. The existing dwelling has 2 bedrooms and the extended dwelling proposed would have 3 bedrooms with the potential for a fourth bedroom in the existing ground floor front room proposed as an office. The existing requirement would be 2x car parking spaces and the proposed requirement would be an additional car parking space.
- 5.15 The Highway Authority has no objection in terms of the impact on highway safety. The site has constraints in terms of access visibility and on-site car parking/turning provision and the development proposed could generate additional traffic and will require an additional car parking space. However it is considered that the nature of the development proposed would not have a significant detrimental impact on highway safety given three car parking spaces are being provided (including one in the existing garage) and turning space is currently limited and this would not be worsened by the development proposed. It is therefore considered that, in terms of the impact on highway safety, the extensions proposed would comply with Policies TS3 and TS4 of the DM DPD.

Conclusion

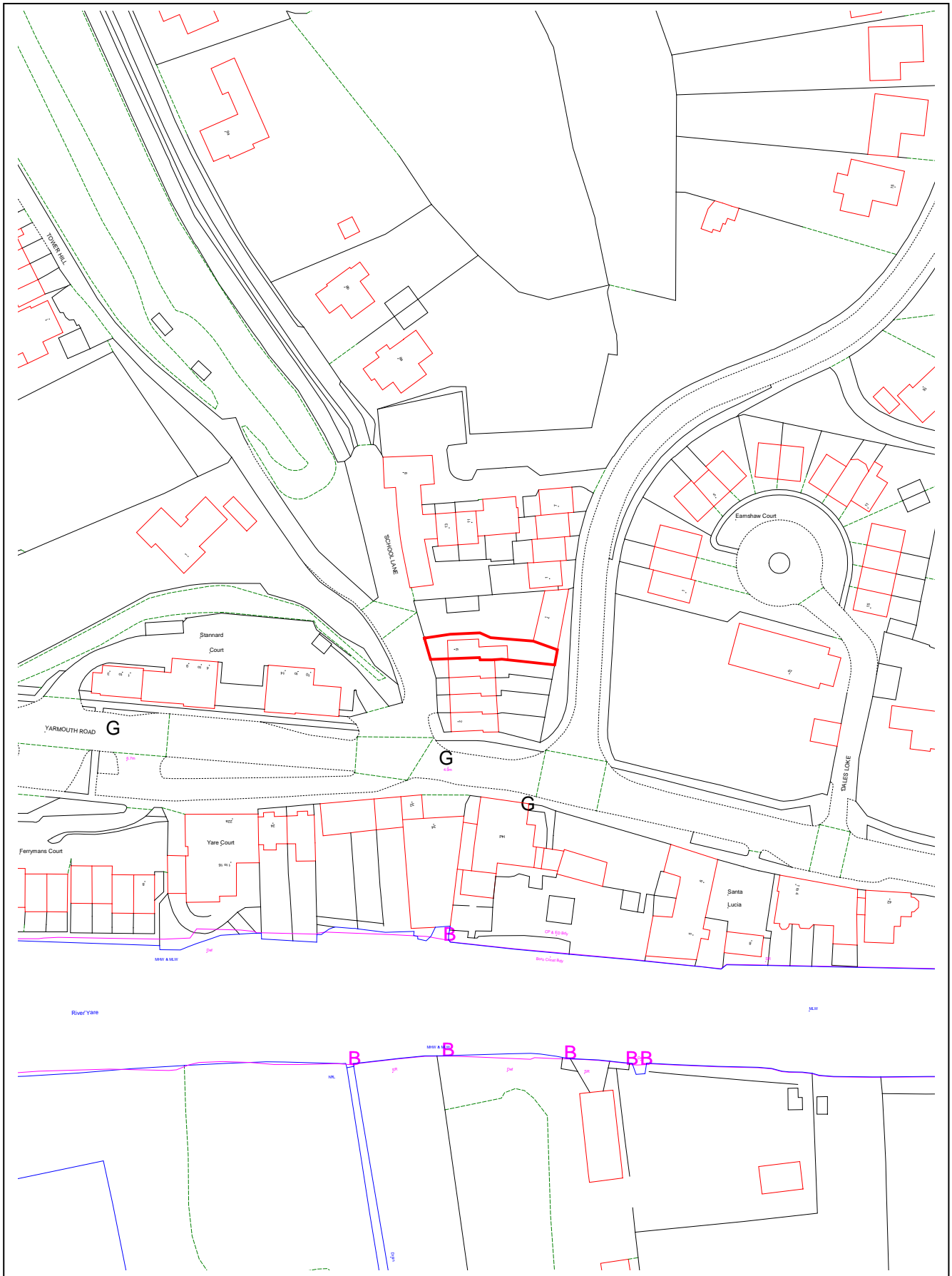
- 5.16 It is considered that the development proposed would not result in any significant adverse impact including the setting of the listed building. It is therefore considered to be in conformity with development plan policies thus the recommendation is that the application should be approved subject to the conditions listed below.

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

- Recommendation: Approve subject to the following conditions:
- (1) Time Limit
 - (2) Plans and Documents
 - (3) Tree Protection

(4) Flood Resilience Measures

Contact Officer,	Philip Baum
Telephone Number	01603 430555
and E-mail	philip.baum@broadland.gov.uk



Application No: [20191926](#)
Parish: **Thorpe St Andrew**

Applicant's Name: Mr James Stone
Site Address: 6 School Lane, Thorpe St Andrew, Norwich,
NR7 0EP
Proposal: Part two storey and first floor rear extension

Reason for reporting to committee

Three local Members have requested that the application be determined by the Planning Committee for appropriate planning reasons as set out in section 4.

Recommendation summary:

Refuse

1 Proposal and site context

- 1.1 The application seeks planning permission for a part two storey and first floor extension to an existing two-bed end terraced cottage. This will allow space for an additional bedroom and en-suite. The existing ground floor rear extension measures 3 metres in width and 6 metres in length with an additional raised platform area measures 400mm in height located to the rear of the property. The proposal seeks to increase the width of part of the existing ground floor extension by 500mm with the first floor extension following the entire extended footprint of the ground floor extension. Proposed external materials are rendered cavity walls and clay pantile to roof. At first floor level there will be a new windows in the north elevation and east elevation serving the proposed additional bedroom.
- 1.2 The site is located within the settlement limit for the parish and is within the Thorpe St Andrew Conservation Area (adopted February 2011).
- 1.3 The site is the northern most dwelling in a row of 5 similar cottages (historically there were six). These date from 1867 and can be considered as undesignated heritage assets. The buildings have been identified within the Thorpe St Andrew Conservation Appraisal as buildings of interest. To the north of the site, there are a number of residential properties comprising detached and terraced dwellings and the former Victorian school building (which is now used for offices).
- 1.4 To the east of the site on the opposite side of Bishops Close, is a Grade II Listed Building – Old Thorpe House, with a close of modern houses - Earnshaw Court, set to the rear of the Listed Building. To the west of the site there is a modern block of 2 and 3 storey flats – Stannard Court and to the south of the site on the opposite side of Yarmouth Road is a mix of historic and more modern building forms including dwellings, offices and a

public house – The River Garden (formerly the Kings Head) which is a Grade II Listed Building directly opposite the southern end of the terrace of cottages.

- 1.5 Numbers 2 – 6 School Lane are stepped in level following the rising land form on the north side of Yarmouth Road and as a consequence the rear aspect of all of these properties, particularly at first floor level, are visible from Yarmouth Road to the south and Bishop's Close to the east.
- 1.6 The west (front elevation) of the terrace of cottages is characterised by an attractive pebble flint front with brick dressings to windows and there is a plaque dated 1867. The original cottage at no: 1 was demolished many years ago when Yarmouth Road was widened and the end gable facing Yarmouth Road is constructed of red brick which continues round to form the rear elevation of the cottages.
- 1.7 All the cottages in the terrace have been added to at the rear with ground floor flat roofed extensions although these have little wider visual presence given existing red brick boundary walls which enclose the rear gardens from the adjoining roads.
- 1.8 Number 7 School Lane is a two storey dwelling that is located hard up against the eastern boundary with Bishops Close and has a gabled wall on the boundary with the application site. No: 7 is heavily fenestrated on its western elevation (being its main orientation and outlook) with its external curtilage located between the dwelling and School Lane where vehicular access is taken from. There is a low brick wall on the boundary with the application site with a maintained hedge above this and which varies in height from about 4 metres at its highest point to 2.5 metres approximately at its lowest point given the dwelling has a split level garden that steps down to the front door of the dwelling – the hedge is within the curtilage of no: 7.
- 1.9 The adjoining neighbour to the south, no: 5 has its own flat roofed rear extension about 3.7m deep and the existing flat roofed extension at the application site extends a further 2.5m approx. beyond this. There is a stepped access from no: 5's extension down into its rear garden which is about 0.5m below the ground level of the application site. The remaining boundary with no: 6 is formed by a close board fence which is higher on the neighbour's side given the different ground levels.

2 Relevant planning history

- 2.1 No previous planning history.

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 04 : Decision-making

NPPF 12 : Achieving well-designed places

NPPF 13 : Protecting Green Belt land

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

NPPF 16 : Conserving and enhancing the historic environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

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

Policy GC4 : Design

Policy EN2 : Landscape

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

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

S72 Listed Buildings Act 1990 provides: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

3.5 Thorpe St Andrew Conservation Appraisal (adopted 17 December 2007)

The site is within the wider Conservation Area which is a designated heritage asset under the NPPF. The terrace of dwellings 2 – 5 School Lane are identified within the Thorpe St Andrew Conservation Appraisal as buildings of interest and are therefore considered undesignated heritage assets.

3.6 Broadland District Council Design Guide (adopted July 1997):

Sets out design principles as a consideration in the determination of planning applications including guidance on extensions and criteria for privacy and useable space.

4 Consultations

4.1 Thorpe St Andrew Town Council:

No objections.

4.2 Cllr Jonathan Emsell, Cllr Trudy Mancini-Boyle and Cllr John Fisher all made the following comments:

We note that the application is within the conservation area and if officers are of a mind to refuse it we would like it considered by planning committee. In our opinion, the pros and cons are marginal and would not detract from the conservation area compared to providing a much-improved accommodation to a very small property.

4.3 Historic Environment Officer:

No: 6 is the north dwelling of an existing small row of cottages dating from 1867, which can be considered as undesignated heritage assets as buildings and have been identified as buildings of interest in the conservation area appraisal. In terms of their contribution to the character and appearance of the conservation area, this mainly derives from the appearance of the cottages fronting onto School Lane (facing west) and their group value. The cottages were designed with an attractive flint front with brick dressing to windows and an historic date plaque marking with initials.

The rear of the cottages is of less significance to the conservation area and is a plainer and more uniform red brick, however there is some value and significance of the cottages as a terrace group of relatively humble cottages. The relatively unaltered first floor, roof and chimney stacks, which have a uniformity of appearance, are visible from Yarmouth Road and Bishops Close. Generally, it would be beneficial to maintain a consistent approach to the size and scale of rear extensions although there is normally some scope for more variation than at the front. Existing extensions are single storey and therefore not very visible in street views due to boundary wall, preserving the historic appearance of the terrace above.

This application proposes a two-storey rear extension. It is appreciated that it is on the north side of the properties in terms of sunlight and shadowing, but since the land rises to the north, a two-storey extension would be more dominating over neighbouring gardens to the rear. It will also be visible from

Yarmouth Road and Bishops Close. It will break with the consistent approach as seen in street views.

Therefore, although not greatly affecting the conservation area as it does not affect the appearance of the important front elevation, I am concerned at the impact at the rear, which will result in some degree of harm to the character and appearance of the conservation area and this needs to be taken into account in the planning balance.

In terms of the two nearby listed buildings, the extension is not considered likely to impact on either of their particular settings, thereby having a neutral affect.

4.4 BDC Pollution Control Officer:

No objection.

4.5 Neighbour representations:

None received.

5 Assessment

Key Considerations

- 5.1
- The design and impact upon the character and appearance of the area including the affect on designated and undesignated heritage assets
 - The impact of the development upon residential amenity

Principle of the development

- 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, the NPPF and Planning Practice Guidance. The other key considerations are the impact of the development on the character and appearance of the area and the affect on heritage assets and the impact on the residential amenity of existing adjoining dwellings

The design and impact upon the character and appearance of the area including heritage assets

- 5.3 Each dwelling within the terraced row is relatively small with a consistent two storey side gable depth of approximately 7.4m. Each property has sought to increase ground floor living accommodation by the addition of rear extensions of varying sizes, with the application site having the largest rear extension. These extensions have little impact on the character and appearance of the area given their scale and boundary features.

- 5.4 The proposed extension at first floor level will add another 6.2m onto the rear of the property, almost doubling in effect the depth of the building. The application site is the most elevated of the terrace in relation to Yarmouth Road given the rising nature of surrounding levels.
- 5.5 Policy 2 of the JCS requires all new development to be of a high quality that respects and contributes to the character of the surrounding area.
- 5.6 Policy GC4 of the DMDPD states that development will be expected to achieve a high standard of design and avoid any significant detrimental impact. Criterion (i) requires proposals to reinforce local distinctiveness through careful consideration of the treatment of space throughout development, its appearance and scale; and criterion (ii) requires proposals to pay adequate regard to reinforcing local distinctiveness through careful considerations including the appearance and scale of new development.
- 5.7 Good design is a key aspect of sustainable development and paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments:
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities;
- 5.8 In consideration of the application against, the overriding characteristic of this row of terraced cottages is the uniformity in appearance (both to the front and rear) and in particular their currently unaltered first floor rear aspects which are visible from Yarmouth Road and Bishops Close. This layout and the uniformity of these properties contribute to the character and appearance of the area and result in a quality worth protecting. It is beneficial to maintain a consistent approach to the size and scale of rear extensions particularly within a Conservation Area.
- 5.9 This uniformity is of importance and the character of this rear elevation would be quite substantially altered by the first floor element of the proposed extension; extending for some 6.2 beyond the properties existing rear elevation and which would appear excessively large and would contrast unfavourably with the size of the terraced cottages.
- 5.10 The first floor elevation when viewed from the south will appear visually overbearing and unbalanced in relation to the relatively narrow two storey depth of the terraced properties and which has been maintained to date and is therefore distinctive of this immediate setting.

- 5.11 Furthermore, the amount of development proposed at first floor level would not be well related in scale to either the existing dwelling or the terrace of dwellings as a whole, particularly as they are viewed collectively and from a number of vantage points within the street scene.
- 5.12 As such the proposed development is considered to be contrary to Policy 2 of the JCS and Policy GC4 of the DM (DPD) representing an unacceptable form of development having a significantly harmful affect upon the character and appearance of the area.
- 5.13 Sections 16(2) & 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 prescribes a duty upon a decision maker to give specifically regard to the desirability of preserving a listed building and any features of architectural or historic interest it possesses.
- 5.14 S72 Listed Buildings Act 1990 provides: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."
- 5.15 Policy 1 of the JCS requires protection of heritage assets and their setting. Policy EN2 of the DM (DPD) states that development proposals should seek to protect and enhance Conservation Areas.
- 5.16 The site is within the Thorpe St Andrew Conservation Appraisal, a designated heritage asset. The small group of mid nineteenth century terraced cottages are specifically referred to in the conservation area appraisal and can be regarded themselves as undesignated heritage assets.
- 5.17 Nearby are two Grade II Listed buildings which are designated heritage assets, being Old Thorpe House [private dwelling] and The River Garden PH [formerly The Kings Head].
- 5.18 In terms of assessing proposals affecting heritage assets, Policies 1 of the JCS and EN2 of the DM (DPD) are relevant as well as the NPPF.
- 5.19 NPPF para 193. – 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.
- 5.20 NPPF para 194 – 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.

- 5.21 Whilst the Council's Historic Environment Officer [see 4.3 above] does not consider that the proposal affects the setting of either of the listed buildings, having a neutral affect, he does consider that there will be some degree of harm to the character and appearance of the conservation area. This can be qualified as less than substantial harm.
- 5.22 NPPF para 196 – 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.
- 5.23 NPPF para 197 is also of relevance relating to the terraced cottages themselves as being undesignated heritage assets – 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.
- 5.24 The rear of the cottages are visible from Yarmouth Road and Bishops Close and (whilst of less significance to the conservation area than the front or west elevation) still remains valuable and significant to the cottages as a terraced group of which remain relatively unaltered on the first floor, roof and chimney stacks and demonstrate a uniformity in appearance. In addition; the existing single storey extensions are not particularly visible from the street view given existing means of enclosure thereby preserving the historic appearance of the terraced cottages.
- 5.25 With School Lane rising up the hill from Yarmouth Road, this means that the first floor element of the extension will be widely visible from Yarmouth Road and Bishop's Close and the uniformity of the row of terraces will be eradicated. The loss of symmetry between the group of buildings when viewed from the roads which contribute to the visual erosion of the regular pattern of this development.
- 5.26 Whilst the degree of harm to the significance of the Conservation Area as a designated heritage asset is suggested to be at the lower end of less than substantial harm, this harm is not considered to be outweighed by the public benefit of enlarging the dwelling, given the reasons outlined above.
- 5.27 As such the proposed development is considered to be contrary to Policy 1 of the JCS and Policy EN2 of the DM (DPD) and the NPPF representing an unacceptable form of development detrimental to the character and appearance of the area and which does not preserve or enhance the character and appearance of the conservation area.

The impact of the development on residential amenity

- 5.28 Policy GC4 of the DM (DPD) states that development will be expected to achieve a high standard of design and avoid any significant detrimental impact; criterion (ii) and (iv) are particularly relevant relating to the scale of new development and considering the impact upon the amenity of existing properties.
- 5.29 The Council's Design Guide (1997), adopted as supplementary planning guidance, stipulates that a dwellings internal and external private space should not be overlooked and should be free from unwanted social contact.
- 5.30 In terms of assessing the impact of the proposal on the amenities of No. 5 School Lane, it is considered that the first floor south elevation of the proposed extension is not particularly neighbourly and will impact considerably on the outlook and amenity currently enjoyed from a first floor rear bedroom window, presenting a 6.2 m long blank wall within close proximity to this existing habitable room window.
- 5.31 In addition, the first floor element of the extension will project beyond the rear of No. 5's existing ground floor extension by an additional 2.5m approx. and given the neighbour has a lower ground level at this point [in relation to the application site] of about 0.5m, the resultant eaves height of the extension at this point is likely to be around 6m in height and the ridge about 7.5m high. This increase in height above the existing single storey rear extension and being on the boundary with No. 5 is considered to be both dominating and overwhelming in terms of the neighbour's existing level of amenity.
- 5.32 It is also noted that a first floor bedroom window within the rear elevation of the proposed extension overlooking the rear garden of number 5 and other neighbouring properties will be nearer to rear garden space [by 6.2m] than currently exists from the upper floor bedroom windows within all the terraced cottages and this further contributes to the unsatisfactory nature of the proposal from the point of view of residential amenity.
- 5.33 In terms of assessing the impact of the proposal on the amenities of No. 7 School Lane to the north, the main issue here is the relationship of the proposed rear facing first floor bedroom window with the habitable room windows forming the principal two storey west facing elevation within No. 7.
- 5.34 The existing rear facing first floor bedroom window at the application site is some 12.5m approx. from the nearest first floor bedroom window at No. 7. It is acknowledged that the hedge which currently exists and is maintained on the boundary but within the curtilage of No 7, does currently restrict direct views between these windows. There is however a degree of concern with regards to the reduced distance that will exist between these windows [reducing to about 6m albeit at a more oblique angle] in that this will create

an unacceptable degree of overlooking and more intrusive than at present. It should be noted that the existing hedge is a living feature and whilst this currently exists and is maintained to create a degree of privacy between the two properties, there is no way of securing the current degree of privacy afforded by this existing boundary feature; it could become diseased; die or be removed and is not a permanent feature that reasonably be conditioned to be retained and maintained at this height.

5.35 Therefore, the local planning authority has a duty to determine the application as proposed which reduces this distance to just over 6m between first floor windows which is considered unacceptable. Again, this contributes to the unsatisfactory nature of the proposal when assessing the impact upon the residential amenity of existing properties.

5.36 It is noted that there have been no representations from neighbouring properties, however, as decision maker, the council as local planning authority can decide what weight can be given to the consideration of the impacts of the proposal on the amenities of existing properties whether representations have been received or not.

5.37 For the reasons given above it is considered that the proposal will impact unduly on the amenity of both neighbouring properties and that significant weight can be afforded to this harm and resultant policy conflict in consideration of the proposal. The local planning authority has a duty to safeguard the amenities of not just the existing occupiers of neighbouring properties but also future occupiers as the built form will remain beyond the existing property occupiers.

5.38 The proposed development would not accord with Policy GC4 of the DM (DPD) for the reasons set out above. This states that development will be expected to achieve a high standard of design and avoid any significant detrimental impact and not impact on the amenity of adjoining residences.

6 Conclusion

6.1 The planning balance should consider whether the benefits associated with the development outweigh the harm. Although the site is within the settlement limit where the principle of development is acceptable, this shall not be at the expense of impacts on: the character and appearance of the area; heritage assets; and residential amenity.

6.2 In having regard to all matters raised, it is considered that there will be significant harmful effect on the character and appearance of the area, a significant level of harm on the amenities of both neighbouring dwellings; and a degree of harm not outweighed by public benefit as the proposal does not preserve or enhance the character and appearance of the conservation area, and as such is contrary to the development plan, the NPPF and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Recommendation: Refuse

Reasons for Refusal:

This application has been considered against the Development Plan for the area, this being The Joint Core Strategy for Broadland, Norwich and South Norfolk 2011[JCS] and the Development Management Plan (DMP) 2015 [DMDPD]. Sections 16(2), 66(1) & 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, The National Planning Policy Framework, the Broadland Design Guide and The Thorpe St Andrew Conservation Area Appraisal have also been taken into consideration.

The development plan policies particularly relevant to the determination of this application are Policies 1 and 2 of the JCS and Policies GC4 and EN2 of the DMDPD.

Impact upon the character and appearance of the area:

The overriding characteristic of this row of terraced cottages is the uniformity in appearance (both to the front and rear) and in particular their currently unaltered first floor rear aspects which are visible from Yarmouth Road and Bishops Close. This layout and the uniformity of these properties contribute to the character and appearance of the area and result in a quality worth protecting. It is beneficial to maintain a consistent approach to the size and scale of rear extensions particularly within a Conservation Area.

This uniformity is of importance and the character of this rear elevation would be quite substantially altered by the first floor element of the proposed extension; extending for some 6.2m beyond the properties existing rear elevation and which would appear excessively large and would contrast unfavourably with the size of the terraced cottages.

The first-floor elevation when viewed from the south will appear visually overbearing and unbalanced in relation to the relatively narrow two storey depth of the terraced properties and which has been maintained to date and is therefore distinctive of this immediate setting.

Furthermore, the amount of development proposed at first floor level would not be well related in scale to either the existing dwelling or the terrace of dwellings as a whole, particularly as they are viewed collectively and from a number of vantage points within the street scene.

As such the proposed development is considered to be contrary to Policy 2 of the JCS and Policy GC4 of the DM (DPD) representing an unacceptable form of development having a significantly harmful affect upon the character and appearance of the area.

Impact upon heritage assets:

The rear of the cottages are visible from Yarmouth Road and Bishops Close and (whilst of less significance to the conservation area than the front or west elevation) still remains valuable and significant to the cottages as a terraced group of which remain relatively unaltered on the first floor, roof and chimney stacks and demonstrate a uniformity in appearance. In addition; the existing single storey extensions are not particularly visible from the street view given existing means of enclosure thereby preserving the historic appearance of the terraced cottages.

With School Lane rising up the hill from Yarmouth Road, this means that the first floor element of the extension will be widely visible from Yarmouth Road and Bishop's Close and the uniformity of the row of terraces will be eradicated. The loss of symmetry between the group of buildings when viewed from the roads which contribute to the visual erosion of the regular pattern of this development.

Whilst the degree of harm to the significance of the Conservation Area as a designated heritage asset is suggested to be at the lower end of less than substantial harm, this harm is not considered to be outweighed by the public benefit of enlarging the dwelling, given the reasons outlined above.

As such the proposed development is considered to be contrary to Policy 1 of the JCS and Policy EN2 of the DM (DPD) and the NPPF representing an unacceptable form of development detrimental to the character and appearance of the area and which does not preserve or enhance the character and appearance of the conservation area.

Impact on residential amenity:

In terms of assessing the impact of the proposal on the amenities of No. 5 School Lane, it is considered that the first floor south elevation of the proposed extension is not particularly neighbourly and will impact considerably on the outlook and amenity currently enjoyed from a first floor rear bedroom window, presenting a 6.2 m long blank wall within close proximity to this existing habitable room window.

In addition, the first floor element of the extension will project beyond the rear of No. 5's existing ground floor extension by an additional 2.5m approx. and given the neighbour has a lower ground level at this point [in relation to the application site] of about 0.5m, the resultant eaves height of the extension at this point is likely to be around 6m in height and the ridge about 7.5m high. This increase in height above the existing single storey rear extension and being on the boundary with No. 5 it is considered to be both dominating and overwhelming in terms of the neighbour's existing level of amenity.

It is also noted that a first floor bedroom window within the rear elevation of the proposed extension overlooking the rear garden of number 5 and other neighbouring properties will be nearer to rear garden space [by 6.2m] than currently exists from the upper floor bedroom windows within all the terraced cottages and this further contributes to the unsatisfactory nature of the proposal from the point of view of residential amenity.

In terms of assessing the impact of the proposal on the amenities of No. 7 School Lane to the north, the main issue here is the relationship of the proposed rear facing first floor bedroom window with the habitable room windows forming the principal two storey west facing elevation within No. 7.

The existing rear facing first floor bedroom window at the application site is some 12.5m approx. from the nearest first floor bedroom window at No. 7. It is acknowledged that the hedge which currently exists and is maintained on the boundary but within the curtilage of No 7, does currently restrict direct views between these windows. There is however a degree of concern with regards to the reduced distance that will exist between these windows [reducing to about 6m albeit at a more oblique angle] in that this will create an unacceptable degree of overlooking and more intrusive than at present. It should be noted that the existing hedge is a living feature and whilst this currently exists and is maintained to create a degree of privacy

between the two properties, there is no way of securing the current degree of privacy afforded by this existing boundary feature; it could become diseased; die or be removed and is not a permanent feature that reasonably be conditioned to be retained and maintained at this height.

Therefore, the local planning authority has a duty to determine the application as proposed which reduces this distance to just over 6m between first floor windows which is considered unacceptable. Again, this contributes to the unsatisfactory nature of the proposal when assessing the impact upon the residential amenity of existing properties.

The proposed development would not accord with Policy GC4 of the DM (DPD) for the reasons set out above. This states that development will be expected to achieve a high standard of design and avoid any significant detrimental impact and not impact on the amenity of adjoining residences.

The authority confirm that it does work in a positive and proactive manner, based on seeking solutions to problems arising in relation to dealing with planning applications however due to the conflict of this particular proposal with adopted policy it is not possible to support the proposed development and find a solution to the planning issues.

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

Samantha McDowell
01603 430550
samantha.mcdowell@broadland.gov.uk

Planning Appeals: 24 January 2020 – 19 February 2020

Appeal decisions received:

Ref	Site	Proposal	Decision maker	Officer recommendation	Appeal decision
20182036	Weston Hall, Weston Hall Road, Weston Longville	Conversion of Existing Barn into 1 No Dwelling (including Demolition Works), Demolition and removal of Hardstanding, Outbuildings (including Sports Hall, Swimming Pool, Greenhouses, Workshops & Aircraft Hanger) & Erection of 7 No Dwellings (Listed Building) (Revised Plan)	Delegated	Refusal	Dismissed
20182039	Weston Hall, Weston Hall Road, Weston Longville	Variation of Condition 4 of Planning Permission 20171035 - Retain Existing Bungalow	Delegated	Refusal	Dismissed

PLANNING COMMITTEE

4 March 2020

Final Papers

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Nos**

Supplementary Schedule

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

DEMOCRATIC SERVICES

Broadland District Council

Thorpe Lodge, 1 Yarmouth Road, Norwich, NR7 0DU

Tel: 01603 430428

Email: committee.services@broadland.gov.uk

SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
1	20191921	Builders Yard, Mill Lane, Felthorpe	<p>Statement from Councillor Dave Thomas:</p> <p>This application has had over 30 objections raised from residents. Considering the size of Felthorpe that is quite a sizeable number.</p> <p>I feel it's important for local democracy and for the planning application process that local resident's views are strongly taken into consideration. I'd like to urge the committee to follow the advice of the officer's guidance today.</p> <p>Letter from Mr V A Thrower - Landlord of the Builders Yard, Mill Lane, Felthorpe</p> <p>As landlord it is proving very difficult to lease this property due to the restrictions on planning use and it is becoming a financial burden so I hope you can look at this application in a fair and impartial way and not to just take it as a foregone conclusion.</p> <p>When this application was first applied for we got a resounding no from the planning department before the application was even given any due consideration purely on highways grounds. As a resident of Felthorpe for over 60 years I am not aware of any restrictions on other heavy goods vehicles using Mill Lane and surrounding areas. Regarding road safety the visibility has improved since the new developments at the junctions of Mill Lane, The Street and Taverham Road but if you are concerned about</p>	15 – 27

			<p>road safety in my opinion the 30 mph welcome to Felthorpe boards as you come into Felthorpe at the other end of the village are far more dangerous. When exiting Bilney Lane visibility is blocked by the boards especially when the grass verge has not been cut back. An accident waiting to happen?</p> <p>As to local objections these are from a very small minority who are just focusing on the word "HGV". They seem to be under the impression that there will be HGV's thundering through Felthorpe village all day long. I am sure most of these objectors have not read the proposal or looked at this rationally or fairly. We do not live in an ideal world and inconvenience is a part of everyday living but I am sure that there will be very little or no impact at all on most of the villagers' lives and they will be mostly unaware of the day to day movements of the vehicles used by Martin's Driver Training School.</p> <p>The main reason Martin's Driver Training School were interested in leasing this property is down to the large area of yard space available which they do not find adequate at the moment in the two Norwich locations they are in at present. This is because most of their business is site based and not on the roads. Why restrict a company carrying out a legitimate business which will benefit the community as a whole, training the many drivers needed these days for transporting food and goods? Why is it better to leave the business in its current location? Why is a built up area with congested roads a better location? These drivers need to be safe drivers on all types of roads including rural country roads and not just highways. They need this experience as part of their training.</p> <p>All the emphasis seems to be on the word HGV. This is not Eddie Stobart but a family business that has a small number of heavy goods vehicles.</p>	
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			<p>The heavy goods vehicle movements are just a small part of the business. We need to keep this in perspective.</p> <p>I ask you to consider this application in a favourable manner and with common sense.</p>	
3	20191926	6 School Lane, Thorpe St Andrew	<p>Corrections to report as follows:</p> <ul style="list-style-type: none"> • Description of development should read 'First floor rear extension'. The first extension is wider than the existing ground floor and the additional width is carried over on supporting columns • 'Reason for reporting to committee' should refer to two Local Members, not three • Paragraph 4.2 on page 42 – delete reference to Cllr Fisher (comments received from Councillors J Emsell and T Mancini-Boyle only) 	39 – 52