

Planning Committee

Agenda

Date

Wednesday 20 May 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

To be hosted remotely at
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Substitutes

Conservative pool

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

Liberal Democrat

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

Contact

Dawn Matthews tel (01603) 430404

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



*not met training requirement so ineligible to serve

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

E-mail: dawn.matthews@broadland.gov.uk



@BDCEMservices

Please note that in light of Government guidance, the Council currently has restricted public access to the Council offices. Should members of the public wish to observe this meeting remotely, or speak on an agenda item, they can request to do so by emailing committee.services@broadland.gov.uk, no later than 5.00pm on Friday 15 May

The meeting will be recorded and available on the council's website after the meeting

A G E N D A

Page No

1	To receive declarations of interest under Procedural Rule no 8	3
2	Apologies for absence	
3	Minutes of meeting held on 4 March 2020	5
4	Matters arising therefrom (if any)	
5	Applications for planning permission to be considered by the Committee in the order set out in the attached schedule	
	Schedule of Applications	16
	Planning Applications	17
6	Planning Appeals (for information)	119

Trevor Holden
Managing Director

DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. Affect yours, or your spouse / partner's financial position?
2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

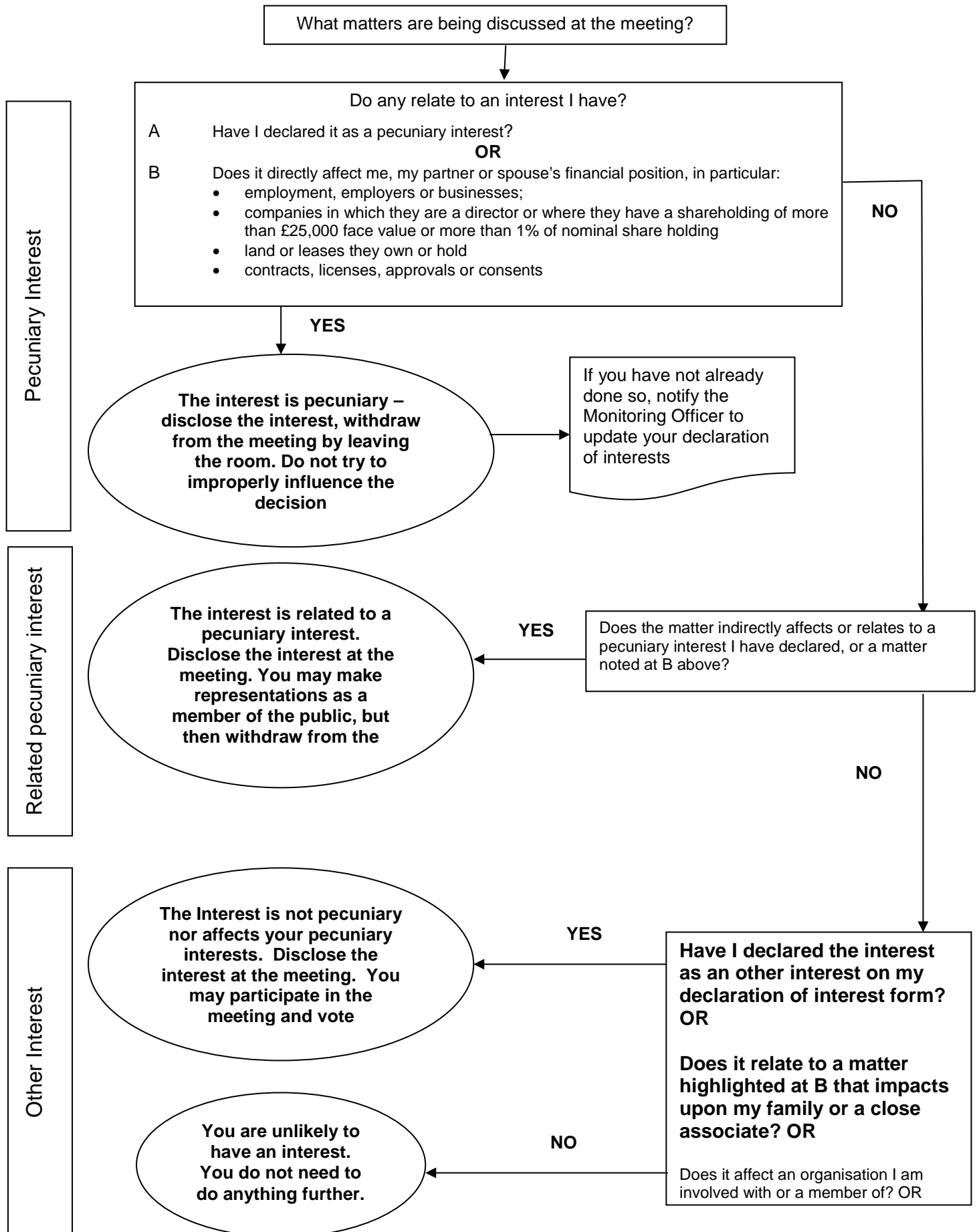
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



Minutes of a meeting of the **Planning Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 4 March 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 S M Clancy

Mr R R Foulger
Mrs C Karimi-Ghovanlou
Mr I N Moncur
Mrs S M Prutton

Mr S Riley
Mr J M Ward

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

Mrs T Mancini-Boyle Minute no: 83 (6 School Lane, Thorpe St Andrew)

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

78 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mr Brennan	81 (Builders Yard, Mill Lane, Felthorpe)	The applicant was known to him. Non-disclosable non-pecuniary interest.
Assistant Director of Planning on behalf of all Members	81 (Builders Yard, Mill Lane, Felthorpe)	Members had been lobbied by the applicant. Non-disclosable non-pecuniary interest.
Mr Riley	82 (Weir Cottage, The Street, Buxton with Lamas)	Parish Councillor and had attended the meeting when the application had been discussed but had not voted. Non-disclosable local choice interest.
Miss Lawn*	83 (6 School Lane, Thorpe St Andrew)	Town Councillor and Ward Member. Had not been involved in any discussions on the application.

**interest declared during the meeting*

79 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Fisher and Ms Grattan.

80 MINUTES

The Minutes of the meeting held on 5 February 2020 were confirmed as a correct record and signed by the Chairman.

In respect of the decisions indicated in the following Minutes (nos: 81 to 83), 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.

81 APPLICATION NUMBER 20191921 – BUILDERS’ YARD, MILL LANE, FELTHORPE

The Committee considered an application for the change of use of a former builders’ yard to an HGV drivers’ training centre at Mill Lane in Felthorpe. The proposed use would provide a base for eight different types of training: five types would be practical driver training both on-site and off-site; two classroom-based training groups located in existing buildings on site and forklift training on site (both theoretical and practical) within an existing warehouse building. Hours of operation would be 0730 to 1700 Monday to Saturday. 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 were closed. As vehicular access to and from the site was restricted by existing traffic calming measures on The Street and weight restrictions on Taverham Road, the application had provided a plan which indicated the route vehicles would use to avoid these roads.

In presenting the application, the Senior Planning Officer referred to an email from the agent which had been received the previous day providing further clarification on the highway improvements. However, this did not present any information which had not previously been considered by the Highway Authority and accordingly, the officer recommendation remained as refusal.

The application was reported to committee as it fell outside of the scheme of delegation (potential to generate employment but recommendation was refusal). It was noted that Ms Starling, one of the Ward Members, had requested that the application be reported to committee if the recommendation had been amended to approve (which was not relevant in this case).

The Committee noted the comments of Mr Thomas, one of the Ward Members and the content of a letter from the landlord of the builders' yard, both as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of John Babbington, Vice-Chairman of the Parish Council, objecting to the application, at 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. The relevant policies in this instance were GC3 of the DM DPD and Policies 5 and 17 of the JCS which supported the conversion of buildings for employment uses and development which provided jobs and economic growth in both urban and rural locations in a sustainable way, subject to other considerations. The Committee noted that the proposal would not result in additional employment as the business was relocating from two existing sites in Norwich.

It was acknowledged that the site was defined as brownfield land and Paragraph 84 of the NPPF encouraged the use of previously developed land. However, developments had to be sensitive to their surroundings and not have any unacceptable impacts on local roads. Members considered that the proposal did not justify a rural location and furthermore, it did not promote economic growth in a sustainable way; it would not increase rural employment nor lead to an enhancement of the immediate setting. In addition, the rural location and type of use proposed would result in an unacceptable impact for local roads. Accordingly, the proposal was considered to be contrary to Policies GC2 and GC3 of the DM DPD, Policies 5 and 17 of the JCS and Paragraph 84 of the NPPF.

In terms of impact upon neighbour amenity, the Committee accepted that some of the activities to be undertaken would have a degree of impact but it was considered that this would not result in any significant detrimental impact in terms of levels of noise and pollution to neighbouring residents.

Regarding the impact on highway safety, the Committee noted the objections raised by the Highway Authority relating to the suitability of the site access, junction from Mill Lane onto The Street and suitability of the location for increased HGV traffic, taking account of the surrounding road network. The suggestions put forward by the applicant relating to a proposed route for their vehicles and the creation of visibility splays along Mill Lane as well as the potential for increasing the width of Mill Lane (subject to Highways Authority approval) were acknowledged by the Committee but overall, it was considered that the fundamental objection relating to the wider highway network could still not be overcome. Therefore, the application was considered to be contrary to Policy TS3 of the DM DPD.

In terms of all other matters raised, Members concurred with the officer

appraisal within the report.

In conclusion it was considered that the application would not provide any economic or social benefits, the site was in an unsustainable location which would cause significant harm to highway safety and the benefits of the proposal would not significantly and demonstrably outweigh highway concerns. Accordingly, the proposal was contrary to policies of the development plan and therefore it was

RESOLVED:

to refuse application number 2019192 for the following reasons:

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.

82 APPLICATION NUMBER 20191849 – WEIR COTTAGE, THE STREET, BUXTON WITH LAMAS

The Committee considered an application to demolish an existing single storey rear wing, erect a two storey side and rear extension and single storey rear and side extension at Weir Cottage, The Street in Buxton with Lamas.

The application was reported to committee at the request of the Ward Member for the reasons given in paragraph 4.1 of the report.

The Committee received the verbal views of the applicant at 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.

Within the vicinity of the site was Buxton Mill, a Grade II listed building and accordingly, the Committee had regard to S16(2) and S66(1) of the Planning

(Listed Buildings and Conservation Areas) Act 1990.

It was considered that the proposals would not be contrary to the Landscape Character Assessment SPD; would not have a significant detrimental impact on the character of the area, given their size, siting, design and external appearance and taking into account the extension at Weir Cottage which had already been permitted In January 2019 (ref: 20180811) and the extension to the adjoining property, Lock Cottage. Furthermore, it was 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. Therefore, in terms of the impact on the character of the area, the proposed extensions would comply with Policies 1 and 2 of the JCS and Policies GC4 and EN2 of the DM DPD.

In terms of neighbour amenity, Members noted the objection from the occupiers of The Anchor of Hope but, given the separation distance of approximately 74m and difference in angle of orientation, it was considered that there would be no issues of overlooking. In relation to Lock Cottage, it was considered that the proposed extensions would not have a detrimental impact on the occupants' amenity, given the size, siting and design. Therefore, it was considered that the proposals complied with Policy GC4 of the DM DPD.

In terms of highway safety, it was noted that the Highways Authority had no objection to the proposal. Members acknowledged the constraints of the site in relation to access visibility and on-site car parking / turning provision, as well as the potential for additional traffic to be generated from the site, but considered these would not result in significant detrimental impact on highway safety, given three car parking spaces would be provided and the turning space was currently limited. Accordingly, the proposal was considered to accord 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 proposed development would not result in any significant adverse impact, including the setting of the Listed Building and accordingly, it was

RESOLVED:

To approve application number 20191849 subject to the following conditions:

- (1) Time limit
- (2) Plans and documents

- (3) Tree protection
- (4) Flood resilience measures

83 APPLICATION NUMBER 20191926 – 6 SCHOOL LANE, THORPE ST ANDREW

The Committee considered an application for a first floor rear extension at 6 School Lane in Thorpe St Andrew. The first floor extension was as deep as, but wider than, the existing ground floor and the additional width was carried over on supporting columns. The proposal was 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.

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

The Committee noted corrections to the report (description of development and reason for reporting to committee) as detailed in the Supplementary Schedule.

The Committee received the verbal views of the agent at the meeting. Mrs Mancini-Boyle, one of the Ward Members, spoke in support of the application.

The site was located within the settlement limit where the principle of development was acceptable, subject to other considerations.

The property was one in a row of five similar cottages dating from 1867 within the Thorpe St Andrew Conservation Area and were considered to be undesignated heritage assets. It was noted that each property (which were relatively small) had sought to increase its ground floor living accommodation by the addition of rear extensions of varying sizes, with the application site having the largest rear extension. These extensions had little impact on the character and appearance of the area given their scale and boundary features. It was noted that the proposed extension at first floor level would add another 6.2m onto the rear of the property, almost doubling in effect the depth of the building which was also the most elevated of the terrace in relation to Yarmouth Road, given the rising nature of surrounding levels.

It was considered that the layout and uniformity of these properties contributed to the character and appearance of the area and resulted in a quality worth protecting. Furthermore, it was beneficial to maintain a consistent approach to the size and scale of rear extensions, particularly within a Conservation Area. The Committee agreed that this uniformity would be quite substantially altered by the first floor element of the proposed extension and would appear excessively large, contrasting unfavourably with

the size of the terraced cottages. When viewed from the south, the first floor elevation would appear visually overbearing and unbalanced in relation to the relatively narrow, two storey depth of the terraced properties which were distinctive in their immediate setting. It was further considered that the amount of development proposed at first floor level would not be well-related to either the existing dwelling or the terrace as a whole, particularly as they were viewed collectively and from a number of vantage points within the street scene. Accordingly, the proposal was considered to be contrary to Policy 2 of the JCS and Policy 4 of the DM DPD, representing an unacceptable form of development which would have a significantly harmful effect on the character and appearance of the area.

Within the vicinity of the site was Old Thorpe House and opposite was The River Garden Public House, both Grade II Listed Buildings and accordingly, the Committee had regard to S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, also taking into account the comments of the Council's Historic Environment Officer. Members concurred that, whilst the effect on these Listed Buildings would be neutral, they considered there would be some degree of harm to the character and appearance of the Conservation Area, albeit less than substantial. Regard was also given to Paragraphs 196 and 197 of the NPPF which required consideration to be given to both designated and non-designated heritage assets. Members noted that the rear of the cottages were visible from Yarmouth Road and Bishops Close and, whilst of less significance to the Conservation Area than the front or west elevation, still remained valuable and significant to the cottages as a terraced group which remained relatively unaltered on the first floor, roof and chimney stacks and demonstrated a uniformity in appearance. With School Lane rising up the hill from Yarmouth Road, this meant that the first floor element of the extension would be widely visible from Yarmouth Road and Bishops Close and therefore, the uniformity of the row of terraces would be eradicated. The Committee concluded that the loss of symmetry between the group of buildings when viewed from the roads would contribute to the visual erosion of the regular pattern of this development. Accordingly, the proposed development was 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 which did not preserve or enhance the character and appearance of the Conservation Area.

In terms of the impact of the development on residential amenity, the Committee considered that the first floor south elevation would not be particularly neighbourly on the amenities of no: 5 School Lane and would impact considerably on the outlook and amenity enjoyed from a first floor rear bedroom window, presenting a 6.2m long blank wall within close proximity to this existing habitable room window. In addition, the increase in both the eaves and ridge height was considered to be both dominating and overwhelming in terms of the neighbour's existing level of amenity. Furthermore, a first floor bedroom window within the rear elevation of the proposed extension would overlook the rear garden of no: 5 and other

neighbouring properties would be nearer to the rear garden space (by 6.2m) than currently existed from the upper floor bedroom windows within all the terraced cottages and this further contributed to the unsatisfactory nature of the proposal. In terms of the impact on no: 7, Members were concerned at the reduced distance which would exist between each properties' bedroom windows (reducing to about 6m) and this would lead to an unacceptable degree of overlooking and more intrusive than at present. Members acknowledged the existence of a hedge which created a degree of privacy between the two properties but took into account the fact that there was no way of securing the current degree of privacy (it could become diseased, die or removed) and its retention could not be reasonably conditioned. The Committee therefore concluded that the proposed development would not accord with Policy GC4 of the DM DPD as it would not achieve a high standard of design or avoid significant detrimental impact on the amenity of adjoining residents.

In conclusion it was considered that the degree of harm associated with the proposal would not be outweighed by the public benefit and accordingly, it was

RESOLVED:

To refuse application number 20191926 for the following reasons:

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 (DPD) 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 6.2 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.

84 PLANNING APPEALS

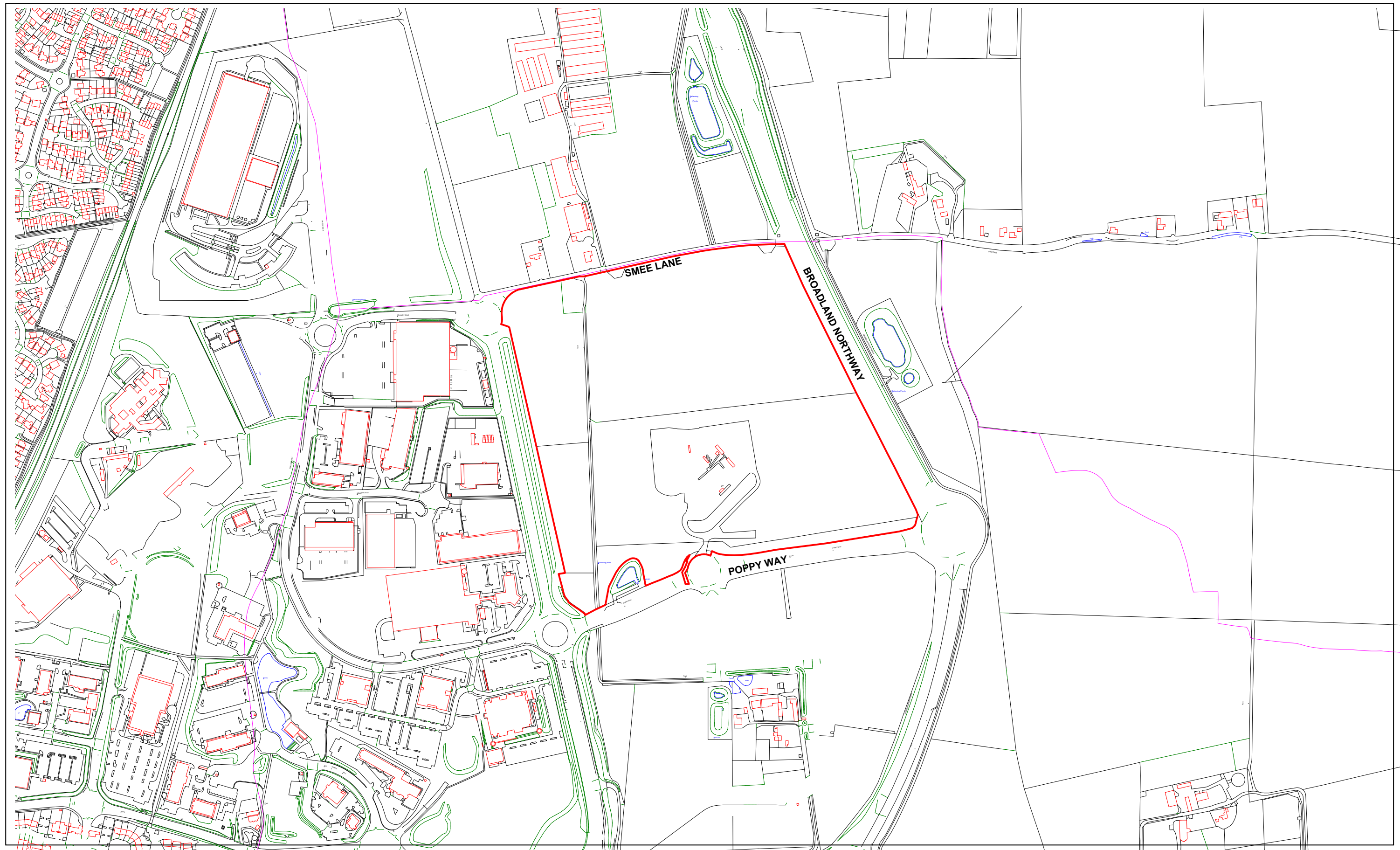
The Committee noted details of the planning appeals decisions which had been received for the period 24 January 2020 to 19 February 2020.

The meeting closed at 10:56am

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item	Application No	Location	Officer Recommendation	Page No
1	20181601	Land south of Smee Lane, Postwick	Delegate authority to the DoP to APPROVE subject a S106 Agreement and conditions and no objection from the Highway Authority and Contracts Officer	17
2	20181762	Site 4, Norwich Airport, Horsham St Faith	APPROVE subject to conditions	55
3	20190904	81 Buxton Road, Spixworth	APPROVE subject to conditions	107

DoP – Director of Place



Application No: 20181601
Land South of Smeel Lane, Postwick

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Scale:
1:5427
Date:
11-May-20



Application No: [20181601](#)
Parish: **Postwick**

Applicant's Name: Larkfleet Homes Ltd
Site Address: Land South of Smee Lane, Postwick
Proposal: Hybrid application:

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

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

Reason for reporting to committee

As it is being recommended for approval contrary to the Development Plan.

Recommendation summary:

Delegate authority to the Director of Place to approve subject a Section 106 Agreement and conditions and no objection from the Highway Authority and Contracts Officer.

1 Proposal and site context

- 1.1 The application is submitted as a 'hybrid' proposal consisting of both outline and full elements. Cumulatively, as amended, the application proposes 520 dwellings and provides a 2 ha site for a range of alternative uses as detailed in the description of development.
- 1.2 The site area is approximately 23 ha. The full application area amounts to 13.5 ha and the outline application area amounts to 9.5 ha.
- 1.3 The site is part of allocation GT11 of the Growth Triangle Area Action Plan (2016) (GT AAP) which allocates approximately 45 ha of land for mixed use development. The balance of GT11, not subject to this application, is being promoted separately and has outline permission for a total of 283 dwellings and a 2 ha site for a primary school under applications [20180193](#) and [20180194](#).
- 1.4 The southern part of the application site was last used to accommodate a stone coating plant which was granted temporary permission under [20181056](#) but has subsequently been dismantled and this part of the site is now vacant. The remainder of the site was last used for agriculture.

- 1.5 The site is broadly flat with the low point in the south west corner and high point at the north east corner of the site. A corridor of mature trees and hedgerows extend north-south and east-west across the site with the trees protected by a Tree Preservation Order. A mature hedgerow is also located to the south of the site parallel to Poppy Way and a cluster of trees is located in the south-east corner. A substantial belt of structural landscaping atop an earth bund is located on the western boundary. A gas main and associated easement crosses the site diagonally from the south-east to the north-west.
- 1.6 To the east of the site is the Broadland Northway, to the south of the site is Poppy Way beyond which is Broadland Gate which has outline permission for a wide range of commercial uses under [20081773](#) (as amended by [20170827](#)). To the west of the site is a structural landscape belt and Peachman Way, beyond which is Broadland Business Park. To the north of the site is Smee Lane which has been truncated by the Broadland Northway. To the north of Smee Lane is the remainder of GT11 which includes two existing residential dwellings and a former commercial plant nursery.
- 1.7 As per the description of development, the proposal is a hybrid application. Full permission is sought for 315 dwellings within phases 1 and 2 of which 28% would be affordable and would comprise the following housing mix:

Affordable Units:

19 no: 1 bedroom apartments and houses
37 no: 2 bedroom apartments and houses
31 no: 3 bedroom houses
1 no: 4 bedroom houses
Total: 88

Market Units:

13 no: 1 bedroom apartments and houses
27 no: 2 bedroom apartments and houses
96 no: 3 bedroom houses
86 no: 4 bedroom houses
5 no: 5 bedroom houses
Total: 227

- 1.8 Outline permission is sought for 205 dwellings (phases 3 and 4) and the housing mix is reserved (but 28% would be for affordable housing). As amended, a 2 ha area of the site is reserved for alternative uses as listed in the description of development.

- 1.9 The development is considered EIA development and the application is accompanied by an Environmental Statement which covers archaeology and cultural heritage, ecology and nature conservation, landscape and visual issues and transport and access.

2 Relevant planning history

- 2.1 [20172211](#): Hybrid application comprising of full details for 150 dwellings and outline details for up to 400 dwellings and associated works – EIA Scoping Opinion.
- 2.2 [20151228](#): Residential Development up to 850 Dwellings, Primary School, and Associated Infrastructure – EIA Scoping Opinion.

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 05 : Delivering a sufficient supply of homes
NPPF 08 : Promoting healthy and safe communities
NPPF 09 : Promoting sustainable transport
NPPF 11 : Making effective use of land
NPPF 12 : Achieving well-designed places
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
NPPF 15 : Conserving and enhancing the natural environment
NPPF 17 : Facilitating the sustainable use of minerals

3.2 Joint Core Strategy (JCS) 2011/2014

Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3 : Energy and water
Policy 4 : Housing delivery
Policy 5 : The Economy
Policy 6 : Access and Transportation
Policy 7 : Supporting Communities
Policy 8 : Culture, leisure and entertainment
Policy 9 : Strategy for growth in the Norwich Policy Area
Policy 10 : Locations for major new or expanded communities in the Norwich Policy Area
Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes
Policy 20 : Implementation

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

Policy GC1 : Presumption in favour of sustainable development
Policy GC2 : Location of new development
Policy GC4 : Design
Policy EN1 : Biodiversity and habitats
Policy EN2 : Landscape
Policy EN3 : Green infrastructure
Policy EN4 : Pollution
Policy RL1 : Provision of formal recreational space
Policy TS2 : Travel Plans and Transport Assessments
Policy TS3 : Highway safety
Policy TS4 : Parking guidelines
Policy CSU1 : Additional community facilities
Policy CSU 3 : Provision of community facilities or local services within large scale residential development
Policy CSU4 – Provision of waste collection and recycling facilities within major development
Policy CSU5 : Surface water drainage

3.4 Growth Triangle Area Action Plan (GT AAP) 2016

Policy GT1: Form of development
Policy GT2: Green Infrastructure
Policy GT3: Transport
Policy GT11: Land east of Broadland Business Park

3.5 Supplementary Planning Documents (SPD)

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

4 Consultations

4.1 Anglian Water:

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

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

Development will lead to an unacceptable risk of flooding downstream.

Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. However, we note that developer has referenced they are in consultation with us and we would ask that any agreed discharge solutions for the development are reflected in the supporting planning documents. We therefore request a condition requiring phasing plan and/or on-site drainage strategy.

In order to complete the application we do need a clear breakdown of the following development types: 'Primary School (D1); Crèche, Community Hall, Day Nursery (D1); Outdoor/Indoor Sports Facilities (D2); A Continuing Care Retirement Community (CCRC), Nursing Home Care Facilities (C2)'. We have been unable to find this information using the documents given.

Conditions proposed in respect of the need for a scheme for foul water and surface water.

4.2 Conservation Officer (Arboriculture and Landscape):

A comprehensive Arboricultural Impact Assessment (AIA) has been undertaken for Larkfleet Homes Ltd by Lockhart Garratt, this has considered the existing tree constraints to help inform the design and layout of the scheme.

The layout shown at this stage of the application process appears to be sympathetic to the majority of the existing trees and would only result in the removal of two individual trees; T42 & T47 both Sweet Chestnut (C Cat) and part of a group of Willows G63 (C Cat), plus T5, T44, T48 & T56 which due to their condition would be recommended for removal irrespective of the layout.

Five hedgerows will also have to be removed to allow construction of the access and the SUDS area, it has been highlighted that replacement planting would be included as mitigation.

Due to the current land use the hedges would be subject to the Hedgerows Regulations and their significance has been checked using the criteria within the regulations to determine if they would qualify as 'Important Hedgerows' by Hillier Ecology (section 6.3.12 of the Environmental Statement) who has stated they do not meet these criteria.

The layout shown has hard surfacing within the Root Protection Areas (RPA's) of the following individual trees T3, T6, T13, T15, T18, T19, T20, T21, T45, T46, T59, T65, T66 & group G63 which will require a specific Arboricultural Method Statement (AMS) covering the precautions to be taken at the time of installation, additionally a 'No-dig' design will be required to construct the footpaths and parking areas shown located within the trees RPAs.

Within the Landscape & Visual Section of the Environment Statement it states the palette of species will have local characteristics for open space and green infrastructure areas with a mix of native and ornamental species within residential areas, which is acceptable.

The proposed planting is outlined within the Landscape Strategy Plan. A detailed Landscaping Scheme will be required once the layout is agreed.

The loss of trees and hedges to implement the development is assessed to have a low magnitude, combined with low sensitivity with the significance of minor adverse. Changes from the current land use is assessed to result in a medium negative magnitude of change, combined with low sensitivity and a minor to moderate adverse level of significance. Overall it is judged the development proposals would have a restricted landscape and visual impact, with the most significant impacts occurring close to the development site.

Mitigation is proposed through design and enhancement which will include integrating the development edge using new native planting on the east boundary, create a landscape dominated north boundary using buffer planting incorporating native trees and hedge species.

Existing boundary vegetation is proposed to be retained and enhanced with new native planting including a substantial buffer to the east boundary.

Additionally the establishment of a primary green corridors within the site, using wide multifunctional green avenues south-east and north-west which would connect to the secondary corridors north/south.

There is also the intention to create circular walking routes to provide residents onsite opportunities for recreation.

Improvements for biodiversity; by incorporating the required SUDS areas into the landscape framework has been suggested, with which I agree and should be encouraged.

It is highlighted that further work will be required to produce a Landscape and Ecological Management Plan (LEMP) tailored for the site.

Comments on amended plans:

No comments provided.

4.3 Cadent Gas:

We do not object to the proposal in principle.

There is an intermediate pressure pipeline that runs through this land

parcel, it appears that the 6m pipeline easement has been considered. No buildings are permitted to be site close than 3m to the pipeline, this is to include building footings and overhangs. All access roads and landscaping within the easement must have formal written approval from Cadent Gas prior to construction commencing.

4.4 Contracts Officer:

Tracking plans need to be provided to show that our largest fleet vehicle can access all areas of the site from which waste is expected to be collected.

Waste container collection and storage points, and the route from one to the other must be shown on the development drawings for every planned property. Once agreed by Broadland District Council the developer must make sure this detail is included in the property deeds or property welcome pack.

Comments on amended plans:

The applicant has not tracked the correct vehicle size and has not provided plans showing all areas of the site that the vehicle is expected to access. We also can see no evidence of a refuse strategy showing storage and collection points for each property as requested previously.

Comments on amended plans:

The submitted plans show that a significant number of issues previously identified have been addressed but there are some issues with the tracking for the largest refuse lorry in the fleet which need to be resolved. Bin storage for the flats also needs further consideration to avoid antisocial behaviour and ensure that they are practical for residents.

4.5 Design Advisor:

The layout of the scheme is generally acceptable although there are certain areas which require some further consideration.

In terms of the design and visual appearance of the scheme again some additional thought is required. There are a number of issues around detailing that require a more consistent approach.

It is considered that the house types proposed will give enough visual variety in terms of form without the need for big stylistic differences in design or the use of a wide variety of details to common junctions. The same can be said for the material palette which uses some 8 different wall finishes without the variety of the roofs and windows etc. Some of the materials are simply not considered appropriate for this part of Norfolk – reconstituted stone cladding for example is not part of Norfolk domestic

vernacular.

A smaller palette of better quality materials will give a visual consistency required in a scheme of this size.

Comments on amended plans:

The revised scheme has addressed the previous concerns regarding consistency of architectural style although further amendments to address previous comments about layout and consistency of materials remain unresolved and should be further considered.

4.6 Environment Agency:

No objection to the proposals. We are satisfied that the development does not present an adverse impact on the issues within our remit.

4.7 Environmental Health Officer (Noise):

I would recommend that the conclusions with the submitted acoustic report (fence and bunding) are implemented so that daytime 16 hours noise levels in external living spaces do not exceed 55dBA. Also that traffic noise effected properties are fitted with acoustic trickle vents that ensure 8-hour night time when measured within bedrooms does not exceed 35dBA. This will need to be shown in a detailed acoustic design statement showing how the layout, bunding and building structure will satisfy the recommendation of the acoustic report dated Aug 2018.

Comments on amended plans

There is no mention of night time noise and it looks like noise levels will exceed the upper limit of 35 dBA for bedrooms with windows open for ventilation. If the applicant intends to locate bedrooms away from major roads and/or install mechanical ventilation then they need to identify the properties concerned and confirm what method will be used (where and if necessary).

Comments on amended plans

Recommend that the noise mitigation measures as detailed in the amended acoustic report dated 27.1.20 are implemented, ie the bund and fence and ventilation applying to all specified properties to achieve noise criteria set out in section 2 of the report.

4.8 Highway Authority:

44 individual comments provided in respect of layout, access, connectivity, parking, of site improvements and other associated highway related issues.

Comments on amended plans:

I have no objection subject to conditions (to be confirmed) however there are a small number of points minor points that need to be addressed relating to:

- Carriageway widening at the entrance to Peachman Way/Poppy Lane roundabout to be shown consistently across drawings.
- Stage 1 safety audit to include carriageway widening mentioned above and works to widen Smee Lane.
- Proposed path on Poppy Way to be widened to 3m.
- The raised table at the crossroads adjacent to plots 133 & 191 has not been shown on the main spine road.
- The footpath from Smee Lane to Cranley Road round the north side of the roundabout will need to be widened to a 3.0m wide cyclepath.
- The permitted development to the north of Smee Lane shown, to ensure the access from this proposed development aligns correctly, to enable a through road to be provided in due course.

4.9 Housing Enabler:

The applicants are proposing overall a total of 550 dwellings and within this 33% will be delivered as affordable units. However, the applicants are not proposing to deliver the correct tenure split of property types and it is not believed that they have had recent (or any) discussions with Enabling as to a proposed affordable housing mix (for either the Full or Outline application). Within the AH Statement they are proposing 48% of units for ART and 52% as intermediate housing (predominantly as DMS). This proposed mix is not acceptable and does not meet the needs of applicants on the housing list. It is acknowledged that all developments need to deliver a minimum of 10% of affordable housing for Affordable Home Ownership but the proposed mix greatly exceeds this requirement – particularly with such a high percentage of DMS units.

We would therefore expect a good mix of property types for ART (60%) to include Houses, Flats (1 bedroom) and bungalows (2 and 3 bedroom). Any AH mix will be based on both the current local and districtwide need for affordable homes.

It is expected that all the proposed Affordable Homes for Rent will meet or approach Level 1 space standards and as such should meet minimum sizes. So we would need confirmation from the applicant that that the proposed units will meet these space standards (as this requirement will also be specified within the S106 Agreement).

This is to ensure that maximal occupation can be achieved in housing terms for all of the affordable rental units. This will also ensure that the space standards of RPs within the district can be met by these affordable units.

For intermediate tenure we have not suggested a precise mix of property types but would expect these to be delivered predominantly as shared ownership - as this has found to be the most affordable home ownership product within the district. We are unable to advise on the current housing need for these AHO products so would suggest the applicant approaches an RP as to their current preference for house types (or bungalows) and property size for intermediate tenure.

Up to a third of the ART units will be for local lettings (at first let) to give allocation priority to those with a local connection to the parish of Postwick. This requirement will be specified within the S106 Agreement.

Comments on amended plans:

The applicants are proposing overall a total of 520 dwellings and within this 28% will be delivered as affordable units based on a 60:40 tenure split.

As previously we would expect a good mix of property types for ART (60%) to include Houses, Flats (1 bedroom) and bungalows (2 and 3 bedroom). It is expected that all the proposed Affordable Homes for Rent will meet or approach Level 1 space standards and as such should meet minimum sizes. We would need confirmation from the applicant that that the proposed units will meet these space standards (as this requirement will also be specified within the S106 agreement). This is to ensure that maximal occupation can be achieved in housing terms for all of the affordable rental units.

There are a number of issues with the proposed mix concerning the size of the properties which would impact on the ability to achieve maximum occupation.

Comments on amended plans:

The revised plans, which now provide a tenure split of 65:35, have addressed all of my previous comments around the unit sizes and proposed mix. With regard to the shared ownership units I note that these are proposed as a mix of 1, 2 and 3 bedroom house types all of which are acceptable as we do not specify a mix or minimum space standards for these intermediate tenure units.

4.10 Green Infrastructure Officer:

Footpaths should be provided through areas of open space; Trees should be incorporated into open space rather than gardens to reduce conflict with residential amenity and maximise value of open space; greater understanding required of how gas easement can be landscaped; opportunities for ecological net gain should be provided; more detail required about how SuDS features will work; footpath to the east of the site should be widened and trees moved further from residents boundaries.

Comments on amended plans:

Pedestrian rights of way/crossings should be provided to link areas of open space, reiterate comments about widening path to east; native hedge should be provided to south to shield pedestrians from Poppy Way; still require more details about how SuDS will operate; Further extend path network through public open space.

Comments on amended plans:

Further detail on planting within gas easement still required; Planting in SuDS features should be suited to wet conditions (willow, poplar, alder for example). These trees again will contribute to the overall landscape and amenity value of this area but will also contribute towards achieving biodiversity net-gain on site.

As an overall comment I am satisfied with the layout of the scheme. Provided that the finish is to a high standard I think there is the opportunity to provide some really nice areas of informal greenspace on site – something that is particularly important given the overall location of the GT11 allocation.

4.11 Health and Safety Executive:

The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.

4.12 Highways England:

No objection.

4.13 Historic Environment Service:

The application area has been the subject of various archaeological investigations including field-walking, geophysical survey, trial trenching on the part of the application site used as a concrete batching plant associated with the construction of the A1270 Broadland Northway.

Much of the area remains undisturbed and the state of preservation of cropmarks mapped from aerial photographs including a ring-ditch funerary monument of probable Bronze age date and an enclosure of possible Iron Age to Roman date remains unknown.

Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework (2018), paragraphs 199 and 188.

In this case the programme of archaeological mitigatory work will commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction). A brief for the archaeological work can be obtained from Norfolk County Council Environment Service.

A condition should be imposed to secure this.

4.14 Infrastructure, Development, Community and Environmental Services:

Education:

Taking into account the permitted planning applications in the area (20130906, 20160488, 20141710, 20130650 and 20130649) there would be insufficient places at Early Education level and at Little Plumstead Primary School to accommodate the children generated from this proposed development should it be approved.

At High School level, taking into account the permitted planning applications there would be insufficient places at Thorpe St Andrew School and Sixth Form to accommodate the children generated from this proposed development should it be approved.

With the high level of housing growth in the surrounding area, Children's Services will take this opportunity to look at existing primary and secondary school provision and determine the best option to accommodate children from these new developments.

It is intended that a new 2-form entry primary school is built to accommodate the children from this and the other anticipated developments in this area. The school will require a site of 2 ha in a location within the development jointly agreed by NCC and the developer. The County Council would expect the free transfer of land for the new school. The application's planning statement does make reference to the provision of land for a 2FE primary school but with only 1.27 ha of land so that would need to be amended.

With the two GT11 planning applications (20180193 north site and 20181601 South site) including provision for a primary school, Children's Services would require the S106 Agreements on both sites to reference the adjoining site and both S106s should mirror how progress on both sites will deliver the primary school.

Norfolk County Council will therefore be seeking funding through CIL for this proposed development, as this is covered on the District Council's Regulation 123 list. CIL funding would be required to support the new primary school and would also be needed to provide additional places in the Early Education sector, at Little Plumstead Primary School, and at Thorpe St Andrew School.

Fire:

Our minimum requirement would be 1 fire hydrant per 50 dwellings on a minimum 90mm main. The positioning of hydrants must meet the requirements of Building Regulations Approved Document B volume 2 sections 15 & 16 (Fire Hydrants / water supplies and Vehicle access) if appropriate. However the final number of hydrants required will need to be assessed when the mix, type of housing and split of development area/layout is made clear.

Primary Schools, and Single Storey Community Centres should have a water supply capable of delivering a minimum of 20 litres per second through any hydrant on the development or within a vehicular distance of 90 metres from the complex.

Library:

A development of 550 dwellings would place increased pressure on the library and mitigation is required at St Williams Way library to increase capacity.

Adult Social Care:

Across Norfolk more people are living longer, with a significant number of these predicted to live beyond 85 years. Increases in frailty and health needs in later life effects the housing and care choices people make. Adult Social Care recognises there is a need for a range of appropriate housing in Norfolk to support an aging population to live as independently as possible, with the over 65 population set to incur the largest increase of any age group over the next ten years. In Broadland district, it is estimated by 2028 there will be 39,600 people over the age of 65. The housing needs of this population will range from housing built to lifetimes homes standards to more specialist accommodation, as people's needs increase.

Norfolk County Council has recognised a need for more extra care in Broadland district to build an additional 478 extra care units, of which 191 are to be at affordable rent levels. Norfolk County Council has a capital programme to support the viability of affordable rent extra care units, but these have specific criteria and size which needs to be satisfied before it can be classified as extra care.

The council also recognises that there will be a need for enhanced care

homes and nursing homes in line with this older population growth. By 2028 it is estimated that there will be a need to build an additional 285 care and nursing homes in the Broadland district.

Green Infrastructure:

There are 3 Public Rights of Way adjacent to the development site: Postwick Footpath 2 to the east, Great & Little Plumstead Footpath 5 to the north, north of Smee Lane and Great & Little Plumstead Footpath 6 to the north east, also to the north of Smee Lane. The Northern Distributor Road to the eastern boundary of the site has created opportunities for new bridleways, cycle ways and footways being developed in the immediate vicinity to the north and east of the proposed development which will provide links to the wider rights of way network.

Therefore to provide the widest possible choice of recreation opportunity to the residents of the site, we would like the proposed good network of pedestrian routes within the site itself be upgraded to multi-user routes, i.e. pedestrian/cycle ways to link with the new bridle/cycle/pedestrian routes being developed adjacent to the site and so facilitate ease and flow of access to the wider countryside. This would be consistent with the Design Concept and Development Principles stated in section 4 of the Design and Access Statement. The proposed access points indicated on the Access and Connection Plan therefore should provide cycle access as well as pedestrian and ensure they are sited to provide connectivity to the new routes.

4.15 Lead Local Flood Authority:

For both the outline element of the application and the full element of the application there is a general lack of information provided by the Applicant. The Flood Risk Assessment (and incorporated Surface Water Drainage Strategy) does not include correct restricted surface water runoff rate calculations for the site and provides no evidence of why drainage via infiltration has been discounted. There is a lack of information regarding groundwater levels and groundwater flooding risk to the site. Also, the ground flood finished floor levels (FFL) for the proposed buildings has not been stated and should take into consideration surface water flood risk.

We object to this planning application in the absence of acceptable supporting information.

Comments on amended plans:

The applicant has further provided a Technical Note Response to Norfolk County Council (Drainage) Comments and an amended Flood Risk Assessment (FRA) (10520/FRA/01, June 2019), to account for the local flood risk issues and surface water drainage at this location. We welcome that Sustainable Drainage Systems (SuDS) have been proposed in the

development.

We have no objection subject to conditions being attached to any consent if this application is approved.

4.16 Minerals and Waste Planning Authority:

The application site is not on a Mineral Safeguarding Area, nor does it fall within the consultation area of any existing mineral site or waste management facility, or the consultation area of any allocated mineral extraction site. Therefore, Norfolk County Council in its capacity as the Mineral and Waste Planning Authority has no specific comments on this planning application

4.17 Natural England:

No objection subject to appropriate mitigation being secured. We consider that without appropriate mitigation the application would be likely to result in recreational disturbance impacts, which would have an adverse effect on the integrity of:

The Broadland Special Area of Conservation

The Broads Special Protection Area

The Broads Ramsar site,

or damage or destroy the interest features for which Bure Marshes and Broads Site of Special Scientific Interest (SSSI), Upton Broads and Marshes SSSI and Yare Broads and Marshes SSSI, have been notified.

Based on the mitigation measures proposed within the planning application documents, it is Natural England's view that the proposals are unlikely to have a significant effect on the above SAC, SPA or Ramsar site. We also consider they are unlikely to adversely affect the above SSSIs. In order to mitigate these adverse effects arising from recreational disturbance, and make the development acceptable, the on-site green space provision and capacity as proposed in the outline application needs to be secured legally. We advise that appropriate planning conditions or obligations are attached to any planning permission to secure these measures.

Comments on amended plans:

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. General advice also provided on other natural environment issues.

4.18 Natural Environment Team:

Overall, we are content that the ES addresses ecology matters appropriately. Table 6.12 in the ES helpfully summarises the necessary

mitigation for ecology. We note some mitigation is secured by design, but it is suggested that a number of other measures will need to be secured through conditions. We would agree with this assessment and suggest that the best way to achieve this would be through a Construction Ecology Management Plan (CEMP: Biodiversity). Ecology matters have been addressed in an appropriate manner.

4.19 NHS England:

The development is likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. NHS England would expect these impacts to be assessed and mitigated.

There is 1 branch surgery within a 2km radius of the proposed development; Dussindale Surgery. The catchment practice does not have resource capacity for the additional growth resulting from this development and proposed cumulative development in the area.

The intention of NHS England is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward View.

The proposed development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. In order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, the proposed development should provide appropriate levels of mitigation.

NHS England advise that healthcare contributions should be sought to contribute to the provision of sustainable primary care services in the area, particularly for the additional residents generated as a direct result of development growth.

It has been advised that Healthcare is not currently contained on Broadland Council's CIL123 list, consequently, until this policy is addressed, it is confirmed mitigation cannot be obtained for primary healthcare. NHS England understands this matter is now being considered through the Greater Norwich Growth Board forum. NHS England and the CCG do not have funding to support development growth; therefore, it is essential this is resolved as a matter of priority, in order to effectively mitigate development impact and maintain sustainable primary healthcare services for the local communities of Broadland.

4.20 Norwich Airport:

Any landscaping proposals should be arranged to ensure that birds, particularly wildfowl, are not attracted to the site, and that bird mitigation

measures are taken to ensure that the SuDS are maintained for the lifetime of the development at cost Site Owner or Maintenance Company. The grass around the SuDS should contain a high proportion of 'Tall Fescue' grass which is unpalatable to wildfowl, and the grass maintained as a meadow with occasional cuts during the growing season. The grass shall not be closely mown to further reduce its attractiveness to wildfowl. The SuDS shall solely be for drainage and shall not be utilized as an attraction for a public park which could lead to public feeding and attracting birds. SuDS shall be designed to fully drain within 14 days for a 1/100 year storm; 1 – 4 days for an annual storm and 24 hrs for general rain fall. If wildfowl or any other species of bird do become a hazard to Norwich Airport further mitigation measures at the Site Owners cost will be required. This is to minimise the risk of a serious aircraft incident as a result of a collision with a bird or birds.

Provided the grant of Planning Permission includes the requirement to comply with the conditions indicated above, Norwich Airport would offer no aerodrome safeguarding objection to the Planning Application.

4.21 Principal Policy Officer (Spatial Planning)

The development plan comprises the Joint Core Strategy (JCS), adopted March 2011 with amendments adopted in 2014, the Broadland District Council Development Management DPD, adopted 2015 and the Growth Triangle Area Action Plan, adopted July 2016.

The relevant policies of the JCS are Policies 1, 2, 3, 4, 6, 7, 10 & 21.

The relevant policies of the Development Management DPD are GC1, GC2, GC4, EN1, EN2, EN3, EN4, RL1, TS2, TS3, TS4, CSU3, CSU4 and CSU5. The relevant policies of the AAP are GT1, GT2, GT3 & GT11.

The most significant material consideration in relation to this application is the National Planning Policy Framework (NPPF).

The principal issues are:

- The current Housing Land Supply (HLS);
- Access and Connectivity;
- Achieving an Appropriate Mix of Uses;
- Public Open Space; and,
- Mitigation of Noise Impacts from the Broadland Northway.

In broad terms the scheme appears to be in accordance with the relevant policy requirements. There are however some details of which are currently unclear: the proposed network of cycle and pedestrian facilities and how these link to adjacent developments and existing pedestrian and cycle provision across Broadland Business Park and into the Norwich Cycle Network; the appropriateness of the green infrastructure provision; and, the conditions or legal provisions that ensure an appropriate level of non-

residential floorspace is achieved and the requirements of the constabulary are met.

Comments on amended plans:

All of the proposed uses of the 2 ha site might reasonable be judged to be consistent with the intention of Policy GT1 in as far as it relates to the achievement of mixed use development.

The requirements for development to provide formal open space and to achieve mixed-use are separate parts of the development plan, required under distinct policies. Therefore, the commuted sum that might otherwise be payable on this development should not be unreasonably diminished as a result of applying a wider, and more flexible interpretation, definition of mixed use development in this instance.

4.22 Planning Casework Unit:

We have no comments to make on the environmental statement.

4.23 Police Architectural Liaison Officer:

Detailed comments provided in respect of the layout and the orientation of rear gardens adjacent to landscape buffers and the provision of public amenity space adjacent to hedgerows.

The primary school and community buildings would need to be designed appropriately to reduce the risk of crime and antisocial behaviour.

Historically allotment areas can suffer from crimes of theft and criminal damage so good active surveillance should be provided.

4.24 Pollution Control Officer:

A condition will be required for land contamination. In respect of the submitted air quality assessment it refers to the values from the 2007 Air Quality Strategy. In 2019 a new strategy was produced which states that the government want to be working to comply with the World Health Organisation limits for particulates. The report should be amended to reflect this.

Comments on amended plans:

In general agreement with the conclusions of the revised Air Quality Assessment. The developers need to be able to demonstrate what action they will be taking to protect site users, neighbouring residents and future occupiers during the construction phase from dust and PM10 identified in the report. Is it possible to require they submit a mitigation plan that they must adopt on site? Is it possible that we can include the need for

monitoring of dust etc. during construction to ensure the measures are complied with?

4.25 Public Health Officer:

The noise assessment suggests there are a number of locations, primarily around the perimeter of the site, where recommended noise levels are likely to be exceeded. The suggested mitigation includes trickle vents, air bricks and / or mechanical extraction. It would be good to see that the balance between noise and ventilation is balanced so as not to exacerbate, for example, poor indoor air quality or to make extraction of damp air and possible resultant mould growth more likely. Similarly, tree / noise screening around the perimeter may mitigate road noise for example. However, living spaces in particular which may face those screens should not suffer unduly poor natural light or shadowing.

Is there provision for low exhaust emission vehicles such as electric charging points and potentially spaces for car club spaces to reduce car use within a site which will have some access to public and active travel options allied to any emerging travel plan

Are there measures in place (eg lights or crossings) which would enable and encourage access to the school in the north east corner by foot or bike without feeling the need to cross the north / south 30 mph road unaided? Presumably the combination of footpaths, pavements and green routes across the site enable full access to both the school and to get off site and onto other pathways outside the site by non-motorised means with little or no hindrance from vehicles?

Will the affordable housing units be built to the same design and standards and look the same as the market properties and are they more likely to be closer to areas where higher noise and air pollution levels have been predicted?

Other representations

4.26 Campaign to Protect Rural England

CPRE Norfolk suggests the following should be considered when assessing this application:

There is no evidence to show that the development meets the NPPF guides for good design, nor any of the clauses in Policy 2 of the Joint Core Strategy, especially in relation to urban/rural transition.

No attempt has been made to reduce the overall suburban character of the proposed development by building house types at different patterns of density. This could reflect the transitional nature of the site from rural in the east to more urban on the west side. Instead, uniform town houses and flats

are superimposed on the currently rural site at a high density, totally ignoring any existing rural characteristics.

In addition, proposed planting areas on the east and west perimeters are totally inadequate in width to achieve any significant attenuation of traffic noise.

More modest terraced dwellings, including some of the necessary affordable percentage, could be used to break up the suburban monotony. It is essential that at least the policy-required minimum percentage of 33% of affordable housing is delivered, as outlined in the applicant's Affordable Housing Statement.

4.27 Norfolk Constabulary

The site forms a parcel of land within a large allocation where GT11 makes provision for a Police Deployment Base. The application makes no provision for any police facility. Norfolk Constabulary have identified the need for a new police facility requiring a site of approximately 4.5 acres either on the application site or close by. The facility, need not, as the applicant suggest, be incompatible with other uses. As the application does not identify and provide a site to meet police needs it is requested that a financial contribution towards the acquisition of the required police site elsewhere at Postwick. Alternative provision for a site on the Broadland Gate allocation can be made however the cost is considerable. The applicant's Planning Statement suggests that this is acceptable.

4.28 Norfolk Rivers Drainage Board:

We note that the applicant intends to discharge their surface water to a Main River (the River Yare) via an Anglian Water system. We recommend that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location.

If the proposed drainage strategy changes, we recommend that we are re-consulted as the proposed changes may require Land Drainage Consent in line with the Board's byelaws.

4.29 Postwick and Witton Parish Council:

What action is being taken to provide doctors and dentist surgeries, secondary school and community services, along with timescales and relationships of the development for the provision of these?

The Parish Council are pleased with the provision of the allotments, cycle pathways and play-parks. It is pleasing to see open spaces but can provision be made for 'hedgehog highways' incorporated in the fencing/border designs, together with anything that will enhance the wildlife.

Internal roads could be named from those names on Postwick and Witton War Memorials.

Comments of amended plans:

Wish to reiterate previous comment and raise the following:

What provisions are being put in place to make sure this application is as sustainable as possible?

Will the Parish Council be given an opportunity to decide which facilities stated would be most beneficial to the parish?

'Neighbour' Comments:

- 4.30 Two letters of representations have been received from the planning agent acting on behalf of the site promoter for 'GT11 North' raising the following issues:

Representation 1:

GT11 North is permitted and therefore represents the 'baseline' position in considering the application. It is incumbent on the Council to consider the merit of the application in the context of its compatibility and consistency with the permitted GT11 North and to adopt a consistent approach in the strategic planning for access and circulation. Three areas of concern are raised:

- The proposed location of the main site access to GT11 south is incompatible with the approved GT11 north access. Access should be made compatible or possibly taken from a 5th arm of the Green Lane/Smee Lane roundabout.
- The location of the pedestrian and cycle links are incompatible with the approved link through GT11 north. The County's requirements at GT11 North that Smee Lane is improved to a 6m carriageway with 3m shared use foot / cycleways separated by 2m verges, is noted. The reliance on Smee Lane is inconsistent with the County's position in the consideration of GT11 North. The extent of the publicly maintained highway should be confirmed together with the extent of the NDR CPO Orders and confirmation that the works required can be secured within highway land and Larkfleet land without reliance upon third party interests.
- The location of the proposed school site is inconsistent with the approach taken at GT11 North. In addition, Policy GT11 requires a 2-hectare site to accommodate a 2-form entry (420 pupil) primary school. The Larkfleet school site is circa 1.2 ha.

Representation 2:

- In our previous representation, three concerns were raised by Landform relating to the location of the main site access, the location of pedestrian and cycle links and the size of the proposed school site.
- The issues in respect of the main site access and pedestrian and cycle links appear to have been largely addressed. However, it is noted that the access from Smee Lane into GT11 South is not shown consistently across all of the amended drawings. The access is shown further east on the Shared Cycling & Pedestrian Route (10520-HL-04 B) drawing than it is on the rest of the amended drawings. An updated Shared Cycling & Pedestrian Route drawing should therefore be submitted to clarify the location of the northern access. In addition, it is noted that the spine road running through the centre of GT11 South is proposed to be 6 metres wide. In order to facilitate a bus route through GT11 North and South, the carriageway should be widened to 6.5 metres in order to be consistent with the 6.5m width that has been approved for GT11 North.
- With regards to the school site, it is acknowledged that the area proposed for education/community use has been extended in size to approximately 2.03 ha, meeting the requirements of the allocation for a 2FE primary school. The issues raised associated with this part of the development are considered to be addressed.

5 Assessment

Key Considerations

5.1 The key considerations are:

- The principle of development
- Affordable housing
- Access and connectivity
- Design, layout and amenity
- Landscape
- Open space
- Other issues

Principle of development

5.2 The site is located within the Growth Triangle, defined under Policy 9 of the JCS as a location to accommodate 7000 dwellings by 2026 and rising to 10,000 new homes thereafter. The Growth Triangle Area Action Plan (GT AAP) 2016 has been produced to enable and co-ordinate this strategic scale development. The 23 ha application site is the southern part of policy GT11 which allocates approximately 45 ha of land for mixed use development to include the delivery of social infrastructure in accordance with the latest

Greater Norwich Infrastructure Plan including nursery facilities, a site of at least 2 ha for a new primary school and community hall (or suitable alternative) and a suitable site for a police deployment base. The application site is hereafter referred to as “GT11 south” in this report.

- 5.3 The balance of land under policy GT11 which is not included within this application is being promoted separately and has outline permission for a total of 283 dwellings and a 2 ha site for a primary school and community uses (Use Class D) under applications 20180193 and 20180194. These permissions are hereafter referred to as “GT11 north” in this report.
- 5.4 Policy GT1 of the GT AAP requires development sites to be masterplanned in a manner which has regard to other development proposals in the locality. To achieve the overall requirements of Policy GT11 it is therefore important to consider the relationship between GT11 north and GT11 south in addition to other development proposals adjacent to the site and within the local area.
- 5.5 Policy GT1 of the GT AAP states that where a site is allocated for mixed use development there should be in the region of 1m² of employment, retail or community floorspace for each 30m² of residential development. The supporting text identifies that this ratio is a guideline but it is crucial that any mixed use development incorporates a range of uses, the scale of which is likely to vary based upon local considerations and is not dictated by the policy. GT11 north is considered to have met this policy requirement (in respect of that part of the site) by providing 2 ha of land for a primary school.
- 5.6 The current application on GT11 south also includes (as amended) 2 ha of land for a primary school. This represents duplication of uses across the two sites. However, the applicant, who is a housebuilder, wishes to avoid a scenario whereby they are reliant on the delivery of a primary school on a site outside of their control.
- 5.7 In the event that development is implemented in a timely manner on GT11 north then the need for a school on GT11 south will fall away and the 2 ha of site on GT11 south could be utilised for the alternative uses proposed in the description of development including a crèche, community hall, day nursery, outdoor/indoor sports facilities, a continuing care retirement community and nursing home care facilities. The Principal Policy Officer has advised that in the specific context of this site the range of uses proposed on the 2 ha of site might reasonably be judged to be consistent with the intentions of policy GT1. The need for nursing and care facilities in the district is also supported in the representation from Norfolk County Council (Infrastructure, Development, Community and Environmental Services).
- 5.8 Furthermore, the site is located to the north of GT10 which has an extant permission for a range of non-residential uses including A1 – A4, B1, B8, C2, D1 and D2, to the west is Broadland Business Park to the north of which are GT9 and GT6 which will provide for A1, B1, B2, B8 and D1 uses. Consequently the site is well served by a range of uses within reasonable

proximity and it is considered that the application would provide for an appropriate range of uses with regard to other development proposals in the locality.

- 5.9 Policy GT11 also refers to the provision of a site for a Police Deployment Base. Land for such a use is not included within either the current application or the permissions for GT11 north. At the time the GT AAP was being produced the requirements of the police necessitated a 1.5 acre site and it was on this basis that policy GT11 was adopted. However, Norfolk Constabulary have confirmed that they are now progressing with plans for a much larger facility which requires a 4.5 acre site and have submitted a full application for the facility on the Broadland Gate site (application [20200403](#)). Given that the needs of Norfolk Constabulary have changed from when the GT AAP was produced officers do not consider that it would be reasonable for these needs to now be met on the application site.
- 5.10 On the basis that no provision is being made on the site of GT11, Norfolk Constabulary has made representations requesting a financial contribution towards the purchase of the alternative site that they are pursuing on Broadland Gate. However, it is not considered that this would meet the CIL Regulation 122 tests given the change in circumstances of the Constabulary and accordingly such a contribution is not proposed by officers to be secured by way of Section 106 Agreement.
- 5.11 Having regard to the allocation of the site under policy GT11 for mixed use development, the requirements of GT1 and having regard to the range of other services and facilities in the area it is considered that the principle of the development and range of uses proposed is acceptable.

Affordable Housing

- 5.12 Policy 4 of the JCS states:

“A proportion of affordable housing, including an appropriate tenure mix, will be sought on all developments of 5 or more dwellings. The proportion of affordable housing, and mix of tenure sought will be based on the most up to date needs assessment for the plan area”.

At the adoption of the JCS the affordable housing need was 33% for sites of the scale proposed. Since the JCS was published, the Central Norfolk Strategic Housing Market Assessment (SHMA) June 2017 has provided more recent evidence of need for affordable housing. The affordable housing need for Greater Norwich, as assessed by the SHMA, is 28%.

- 5.13 The application therefore proposes 28% affordable houses to reflect the identified needs in the SHMA. This would represent 88 affordable dwellings in the full phase and up to 57 affordable dwellings in the outline phase resulting in a total of 145 affordable dwellings.

- 5.14 On the basis that Policy 4 of the JCS requires affordable housing to be provided in accordance with the most up to date needs assessment for the area it is considered that the delivery of 28% affordable housing complies with this policy. However, Policy GT11 states that the development will deliver 33% affordable housing and does not include the same wording as Policy 4 of the JCS regarding the most up to date needs assessment. As a consequence officers consider that the proposed 28% affordable housing, whilst complying with Policy 4 of the JCS, conflicts with Policy GT11 of the GT AAP.
- 5.15 Whilst the SHMA is untested, it is significant new evidence which officers consider should be given weight in the planning balance. Officers are satisfied that the most up to date needs identified in the SHMA is a material consideration that diminishes the weight to be given to the conflict with GT11 and that the delivery of 28% affordable housing, which would comply with Policy 4 of the JCS, is acceptable. This is an approach consistent with Planning Committee's decision on application 20171464 which was allocated under GT18.
- 5.16 The proposed tenure split is 65:35 Affordable Rent:Shared Ownership. The mix and unit size of the affordable houses has been significantly amended through the course of the application to address the initial objections of the Housing Enabler. These amendments have resulted in an affordable housing mix which the Housing Enabler is now able to support.
- 5.17 In respect of market housing, the applicant proposes to deliver a range of 1-5 bedroom dwellings which would cater for a variety of housing needs and help foster a balanced community whilst complimenting housing delivery across the growth triangle. Accordingly officers are satisfied that the market mix is acceptable and in accordance with Policy 4 of the JCS.

Access and Connectivity

- 5.18 Policy GT1 of the Growth Triangle AAP requires development sites to be masterplanned in a manner which has regard to other development proposals in the locality. Policy GT11 requires a range of measures to ensure appropriate access and connectivity including: necessary junction improvement; an internal road network that is suitable for the passage of buses, cycle friendly and makes allowance for on-street parking if it is likely to occur; providing appropriate pedestrian and cycle links connecting to links though the adj. Broadland Business Park, including the Green Pedalway of the Norwich Cycle Network. The ES identifies the need to provide walking and cycling routes within the development connecting to external networks, a construction environment management plan, opportunities to enhance bus us and the implementation of a travel plan.
- 5.19 The scheme proposes vehicular access from Poppy Way to the south and Smee Lane to the north connected via a central spine road. The spine road is included within the "Full" part of this hybrid application with the southern

section to be delivered in phase 1 and the northern section to be delivered in phase 3 based on the submitted phasing plan. The spine road would have a carriageway width of 6m with a 3m wide shared use path and 1.8m wide footpath either side separated from the carriageway by a verge.

- 5.20 The shared path would extend to the south side of Smee Lane providing connectivity with the existing cycle network on Cranley Road and to the south side of Poppy Way to provide connectivity with the existing cycle network on Broadland Way. Furthermore the spine road and access onto Smee Lane (as amended) would provide onward connectivity into GT11 north of a standard suitable for use by buses. The Highway Authority have requested some clarification over these matters and additional/amended information is awaited to ensure consistency across plans before the highway conditions are confirmed. The provision of such connectivity however will ensure compliance with the mitigation identified in the ES.
- 5.21 The application is supported by a Transport Assessment to demonstrate the impact of the development on the highway network in accordance with policy TS2 and proposes the implementation of a travel plan to reduce car dependency and promote more sustainable forms of transport which would be secured in the Section 106 Agreement and mitigate potential significant effects identified in the ES. The Highway Authority has raised no objections to the principle or scale of development and consequently it is considered that the development would have an acceptable impact on the local highway network. Furthermore, Highways England has no objection to the application and it is considered that the development would have no adverse impact on the functioning of the A47 Trunk Road.
- 5.22 Amended plans and an independent Stage 1 Road Safety Audit have been submitted for the off-site highway improvements following comments from the Highway Authority. The Road Safety Audit identifies no issues with the submitted information but the highway authority have requested that the audit is extended to cover additional highway works proposed (including the works to Smee Lane) and the officer recommendation reflects this. Overall it is considered that, subject to approval from the highway authority and subject to conditions securing the detailed design and delivery of the off-site improvements, the scheme would provide for acceptable access and suitable connectivity in accordance with policies GT1, GT11 and TS3.

Design, Layout and Amenity

- 5.23 On the basis that the application is in hybrid, precise details for the Full part of the application have been provided, whilst a series of indicative plans have been provided for the Outline part of the application.
- 5.24 The development would be served off the main spine road which runs approximately north-south connecting Smee Lane to Poppy Way. The spine road would accommodate a grass verge within which provides the opportunity for tree planting. Dwellings would have direct access onto the

spine road and a series of estate roads, accessed from the spine road, would provide access to the remainder of the development, from which would be type 6 shared surfaces and private drives.

- 5.25 The Council's design advisor at the time of undertaking consultation advised that the layout is quite logical and flows reasonably well, but identified a number of opportunities where improvement was required. A number of amendments have been made to the scheme, or justification provided for the design rationale, sufficient for officers to be satisfied that the layout of the development is acceptable in urban design terms.
- 5.26 The design advisor's main area of concern related to the detailed design of the dwellings and the lack of consistency resulting in a lack of cohesiveness. In response the applicant has reduced the variety of materials, omitted certain dwelling types and provided a more consistent level of detail (to porches, soldier courses and sill courses for example). The result is a more cohesive development which, whilst still containing variation to add visual interest, would result in a better sense of place across the development as a whole.
- 5.27 Detailed consideration has been given to ensuring that the council's refuse vehicle can access all necessary parts of the site and vehicle tracking plans have been provided to demonstrate that this would be the case. Furthermore, bin collection points and storage points have been detailed on the submitted plans. Comments are awaited from the Contracts Officer and the officer recommendation reflects this.
- 5.28 Regard has also been given to comments made by the Police Architectural Liaison Officer who expressed some concerns regarding the location of dwellings relative to the structural landscaping to the east and west boundaries, areas of public open space and the treatment of boundaries. Whilst there are some aspects of the scheme which would conflict with the Police Architectural Liaison Officer's comments, this must be balanced against other planning objectives such as providing high levels of permeability for cyclists and pedestrians and creating areas of public open space through developments. Overall it is considered that the application strikes an appropriate balance between designing out crime whilst responding to other planning objectives and would not conflict with GC4 of the DM DPD which requires proposals to create safe environments addressing crime prevention and community safety. Further consideration to crime prevention would be given when details of landscaping are provided and reserved matters are submitted for later phases.
- 5.29 Policy GC4 of the DM DPD also requires development to meet the reasonable amenity needs of all potential future occupants and existing residents. The layout would afford future residents an acceptable degree of amenity with suitable separation provided to limit overlooking and overshadowing. Private gardens and access to public open space would also provide opportunities for informal recreation whilst the potential for the

site to accommodate an area of formal recreation would provide further amenity benefits for residents of this development and GT11 north. Existing residents to the north of Smee Lane will be subjected to a change in outlook and an increase in noise, disturbance and general tranquillity, however it is not considered that such impacts would have a significant adverse impact on residential amenity.

- 5.30 The presence of the Broadland Northway, Poppy Way and Peachman Way creates a noise constraint which the application has had to respond to. Mitigation includes the construction of a 2.9m high landscaped bund with 1.8m high acoustic fence along the boundary with the Broadland Northway to limit noise to external amenity space and the installation of double glazing and acoustic trickle vents to limit internal noise. The Council's Environmental Health Officer raises no objections provided the noise mitigation measures proposed are implemented in accordance with the submitted details.
- 5.31 Also relevant in respect of amenity is the impact of the development on air quality. An amended Air Quality Assessment has been submitted and the Council's Environmental Management Officer (formerly Pollution Control Officer) has advised that the applicant will need to implement measures to protect site users, neighbouring residents and future occupants from dust and particulate matter) during construction. The need to submit a Dust Management Plan is therefore proposed to be conditioned. The Environmental Management Officer raises no objections to the operational phase of development.
- 5.32 Overall it is considered that existing and future residents would have an acceptable level of amenity in accordance with GC4 of the DM DPD.

Landscape

- 5.33 Policy GC4 of the DM DPD requires development to pay adequate regard to the environment, character and appearance of an area; Policy EN2 requires development proposals to have regard to the Landscape Character Assessment SPD and consider any impact; Policy 1 of the JCS seeks to, inter alia, protect the landscape setting of settlements including the urban / rural transition and the treatment of gateways.
- 5.34 The site is located in the E3 Spixworth Woodland Estates Character Area, but has now been enclosed by major highway infrastructure since the adoption of the Landscape Character Assessment SPD and is allocated and adjacent to allocations for major urban extensions. The undeveloped nature of the site means that the proposed development would undoubtedly have an impact on its character and appearance. The development would impact on the perception of place from a site on the urban fringe with rural characteristics to a much more urban environment. However, the site is an allocation and the principle of such an impact has been accepted through the plan making process. The Environmental Statement includes a Landscape and Visual Section and the arboriculture and landscape officer raises no

objections to the methodology or conclusions of this report which states that overall it is judged the development proposals would have a restricted landscape and visual impact, with the most significant impacts occurring close to the development site.

- 5.35 Crossing the site north-south and east-west are two rows of mature category A and B trees and hedgerows which are significant landscape features and contribute positively to the character and appearance of the area. There is also a hedgerow to the south of the site parallel with Poppy Way, a cluster of category A trees to the south-east corner of the site and structural landscaping atop an existing bund to the west of the site providing screening from Broadland Way. The site is also subject to a Tree Preservation Order.
- 5.36 In support of the application is an Arboricultural Impact Assessment and associated plans. The proposed layout is generally sympathetic to these tree constraints with the majority of existing trees retained with areas of open space provided along the corridors of trees internal to the site. Some tree felling and hedgerow removal is required to facilitate the development, and as amended, a necessary extension of the proposed acoustic bund in the south-east corner of the site will necessitate the felling of two category A trees. This is a dis-benefit of the scheme but the acoustic bund is necessary to ensure an acceptable standard of amenity to future residents and on balance it is considered that the loss of these is acceptable. All other remaining trees of significant value will be retained and protected and will mitigate against potential effects on these as habitats as required by the ES.
- 5.37 In support of the application is an illustrative landscape masterplan which provides a strategy for additional planting throughout the development, however a comprehensive scheme of landscaping will be required to provide mitigation for the trees and hedges to be removed and enhancement of the site more generally and avoid any significant effects in accordance with the ES. An Arboricultural Method Statement will also be required to demonstrate the detailed design of construction within the root protection area of any tree. These can be secured by condition.
- 5.38 Subject to conditions it is considered that the application would comply with policies GC4, EN2, JCS1 and JCS2 in respect of landscape issues.

Open Space

- 5.39 Policies EN1, EN3 and RL1 of the DM DPD require the provision of green infrastructure and formal recreational space (children's play, sports facilities and allotments) based upon the occupancy rates of development. Also relevant is the Recreational Provision in Residential Development SPD which provides guidance on how these policies are to be applied.
- 5.40 On the basis that the application is in outline the precise quantum of open space can only be specified for the full part of the application. However, based on an assumed housing mix, the development is likely to generate the

following overall open space requirements:

Green Infrastructure: 5.26 ha

Children's play: 0.447 ha

Sports pitches: 2.2 ha

Allotments: 0.21 ha

- 5.41 Green Infrastructure (GI) required by policy EN3 is necessary to offset recreational pressure on sensitive internationally designated sites including the Broads SAC, Broadland Ramsar Site and SPA. The ES also identifies the need for open space to mitigate impacts from increased recreational disturbance on these sites. In response to these requirements the application has been laid out to provide a network of green corridors and open spaces to provide informal walking routes through the development to provide a total of 5.12 ha of GI. Comments have been received from the Green Infrastructure Officer and subsequent amendments have been made to the development including the widening of the open space to the east of the site to approximately 9m, the introduction of off-road surfaced paths to encourage year round use, confirmation of how the sustainable urban drainage strategy would work to demonstrate that this would create a useable and attractive environment and the installation of features in the highway to emphasise pedestrian crossing points. Overall it is considered that the green infrastructure network is acceptable and meets the objectives of the above listed policies. Furthermore, Natural England has advised, in response to the amended plans, that the development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 5.42 Children's play space would be provided in phases 2 and 4 of the development in the form of a Locally Equipped Area of Play (LEAP) and a Local Area of Play (LAP). Subject to detailed design these would be sufficient to meet the policy requirements and provide good opportunities for a suitable range of children. The precise details of these play areas would be agreed and delivered through the S106 Agreement.
- 5.43 The application includes scope to provide formal sports pitches on site in the event that a 2 ha site for a primary school is not required. To ensure that the scheme delivers a range of uses it is proposed to limit the on-site provision to 1ha with the balance (1.2 ha) met by way of commuted sum. In the event that a primary school is required the entire formal sports requirement (approximately 2.2 ha) would be met by way of a commuted sum. Precisely what is delivered on site or how the commuted sum is spent would be subject to future reserved matters applications and/or discharged through the Section 106 Agreement. The outline part of the application also includes provision for allotments located towards the north-west of the site, the delivery of which would be secured in the Section 106 Agreement.
- 5.44 Overall, subject to securing these open space requirements through a Section 106 Agreement it is considered that the application would comply

with policies EN1, EN3 and RL1 of the DM DPD and would not result in significant environmental effects providing the mitigation identified by the ES.

Other issues – drainage, archaeology, ecology, aviation safety, infrastructure

Drainage:

- 5.45 Policy CSU5 of the DM DPD requires mitigation measures to deal with surface water arising from development proposals. In support of the application are an amended Flood Risk Assessment, Technical Note submitted in response to initial comments from the Lead Local Flood Authority (LLFA) and additional Non Technical Note and Addendum to the FRA. The submitted information demonstrates to the satisfaction of the LLFA that ground conditions mean that on site infiltration is not appropriate and that there are no nearby water courses in which to drain. Accordingly, a restricted discharge into Anglian Water sewers has been agreed at a rate of 5 l/s. To meet these restrictions it is necessary to provide a series of interlinked basins to attenuate water on site. Following receipt of the amended information the LLFA have advised that they have no objections subject to conditions. A swale was however originally proposed adjacent to the Spine Road but has now been omitted from the scheme as a result of discussions with the highway authority. This amendment maintains the principles of the previously agreed drainage strategy, the LLFA have confirmed no objections to this amendment and a condition is proposed to secure detailed design.
- 5.46 Anglian Water has confirmed in consultation responses that to avoid an unacceptable risk of flooding downstream a foul water drainage scheme will be required by condition and a condition to secure a strategy for surface water is also required. Anglian Water has been unable to make an accurate network capacity assessment without knowing the intended use of the 2 ha portion of the development and would need to be consulted further at the detailed design stage.

Archaeology:

- 5.47 With regard to archaeology, the NPPF requires in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The application is accompanied by heritage desk based assessment and the Historic Environment Service has advised that the application area has been the subject of various archaeological investigations including field-walking, geophysical survey, trial trenching on the part of the application site used as a concrete batching plant associated with the construction of the A1270 Broadland Northway.
- 5.48 Much of the area remains undisturbed and the state of preservation of cropmarks mapped from aerial photographs including a ring-ditch funerary

monument of probable Bronze age date and an enclosure of possible Iron Age to Roman date remains unknown.

- 5.49 Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development. The Historic Environment Service has no objections but recommend that a condition is necessary to secure a scheme of archaeological investigation in accordance with Policy 1 of the JCS. This also accords with the recommendations of the ES on archaeology to mitigate significant effects.

Ecology:

- 5.50 Policy 1 of the JCS seeks to, inter alia, minimise the fragmentation of habitats, contribute to providing a multifunctional green infrastructure network and requires that all new developments will ensure that there will be no adverse impacts on European and RAMSAR designated sites and no adverse impacts on European protected species. Policy EN1 of the DM DPD expects developments to protect and enhance the biodiversity of the district.
- 5.51 In terms of ecology, the Environmental Statement provides details of the ecology baseline and an assessment of impacts. The Natural Environment Team have advised that it is fit for purpose. In addition a number of other survey reports including a Bat Activity Survey – Interim Report, a Reptile Survey and Great Crested Newt eDNA and an Extended Phase 1 Habitat survey have been submitted. These, and the ES, conclude that a number of mitigation measures are required which are either embedded in the design (such as the provision of open space) or will need to be secured by condition (such as the need for tree protection or erection of wildlife boxes) through a landscape ecological management plan. Additional information, missing from the initial reports has also been submitted in respect of bats to the satisfaction of the Natural Environment Team.
- 5.52 Furthermore, as stated earlier in this report under the heading ‘Open Space’ Natural England has no objections regarding impact on international sites subject to the delivery of the on-site open space which will be secured in the s106 agreement and will ensure that mitigation in the ES on this issue is provided. It is therefore considered that the ecological impacts of the development have been adequately considered in the preparation of the application and the application, subject to conditions requiring a landscape ecological management plan and the provision of open space in the s106, complies with policies EN1 of the DM DPD and provides the necessary mitigation identified in the ES.

Due to potential impact on internationally designated sites this application requires an Appropriate Assessment. The most likely pathways in relation to the application site are that the proposals may lead to increased recreational pressure on the protected sites, or that they may lead to changes in water quality in watercourses hydrologically linked to the

protected sites. It is considered that adequate assessment and information has been provided by the applicant for the planning authority to assess the potential impacts on these sites in accordance with Regulation 61 & 62 of the Conservation of Habitats and Species Regulations 2017. The Appropriate Assessment concludes that subject to the provision of green infrastructure to offset recreational pressure the development will not adversely impact internationally designated sites. This is consistent with the advice received from Natural England and the mitigation is secured through design and the Section 106 Agreement.

Aviation safety:

- 5.53 The application site is located outside of the Public Safety Zones as defined under Policy TS6 of the DM DPD and shown on the associated proposals maps. However, the scheme has the potential to increase the risk of bird strike as a result of the inclusion of sustainable urban drainage features and new landscaping. Norwich International Airport has made representations that landscaping should be arranged to ensure that birds, particularly wildfowl are not attracted to the site. The SuDS features are designed to not be permanently wet and would not become a permanent habitat for nesting birds give their temporary nature and size. Consequently it is considered that they would not significantly increase the risk of birdstrike. Furthermore, details of landscaping will be dealt with by condition and any risk of birdstrike as a result of new landscaping can be considered at that stage. It is however suggested that the comments of the airport are included as an informative on the permission.

Infrastructure:

- 5.54 Norfolk County Council has made representations that taking into account committed development there would be insufficient places at Early Education, Primary and Secondary School level. As noted earlier in this report there is a policy requirement to provide land for a primary school on GT11, which could be delivered on either the application site or GT11 north. Furthermore, the County Council has confirmed that they can secure funding through CIL to mitigate the impact of the proposed development.
- 5.55 The NHS has made representations that the development is likely to have an impact on the NHS funding programme for the delivery of primary healthcare in the area and would expect these impacts to be mitigated. There is 1 branch surgery within a 2 km radius of the proposed development; Dussindale Surgery. The catchment practice does not have resource capacity for the additional growth resulting from this development and proposed cumulative development in the area.
- 5.56 Healthcare is not on the Broadland CIL 123 list and contributions from CIL therefore cannot be sought, however officers consider that the responsibility for health provision remains with the health providers, primarily with NHS England who provide funding for doctors based on the population / number of

patients in an area. The residents in new developments will contribute to this national funding through taxes in the same way as existing residents. Consequently, in general terms the impact of a new residential development on existing medical facilities is managed by health providers and it is not considered that obligations could reasonably be sought through Section 106.

Conclusion

- 5.57 Section 38(6) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.58 The site is allocated in the GT AAP 2016 for mixed use development. The application proposes a scheme for 520 dwellings and reserves 2 ha of the site for alternative uses. It is considered that the principle of development is therefore acceptable.
- 5.59 The proportion of affordable housing (28%) is below that expected by the GT AAP (33%), but does comply with the requirements of the JCS Policy 4 being in accordance with the most up to date needs assessment for the area. Officers consider that this is a material consideration which justifies a departure from the GT AAP.
- 5.60 Furthermore, it is considered that the proposal complies with other relevant policies of the development plan and would not result in significant adverse impacts which cannot be mitigated either by way of condition or Section 106 Agreement.
- 5.61 An Environmental Statement was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for this application. I am satisfied that adequate information has been submitted in the Environmental Statement to assess the environmental impact of the proposal, and appropriate consultation and publicity has been undertaken to comply with the above Regulations.

As part of my assessment I have considered and assessed the direct and indirect significant effects of the proposed development on the following factors:

- (a) Biodiversity, with particular attention to species and habitats protected under EU Directive;
- (b) Heritage
- (c) Landscape;
- (d) Transport; and
- (e) the interaction between the factors referred to in sub-paragraphs (a) to (d).

To avoid significant effects, mitigation is embedded in the design of the development or secured either through conditions or the section 106 agreement. These matters are reported in the relevant sections of this

report.

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

Conditions (Full):

- (1) Time Limit
- (2) Plans and Documents
- (3) Foul drainage strategy
- (4) Surface water drainage strategy
- (5) Arboricultural Method Statement and Tree Protection
- (6) Plans
- (7) Detailed landscaping scheme
- (8) Landscape Ecological Management Plan
- (9) Construction Environment Management Plan
- (10) Precise details of external materials
- (11) Highways conditions (TBC)
- (12) Archaeology
- (13) Land contamination
- (14) Dust mitigation during construction
- (15) Implementation of noise mitigation measures – bund, fence and ventilation
- (16) Fire hydrants
- (17) Energy and water efficiency measures
- (18) Lighting

Conditions (Outline):

Outline

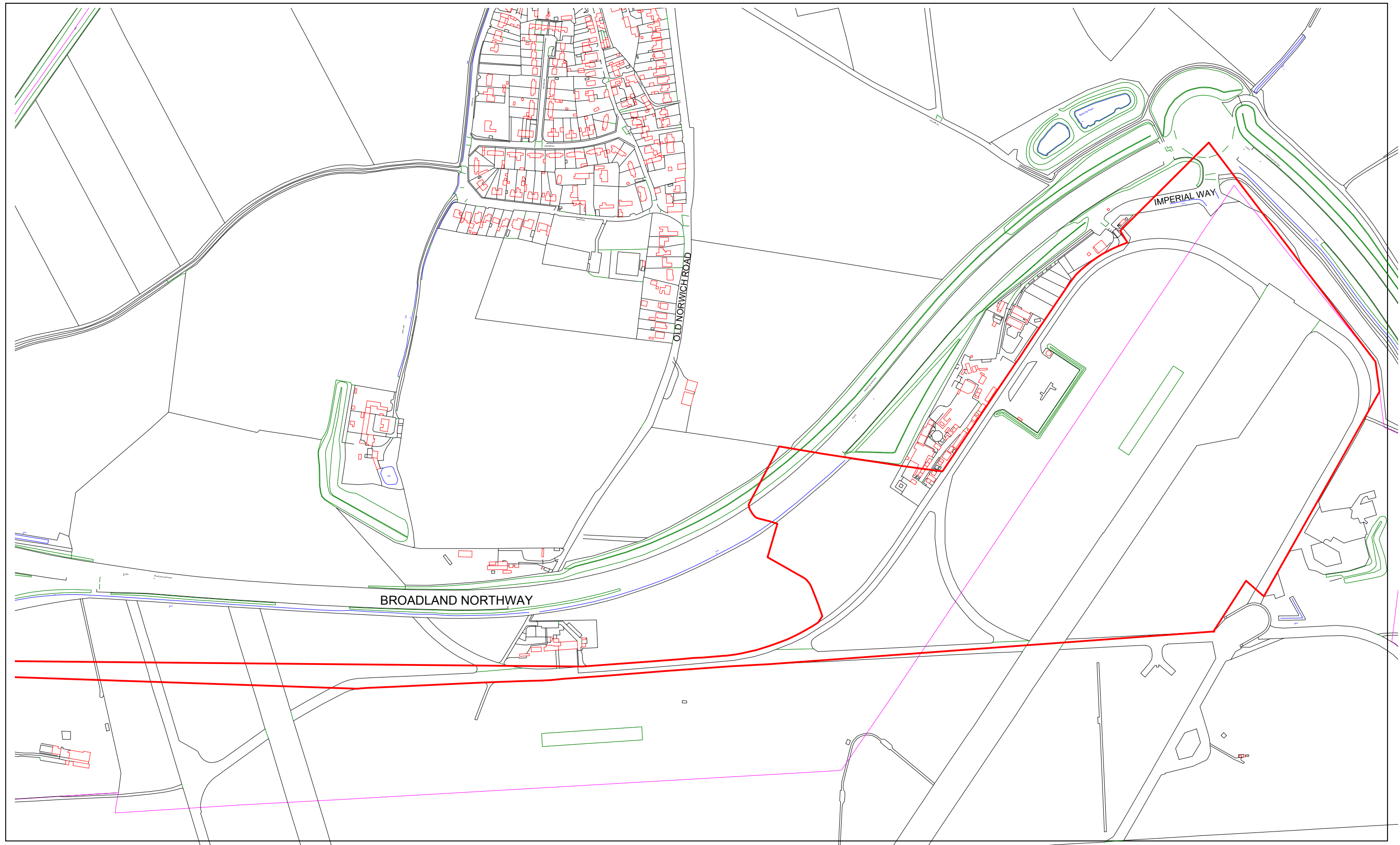
- (1) Time limit
- (2) RM condition – layout, scale, appearance, landscaping
- (3) Limit to 205 dwellings and in accordance with parameters and phasing plan
- (4) Foul drainage per phase
- (5) Surface water drainage per phase
- (6) Arboricultural Method Statement and Tree Protection Plans per phase
-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

- (15) Energy efficiency measures per phase
- (16) Lighting per phase

Section 106 Agreement Heads of Terms:

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

Contact Officer,	Charles Judson
Telephone Number	01603 430592
and E-mail	charles.judson@broadland.gov.uk

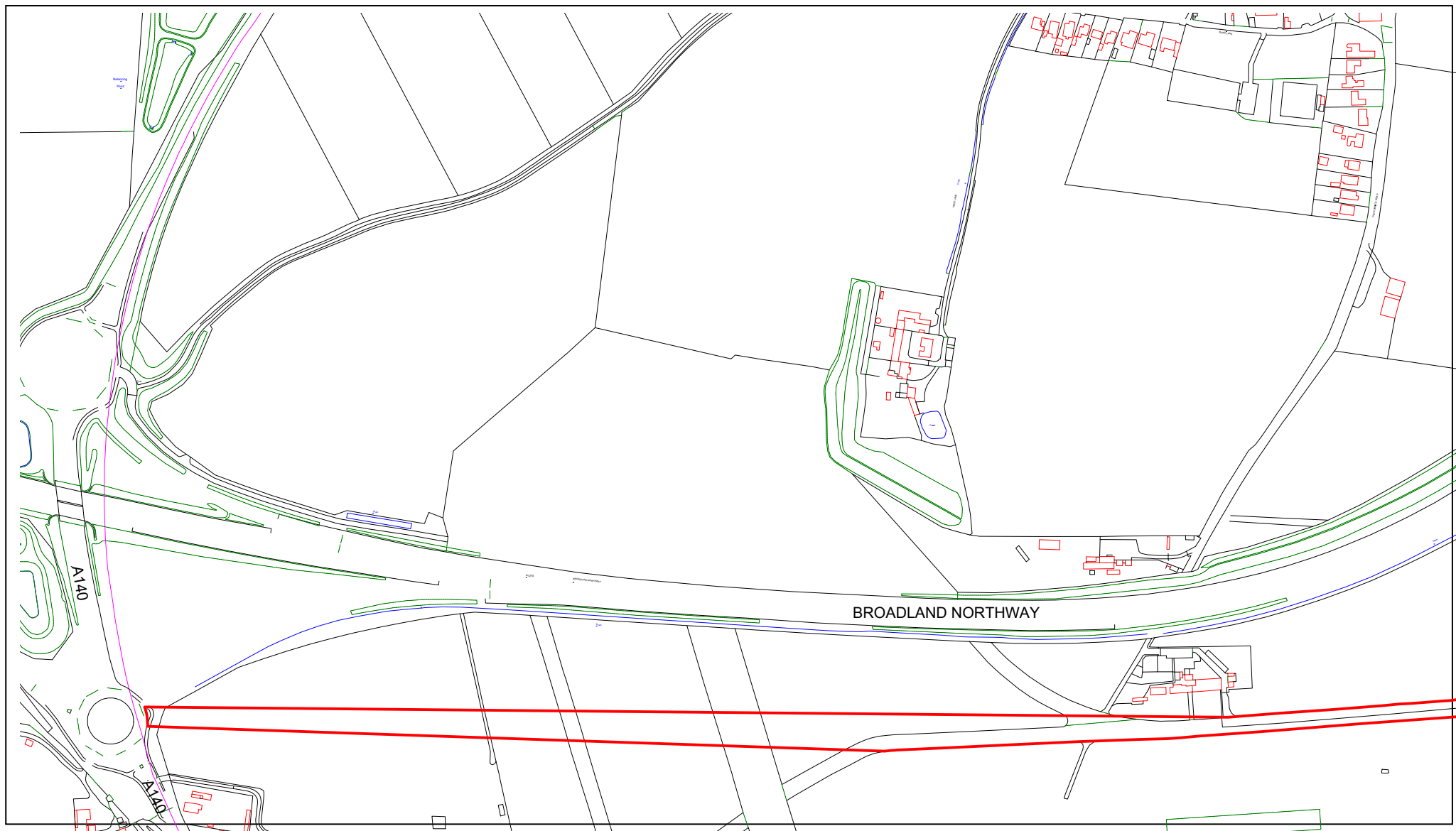


Application No: 20181762
Site 4, Norwich Airport, Amsterdam Way, NR6 6JA

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Scale:
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Date:
11-May-20





Application No: 20181762

Site 4, Norwich Airport, Amsterdam Way, NR6 6JA

**Scale:
1:5250**

**Date:
11-May-20**



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Application No: [20181762](#)
Parish: **Horsham St Faith**

Applicant's Name: Norwich Airport Ltd

Site Address: Site 4, Norwich Airport, Amsterdam Way, Norwich, NR6 6JA

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

Reason for reporting to committee

The site area that is within the district council's administrative boundary is outside of any settlement limit and the variation to allow 50% of the total approved floor space for general employment uses does not accord with any specific policy or allocation in the current Development Plan.

Recommendation summary:

Approve subject to conditions

1 Proposal and site context

1.1 The proposal relates to a S73 application seeking to develop land subject to variations to conditions attached to planning permission 20161133 [BDC] and 16/00965/VC [NCC]. Norwich Airport straddles the administrative boundaries of Broadland District Council and Norwich City Council [NCC] and a duplicate planning application has also been submitted to NCC ref: 18/01621/VC. The greater part of the application site area falls within NCC's boundary [of the actual site area where the buildings are proposed about 12 ha is within BDC and about 22.6 ha within NCC area].

1.2 The application is accompanied by various supporting documents describing in full the variations/changes to conditions, some of which have been revised since submission in 2018 but the main variations are summarised as follows:

- Half of the total approved floor space of 95,035 sqm to be allowed for non-aviation uses within general employment use classes B1(b), B1(c), B2 and B8.
- Building heights parameter plan – relocation of the Distance Measuring Equipment at the airport removes the aviation related safeguarding

restriction of building heights that was approved across part of Site 4 ranging from 6.0m at the south-western end to a maximum of 20.0m. Although 20.0m was originally proposed across the entire site, this has been revised to a minimum of 10.0m at the south-western end rising to a maximum of 20.0m.

- Wording changes to conditions to reflect revised drawings etc and changes to development parameters and phasing plans to reflect land utilised for the A1270 Broadland Northway [NDR] and the now removed access from the A140.

- 1.3 To support their application, the Airport commissioned objective evidence to assess the prospects for aviation related growth and to identify the amount of land at Site 4 that should be safeguarded for aviation purposes. The report concluded that 20% of the 46 ha site should be safeguarded, and a minimum of 30,000 sqm of the permitted floorspace. The applicant therefore originally proposed to safeguard up to 30,000 sqm of floorspace for aviation, but following discussions with the City Council relating to the Airport Masterplan, this figure was increased to 47,517.5 sqm.

It is stated by the applicant that the safeguarded land could accommodate approximately 60% of future aviation maintenance, repair and overhaul (MRO) development needs, and the remainder of the requirement could be accommodated to the south of the runway.

- 1.4 The original permission was assessed under the Town and Country Planning Environmental Impact Assessment (EIA) Regulations. An updated Environmental Statement has therefore been submitted alongside the application.
- 1.5 Norwich Airport is located north of Norwich and accessed off the A140 Norwich to Cromer Road. The airport is of a size that, to the south is seen within the context of the built-up urban fringe where it is bounded by residential and commercial land uses within Hellesdon and Old Catton to the south, south-west and south-east. To the north is predominantly rural countryside and village settlements although the landscape setting at this point has changed significantly with the construction of the Broadland Northway including the road infrastructure, landscaping and noise attenuation bunds. This has opened up new public views of the airport from surrounding roads and cycleways.
- 1.6 The site has a dedicated access leading from the A1270 Broadland Northway roundabout that takes the dual carriageway road around the extreme norther edge of the airport land. The main part of the site is in the north-east corner of the airport and consists of undeveloped treated grassland and taxiway. Approximately 22 ha of the application site is within Norwich City and approximately 18 ha of the remaining site in Broadland including the land for the now removed access from the A140.

- 1.7 The site rises gently to the north and has a linear group of buildings on its north-western boundary associated with fire training facilities also accessed direct from the Broadland Northway roundabout junction. Notable skyline features are existing vegetation and the planted bunds in places alongside the Broadland Northway. There are open views of the site from the east, west and north, particularly from the Broadland Northway.
- 1.8 The main settlement of Horsham St Faith lies to the north, the centre of the village is about 1 km from the airport boundary but its southern extremity is only about 250m distant at its closest point. The outer edge of the Conservation Area is about 500m from the airport boundary as well as the nearest Listed Building. The parish of Horsford lies some 1.4 km to the west of the main site area and the main settlement of Spixworth lies some 1.1 km to the east with the nearest listed building about 1 km distant to the east also.

2 Relevant planning history

- 2.1 [20130363](#): (1) Full planning permission for development of northern apron to include detailed planning permission to provide 15,035 sqm of aviation related B1(c), B2 and B8 floorspace including associated access to Holt Road, security hut, storage building, parking and landscaping and (2) Outline planning permission for up to 80,000 sqm of aviation related B1(b), B1(c), B2, B8 and D1 use floorspace with permission for access sought in detail and all other matters reserved. Approved 9 August 2013.
- 2.2 [20161133](#): Variation of conditions 1, 2, 4, 5, 6, 7, 8, 9, 15, 17, 21, 23, 24, 25 & 29 of planning permission 20130363. Approved 30 September 2016.
- 2.3 [Norwich City Council planning application ref 18/01621/VC](#): Variation of conditions 1, 2, 3, 4, 5, 6, 11, 13, 20 and 25 of planning permissions 16/00965/VC and 20161133 to allow up to 47,517.5 sqm (GEA) of aviation related employment floorspace and 47,517.5 sqm (GEA) of general employment floorspace in use classes B1(b), B1(c), B2, B8 and changes to the development parameters, height parameters and phasing plans. Approved 9 April 2020, Decision Notice attached as Appendix A

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development
NPPF 03 : Plan-making
NPPF 04 : Decision-making
NPPF 06 : Building a strong, competitive economy
NPPF 09 : Promoting sustainable transport
NPPF 11 : Making effective use of land

NPPF 12 : Achieving well-designed places
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change
NPPF 15 : Conserving and enhancing the natural environment
NPPF 16 : Conserving and enhancing the historic environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 3 : Energy and water
Policy 5 : The Economy
Policy 6 : Access and Transportation
Policy 9 : Strategy for growth in the Norwich Policy Area
Policy 12 : Strategy for growth in the Norwich Policy Area
Policy 20 : Implementation

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

Policy GC1 : Presumption in favour of sustainable development
Policy GC2 : Location of new development
Policy GC4 : Design
Policy GC5 : Renewable energy
Policy EN1 : Biodiversity and habitats
Policy EN2 : Landscape
Policy EN4 : Pollution
Policy TS2 : Travel Plans and Transport Assessments
Policy TS3 : Highway safety
Policy TS5 : Airport Development
Policy CSU5 : Surface water

3.4 Site Allocations Development Plan Document 2016

The site is not allocated.

There is an existing allocation HNF2 – land [approximately 35ha] north of the Broadland Northway and east of the A140, is allocated for employment uses benefitting from an airport location.

3.5 Greater Norwich Local Plan – Regulation 18 Draft Plan Growth Options and Site Proposals Consultation version

Policy 6 – The Economy, allocates employment land in accessible locations to meet identified need and provide for choice.

Strategic employment areas

The Norwich Airport area and in particular:

- A new site on the northern edge of the airport accessed directly from the Broadland Northway of 40 ha of which at least 50% will be reserved for airport related activities.

3.6 Supplementary Planning Documents (SPD)

Landscape Character Assessment – E3 Spixworth. This character area forms a narrow belt of land abutting the northern settlement edge of Norwich. It goes on to state that the northern section of the airports runways encroach central parts of this character area.

Landscape planning guidelines include: seek to maintain greenspace between the edges of Norwich urban area and adjacent villages; and conserve the landscape setting of villages, such as Horsham St Faith and Spixworth.

3.7 **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.”

4 Consultations

4.1 Beeston Parish Council:

No comments received.

4.2 Drayton Parish Council:

No objections.

4.3 Hellesdon Parish Council:

Support.

4.4 Old Catton Parish Council:

No objections but do ask for clarification on routing of construction traffic.

4.5 Spixworth Parish Council:

No comments received.

4.6 Sprowston Town Council:

Object. The original application was for aviation related business and relevant modelling would have been based on traffic volumes for this type of industry. Whereas, this application to increase business uses will generate far greater business growth and associated increase in volumes of traffic (83% of staff using motorised vehicles). The original modelling would not have considered this traffic increase and the current road network cannot cope particularly at the North Walsham Road/Broadland Northway roundabout and the A140, Cromer Road/Broadland Northway roundabout, both already congested. There is no bus route to the Norwich train station or additional public transport to this development and cycle routes, adjacent to the Broadland Northway are unlit. This variation should not be considered until completion of the Broadland Northway Western Link.

4.7 St Faiths Parish Council:

No objections.

4.8 Taverham Parish Council:

No objection.

4.9 Ministry of Housing, Communities and Local Government (Planning Casework Unit):

We have no comments to make on the environmental statement.

4.10 Historic England:

Do not wish to offer any comments.

4.11 Norfolk County Council, Mineral Planning Authority:

Whilst the application site is partially underlain by a Mineral Safeguarding area (sand and gravel), it is considered that as this application is for variation of conditions then it would be exempt from the requirements of Policy CS16-Safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

4.12 Natural England:

No comments to make on the application, you should apply our standing advice to this application as a material consideration.

4.13 Norfolk County Council, Highways:

Given the submitted information, the highway authority recommends no objection to the variations but does require the conditions relating to the Travel Plan and Surface Access Strategy be re-imposed.

4.14 BDC Historic Environment Officer:

The application relates to variations to conditions of the previous permission that would allow buildings of up to 20m in height in the area to the south-west of the site where maximum heights were previously limited to a range of heights between 6m and 20m.

Firstly, it would be very useful if the plans submitted with the documents were up to date and showed the Broadland Northway, given the impact that this has on the area and the proposal under consideration.

The principle of development on the site for aviation related uses has been established through two previous planning permissions in which the height parameters were set.

The site sits immediately to the south-east of Horsham St Faith Conservation Area. There are a few other designated heritage assets within the Conservation Area, those most affected by this application being the Grade II listed White House on Old Norwich Road and the Grade I listed Church of St Mary and St Andrew. There will be some impact on the wider setting of the Old Post House, the Priory precinct wall and former Methodist Chapel, all of which are Grade II listed. There are clear views in both directions between the site and these heritage assets.

Horsham St Faith is a relatively tight-knit village, centred on Church Street and Norwich Road where the Church and The Priory are located (Grade I listed and scheduled monument). From much of the village there is an open aspect to the surrounding countryside and this is particularly the case to the south-east, where there are views from the heart of the village – and conservation area (and at the junction of Norwich Road, Church Street and Old Norwich Road) towards open countryside. The same is true from the White House, which along with the church forms quite a local landmark when viewed from the south and east. The Horsham St Faith Conservation Area Appraisal states as Policy 4:10 that views of and from the conservation area will be protected and enhanced if possible.

The site between the village and the airport is historically and archaeologically significant as the site of the St Faith's Fair, an annual

three- day cattle fair which started in the 12th century and ran until 1830. Although this open aspect will remain, the view will be eroded by the increase in height parameters included within this application and the presence of substantial (both in terms of the footprint and height) warehouse type buildings on the skyline.

The setting of the heritage assets does contribute to their significance and as such it is considered that this will cause less than substantial harm to the setting of the designated heritage assets. If the public benefits of the proposal are considered to outweigh this harm, I would suggest that mitigation measures should be put in place, for example, continuing the earth banks and tree planting associated with the recently constructed Broadland Northway.

4.15 Norfolk County Council, Green Infrastructure (Ecology):

We previously provided comments on ecological matters on the previously approved applications. Additional ecological information has been provided in an updated environmental statement. This is mostly satisfactory.

If you are minded to approve the application, condition 20 can be re-used. The Planning Statement supporting the current application suggests some minor wording changes to reflect the additional survey work, which is clearly sensible.

Since the previous applications were approved, there has been a greater emphasis on net gain for biodiversity in the planning system [NPPF]. As such, I believe there should be a requirement to increase the biodiversity benefits of the scheme. An additional line in condition 20 could be added requiring that the EMP should provide details of measurable biodiversity enhancements which must be delivered.

4.16 Norfolk County Council, LLFA:

No objection.

4.17 Norwich Airport, Safeguarding:

No aerodrome safeguarding objections.

4.18 Norfolk County Council, Historic Environment Officer:

No specific comments to make but note that there is a condition in place requiring a programme of archaeological mitigatory work.

4.19 BDC Economic Development Office:

Fully supports the application so that wider commercial and employment use can be made of this site. Given the completion of the Broadland

Northway, this is an ideal site for employment growth and it would ne non-productive to continue with the original limitations.

4.20 Defence Infrastructure Organisation:

The Ministry of Defence has no safeguarding objections.

4.21 Environment Agency:

No comments received.

4.22 Other representations:

No comments received from neighbour consultation.

5 Assessment

Key Considerations

- 5.1 The main issues for consideration in this case are the variations to permit 50% non-aviation general employment use and increase in building heights.

Principle

- 5.2 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Relevant Development Plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.
- 5.3 The principle of the development was assessed in detail as part of the consideration of application 20130363 and later with application 20161113. Since the original planning approval date new Development Plan documents have been adopted by both councils and the Joint Core Strategy has been subject to amendment. These did not materially alter the policy considerations relating to the assessment of the 2016 application. Since 2016, there have been no new adopted local plan development documents however a new version of the NPPF was published in February 2019. It is not considered that the revised NPPF contains any new provisions which alter the principle of development at this site. The emerging Draft Strategy for the Greater Norwich Local Plan [see para 3.5 above] identifies the site as a strategic employment area, although little if any weight can be attached to this because it is at the regulation 18

consultation stage and has not been subject to an examination in public.

- 5.4 Section 73 allows the Local Planning Authority to consider the question of the conditions subject to which planning permission should be granted. The following assessment is therefore focused on the conditions that the applicant is seeking to vary and any other conditions that may consequentially require revision, together with revisions and an additional condition considered necessary by the Council.

Permitted uses (condition 4)

- 5.5 The most fundamental change sought is to condition 4 because this controls the permitted uses to those which are related to the aviation industry. The application seeks to alter this condition to safeguard 47,517 sqm of gross external area (GEA) for aviation purposes, leaving the remainder (also 47,517sqm) to be made available for general employment purposes not related to aviation.

- 5.6 In terms of BDC's Development Plan:

Policy TS5 of the DMDPD states - development related to Norwich International Airport will be assessed against the long-term operational needs of the airport taking into account national aviation policy and guidance.

- 5.7 In terms of NCC's Development Plan, Policy DM27 of the DM Plan states:

Within the airport boundary falling within Norwich city, as defined on the Policies map, development will be permitted where it is for:

- a) airport operational purposes;*
- b) uses ancillary to the function of the airport; and*
- c) facilities providing improved transport links.*

and where proposals would not conflict with the overall sustainable development criteria set out in Policy DM1 of this plan or the requirements of Policy DM28 in relation to sustainable travel.

Where necessary, development must include mitigation measures to reduce impact on neighbouring uses.

Development for alternative uses will not generally be supported in advance of the endorsement of an agreed masterplan for the airport, including a Travel Plan and Sustainable Access Strategy, or it is otherwise demonstrated by objective evidence that land is not required for operational Airport use.

- 5.8 As part of the Masterplan process, a report was commissioned by Norwich Airport to present objective evidence to assess future aviation growth and demand at the airport. The report was carried out by York Aviation and found that not all of the land at Site 4 is required for aviation purposes. It concluded that an appropriate amount of floorspace to safeguard for this purpose would be 30,000 sqm.
- 5.9 As a precaution, Norwich City Council commissioned its own objective evidence to assess the likely future demand for aviation. This was undertaken by Alan Stratford Associates and concluded that there might be a 25-50% probability that more than 30,000 sq m of floor space might be needed to cover all airport-related and other aerospace development in the next 40-50 years – although this probability would increase if financial incentives were offered to firms wishing to relocate to Norwich. On this basis, the report concluded that there could at least be some possible constraint on future long-term aviation-related development (of all types) should this be restricted to just 30,000 sqm of floor space at Site 4.
- 5.10 Following discussions, it was agreed that the amount of land to be safeguarded within the Airport Masterplan for aviation purposes should be increased to 44% of Site 4, which corresponds to 50% of the approved development, this being 47,515 sqm of floorspace. Included within the document is a commitment to produce a Surface Access Strategy with 12 months of the date of endorsement.
- 5.11 In April 2018 BDC offered its full endorsement of the Norwich Airport Masterplan and in response to the revised Masterplan relating to 50% non-aviation use of Site 4, BDC's Economic Development Manager confirmed that we remain supportive of the economic impact of the airport.
- 5.12 The Masterplan was endorsed by the City Council at a Cabinet meeting on 9 October 2019, this decision being later confirmed at a Scrutiny Committee meeting on 17 October 2019.
- 5.13 It is now the case that a Masterplan with a reduced requirement for aviation development on Site 4 has been endorsed by the City Council and supported at officer level by BDC; a Surface Access Strategy is now being progressed; and also that objective evidence commissioned separately by the City Council and also the Airport has concluded that not all the land within Site 4 needs to be safeguarded for aviation use. It is suggested that these are material considerations that can be afforded significant weight in the determination of this cross-boundary planning application. The resolution of Norwich City Council to approve their duplicate planning application ref: 18/01621/VC on 9 April 2020 is also a significant material consideration.
- 5.14 Policy 5 of the Joint Core Strategy supports the development of the local economy in a sustainable way, with larger scale needs being met through the allocation of suitable land.

- 5.15 Policy GC1 of the DMDPD states that - *when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work with applicants jointly to find solutions which mean that the proposals can be approved wherever possible, and to secure development that improves economic, social and environmental conditions in the area.*
- 5.16 The site is located outside of a settlement limit where Policy GC2 of the DMDPD – location of new development applies. However, material to consideration of this current proposal is that there is an extant permission for 95,035 sqm of aviation related employment floor space on this site.
- 5.17 Policy GC4 of the DMDPD encourages development proposals to be accessible to all via sustainable means including public transport.
- 5.18 The NPPF requires significant weight to be placed on the need to support economic growth and productivity (paragraph 80). Of some relevance is that it states within paragraph 81 that planning policies should be flexible enough to accommodate needs not anticipated in the plan.
- 5.19 Whilst the proposal is consistent with policies which seek to encourage economic growth, the site is not currently allocated for employment purposes. In addition there is considered to be a degree of conflict with the requirements of Policy GC4 of the DMDPD, because the site is located in a peripheral location to the city and Norwich fringe with a direct access onto the A1270, factors which are likely to favour travel by private vehicle over more sustainable modes. It is noted however that this principle also applies to the aviation related development already permitted, and the application does not seek to increase the quantum of development in terms of floorspace.
- 5.20 The site does benefit from a new cycleway alongside the A1270 linking it to the northern part of Norwich and the village of Horsham St Faith and rural areas beyond. Following negotiations during the application process the applicant has agreed to provide a bus drop/off pick up point, turnaround space and passenger waiting facility within the site, as part of a mobility hub. This goes some way to mitigating the weaknesses of the proposal in terms of location.
- 5.21 In terms of making a judgement on the planning balance, a key consideration is that allowing some non-aviation business development would likely help in bringing forward the infrastructure requirements for the site (such as road, utilities, communications and so on), thereby increasing the future viability of the location for aviation companies looking to expand or relocate in the future. The proposal could act as a catalyst for aviation development to come forward and would be a significant boost to the local economy in the Norwich area in terms of providing opportunities for skilled workers.

- 5.22 Further information on the approach to delivering infrastructure at the site has been sought during the application process, together with an understanding of how it is envisaged that the site could be developed in terms of layout. This has been helpful in gaining an understanding of the constraints that exist, but also an understanding that the majority of the costs are likely to be faced at the outset [a factor not uncommon with major development]. This lends increased weight to the consideration that allowing some non-aviation uses could act as a catalyst to provide the initial infrastructure which could ultimately be rolled out on a site-wide basis.
- 5.23 The existing outline permission had a number of conditions aimed at improving the sustainable transport credentials of the application site and wider airport and these should be re-imposed in the event the application is approved:
- implementation of a travel plan,
 - implementation of a Surface Access Strategy for the wider airport,
 - provision of a footway between the passenger terminal and the park and ride site,
 - provision of a bus pick up and drop off point at the passenger terminal,
 - provision of a bus link and bus gate between the terminal building and Spitfire Road.
- [some of the above in NCC area only]
- 5.24 It is considered important to add a condition requiring a site masterplan to be submitted with the first reserved matters application, covering the whole site. This should show an indicative layout and provide information on the delivery of infrastructure, together with dealing with landscape, drainage, transport and ecology principles.
- 5.25 The proposal to allow 50% of the total approved floor space for general employment uses does not accord with any specific policy or allocation in the current adopted BDC Development Plan and as such the application has been advertised as contrary to the provisions of the Development Plan.
- 5.26 Based on the planning balance described above, and that the above conditions are imposed/re-imposed, I consider the proposal to amend condition 4 is acceptable and that the council may depart from current Development Plan policy in light of the significant material considerations above.
- 5.27 Such a decision to depart from Development Plan policy does not trigger 'The Direction' requirement to consult the Secretary of State before granting planning permission given the type of development proposed.

Development parameters - building heights and strategic landscaping plans (condition 3)

- 5.28 Variation of conditions 3 is sought to ensure they refer to updated plans which control the development parameters plans in terms of building heights and strategic landscaping.
- 5.29 Previously the building heights plan showed a maximum height of 20m except for an area to the south and south-west where the maximum height fell progressively from 19.8m down to 6m due to the location of Distance Measure Equipment (DME). The DME has been relocated and therefore the applicant requested to raise the height restriction to 20m across this part of the site. An updated Environmental Statement has been produced which considers the revised building parameters. It concludes that no significant effects on landscape designations, landscape features, landscape character, or heritage assets would occur during either the construction phase or operational phase.
- 5.30 Negotiations with the applicants regarding the most sensitive public views of the site where it was proposed to increase building heights up to 20m [when viewed from both the A1270 Broadland Northway and the village of Horsham St Faith to the north] have secured a reduction in maximum building heights of 10m. This relates to an area of the site south of the fire training facilities between the A1270 and the airport perimeter track. Within this specific part of the site the approved building heights parameter plan allowed overall building heights of a minimum of 6m and a maximum of 14m and therefore a maximum height of 10m is considered an acceptable compromise.
- 5.31 The potential landscape/heritage impacts have also been considered in the context of public views now possible given the construction and opening in 2017 of the A1270 Broadland Northway and the footpath and cycleway that has been built in association with the road, which did not exist at the time of the original planning consent in 2013 or the subsequent S73 variation in 2016.
- 5.32 In terms of approved strategic landscaping this was limited to a 1.3m high soil bund with planting on the north-eastern corner of the site and a 5m planting strip on the north-western boundary.
- 5.33 To mitigate the increase in building heights across part of the site and in order to achieve a material benefit in the quantity, type and location of landscaping compared with that approved, officers have negotiated the following additions/enhancements to strategic landscaping:
- south-west edge with A1270: new area of soil bund and 20m wide planting belt
 - north-eastern corner: revisions to approved landscaping to provide soil bunding and 10m wide planting belt
 - eastern edge: new area of soil bund and 5m wide planting belt

- all proposed planting has increased planting densities
- 5.34 In relation to the extant planning permission, the landscape and visual effects of the proposal were assessed and presented within the relevant section of the Environmental Statement. The conclusions drawn within the assessment demonstrated that there would be moderate adverse effects to some locations, and that these would reduce to moderate to minor once the limited screening around the north of the site and the NDR (now A1270 Broadland Northway) are established by year 15. The LVIA as part of the ES did not fully cover landscape or visual assessment within the Norwich area, focusing on landscape character and viewpoints to the north, east and west of the application site within the Broadland area. However, it is not unusual for assessments to rule out the need for covering certain receptors. In this case the Norwich area predominantly contains receptors of low sensitivity, including the Norwich Airport Industrial Estate.
- 5.35 In relation to the current application, the variation of conditions including taller building heights on the southern and south-western part of the site, if approved, enables taller buildings to be positioned within the southern end of the site increasing the likelihood that these could be seen from some locations to the west including the parish of Horsford and travelling along the Broadland Northway and from the North on the opposite side of the Broadland Northway from the village of Horsham St Faith.
- 5.36 In this respect, a balance has been struck between the approved building heights in this area of between 6m and 14m with an overall maximum height of 10m now proposed against the backdrop of the remainder of the approved building heights at 20m.
- 5.37 The application proposes new strategic landscaping, including at this point on the western edge of the proposed development, soil bunding and a 20 planting belt which will be in addition to the soil bunding and land re-profiling which was carried out as part of the construction of the Broadland Northway. The development area for buildings has not changed from that approved and so the landscape setting of the adjacent villages will be maintained, whilst having regard to the existing intervention in the landscape setting that is the Broadland Northway.
- 5.38 Whilst it is likely that buildings will still be visible from public views, including from the A1270, these measures will assist in improving the screening and softening of the development, particularly once the planting has matured, and overall will mitigate the visual impacts to an acceptable level.
- 5.39 I consider the proposal to have an acceptable impact on the character and appearance of the area complying with Policy GC4 of the DMDPD; and does not have a detrimental impact on gaps between settlements or skylines thereby complying with Policy EN2 of the DMDPD.

- 5.40 The impacts of the proposal on the historic environment have been assessed by the Council's Historic Environment Officer [see para 4.13 above]. The conclusion is that the impacts of the proposal on the setting of the heritage assets, including listed buildings and conservation area will cause less than substantial harm
- 5.41 In consideration of the historic environment, regard must be had to: the statutory duties relating to listed buildings and conservation areas [see para 3.6 above]; section 16 of the NPPF relating to conserving and enhancing the historic environment; and Policy 1 of the JCS [heritage assets and the wider historic environment] and Policy EN2 of the DMDPD [conservation areas].
- 5.42 There is some distance between the heritage assets and the site area and this is now bisected by the Broadland Northway opened in 2017. From the village of Horsham St Faith to the north the site is visible with the Broadland Northway screened in part by soil bunding. It is acknowledged that the proposal will cause less than substantial harm to the setting of the heritage assets and as such para 196 of the NPPF is engaged:
- 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 optimal viable use.*
- 5.43 In this regard the extant planning permission on the site is a material consideration as is the assessment of revisions to building heights and new strategic landscaping set out above and which are considered factors of mitigation. In addition, less than substantial harm means the public benefits of the scheme can be weighed against the harm. In this instance, the benefits to the local economy are significant, and providing the impacts of the development are satisfactorily mitigated [as above], this outweighs the level of less than substantial harm.
- 5.44 I consider that the Council has had regard to its statutory duties in terms of the setting of listed buildings and conservation areas and whilst there is a degree of harm to these settings and acknowledged as a consequence of the extant planning permission, the revisions proposed amount to less than substantial harm and the public benefits of the proposal as well as the mitigation proposed in terms of revised building heights and new strategic landscaping are such that the development is considered acceptable and accords with Policy 1 of the JCS and Policy EN2 of the DMDPD.

Phasing and development masterplan (condition 6)

- 5.45 The applicant has applied to vary condition no 6 to refer to a new phasing plan submitted with the application. Following consideration of this plan and the application as a whole, a revised condition is recommended to require a detailed site masterplan setting out how the site would be phased and developed. Given the non-aviation uses now proposed there is a greater

need to coordinate the phasing and layout of the development and to ensure that the delivery of infrastructure to facilitate the growth of future aviation uses at the site.

- 5.46 This would provide the local authority with greater clarity and certainty regarding the master planning and phased development of the site, and to ensure that critical infrastructure and sustainable transport measures are considered at an early stage and embedded as part of the development of the site. As part of this requirement a new phasing plan is requested due to the fact the submitted (and previously approved) phasing plan is rather simplistic and unlikely to reflect how the site would develop in practice.

Biodiversity (condition 20)

- 5.47 Condition 20 concerns the submission of an Environmental Management Plan. It references the Environmental Statement Addendum (2013). The biodiversity chapter of Environmental Statement has subsequently been updated to reflect the 2017 EIA regulations and to update the baseline.
- 5.48 In addition, since the last grant of permission, a revised version of the NPPF has been published which places a greater emphasis on providing a biodiversity net gain (paragraph 175(d)) as referred to in the comments of the County Council's Senior Green Infrastructure Officer [see para 4.14]. An additional clause is therefore added to the condition at (e) to require details and provision of suitable enhancements compatible with airport safeguarding requirements.

Mobility hub (condition 26)

- 5.49 Given that the development is of a strategic size and now includes general employment development not related to aviation, and given the relatively poor accessibility of the site in terms of public transport, it is considered important to maximise the options to travel to and from the site by sustainable modes, in accordance with DMDPD Policy GC4. In discussion with the Transport Officer it is considered the provision of a mobility hub would achieve this aim. This would include an area for a bus pick-up/drop off point, electric vehicle charging points, a car club vehicle(s), and cycle provision/parking. It is anticipated that demand led bus services may become available for sites such as this in the future and the hub would accommodate the infrastructure for this.
- 5.50 A condition is therefore recommended to secure provision of a parcel of land within the development site to deliver this. The developer would provide the hardstanding and roadway with associated drainage, and power connection. The Highway Authority [Norfolk County Council] would provide the mobility hub infrastructure, such as signs and lines, bus shelter, cycle parking, car club vehicles, EV charging points and so on. A new condition no 26 is recommended to secure this.

Ancillary uses restriction (condition 27)

- 5.51 A condition is recommended to set a limit on the amount of ancillary trade counter, display and office use within the non-aviation related units. This is recommended for the avoidance of doubt and in order to safeguard the provision of employment uses with suitable provision of layout, service and parking areas, safe operation and access and designed to accord with the visual amenity of the surrounding area in accordance with DMDPD Policy GC4.

Technical changes to other conditions

- 5.52 The applicant has also sought to revise condition numbers 1, 2, 5, 11, 13 and 25. The changes are technicalities to ensure that the permission reflects the revised form of development proposed and that the conditions refer to the latest set of plans and documents. These changes are considered acceptable.

Other matters

- 5.53 Sprowston Town Council [see para 4.5 above] objects to the non-aviation use in terms of increased traffic movements. Whilst noting this concern, the County Council as Highways Authority has had regard to the 50/50 split in terms on aviation and non-aviation use and has raised no objections subject to conditions which are being applied.
- 5.54 Old Catton Parish Council sought clarification on the routing of construction traffic. The existing planning permission 20161133 includes requirements to submit for approval a Construction Traffic Management Plan – condition 14 and this would be carried forward onto the new planning permission.
- 5.55 An Environmental Statement was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for this application. I am satisfied that adequate information has been submitted in the Environmental Statement to assess the environmental impact of the proposal, and appropriate consultation and publicity has been undertaken to comply with the above Regulations.

As part of my assessment I have considered and assessed the direct and indirect significant effects of the proposed development on the following factors:

- (a) biodiversity, with particular attention to species and habitats protected under EU Directive; and
 - (b) material assets, cultural heritage and the landscape.
- 5.56 The effects of the proposed development have been considered where appropriate and these matters are reported in the relevant sections of this report.

- 5.57 The conclusions on residual environmental effects set out in the 2013 and 2016 Environmental Statements remain consistent with the findings of the new 2017 Environmental Statement accompanying this application. This demonstrates that the proposed development as amended will not give rise to any significant adverse impacts (during either construction and operation phases) and there are no revisions required to the extant planning permission in this regard although condition 20 [as referred to above] has been revised to reflect changes in NPPF relating to Biodiversity Net Gain.
- 5.58 The proposed development is not considered likely to have a significant effect on a protected 'habitats site' and as such does not warrant the need for an Appropriate Assessment.

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

- 5.59 This application is liable for CIL under the Regulations.

Conclusion

- 5.60 The application seeks to amend conditions to allow 50 per cent of the approved floorspace (47,517.5 sqm) to be used for employment purposes not related to aviation. It also seeks to raise building heights on part of the site due to the removal of safeguarding constraints from the location of radar equipment.
- 5.61 In weighing the planning considerations of the proposal, it has been demonstrated through objective evidence commissioned by both the Airport and the City Council that not all the site is likely to be required for aviation related purposes in the future. In addition, an Airport Masterplan has been endorsed by the City Council and supported at officer level by BDC which refers to safeguarding 44% of Site 4 for aviation related purposes, which corresponds to 50% of the development approved under the outline consent.
- 5.62 The findings of the objective evidence and subsequent endorsement of the Airport Masterplan by the City Council and supported at officer level by BDC are significant material considerations in the consideration of this application. Although the site is not formally allocated for general employment development, there is an extant planning permission for development on the site and it is considered that allowing some non-aviation employment development could help deliver some of the essential site infrastructure, increasing the viability of the site for occupancy by aviation related businesses in the future. This would deliver a significant boost to the provision of high skilled jobs in the wider Norwich area with resultant social and economic benefits for the locality.

- 5.63 Whilst the site has weaknesses in terms of accessibility by non-car modes of transport due to its location, it is noted that a new cycle path alongside the NDR now connects the site to St Faith's Road and north Norwich together with Horsham St Faith. In addition, the applicant has committed to providing space for a mobility hub which would be of significant benefit in promoting sustainable forms of transport. The landscape parameters have been significantly enhanced to address sensitivities in terms of public views and the setting of heritage assets and to mitigate increases to the maximum height parameters that have become possible due to the removal of Distance Measuring Equipment at the site.
- 5.64 On this basis, having balanced the planning merits of the proposal and having regard to the material considerations set out above, I consider that there are sufficient reasons to indicate that the application should be approved contrary to the provisions of the Development Plan subject to the imposition of the conditions set out below.

Recommendation: Approve

Proposed conditions and reasons as revised are set out in Appendix B [the conditions are the same as those imposed on Norwich City Council's Decision Notice 18/01621/V C with the reasons tied to BDC Development Plan Policies]

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TOWN AND COUNTRY PLANNING ACT 1990**PLANNING PERMISSION**

Application Number: 18/01621/VC

Valid date of application: 29 October 2018

Decision date: 9 April 2020

Location: Norwich Airport, Amsterdam Way, Norwich, NR6 6JA

Proposal: Variation of conditions 1, 2, 3, 4, 5, 6, 11, 13, 20 and 25 of planning permission 16/00965/VC to allow up to 47,517.5sqm (GEA) of aviation related employment floorspace and 47,517.5sqm (GEA) of general employment floorspace in use classes B1(b), B1(c), B2, B8 and changes to the development parameters, height parameters and phasing plans.

Conditions and Reasons

1. Application for the approval of ALL reserved matters for up to 95,035sqm of aviation and non-aviation related B1(b), B1(c), B2, B8 and D1 use floorspace (as detailed on approved drawing number CE-P-9610 Rev G Development Parameter Plan received 11 March 2020) shall be made to the local planning authority not later than 9 August 2021. The development hereby permitted must be begun in accordance with the "reserved matters" as approved not later than the expiration of TWO years from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

Reason for condition

As required to be imposed by section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to allow sufficient time for submission of reserved matters across the whole of the development site, given the developments scale.

2. Application for the approval of the "reserved matters" shall include plans and descriptions of the:

- (a) details of the layout;
- (b) details of junction form (including tie in) to connect to the Airport roundabout of the Norwich Northern Distributor Road as shown on drawing number CE-P-9610 Rev G Development Parameter Plan received 11 March 2020;
- (c) scale of each building proposed
- (d) the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction; and
- (e) the landscaping of the site.

Approval of these "reserved matters" must be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved.

Reason for condition

The application is submitted in outline form only and the details required are pursuant to the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The reserved matters shall comply with the parameters as defined within the Development Parameters Plan (drawing number CE-P-9610 Rev G received 11 March 2020), the Height Parameter Plan (drawing number CE-P-9611 Rev C received 10 February 2020) and irrespective of any information set out within the Environmental Statement the planting densities shall comply with the details set out in the letter from Barton Willmore dated 11 March 2020 ref 27293/A5/GW/VY.

Reason for condition

For the avoidance of doubt and to ensure a satisfactory form of development in accordance with the parameters which have been assessed, in accordance with policy DM3 of the Development Management Policies Local Plan 2014.

4. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order, with or without modification) and section 55(2)(f) of The Town and Country Planning Act 1990 as amended (or any Act amending, revoking and re-enacting that Act, with or without modification):

(i) up to 47,517.5sqm (GEA) of the floorspace hereby permitted shall only be used for Aviation Related Uses within use classes B1(b), B1(c), B2, B8 and D1 as defined by The Town and Country Planning (Use Classes) Order 1987 as amended (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification) and for no other use or purpose subject to floorspace within use class D1 being limited to a maximum of 16,400sqm.

Aviation Related Uses are defined for the purpose of this condition as:

- (a) Aircraft Maintenance, Supply and Manufacture, including modification, refurbishment and painting;

- (b) Airport and airline administration and ancillary facilities;
- (c) Aircraft fit out;
- (d) Aircraft spray painting and finishing;
- (e) Airport operations and infrastructure;
- (f) Aircraft recycling;
- (g) Hangarage;
- (h) Component (aviation) storage;
- (i) Freight (aviation) storage and handling;
- (j) Aviation and vehicle fuel storage facilities;
- (k) Training Centres including:
 - (i) Airline, aircrew, air traffic, ground crew, fire crew and pilot training centres or raining schools;
 - (ii) Airport training services;
 - (iii) Aircraft engineering and technician training; and
 - (iv) Any other training in support of airport related development;
- (l) Avionics, engine or aircraft parts, maintenance, supply, testing and manufacture;
- (m) Airport equipment and operational infrastructure maintenance supply and manufacture;
- (n) Associated internal highways and infrastructure including roads, carriageways, footpaths, bus terminals, lighting and car parking required in connection with the movement or maintenance of aircraft or the transport of livestock or goods by air;
- (o) Warehousing, cold stores and offices for airfreight handlers, forwarders and agents including parcels or Post Office services;
- (p) Flight packaging, provision services and supply units, including ramp services;
- (q) Businesses that require a location at or adjacent to an airport for the following defined reasons:
 - (i) Due to requirement for immediate access to national or international connectivity for freight;

- (ii) Advanced manufacturing or engineering connected with the airport either through:
 - (1) a direct relationship within an airport occupier or aerospace company through the supply chain; or
 - (2) engineering skills requirements.

Notwithstanding the above and for the avoidance of doubt the following uses are not permitted:

- (a) Air passenger terminal building; and
- (b) Air passenger parking; and

(ii) up to 47,517.5sqm (GEA) of the floorspace hereby permitted shall only be used for non-Aviation Related Uses within use classes B1(b), B1(c), B2, and B8 as defined by The Town and Country Planning (Use Classes) Order 1987 as amended (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification) and for no other use or purpose including within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason for condition

Whilst it has been agreed following a review of available evidence that a proportion of the approved floorspace can be developed for non-aviation purposes, it is necessary to safeguard 47,517.5sqm (GEA) of floorspace for aviation purposes, due to the location of the site which is within Norwich International Airport and the desire to facilitate the growth of the aviation sector in this location, having particular regard to the NPPF, policies 5 and 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policy DM27 of the Development Management Policies Local Plan 2014. It is also necessary to control the use classes given the peripheral location of the site, in accordance with policy DM1 of the Development Management Policies Local Plan 2014.

5. No occupation of any part of the development contained within phase 2 of the phasing plan agreed under condition 6 shall take place until a surface access strategy for Norwich International Airport has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The strategy shall apply to aviation related development and cover the entire area outlined in blue on drawing number MP004 Rev A08 received 22 March 2013 and shall include the following:
 - (a) Existing means of access to the airport for both staff and customers including services and facilities provided for those modes;
 - (b) The vision for means of access to the airport over the next 15 years by all modes of transport and for both staff and customers;

- (c) Measures to make non-car modes of access more usable, desirable and accessible;
- (d) Passenger forecasts;
- (e) Targets and monitoring for passenger and employee mode shares which should seek to increase the modal share of non-car modes;
- (f) Review of car parking needs of all employers within the area taking into account the targets for non-car modal share;
- (g) Review of passenger car parking requirements;
- (h) Provision of promotional material for sustainable modes of access to the terminal and connections to the city centre and rail and bus stations, including directional signage within the airport.

The surface access strategy shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented for the full length of the strategy subject to approved modifications as agreed by the Local Planning Authority in consultation with the Highway Authority.

Reason for the condition

The Transport Assessment accompanying the application concludes that the primary mode of transport to the site will be the private car, and whilst it will be possible to influence travel behaviour through the proposed Travel plan, the potential for this will be limited by the relative inaccessibility of the site. Access to the airport by sustainable forms of transport is generally poor. Whilst it is acknowledged that the developments location is fixed and appropriate due to its aviation related use (and a lack of alternative locations within the airport), in light of the car based traffic generated by the development and in the absence of sustainable transport improvements and a surface access strategy for the airport, the development would be unacceptable when assessed against policy DM27 of the Development Management Policies Local Plan 2014.

6. With the submission of the first reserved matters application a Design Concept Masterplan for the whole site approved as part of this outline permission shall be submitted to the local planning authority for its approval in writing. The Masterplan shall contain the following information:
 - a) phasing plan;
 - b) indicative road layouts and development areas clearly identifying areas for aviation and non-aviation uses;
 - c) landscape and ecology principles and defined areas for strategic landscaping;
 - d) details of provision for pedestrians and cyclists;
 - e) approach to surface water drainage and indicative location of any necessary drainage infrastructure;
 - f) approach to site infrastructure including (where applicable) the provision of water, sewerage, electricity, gas, telecommunications, and broadband including indicative locations of associated plant and equipment;
 - g) location of any new security fencing necessary to safeguard the main airport runway and associated facilities;

h) location of mobility hub as required under condition 26

The development, including all subsequent reserved matters applications shall thereafter adhere to the principles set out within the approved Masterplan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the coordinated planning of the site, in accordance with policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk and policy DM3 of the Development Management Policies Local Plan 2014.

7. Within 6 months of commencement of development of any phase as agreed under Condition no. 6 above, an Interim Travel Plan for that phase shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with Norfolk County Council document `Guidance Notes for the Submission of Travel Plans`.

Reason for condition

To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with the NPPF and policies DM27 and DM28 of the Development Management Policies Local Plan 2014.

8. No occupation of any phase as agreed under condition no. 6 shall take place prior to implementation of the Interim Travel Plan for that phase referred to in condition 7 above. During the first year of occupation an Approved Full Travel Plan for the phase based on the Interim Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason for condition

To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with the NPPF and policies DM27 and DM28 of the Development Management Policies Local Plan 2014.

9. No occupation of the development shall take place until a scheme for the provision of a continuous footway between the airport terminal building and the park and ride site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include detailed plans of the path, including details of materials. The footway shall be provided in full accordance with the approved details not later than 6 months following first occupation of the development and shall be retained as such in perpetuity.

Reason for condition

Given that the developments location is fixed due to its aviation use and lack of alternative locations within the airport and given that the site is fairly unsustainable

in terms of non-car modes of access and there is very limited scope to provide enhanced facilities for non-car modes of access to the site, this can be mitigated by offsetting against the rest of the airport where sustainable access enhancements can be more readily achieved and are likely to be more successful and will ensure the development to comply with the NPPF, policy 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policies DM27 and DM28 of the Development Management Policies Local Plan 2014.

10. No occupation of the development shall take place until a scheme for the provision of a bus pick-up and drop-off area within 100m of the terminal buildings passenger pedestrian entrance has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide detailed plans for a bus pick-up and drop-off point suitable for a 12m rigid vehicle as well as a passenger shelter. The bus pick-up and drop-off area shall be provided in full accordance with the approved details not later than 6 months following first occupation of the development and shall be retained as such in perpetuity.

Reason for condition

Given that the developments location is fixed due to its aviation use and lack of alternative locations within the airport and given that the site is fairly unsustainable in terms of non-car modes of access and there is very limited scope to provide enhanced facilities for non-car modes of access to the site, this can be mitigated by offsetting against the rest of the airport where sustainable access enhancements can be more readily achieved and are likely to be more successful and will ensure the development to comply with the NPPF, policy 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policies DM27 and DM28 of the Development Management Policies Local Plan 2014.

11. Prior to the occupation of phase 2 as agreed under condition no. 6 a scheme for the provision of a bus link and bus gate between the terminal building and Spitfire Road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide plans and details for the provision of a bus link and bus restrictive access gate between the terminal building and Spitfire Road as well as a timetable for the physical implementation of the bus link and gate. The bus link and gate shall be provided in full accordance with the approved details and timetable for provision and shall be retained as such in perpetuity.

Reason for condition

Given that the developments location is fixed due to its aviation use and lack of alternative locations within the airport and given that the site is fairly unsustainable in terms of non-car modes of access and there is very limited scope to provide enhanced facilities for non-car modes of access to the site, this can be mitigated by offsetting against the rest of the airport where sustainable access enhancements can be more readily achieved and are likely to be more successful and will ensure the development to comply with the NPPF, policy 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policies DM27 and DM28 of the Development Management Policies Local Plan 2014.

12. No development of any phase as agreed under condition 6 shall take place until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason for condition

To ensure adequate off-street parking during construction in the interests of highway safety in accordance with policy DM30 of the Development Management Policies Local Plan 2014.

13. Notwithstanding the details provided in Volume 3 of the Transport Assessment (received on 07 June 2013) the car parking and cycle parking levels for the development shall be agreed at the Reserved Matters stage.

Reason for condition

To ensure the parking levels are appropriate for the final mix and layout of uses proposed and have regard to the likely employment levels for each phase have regard to policies DM27, DM28 and DM31 of the Development Management Policies Local Plan 2014.

14. No development of any phase as agreed under condition no. 6 shall take place until a Construction Traffic Management Plan and Access Route for that phase has been submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic. For the duration of the construction period for each phase all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.

Reason for condition

In the interests of maintaining highway efficiency and safety in accordance with policy DM30 of the Development Management Policies Local Plan 2014.

15. No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. For the duration of the construction period all traffic associated with the construction of the development hereby permitted shall use the approved wheel cleaning facilities. Any variation to the siting or location of the agreed facilities shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition

To prevent extraneous material being deposited on the highway, in accordance with policy DM30 of the Development Management Local Plan 2014.

16. Prior to the approval of the reserved matters application for each phase of the development, the detailed designs of the surface water drainage scheme for the site, based on infiltration drainage to permeable paving and infiltration basins as outlined in the amended Flood Risk Assessment by RMA Environmental Ltd dated 16 June 2016 and 4th June 2013, Drainage and SUDS Report by Morgan Sindall dated 31st May 2013, and supplementary email and modelling calculations from Matthew Quinn of Morgan Sindall dated 3rd July 2013, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the phase is completed and retained for the duration of the development. The scheme shall also include:
- (a) Infiltration testing in accordance with BRE365 in the location of the infiltration features, and the resulting infiltration rates used in the design of the scheme to ensure that the features will store and drain the volume of surface water generated in the 1 in 100 year rainfall event including climate change, with appropriate half drain times to allow subsequent rainfall events to be accommodated.
 - (b) Modelling of the conveyance network to demonstrate that there will be no above ground flooding in the 1 in 30 year rainfall event and that any volumes of flooding in the 1 in 100 year rainfall event are able to be contained.

Reason for condition

To ensure that the development does not adversely contribute to surface water flooding and contributes towards climate change adaptation, and is maintained in the long term in accordance with section 10 of the NPPF, and policy DM5 of the emerging Development Management Policies Local Plan 2014.

17. Prior to the occupation of each phase of the development as agreed under condition no. 6 a maintenance schedule for each aspect of the surface water drainage scheme and details of who will maintain the surface water drainage scheme for the lifetime of the development and shall be submitted to, and approved by, the Local Planning Authority. The drainage scheme shall thereafter be maintained in accordance with the approved details.

Reason for condition

To ensure that the development does not adversely contribute to surface water flooding and contributes towards climate change adaptation, and is maintained in the long term in accordance with section 10 of the NPPF, and policy DM5 of the emerging Development Management Policies Local Plan 2014.

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason for condition

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with paragraphs 120-122 of the NPPF, and policy DM11 of the Development Management Policies Local Plan 2014.

19. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason for condition

To ensure that risks from land contamination to controlled waters are minimised in accordance with 120-122 of the NPPF, and policy DM11 of the Development Management Policies Local Plan 2014.

20. No works shall take place within the site in pursuance of this permission until an Environmental Management Plan setting out a programme of ecological mitigation and biodiversity enhancement during construction and operation has been submitted to and approved by the local planning authority. The Environmental Management Plan must specifically address impacts on protected species, including the following measures:

- (a) Identification of the presence or otherwise of Sandy Stilt Puffball within the site and appropriate mitigation to avoid committing a legal offence and any adverse impact on his species.
- (b) Minimising adverse impacts on bats arising from lighting including the implementation of a vegetated bund (earth bund to be 1.3m high with vegetation to a minimum overall height of 2m) at the north-eastern corner of the site and strategic landscape planting to the north-western and western corners of the site.
- (c) Confirming the absence of reptiles within the development site. Reptile surveys must be carried out prior to the commencement of development. The surveys must be conducted no later than 2 years prior to the date of commencement, carried out between the months of August and September and if it is required, any mitigation agreed in writing with the Local Planning Authority.
- (d) A programme of mitigation associated with Great Crested Newt as set out in paragraphs 15.17A and 15.17B of the Norwich Aeropark, Norwich International Airport, Environmental Statement Addendum - Updated chapters and figures from Volume 1 and appendices from Volume 2, June 2013 as updated by the Biodiversity chapter of the Environmental Statement, October 2018. The requirement for a Great Crested Newt licence should also be addressed.
- (e) A programme of biodiversity enhancements compatible with airport safeguarding requirements

- (f) The programme of mitigation and enhancements works shall be undertaken in accordance with the approved Environmental Management Plan.

Reason for condition

To ensure the ecological interest of the site, in terms of both wildlife and habitat, is fully considered and taken into account during the development of the site and that appropriate ecological mitigation and enhancement is carried out as part of the development process, in accordance with section 15 of the NPPF, and policies DM1 and DM6 of the Development Management Policies Local Plan 2014.

- 21. No development of any phase as agreed under condition 6 shall take place until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
 - (a) The programme and methodology of site investigation and recording.
 - (b) The programme for post investigation assessment
 - (c) Provision to be made for analysis of the site investigation and recording
 - (d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - (e) Provision to be made for archive deposition of the analysis and records of the site investigation
 - (f) Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the Written Scheme of Investigation for that phase. The written scheme of investigation, site investigation and post investigation assessment for each phase are likely to require investigation beyond the boundaries of the individual phase of development. The exact boundaries of investigation for each phase are to be determined as part of the written scheme of investigation.

The development shall not be occupied until the site investigation and post investigation assessment for each phase has been completed in accordance with the programme set out in the Written Scheme of Investigation and provision has been made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason for condition

To protect potential archaeological remains (Heritage Assets) on the site and to comply with section 12 of the NPPF, policy 1 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policy DM9 of the Development Management Policies Local Plan 2014. The condition is pre-commencement as it is essential that the archaeological assets of the site are investigated prior to commencement in order to avoid any harm to those assets.

22. No development of any phase as agreed under condition 6 shall take place in pursuance of this permission until details have been submitted to and agreed in writing by the local planning authority for the provision of fire hydrant/s (served by mains water supply) for that phase. No occupation of that phase of development shall take place until the applicant has provided the hydrant and made it available for use in accordance with the details as agreed and, once provided, it shall be retained as such thereafter.

Reason for condition

To ensure that adequate provision is made for fire hydrant infrastructure required for health and safety purposes as a direct result of the development hereby approved, in accordance with policy 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014.

23. No development of any phase as agreed under condition 6 shall take place in pursuance of this permission until a scheme for that phase for the generating of a minimum of 10% of the predicted energy requirement (kWh) of the development from decentralised renewable and/or low carbon sources (as defined in the GNDP Joint Core Strategy, March 2011, Appendix 9) has been submitted to and approved in writing by the Local Planning Authority. No occupation of that phase shall take place until the approved scheme has been implemented and made operational and the approved scheme shall remain operational for the lifetime of the development.

Reason for condition

To secure at least 10% of the site's energy from decentralised and renewable or low carbon sources to accord with policy 3 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014.

24. No aircraft with its engines running is to make use of the development hereby permitted including the taxiways between 23:00 and 06:00 except:
- (a) in an emergency where there is risk of life and limb;
 - (b) an aircraft has landed which for reasons of safety required urgent or immediate landing;
 - (c) a flight scheduled for arrival outside the above hours has been unavoidably delayed.

Reason for condition

In the interests of the amenities of local residents in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

25. Noise emitted from the site shall not exceed the levels quoted in Table 9.11 of Chapter 9 of the Environmental Statement, October 2018, when monitored at or by calculation to the receptors in this table. All measurements shall be taken in accordance with BS4142 (1997) Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas. Prior to the use of the building, details of the plant and machinery shall be submitted in order to demonstrate compliance with these levels.

Reason for condition

In the interests of the amenities of local residents in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

26. With the submission of the first reserved matters application details of an area within the site to enable the provision of a mobility hub by the Highway Authority shall be provided to the Local Planning Authority for its approval in writing. The details shall include the following:
- a) details of a roadway, hardsurfacing, drainage and power connection sufficient to accommodate the hub and provide space for the following infrastructure to be provided by the Highway Authority:
 - Space for a bus stop and turnaround facility with passenger shelter;
 - Space for a bike share scheme bike dock for 12 no. bikes
 - Space for 2 no. car club vehicles
 - Space for the provision of 6 no. cycle stands
 - Space for the provision of a fast/rapid electric vehicle charging point for a minimum of 4 no. vehicles
 - Space to provide adequate lighting for the mobility hub.
 - b) details of the siting and specification of the roadway and hardstanding;
 - c) details of drainage;
 - d) details of power connections for the EV charge points and lighting as required;
 - e) a timetable for delivery and maintenance plan for the roadway, hardsurfacing, associated drainage and power connections.

Prior to the occupation of any development approved as part of phase 2 agreed under condition no. 6, the roadway, hardsurfacing, drainage and power connection in accordance with the approved details shall be provided and made available to allow provision of the mobility hub by the Highway Authority. Once provided the hub shall be made available for use by the public and retained as such for as long as the Highway Authority continues to operate it. The roadway, hardsurfacing, drainage and power connections shall be maintained in accordance with the approved details.

The mobility hub may be relocated to a suitable alternative position within the site if agreed in writing by the Local Planning Authority in consultation with the Highway Authority.

This condition shall not apply in the event that, following a request from the developer, the Highway Authority confirms in writing that it does not intend to deliver a mobility hub at this location OR in the event the Highway Authority does not deliver a hub within 3 years of the roadway, hardsurfacing and power connection being made available by the developer.

Reason: The approved development now includes non-aviation related business uses of a significant scale at a location which is currently not very well served by public transport or sustainable modes of transport. The development should therefore maximise opportunities to allow travel by sustainable modes and be future-proofed to provide infrastructure for demand-led bus services, and a range

of other sustainable modes of transport which may be provided at a future date, in accordance with policies DM1 and DM28 of the Norwich Development Management Policies Local Plan 2014.

27. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any order revoking or re-enacting that order, the floor-space devoted to trade sales, display and ancillary office of the individual non-aviation related B1(c) and B8 building units hereby approved shall be limited to a maximum of 20% of the total internal floor area of each unit and for the individual non-aviation related B2 building units shall be limited to a maximum of 30% of the total internal floor area of each unit. There shall be no amalgamation or sub division of individual units.

Reason for condition

For the avoidance of doubt and in order to safeguard the provision of employment uses with suitable provision of layout, service and parking areas, safe operation and access and designed to accord with the visual amenity of the surrounding area in accordance with policies DM2, DM3, DM16, DM17, DM30 and DM31 of the Development Management Policies Local Plan 2014.

Informatives

1. The applicant/agent/occupier is advised that the development should be operated in strict accordance with the Norwich Airport Operating Framework Agreement dated 1 August 2012 (or as amended by a later version of that document submitted to and approved in writing by the local planning authority).
2. The applicant/developer is advised that condition 21 is anticipated to involve a mitigation strategy and mitigation works which would comprise a strip, map and sample exercise. This will effectively amount to a watching brief over large areas

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as details within the Environmental Statement, the development plan, national planning policy and other material considerations and following negotiations with the applicant has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



Mark Brown
Area Development Manager
Planning Services

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

To approve application 20181762 and grant planning permission subject to the following conditions:

1. Application for the approval of ALL reserved matters for up to 95,035 sqm of aviation and non-aviation related B1(b), B1(c), B2, B8 and D1 use floorspace (as detailed on approved drawing number CE-P-9610 Rev G Development Parameter Plan received 11 March 2020) shall be made to the local planning authority not later than 9 August 2021. The development hereby permitted must be begun in accordance with the “reserved matters” as approved not later than the expiration of TWO years from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

Reason for condition

As required to be imposed by section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to allow sufficient time for submission of reserved matters across the whole of the development site, given the developments scale.

2. Application for the approval of the “reserved matters” shall include plans and descriptions of the:
 - (a) details of the layout;
 - (b) details of junction form (including tie in) to connect to the Airport roundabout of the Norwich Northern Distributor Road as shown on drawing number CE-P-9610 Rev G Development Parameter Plan received 11 March 2020;
 - (c) scale of each building proposed
 - (d) the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction; and
 - (e) the landscaping of the site.

Approval of these “reserved matters” must be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved.

Reason for condition

The application is submitted in outline form only and the details required are pursuant to the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The reserved matters shall comply with the parameters as defined within the Development Parameters Plan (drawing number CE-P-9610 Rev G received

11 March 2020), the Height Parameter Plan (drawing number CE-P-9611 Rev C received 11 February 2020) and irrespective of any information set out within the Environmental Statement the planting densities shall comply with the details set out in the letter from Barton Willmore dated 11 March 2020 ref 27293/A5/GW/VY.

Reason for condition

For the avoidance of doubt and to ensure a satisfactory form of development in accordance with the parameters which have been assessed, in accordance with Policy GC4 of the Broadland Development Management DPD (2015).

4. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order, with or without modification) and section 55(2) (f) of The Town and Country Planning Act 1990 as amended (or any Act amending, revoking and re-enacting that Act, with or without modification):

(i) up to 47,517.5 sqm (GEA) of the floorspace hereby permitted shall only be used for Aviation Related Uses within use classes B1(b), B1(c), B2, B8 and D1 as defined by The Town and Country Planning (Use Classes) Order 1987 as amended (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification) and for no other use or purpose subject to floorspace within use class D1 being limited to a maximum of 16,400 sqm.

Aviation Related Uses are defined for the purpose of this condition as:

- (a) Aircraft Maintenance, Supply and Manufacture, including modification, refurbishment and painting;
- (b) Airport and airline administration and ancillary facilities;
- (c) Aircraft fit out;
- (d) Aircraft spray painting and finishing;
- (e) Airport operations and infrastructure;
- (f) Aircraft recycling;
- (g) Hangarage;
- (h) Component (aviation) storage;
- (i) Freight (aviation) storage and handling;
- (j) Aviation and vehicle fuel storage facilities;

- (k) Training Centres including:
 - (i) Airline, aircrew, air traffic, ground crew, fire crew and pilot training centres or raining schools;
 - (ii) Airport training services;
 - (iii) Aircraft engineering and technician training; and
 - (iv) Any other training in support of airport related development;
- (l) Avionics, engine or aircraft parts, maintenance, supply, testing and manufacture;
- (m) Airport equipment and operational infrastructure maintenance supply and manufacture;
- (n) Associated internal highways and infrastructure including roads, carriageways, footpaths, bus terminals, lighting and car parking required in connection with the movement or maintenance of aircraft or the transport of livestock or goods by air;
- (o) Warehousing, cold stores and offices for airfreight handlers, forwarders and agents including parcels or Post Office services;
- (p) Flight packaging, provision services and supply units, including ramp services;
- (q) Businesses that require a location at or adjacent to an airport for the following defined reasons:
 - (i) Due to requirement for immediate access to national or international connectivity for freight;
 - (ii) Advanced manufacturing or engineering connected with the airport either through:
 - (1) a direct relationship within an airport occupier or aerospace company through the supply chain; or
 - (2) engineering skills requirements.

Notwithstanding the above and for the avoidance of doubt the following uses are not permitted:

- (a) Air passenger terminal building; and
- (b) Air passenger parking; and

(ii) up to 47,517.5 sqm (GEA) of the floorspace hereby permitted shall only be used for non-Aviation Related Uses within use classes B1(b), B1(c), B2, and B8 as defined by The Town and Country Planning (Use Classes) Order 1987 as amended (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification) and for no other use or purpose including within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason for condition

Whilst it has been agreed following a review of available evidence that a proportion of the approved floorspace can be developed for non-aviation purposes, it is necessary to safeguard 47,517.5sqm (GEA) of floorspace for aviation purposes, due to the location of the site which is within Norwich International Airport and the desire to facilitate the growth of the aviation sector in this location, having particular regard to the NPPF, policies 5 and 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and in accordance with policy TS5 of the Broadland Development Management DPD (2015). It is also necessary to control the use classes given the peripheral location of the site, in accordance with policy GC4 of the Broadland Development Management DPD (2015).

5. No occupation of any part of the development contained within phase 2 of the phasing plan agreed under condition 6 shall take place until a surface access strategy for Norwich International Airport has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The strategy shall apply to aviation related development and cover the entire area outlined in blue on drawing number MP004 Rev A08 received 22 March 2013 and shall include the following:
 - (a) Existing means of access to the airport for both staff and customers including services and facilities provided for those modes;
 - (b) The vision for means of access to the airport over the next 15 years by all modes of transport and for both staff and customers;
 - (c) Measures to make non-car modes of access more usable, desirable and accessible;
 - (d) Passenger forecasts;
 - (e) Targets and monitoring for passenger and employee mode shares which should seek to increase the modal share of non-car modes;
 - (f) Review of car parking needs of all employers within the area taking into account the targets for non-car modal share;
 - (g) Review of passenger car parking requirements;

- (h) Provision of promotional material for sustainable modes of access to the terminal and connections to the city centre and rail and bus stations, including directional signage within the airport.

The surface access strategy shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented for the full length of the strategy subject to approved modifications as agreed by the Local Planning Authority in consultation with the Highway Authority.

Reason for the condition

The Transport Assessment accompanying the application concludes that the primary mode of transport to the site will be the private car, and whilst it will be possible to influence travel behaviour through the proposed Travel plan, the potential for this will be limited by the relative inaccessibility of the site. Access to the airport by sustainable forms of transport is generally poor. Whilst it is acknowledged that the developments location is fixed and appropriate due to its aviation related use (and a lack of alternative locations within the airport), in light of the car based traffic generated by the development and in the absence of sustainable transport improvements and a surface access strategy for the airport, the development would be unacceptable when assessed against policy TS2, TS5 and GC4 of the Broadland Development Management DPD (2015).

6. With the submission of the first reserved matters application a Design Concept Masterplan for the whole site approved as part of this outline permission shall be submitted to the local planning authority for its approval in writing. The Masterplan shall contain the following information:
 - (a) phasing plan;
 - (b) indicative road layouts and development areas clearly identifying areas for aviation and non-aviation uses;
 - (c) landscape and ecology principles and defined areas for strategic landscaping;
 - (d) details of provision for pedestrians and cyclists;
 - (e) approach to surface water drainage and indicative location of any necessary drainage infrastructure;
 - (f) approach to site infrastructure including (where applicable) the provision of water, sewerage, electricity, gas, telecommunications, and broadband including indicative locations of associated plant and equipment;
 - (g) location of any new security fencing necessary to safeguard the main airport runway and associated facilities;

(h) location of mobility hub as required under condition 26.

The development, including all subsequent reserved matters applications shall thereafter adhere to the principles set out within the approved Masterplan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the coordinated planning of the site, in accordance with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk and policy GC4 of the Broadland Development Management DPD (2015).

7. Within 6 months of commencement of development of any phase as agreed under Condition no 6 above, an Interim Travel Plan for that phase shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with Norfolk County Council document 'Guidance Notes for the Submission of Travel Plans'.

Reason for condition

To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with the NPPF and Policies TS2, TS5 and GC4 of the Broadland Development Management DPD (2015).

8. No occupation of any phase as agreed under condition no. 6 shall take place prior to implementation of the Interim Travel Plan for that phase referred to in condition 7 above. During the first year of occupation an Approved Full Travel Plan for the phase based on the Interim Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason for condition

To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with the NPPF and Policies TS2, TS5 and GC4 of the Broadland Development Management DPD (2015).

9. No occupation of the development shall take place until a scheme for the provision of a continuous footway between the airport terminal building and the park and ride site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include detailed plans of the path, including details of materials. The footway shall be provided in full accordance with the approved details not later than 6 months following first occupation of the development and shall be retained as such in perpetuity.

Reason for condition

Given that the developments location is fixed due to its aviation use and lack of alternative locations within the airport and given that the site is fairly unsustainable in terms of non-car modes of access and there is very limited scope to provide enhanced facilities for non-car modes of access to the site, this can be mitigated by offsetting against the rest of the airport where sustainable access enhancements can be more readily achieved and are likely to be more successful and will ensure the development to comply with the NPPF, policy 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policies TS5 and GC4 of the Broadland Development Management DPD (2015).

10. No occupation of the development shall take place until a scheme for the provision of a bus pick-up and drop-off area within 100m of the terminal buildings passenger pedestrian entrance has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide detailed plans for a bus pick-up and drop-off point suitable for a 12m rigid vehicle as well as a passenger shelter. The bus pick-up and drop-off area shall be provided in full accordance with the approved details not later than 6 months following first occupation of the development and shall be retained as such in perpetuity.

Reason for condition

Given that the developments location is fixed due to its aviation use and lack of alternative locations within the airport and given that the site is fairly unsustainable in terms of non-car modes of access and there is very limited scope to provide enhanced facilities for non-car modes of access to the site, this can be mitigated by offsetting against the rest of the airport where sustainable access enhancements can be more readily achieved and are likely to be more successful and will ensure the development to comply with the NPPF, policy 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policies TS5 and GC4 of the Broadland Development Management DPD (2015).

11. Prior to the occupation of phase 2 as agreed under condition no. 6 a scheme for the provision of a bus link and bus gate between the terminal building and Spitfire Road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide plans and details for the provision of a bus link and bus restrictive access gate between the terminal building and Spitfire Road as well as a timetable for the physical implementation of the bus link and gate. The bus link and gate shall be provided in full accordance with the approved details and timetable for provision and shall be retained as such in perpetuity.

Reason for condition

Given that the developments location is fixed due to its aviation use and lack of alternative locations within the airport and given that the site is fairly unsustainable in terms of non-car modes of access and there is very limited scope to provide enhanced facilities for non-car modes of access to the site, this can be mitigated by offsetting against the rest of the airport where sustainable access enhancements can be more readily achieved and are likely to be more successful and will ensure the development to comply with the NPPF, policy 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policies TS5 and GC4 of the Broadland Development Management DPD (2015).

12. No development of any phase as agreed under condition 6 shall take place until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason for condition

To ensure adequate off-street parking during construction in the interests of highway safety in accordance with policy TS3 of the Broadland Development Management DPD (2015).

13. Notwithstanding the details provided in Volume 3 of the Transport Assessment (received on 07 June 2013) the car parking and cycle parking levels for the development shall be agreed at the Reserved Matters stage.

Reason for condition

To ensure the parking levels are appropriate for the final mix and layout of uses proposed and have regard to the likely employment levels for each phase having regard to Policies TS3 and TS4 of the Broadland Development Management DPD (2015).

14. No development of any phase as agreed under condition no. 6 shall take place until a Construction Traffic Management Plan and Access Route for that phase has been submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic. For the duration of the construction period for each phase all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.

Reason for condition

In the interests of maintaining highway efficiency and safety in accordance with policies GC4 and TS3 of the Broadland Development Management DPD (2015).

15. No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. For the duration of the construction period all traffic associated with the construction of the development hereby permitted shall use the approved wheel cleaning facilities. Any variation to the siting or location of the agreed facilities shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition

To prevent extraneous material being deposited on the highway, in accordance with Policies GC4 and TS3 of the Broadland Development Management DPD (2015).

16. Prior to the approval of the reserved matters application for each phase of the development, the detailed designs of the surface water drainage scheme for the site, based on infiltration drainage to permeable paving and infiltration basins as outlined in the amended Flood Risk Assessment by RMA Environmental Ltd dated 16 June 2016 and 4th June 2013, Drainage and SUDS Report by Morgan Sindall dated 31st May 2013, and supplementary email and modelling calculations from Matthew Quinn of Morgan Sindall dated 3rd July 2013, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the phase is completed and retained for the duration of the development. The scheme shall also include:
 - (a) Infiltration testing in accordance with BRE365 in the location of the infiltration features, and the resulting infiltration rates used in the design of the scheme to ensure that the features will store and drain the volume of surface water generated in the 1 in 100 year rainfall event including climate change, with appropriate half drain times to allow subsequent rainfall events to be accommodated.
 - (b) Modelling of the conveyance network to demonstrate that there will be no above ground flooding in the 1 in 30 year rainfall event and that any volumes of flooding in the 1 in 100 year rainfall event are able to be contained.

Reason for condition

To ensure that the development does not adversely contribute to surface water flooding and contributes towards climate change adaptation and is

maintained in the long term in accordance with section 14 of the NPPF, and Policy CSU5 of the Broadland Development Management DPD (2015).

17. Prior to the occupation of each phase of the development as agreed under condition no. 6 a maintenance schedule for each aspect of the surface water drainage scheme and details of who will maintain the surface water drainage scheme for the lifetime of the development and shall be submitted to, and approved by, the Local Planning Authority. The drainage scheme shall thereafter be maintained in accordance with the approved details.

Reason for condition

To ensure that the development does not adversely contribute to surface water flooding and contributes towards climate change adaptation and is maintained in the long term in accordance with section 14 of the NPPF, and policy CSU5 of the Broadland Development Management DPD (2015).

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason for condition

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with paragraphs 178-179 of the NPPF, and policy EN4 of the Broadland Development Management DPD (2015).

19. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason for condition

To ensure that risks from land contamination to controlled waters are minimised in accordance with paragraphs 178-179 of the NPPF, and policy EN4 of the Broadland Development Management DPD (2015).

20. No works shall take place within the site in pursuance of this permission until an Environmental Management Plan setting out a programme of ecological mitigation and biodiversity enhancement during construction and operation

has been submitted to and approved by the local planning authority. The Environmental Management Plan must specifically address impacts on protected species, including the following measures:

- (a) Identification of the presence or otherwise of Sandy Stilt Puffball within the site and appropriate mitigation to avoid committing a legal offence and any adverse impact on his species.
- (b) Minimising adverse impacts on bats arising from lighting including the implementation of a vegetated bund (earth bund to be 1.3m high with vegetation to a minimum overall height of 2m) at the north-eastern corner of the site and strategic landscape planting to the north-western and western corners of the site.
- (c) Confirming the absence of reptiles within the development site. Reptile surveys must be carried out prior to the commencement of development. The surveys must be conducted no later than 2 years prior to the date of commencement, carried out between the months of August and September and if it is required, any mitigation agreed in writing with the Local Planning Authority.
- (d) A programme of mitigation associated with Great Crested Newt as set out in paragraphs 15.17A and 15.17B of the Norwich Aeropark, Norwich International Airport, Environmental Statement Addendum - Updated chapters and figures from Volume 1 and appendices from Volume 2, June 2013 as updated by the Biodiversity chapter of the Environmental Statement, October 2018. The requirement for a Great Crested Newt licence should also be addressed.
- (e) A programme of biodiversity enhancements compatible with airport safeguarding requirements
- (f) The programme of mitigation and enhancements works shall be undertaken in accordance with the approved Environmental Management Plan.

Reason for condition

To ensure the ecological interest of the site, in terms of both wildlife and habitat, is fully considered and taken into account during the development of the site and that appropriate ecological mitigation and enhancement is carried out as part of the development process, in accordance with section 15 of the NPPF and Policy EN1 of the Broadland Development Management DPD (2015).

- 21. No development of any phase as agreed under condition 6 shall take place until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

- (a) The programme and methodology of site investigation and recording.
- (b) The programme for post investigation assessment
- (c) Provision to be made for analysis of the site investigation and recording
- (d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- (e) Provision to be made for archive deposition of the analysis and records of the site investigation
- (f) Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the Written Scheme of Investigation for that phase. The written scheme of investigation, site investigation and post investigation assessment for each phase are likely to require investigation beyond the boundaries of the individual phase of development. The exact boundaries of investigation for each phase are to be determined as part of the written scheme of investigation.

The development shall not be occupied until the site investigation and post investigation assessment for each phase has been completed in accordance with the programme set out in the Written Scheme of Investigation and provision has been made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason for condition

To protect potential archaeological remains (Heritage Assets) on the site and to comply with section 16 of the NPPF, policy 1 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014. The condition is pre-commencement as it is essential that the archaeological assets of the site are investigated prior to commencement in order to avoid any harm to those assets.

22. No development of any phase as agreed under condition 6 shall take place in pursuance of this permission until details have been submitted to and agreed in writing by the local planning authority for the provision of fire hydrant/s (served by mains water supply) for that phase. No occupation of that phase of development shall take place until the applicant has provided the hydrant and made it available for use in accordance with the details as agreed and, once provided, it shall be retained as such thereafter.

Reason for condition

To ensure that adequate provision is made for fire hydrant infrastructure required for health and safety purposes as a direct result of the development

hereby approved, in accordance with policy 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014.

23. No development of any phase as agreed under condition 6 shall take place in pursuance of this permission until a scheme for that phase for the generating of a minimum of 10% of the predicted energy requirement (kWh) of the development from decentralised renewable and/or low carbon sources (as defined in the GNDP Joint Core Strategy, March 2011, Appendix 9) has been submitted to and approved in writing by the Local Planning Authority. No occupation of that phase shall take place until the approved scheme has been implemented and made operational and the approved scheme shall remain operational for the lifetime of the development.

Reason for condition

To secure at least 10% of the site's energy from decentralised and renewable or low carbon sources to accord with policy 3 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014.

24. No aircraft with its engines running is to make use of the development hereby permitted including the taxiways between 23:00 and 06:00 except:
- (a) in an emergency where there is risk of life and limb;
 - (b) an aircraft has landed which for reasons of safety required urgent or immediate landing;
 - (c) a flight scheduled for arrival outside the above hours has been unavoidably delayed.

Reason for condition

In the interests of the amenities of local residents in accordance with policy GC4 of the Broadland Development Management DPD (2015).

25. Noise emitted from the site shall not exceed the levels quoted in Table 9.11 of Chapter 9 of the Environmental Statement, October 2018, when monitored at or by calculation to the receptors in this table. All measurements shall be taken in accordance with BS4142 (1997) Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas. Prior to the use of the building, details of the plant and machinery shall be submitted in order to demonstrate compliance with these levels.

Reason for condition

In the interests of the amenities of local residents in accordance with policy GC4 of the Broadland Development Management DPD (2015).

26. With the submission of the first reserved matters application details of an area within the site to enable the provision of a mobility hub by the Highway

Authority shall be provided to the Local Planning Authority for its approval in writing. The details shall include the following:

- (a) details of a roadway, hardsurfacing, drainage and power connection sufficient to accommodate the hub and provide space for the following infrastructure to be provided by the Highway Authority:
 - Space for a bus stop and turnaround facility with passenger shelter;
 - Space for a bike share scheme bike dock for 12 no. bikes
 - Space for 2 no. car club vehicles
 - Space for the provision of 6 no. cycle stands
 - Space for the provision of a fast/rapid electric vehicle charging point for a minimum of 4 no. vehicles
 - Space to provide adequate lighting for the mobility hub.
- (b) details of the siting and specification of the roadway and hardstanding;
- (c) details of drainage;
- (d) details of power connections for the EV charge points and lighting as required;
- (e) a timetable for delivery and maintenance plan for the roadway, hardsurfacing, associated drainage and power connections.

Prior to the occupation of any development approved as part of phase 2 agreed under condition no. 6, the roadway, hardsurfacing, drainage and power connection in accordance with the approved details shall be provided and made available to allow provision of the mobility hub by the Highway Authority. Once provided the hub shall be made available for use by the public and retained as such for as long as the Highway Authority continues to operate it. The roadway, hardsurfacing, drainage and power connections shall be maintained in accordance with the approved details.

The mobility hub may be relocated to a suitable alternative position within the site if agreed in writing by the Local Planning Authority in consultation with the Highway Authority.

This condition shall not apply in the event that, following a request from the developer, the Highway Authority confirms in writing that it does not intend to deliver a mobility hub at this location OR in the event the Highway Authority does not deliver a hub within 3 years of the roadway, hardsurfacing and power connection being made available by the developer.

Reason: The approved development now includes non-aviation related business uses of a significant scale at a location which is currently not very well served by public transport or sustainable modes of transport. The development should therefore maximise opportunities to allow travel by sustainable modes and be future-proofed to provide infrastructure for

demand-led bus services, and a range of other sustainable modes of transport which may be provided at a future date, in accordance with policies GC4 and TS2 of the Broadland Development Management DPD (2015).

27. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any order revoking or re-enacting that order, the floor-space devoted to trade sales, display and ancillary office of the individual non-aviation related B1(c) and B8 building units hereby approved shall be limited to a maximum of 20% of the total internal floor area of each unit and for the individual non-aviation related B2 building units shall be limited to a maximum of 30% of the total internal floor area of each unit. There shall be no amalgamation or sub division of individual units.

Reason for condition

For the avoidance of doubt and in order to safeguard the provision of employment uses with suitable provision of layout, service and parking areas, safe operation and access and designed to accord with the visual amenity of the surrounding area in accordance with policies GC4, TS3 and TS4 of the Broadland Development Management DPD (2015).

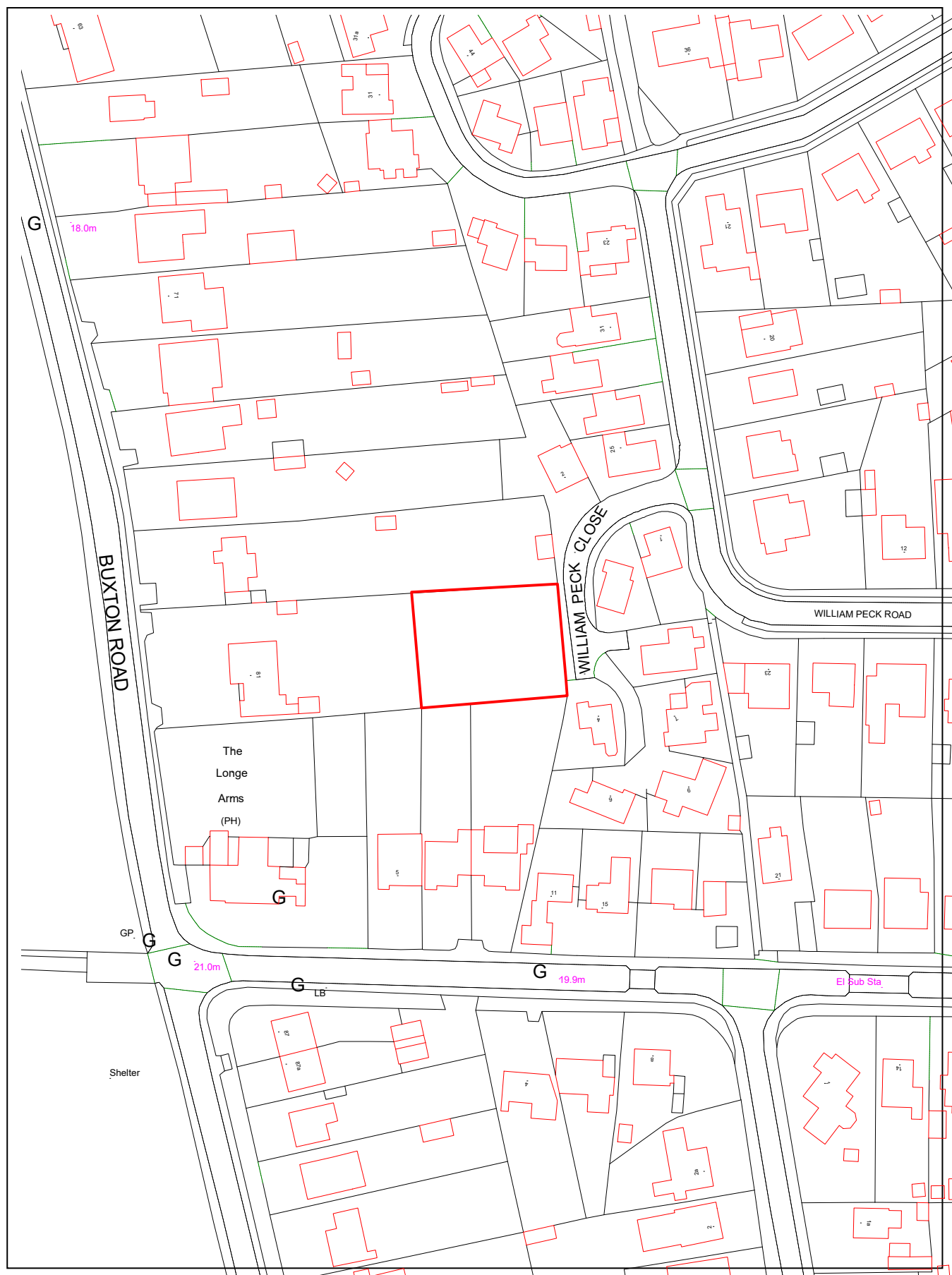
Informatives:

1. The Local Planning Authority confirm it has taken a positive and proactive approach to reach this decision in accordance with the requirements of the National Planning Policy Framework.
2. The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is determined. Further information about CIL can be found at <https://www.broadland.gov.uk/CIL>
3. The applicant/agent/occupier is advised that the development should be operated in strict accordance with the Norwich Airport Operating Framework Agreement dated 1 August 2012 (or as amended by a later version of that document submitted to and approved in writing by the Local Planning Authority).
4. The applicant/developer is advised that condition 21 is anticipated to involve a mitigation strategy and mitigation works which would comprise a strip, map and sample exercise. This will effectively amount to a watching brief over large areas of the whole site while retaining a contingency for examining more significant deposits as required.
5. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements

under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

6. Public utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer. If required, street furniture will need to be repositioned at the applicant's own expense.
7. This development involves a Travel Plan to be implemented within the scope of a legal Agreement between the applicant and the County Council. Please note that it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Town and Country Planning Act 1990 or Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

Commutated Sum for Travel Plans – The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority also requires a Bond to ensure that the Travel plan targets are met. Both the Bond and the monitoring charge are secured by a Section 106 Legal Agreement. This is in addition to the sum payable for Planning Obligations covering infrastructure, services and amenities requirements. An online survey tool is available to assist with annual monitoring.



Application No: 20190904

**Land Rear of 81 Buxton Road, Spixworth, NR10
3PP**

**Scale:
1:1250**

**Date:
11-May-20**



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Application No: [20190904](#)
Parish: **Spixworth**

Applicant's Name: Mr Jonathan McManus
Site Address: 81 Buxton Road, Spixworth, NR10 3PP
Proposal: Subdivide plot and erect two new dwellings with shared access to William Peck Close

Reason for reporting to committee

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

Recommendation summary:

Approve subject to conditions.

1 Proposal and site context

- 1.1 The proposal is to subdivide the plot and erect two new dwellings with shared access to William Peck Close behind. This follows a previous proposal permitted in outline for the same. The difference is the size, design and external appearance of both dwellings and the siting of the plot 1 dwelling.
- 1.2 The dwellings proposed would both be one-and-a-half stories. The external materials of both would include red brick for the walls; red clay pantiles for the roof slopes; and dark grey aluminium for the windows and doors. The plot 1 dwelling would be set approximately 19m back from the existing rear boundary with car parking and turning space in front. The north side of the dwelling would be 1.6m from the existing northern side boundary. The main rear wall of the dwelling would be at least 10m from the proposed boundary subdividing no: 81 Buxton Road and the rear wall of the wing would be at least 6.6m from this new boundary. The private garden area would be to the rear of the dwelling.
- 1.3 The plot 1 dwelling would be rectangular in plan and would measure approximately 13.2m in length by 7.2m in width by 3.7m in height to the eaves and 6.7m in height to the ridge. It would have one-and-a-half storey front and rear wings. The front wing would provide a porch on the ground floor and an en-suite on the first floor. It would measure approximately 1.7m out by 3.5m in width by 4m in height to the eaves and 5.6m in height to the ridge. The rear wing would provide a sitting area open to the kitchen-diner on the ground floor and a bedroom on the first floor. It would measure approximately 3.4m out by 4.1m in width by 4m in height to the eaves and 5.6m in height to the ridge.

- 1.4 The plot 2 dwelling would be built at a right angle to the plot 1 dwelling. Its east side would be approximately 5.8m from the existing rear boundary; its rear wall 2m from the existing southern side boundary; and west side wall 19.7m from the proposed boundary subdividing no: 81 Buxton Road. It would include a lean-to carport on its east side which would be approximately 2.7m from the existing rear boundary. A second car parking space would be adjacent the east side of the carport. The private garden area would be to the west side of the dwelling.
- 1.5 The plot 2 dwelling would also be rectangular in plan and would measure approximately 10.8m in length by 7.2m in width by 3.7m in height to the eaves and 6.7m in height to the ridge. The carport would measure approximately 3.1m in width by 6.9m in length by 2.3m in height to the eaves and 3.6m in height to the ridge.
- 1.6 The existing northern and southern side boundaries would be treated with a 1.8m high close boarded fence. The proposed boundary subdividing no: 81 Buxton Road would also be treated with such. This would screen the private garden areas of the existing and proposed properties.
- 1.7 Bin storage would be to the south side of the plot 1 dwelling and to the west side of the plot 2 dwelling. The collection point would be adjacent William Peck Close. This would be approximately 28m from the storage points.
- 1.8 The scheme described has had several amendments. These include the reduction in the length of the plot 1 dwelling by 1.3m and the plot 2 dwelling by 0.75m; the reduction in the roof ridges of both dwellings by 0.5m; the re-siting of the plot 1 dwelling back by 5.6m to allow the car parking spaces to be rearranged by rotating 90 degrees in order to avoid car headlights beaming into the plot 2 dwelling; the re-siting and enlarging of the plot 1 car parking and turning area; the re-siting of the plot 2 dwelling 1.3m north to allow a 1.9m separation between its south wall and the southern boundary to improve its outlook; the re-siting of the plot 1 bin storage further back and rotated 90 degrees on the proposed boundary with plot 2; the re-siting of the plot 2 bin storage to the west side of the dwelling adjacent the plot 1 bin storage on the proposed boundary with plot 1; the addition of a shared bin collection point adjacent the highway opposite no: 3 William Peck Close ; the re-siting of the shared access 2.7m north to allow for the re-siting of the plot 2 dwelling; the redesign of the plot 1 dwelling to a mirror image; the redesign of the plot 2 dwelling by adding an east side lean-to carport, extending the roof slope over the porch canopy over the front door, omission of a rear dormer and inclusion of 3x rear high-level roof-lights.
- 1.9 The site is part of the private garden area of a residential property within the Spixworth settlement limit. Spixworth is situated within the wooded estate-lands landscape character area. The rear gardens of nos: 79 and 81 are subject to TPO 2010 no: 13 (892) which covers all trees within. The scheme requires the removal of 14x individual on-site trees subject to the TPO - 9x trees that are dead or showing signs of irreversible decline (6x Apple, 2x

Plum and 1x Silver Birch) and 5x trees of low quality and value (1x Plum, 2x Pear, 2x Cherry); the removal of an on-site area of overgrown unmanaged Apple, Cherry, Holly and Sycamore trees of low quality and value which are subject to the TPO. The scheme would retain 1x on-site Walnut tree of moderate quality and value subject to the TPO. There are 2x off-site trees near to the northern boundary – a Leyland Cypress of low quality and value and a Sycamore of moderate quality and value which are both subject to the TPO; 3x off-site trees near to the southern boundary not subject to the TPO – a Leyland Cypress and a Rowan of low quality and value and a Lime of moderate quality and value; and a hedge near to the southern boundary - a topped out Cypress hedge of low quality and value.

- 1.10 The existing means of enclosure include a dense group of trees behind a 1.8m high close boarded fence along the rear boundary, a dense group of trees along the northern side boundary and a group of trees and hedge either side a fence along the southern boundary.
- 1.11 The surrounding built form of the area includes a row of residential properties with frontage to Spixworth Road between Crostwick Lane and Ivy Road. These are all bungalows with the exception of 1x two storey house and most are set within long rectangular plots which decline in length further north. Behind these is a residential area served by a loop road (William Peck Road and Julian Road) and two short no through roads Julian Road and William Peck Close). Those around and within the loop are detached bungalows within rectangular plots. Those either side the north-western (Julian Road) and south-western (William Peck Close) no through roads are a mix of detached bungalows and two storey houses within smaller rectangular and irregular plots. Nos: 65 and 67 Spixworth Road are a similar length to the length of no: 81 Spixworth Road resulting from the subdivision proposed.

2 Relevant planning history

- 2.1 [20160166](#): Subdivision of no: 81 Buxton Road for the erection of 2x dwellings (outline). Approved 14 April 2016.

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 05 : Delivering a sufficient supply homes
NPPF 09 : Promoting sustainable transport
NPPF 10 : Supporting high quality communications
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 15 : Conserving and enhancing the natural environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets

Policy 2 : Promoting good design

Policy 15 : Service Villages

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

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

Policy CSU5 : Surface water drainage

3.4 Supplementary Planning Documents (SPD)

Design Guide:

This document provides guidance on surveying and assessing the site; the form of a building and its siting; external materials; fenestration; the proportion of windows and doors; the roof pitch; dormer windows; roof-lights; porch canopies; privacy and useable space; means of enclosure; paving; trees; hedges; and the protection of the landscape during construction.

Landscape Character Assessment:

This document summarises the visual character of the wooded estate-lands, evaluates landscape sensitivities and applies landscape planning guidelines.

Parking Standards for Norfolk:

This document provides minimum parking standards in terms of the size and number of spaces based on the number of bedrooms a dwelling accommodates.

4 Consultations

4.1 Parish Council:

Objection to car parking capacity for each plot. However, if permitted, construction vehicles would need to park on site and street cleaning

undertaken during construction.

4.2 District Councillor

Councillor Sue Holland wishes for this application to be determined by the Planning Committee as it is considered that the size of the dwellings proposed in terms of their height and in terms of the length of the plot 1 dwelling would have a detrimental impact on the character of the area.

4.3 Tree and Conservation Officer:

No objection subject to the condition that root pruning and tree protection are implemented in accordance with the details agreed.

4.4 Environmental Management Officer:

No objection.

4.5 Contracts Officer Assistant:

No objection.

4.6 Highway Authority:

No objection subject to conditions.

4.7 Other representations:

Eight representations were made in objection to all iterations of the plans proposed due to the loss of habitat; impact on the character of the area by virtue of the height of both dwellings proposed, the length of the plot 1 dwelling proposed and the proximity of both dwellings to nearby trees; impact on privacy by virtue of overlooking; impact on view and property value; impact on existing mains sewer; greater need for affordable housing over open market housing; impact of light and noise pollution; potential for plot 1 to change to a commercial use; impact on highway safety by virtue of the traffic generated, siting of the access, on-road car parking as a result of insufficient off-road car parking capacity and obstruction caused by large construction vehicles; and impact of construction dust.

5 Assessment

Key Considerations

5.1 Principle of development and site history

Impact on the character and appearance of the area

Impact on the amenity of existing properties

Impact on highway safety

Surface water drainage

Principle

- 5.2 Policy GC1 of the DM DPD is that there will be a presumption in favour of sustainable development. Policy GC2 of the DM DPD is that new development will be accommodated within the settlement limits. The subdivision of the property would therefore be acceptable in principle given it is within the settlement limit of Spixworth. Furthermore the subdivision has been permitted in outline subject to the scale of each building proposed; the means of access to the site and the landscaping of the site. This permission has expired but remains a material consideration given the local development plan has not significantly changed in relation to the site since it was granted.

Character and appearance

- 5.3 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 and appearance of the area. Policy EN2 of the DM DPD is that development proposals should have regard to the Landscape Character Assessment SPD and consider any impact upon as well as seek to protect and enhance natural and semi-natural features such as trees which make a significant contribution towards defining the character of the area.
- 5.4 The permitted dwellings were indicated to have one-and-a-half-stories with the plot 1 dwelling set approximately 15m back from the existing rear boundary and the plot 2 dwelling set at a right angle to it. Each was shown to have a garage attached to one side. Both dwellings were indicated as approximately 11.5m in length by 7.2m in width by 3.9m in height to the eaves and 6m in height to the ridge. The garage attached to both was indicated as approximately 2.7m in width by 5.6m in length by 2.5m in height to the eaves and 4.1m in height to the ridge.
- 5.5 The dwellings proposed would both still be one-and-a-half stories. However the plot 1 dwelling would be set a further 4m back from the existing rear boundary and would not include an attached garage to its side. It would be approximately an additional 1.8m in length to that of the indicative dwelling permitted and has one-and-a-half storey front and rear wings added. The front wing would measure approximately 1.7m out by 3.5m in width by 4m in height to the eaves and 5.6m in height to the ridge. The rear wing would measure approximately 3.4m out by 4.1m in width by 4m in height to the eaves and 5.6m in height to the ridge. The plot 2 dwelling would be approximately in the same position and would include a carport to its east side instead of a garage. It would be approximately 0.7m less in length than

that of the indicative dwelling permitted. Both dwellings would be approximately 0.7m higher to the ridge but 0.2m lower to the eaves.

- 5.6 I consider the size of the plot 1 dwelling proposed would not be significantly larger in length or height to that permitted; nor would the height of the plot 2 dwelling proposed. The siting of the plot 1 dwelling would improve its relationship with the plot 2 dwelling given it would be moved back from its principle elevation and would reduce any impact that its increased length would have on the street-scene. The pitch of the roof slope of both dwellings would be increased which would improve the roof slope to wall ratio and help the dormers to sit more comfortably within it. Furthermore the dormers would be gabled which would improve the appearance.
- 5.7 The development proposed would not have a significant detrimental impact on the landscape character of the area given the site is within the settlement limit. The trees to be removed are either dead, showing signs of irreversible decline or are of low quality and value. The plot 1 dwelling was moved further south away from the route protection area of the off-site Leyland Cypress situated near to the northern boundary and subject to the TPO. The pre-emptive root pruning of this tree and tree protection measures proposed for all retained on and off-site trees are acceptable subject to the condition that these are implemented prior to construction and maintained in good condition throughout. The impact of the tree removal on the character of the area can be mitigated by replacement planting and details of such would be required.
- 5.8 The subdivision of the property for two dwellings is considered to be in keeping with the built form of the area given the plot is wider than neighbouring plots along Buxton Road; the reduced length of no: 81 Spixworth Road resulting from the subdivision proposed would be similar to the length of nos: 65 and 67 Spixworth Road further to the north which adjoin nos: 29 and 31 behind. The built form resulting from the dwellings proposed would be similar to nos: 29 and 31 Julian Road to the north. The majority of the dwellings in the area are single storey but there are a few two storey dwellings amongst these and those proposed would have one-and-a-half storeys. The external materials would be generally acceptable although more detail is required. I therefore consider the development proposal is compliant with Policies GC4 and EN2 of the DM DPD.

Amenity

- 5.9 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 needs of all potential future occupiers and the amenity of existing properties.
- 5.10 The plot 1 car parking was originally arranged so that cars would park parallel to the front of the house facing the plot 2 dwelling. This was amended so that cars park at a right angle to the plot 1 dwelling in order to prevent head-lights beaming into the plot 2 dwelling.

- 5.11 I consider the private garden areas of both dwellings proposed to be of adequate size and shape although that of plot 1 is not large enough to extend the dwelling and provide an incidental building without potentially reducing the amenity of the existing house and garden significantly. Furthermore, the private garden area of plot 2 is not large enough to the south of the dwelling to extend without also potentially reducing the amenity of the existing house and garden significantly. I therefore recommend that permitted development rights for extensions of both dwellings and buildings within the curtilage of the plot 1 dwelling be removed.
- 5.12 I consider that the first floor windows of both dwellings proposed would not cause significant privacy loss to the existing properties given the separation distance is greater than 24m as recommended by the design guide. In order to ensure privacy of the private garden areas of the proposed dwellings and No. 81 Buxton Road I recommend that permission be subject to the condition that the boundary treatments are completed prior to their occupation.
- 5.13 The impact of light and noise pollution on existing properties was raised as an objection but I consider such is unlikely to be significant given the residential use of the site. I therefore consider that the development proposal is compliant with Policy GC4 of the DM DPD.

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 upon the satisfactory functioning or safety of the highway network. Policy TS4 of the DM DPD is that appropriate parking and manoeuvring space should be provided.
- 5.15 The dwellings would be served by a shared access to William Peck Close which is not subject to any parking restrictions. The plot 1 dwelling permitted was indicated to accommodate 4x bedrooms and the plot 2 dwelling 3x bedrooms. Each was shown to have a garage attached to one side with parking space for 3x cars outside although both garages would not have been considered as a parking space given the internal dimensions would be below standard. The plot 1 dwelling proposed would accommodate 4x bedrooms as before and would have 3x external car parking spaces in front. The plot 2 dwelling would accommodate 3x bedrooms as before but is also shown to potentially accommodate a fourth bedroom on the ground floor instead of the study.
- 5.16 The Highway Authority has no objection subject to the condition that, prior to the first occupation of the dwellings proposed, the access is constructed in accordance with highway specification; a 2m wide parallel visibility splay is provided across the whole of the site frontage; and the proposed access, on-site car parking and turning area is completed.
- 5.17 To ensure 2x car parking spaces for the plot 2 dwelling proposed are

maintained it is recommended that permitted development rights for alterations to the dwelling are removed to prevent the enclosure and conversion of the carport into a habitable part of the dwelling. I therefore consider that the development proposal is compliant with Policies TS3 and TS4 of the DM DPD.

Surface water drainage

- 5.18 Policy CSU5 of the DM DPD is that mitigation measures to deal with surface water arising from the development proposed should be incorporated to minimise the risk of flooding on the development site without increasing flood risk elsewhere. The site has not been identified as being at risk of surface water flooding. It is proposed that surface water be disposed of by a soakaway.

Other issues

- 5.19 In addition to the considerations made, representations were made in objection to the loss of habitat; impact on view and value; impact on an existing mains sewer; sale of open market housing; future change of use of the plot 1 dwelling to a commercial use; and impact of construction dust. The loss of habitat is not considered significant given the site is within the settlement limit, several trees of moderate quality and value would be retained and replacement planting sought. In terms of affordable housing, given the development proposed is less than 5 dwellings and the site area less than 0.2ha therefore the requirement for such is not triggered.
- 5.20 A business from home would not require planning permission if considered ancillary to the residential use of the properties as such would not change the residential character of the property and therefore it would be unlikely to have a significant detrimental impact on the amenity of existing properties. A business that would change this character would not be ancillary and therefore requires planning permission where the impact on amenity and highway safety would be considered. Finally, the impact on the existing mains sewer would be a matter for building control; the impact on a view from or the value of a property is not a material planning consideration nor is the impact of construction.
- 5.21 Paragraph 68 of the NPPF states that '*small and medium sized sites can make an important contribution to meeting the housing requirement of an area*'. The Council has taken a proactive approach to this through the allocation of a range of small and medium sized sites and through defining settlement limits to facilitate suitable windfall development. Paragraph 68 (c) of the NPPF states that local planning authorities should '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'. Although this is a material consideration in the determination of the application, it can only be afforded limited weight, given the previous supply of housing on small sites within the district.

- 5.22 Under paragraph 61 of the National Planning Policy Framework (2012) requires Councils to plan for people wishing to build their own homes. This can be a material planning consideration for this application as self-build has been identified as the method of delivering the site. Whilst an indication of self-build has been given by the applicant it should also be noted that at this stage it cannot be certain that the method of delivering this site will be self-build. In the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.23 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

This application is liable for Community Infrastructure Levy (CIL)

Conclusion

- 5.24 The development proposed would be acceptable in principle and would not result in any significant detrimental impact on the character and appearance of the area, amenity needs of all potential future occupiers, amenity of existing properties or highway safety. This is subject to the approval of details on external materials; implementation of the tree protection details agreed; approval of details on replacement planting; provision of the new access, visibility splay and parking/turning space; implementation of the boundary treatments; and the removal of permitted development for Classes A, B and C on Plots 1 and 2 and Class E on Plot 1. I therefore conclude that the development proposed would comply with Policies GC1, GC2, GC4, EN2, TS3 and TS4 of the DM DPD.

Recommendation: Approve, subject to the following conditions:

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

Informatives:

- (1) NPPF Statement of conformity
- (2) CIL Full permission
- (3) CNC
- (4) When vehicular access works are required

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Planning Appeals: 19 February 2020 – 7 May 2020

Appeal decisions received:

Ref	Site	Proposal	Decision maker	Officer recommendation	Appeal decision
20190436	Old Monastery Field, The Moor, Reepham, NR10 4NL	Erection of 1 no: single storey dwelling with detached garage and associated development, including access to existing horse paddock (outline)	Delegated	Outline refusal	Dismissed
20190723	Land adjacent to Pinewood Farm, Grange Road, Hainford, NR10 3BJ	Erection of detached dwelling and garage (outline)	Delegated	Outline refusal	Dismissed
20190864	Land adjacent to Oak House, Toad Lane, Great Plumstead, NR13 5EQ	Erection of 1 no: self build dwelling with garage and construction of new vehicular access	Delegated	Full refusal	Dismissed
20191056	Land to south of Crown Bungalow and east of Rookery Nook, Drayton Lane, Horsford	Erection of detached dwelling and creation of new access onto Drayton Lane	Delegated	Outline refusal	Dismissed

Appeals lodged:

Ref	Site	Proposal	Decision maker	Officer recommendation
20180869	Merryhill House, Telegraph Lane, Honingham	Use of property as a dwelling house without any occupancy restriction	Delegated	Refusal of Certificate of lawful use (proposed).
20181623	Hill House, Hall Lane, Drayton	Demolition of dwelling and erection of 56 bed nursing care home, new vehicular access, associated landscaping and erection of new off-site public footpath	Committee	Grant full planning permission
20190881	Church View, Church Road, Lingwood	Demolish bungalow and erect 4 bedroomed house and outbuilding	Committee	Refusal full planning permission
20190894	Riverdale, 20 Strumpshaw Road, Brundall	Erection of one dwelling (outline)	Delegated	Outline refusal

PLANNING COMMITTEE

20 May 2020

Final Papers

	Page No
Supplementary Schedule	122

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

DEMOCRATIC SERVICES

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SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
3	20190904	81 Buxton Road, Spixworth	<p>Email received from owner of No. 79 Buxton Road regarding the close proximity of a Leyland Cypress and the north wall of the dwelling on plot 1. The tree referred to is within the rear garden of No. 79 and the canopy overhangs the boundary with the application site. The tree, identified as T7 is part of the same Tree Preservation Order that covers the application site and has been assessed as part of the submitted Arboricultural Impact Assessment & Method Statement. This document identifies that the dwelling on plot 1 will in part be within the root protection area of T7. Paragraph 4.3 of the AIA & AMS states:-</p> <p><i>Foundations for the northern plot within the root area of T7 require pre-construction root pruning to occur before they can be excavated. A trench should be excavated outside the line of foundation closest to the tree by hand or with the use of an air pick to a depth of 600mm. Roots discovered less than 25mm in diameter may be cut, roots greater than 25mm in diameter must only be cut after consultation with the project arboriculturalist and or the LPA. Once roots have been cut conventional excavation can be carried out. See hatched area of the tree protection plan.</i></p> <p>The Councils Tree and Conservation Officer has raised no objections to the relationship of the dwelling with T7 subject to root pruning and tree protection being implemented in accordance with these details [see para 4.3 on page 112 of the agenda and is covered by condition 4 on page 117</p>	107 – 118

Additional Supplementary Schedule

Plan No. 1

Application No. 20181601

Location Land south of Smee Lane, Postwick

Update Attached is a representation received in relation to the above item which was not able to be included together with an officer response in the Supplementary Schedule issued yesterday.

Officer response to representation received:

The following responds to the issues raised in the additional representation in respect of the Council's interpretation of its policies on affordable housing and how this is being applied in practice.

Policy 4 of the Joint Core Strategy clearly states that the proportion of affordable housing sought will be based on the most up to date needs assessment for the plan area. The Strategic Housing Market Assessment (SHMA) update, June 2017 is the most up to date needs assessment for the plan area.

The need for affordable housing identified in the Joint Core Strategy for Broadland, Norwich and South Norfolk was 11,860 homes over the period 2008-2026. This figure equated to approximately 33% of the minimum number of 36,820 new homes that were planned for over the plan period.

An affordable housing target of 33% for sites of 16 or more dwellings was subsequently established to ensure that such sites made a proportionate contribution to the delivery of affordable housing at a level which was considered reasonably likely to be viable. Notably, this target was established via a main modification imposed by the independent inspectors who examined the strategy. The inspector's considered, viability issues aside, that a target of more than 33% would represent an unacceptable degree of front-loading of a policy aimed at meeting a long-term need that was equivalent to approximately 33%.

The policy on affordable housing was adopted in 2011 following the initial examination of the JCS in 2010. The limited re-examination of the JCS in 2014 did not result in amendments to the affordable housing element of policy 4.

The more recent SHMA assesses the need for affordable housing as being 11,030 homes over the period 2015 to 2036, or 525 homes per year. This target is inclusive of any identified unmet need in 2015. The target of 28% is derived from dividing this number by the objectively assessed need for housing also contained in the SHMA.

The latest version of the AMR measures affordable housing against this annualised SHMA target of 525 homes rather than a percentage. Measuring against a numerical target is helpful in illustrating whether the annual need for units is being met through the delivery of development.

It is notable that if delivery of affordable housing is measured against the annualised need for affordable housing, as assessed in the update SHMA, then there would have been only a relatively limited shortfall i.e. in the period 1 April 2015 to 31 March 2019 1,933 affordable homes delivered against the target of 2,100 affordable homes.

Notwithstanding the record of delivery of affordable housing or any unmet need identified in the SHMA, the JCS policy was specifically modified so that development sites made proportionate contribution in terms of affordable housing. Should the Council wish to explore a policy that addresses any unmet need that existed at the start plan period over a shorter period by way of seeking an increased proportion of affordable housing on contributing sites then the appropriate way to do this is through review of current policy. A review of current policy is currently underway through the Greater Norwich Local Plan, which includes a proposal for a new affordable housing policy.

For the avoidance of doubt and for clarity the following line in paragraph 5.12 on page 41 of the agenda has been revised with the two references to 'housing need' changed to 'housing requirement, so reads as -

At the adoption of the JCS the affordable housing requirement was 33% for sites of the scale proposed. Since the JCS was published, the Central Norfolk Strategic Housing Market Assessment (SHMA) June 2017 has provided more recent evidence of need for affordable housing. The affordable housing requirement for Greater Norwich, as assessed by the SHMA, is 28%.