

Minutes of a meeting of the **Planning Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 4 September 2019** 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 J F Fisher
Ms R M Grattan
Mrs C Karimi-Ghovanlou
Mr M L Murrell

Mr S Riley (from Minute no: 5)
Mr J M Ward

The following Members attended the meeting and spoke with the Chairman's concurrence on the items shown:

Ms Ryman-Tubb Minute no: 31 (Church View, Church Road, Lingwood)

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

27 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mr Fisher, Miss Lawn and Mr Ward	Minute no: 30 (land east of Pound Lane in Thorpe St Andrew)	Thorpe St Andrew Town Councillors. Had not expressed a view on the application. Non-disclosable, non-pecuniary interest.

28 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Foulger and Mr Moncur.

29 MINUTES

The Minutes of the meeting held on 7 August 2019 were confirmed as a correct record and signed by the Chairman.

In respect of the decisions indicated in the following Minutes (nos: 30 to 32), 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.

30 APPLICATION NUMBER 20190016 – LAND EAST OF POUND LANE, THORPE ST ANDREW

The Committee considered an application for the demolition of two detached dwellings and the erection of a care village comprising an 80-bed care home and 19 assisted living bungalows (for occupants aged 75 and over) on land east of Pound Lane in Thorpe St Andrew. Also included as part of the application were: three mobility scooter stores; separate bin stores for the bungalows and the care home; maintenance store and an electricity sub-station. Twenty-two staff car parking spaces; 19 visitor parking spaces and 20 parking spaces for residents of the bungalows were proposed, together with a new vehicular access point off Pound Lane. It was noted that, if approved, the proposals would see the care village replace the previously approved plans for a spa and wellbeing centre as part of the redevelopment of the site of the former Oasis Sports and Leisure Centre (pp 20151132).

In presenting the application, the Area Planning Manager advised the Committee that the officer recommendation needed to be amended to reflect the fact that the Highway Authority was no longer objecting; include a requirement for satisfactory tracking details to be submitted for the ingress and egress of refuse collection vehicles; amendment of numbers (2)-(5) of the Heads of Teams to replace “care village” with bungalows (this would restrict occupation to C2 use) and include a requirement for the Section 52 Agreement imposed on pp 850340 relating to Tawny Lodge to be revoked as it was no longer relevant since the appeal for the redevelopment of the Oasis site had been allowed (20151132) and given the recommendation to approve the current application (if agreed).

The application was reported to committee as it was being recommended for approval, contrary to the current development plan policies.

The Committee received the additional comments of the Highway Authority, together with their confirmed conditions; additional comments from Norfolk and Waveney Sustainability and Transformation Partnership; Cllr Ian Mackie (one of the Ward Members); noted the receipt of an additional “Living Well Homes for Norfolk” document from the agents; noted reference to Policy GT2 of the Growth Triangle Area Action Plan relating to Green Infrastructure Corridor and information relating to a legal agreement which had been imposed on pp 850340 for Tawny Lodge (one of the dwellings proposed to be demolished), all as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Miss Kate Wood of Pegasus Group (the agent) at the meeting.

The site was located outside of the defined settlement limit where Policy GC2 of the DM DPD did not permit new development unless it accorded with a specific allocation and / or policy and not result in any significant adverse impact. In this case, Policy H5 supported the principle of planning applications for residential institutions provided the site was accessible by

public transport, within reasonable proximity of community facilities and a demonstrated need had been identified in the locality. Members noted that the site was immediately adjacent to the settlement limit and was well-served by public transport. Furthermore both this application and planning permission 20151132, covering the wider site, proposed footways and a crossing facility which would link with existing facilities, thereby ensuring that pedestrians and cyclists would have easy access to the site. The site was also within reasonable proximity of local services and community facilities including a doctors' surgery, shops and a supermarket and within 3 miles of the city centre. Accordingly, it was considered that the site was easily accessible and within reasonable proximity of community facilities.

In terms of an identified need for the facility, Members took into consideration the published evidence on the benefits of care villages, together with the growing housing needs of older people in the countryside. Policy 4 of the JCS included a requirement for mixed tenure housing with care as part of the overall housing provision in highly accessible locations (which included particular provision in Thorpe St Andrew) and Policy 7 identified a need for care homes with nursing provision in Norwich and its immediate environs.

Taking into account all of the above, it was considered that the principle of the development was acceptable.

The Committee noted that the plans had been subject to a number of amendments resulting in the layout and design now being considered acceptable and the proposals were in accordance with Policy 2 of the JCS and Policy GC4 of the DM DPD.

It was noted that the development would require a number of trees to be removed, mostly from within the central area of the site but Members acknowledged that these were mostly of a low or moderate amenity value and a landscaping scheme had been submitted which proposed additional planting of 103 trees to help provide mitigation for the loss of the trees to be removed. Members accepted that, given the size, scale and mass of the care home building, it would be visible from outside of the site but both the existing and proposed trees and planting on the boundaries would help to provide screening. It was noted that the bungalows were much smaller in scale and would only be visible from the outside of the site by intermittent views. Overall, it was considered that the design of the proposals was acceptable and the proposed development would not cause significant harm to the general character and appearance of the area.

It was considered that the revisions to the size and scale of the care home building, together with the screening which would be provided by both existing and proposed trees and vegetation, would mean that the care home would not appear significantly dominating or overbearing for neighbouring residents. Members acknowledged that planning permission 20151132 granted outline approval for some residential development to the south and east of the site

but the layout was only indicative at this stage and furthermore, future occupiers would be aware of the care home building prior to purchase of their property. Overall, it was considered that no element of the proposals would result in any significant detrimental impact upon neighbour amenity.

In terms of highway safety, the Committee noted that the Highway Authority was no longer objecting to the application, subject to conditions and therefore, all highways concerns had been addressed.

In response to the concerns raised about healthcare, the Committee took into consideration the fact that the responsibility for health provision remained with the health providers (primarily NHS England) who provided funding for doctors based on the population / number of patients in an area. It was noted that residents in any new development would contribute to national funding through taxes and therefore, obligations could not reasonably be sought through a Section 106 Agreement.

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

In conclusion it was considered that, on balance, the scheme was acceptable, subject to the imposition of conditions and the completion of a legal agreement to ensure the care village remained within Use Class C2 (residential institution accommodation). Accordingly, it was

RESOLVED:

to delegate authority to the Director of Place to approve application number 20190016 subject to the receipt of satisfactory tracking / swept path analysis demonstrating that refuse collection vehicles can satisfactorily access / exit the site; subject to the following conditions; a Section 106 Agreement with the following Heads of Terms and the revocation of the Section 52 Agreement imposed on pp 850340.

Conditions:

- (1) Time Limit
- (2) In accordance with plans and documents
- (3) External materials
- (4) Hard and soft landscaping and boundary treatments
- (5) External lighting scheme
- (6) Accordance of AIA and Landscaping
- (7) Construction Environmental Management Plan (CEMP)
- (8) Landscape and Environmental Management Plan (LEMP)
- (9) Survey Lifespan – If works do not commence within 12 months ecological measures will be reviewed

- (10) Highway conditions TBC
- (11) LLFA drainage condition
- (12) Materials Management Plan - Minerals (MMP-M)
- (13) Photographic recording (Beech House)
- (14) 10% Renewable energy
- (15) Fire hydrants
- (16) No lighting fires within site during construction period

Heads of Terms:

- (1) Care village regulated by Care Quality Commission (CQC)
- (2) Occupiers of bungalows contractually obliged to purchase a minimum of four hours of care each week
- (3) Minimum age of all residents of the bungalows is 75 years of age
- (4) Residents of bungalows will pay weekly maintenance fee to cover the daily bin collections and property maintenance
- (5) Bungalows to contain level access bathing / showering facilities, accessible doorways and circulation, higher level electrical sockets and emergency alarm systems with pull cords

31 APPLICATION NUMBER 20190881 – CHURCH VIEW, CHURCH ROAD, LINGWOOD

The Committee considered an application for the demolition of the existing bungalow and the erection of a four bedroom house (8.65m tall) with a rear projecting wing and an outbuilding to the front (6m tall) at Church View, Church Road, Lingwood. The existing dwelling had been partially demolished and was in a poor state of repair.

The application was reported to committee at the discretion of the Assistant Director of Planning as it was considered there were exceptional circumstances and to afford the applicant the opportunity to address the Committee.

The Committee noted the receipt of amended drawings from the applicant, together with three options for the treatment of the rear projection, followed by the responses of the Senior Conservation & Design Officer and the Planning Officer, all as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Robert Smith (the applicant) at the meeting. Ms Ryman-Tubb, the Ward Councillor, spoke in support of the application.

It was noted that planning permission had been granted for a one and a half storey dwelling in 2001 (010509) and a Certificate of Lawful Development had been granted in 2017 (20171617) which had established the principle of residential development on this site. Furthermore, an application had been submitted for a replacement dwelling in 2018 (20180897) which had been the

subject of extensive negotiation regarding the design and scale of the proposed dwelling (originally two and a half storey). At that time, the case officer in post had considered that, on balance, the resulting design was acceptable, although not all of the suggested revisions to achieve a reasonable design had been incorporated. As further bat surveys were required before a decision could be made, the application had subsequently been withdrawn due to the timescales involved.

The proposed dwelling was a substantial, two storey building with a rear projection (4.95m to eaves, 8.65m to ridge across the whole 15m width of the dwelling). It was noted that there was currently very tall hedging around the site but it would not be possible to require that this was retained at its current height. Furthermore, the Assistant Director of Planning advised that this could not be included in the balance of consideration as it was the building itself which Members had to consider would be acceptable or not.

Members noted the existence of a Public Right of Way to the west of the site which continued south to Post Office Road and that the site was in close proximity to the Grade I Listed Church of St Peter, located on the opposite side of the road and there were good views of the Church on the western approach along Church Road, with the Church tower dominating, as well as from across the fields to the south from Post Office Road. Views were also available from the east on Church Road and a public footpath to the east of the Church. Consideration was given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Members concluded that the scale and bulk of the proposed dwelling, due to its height and size, would result in it dominating the undeveloped rural setting of the Grade I Listed Church, resulting in less than substantial harm to the heritage asset. Furthermore, Paragraph 196 of the NPPF required that this be weighed against the public benefits of the proposal and Members concluded that the public benefit of a replacement dwelling of the scale proposed would not outweigh the harm to the designated heritage asset.

In addition, the site formed part of the D4 Blofield Tributary Farmland, defined by the Broadland Landscape Character Assessment, which identified isolated churches as an inherent landscape sensitivity which should be conserved. Members considered that the proposal would have a detrimental impact on the Blofield Tributary Farmland Landscape as it would erode the isolated setting of the Church.

Members acknowledged the concerns raised by the applicant regarding inconsistent advice between 2018 and this new application but in their view, there remained fundamental concerns on the size and scale of the proposal and its impact on the setting of the Grade I Listed Church and Blofield Tributary Farmland Landscape.

Accordingly, it was

RESOLVED:

to refuse application number 20190881 for the following reasons:

The proposed dwelling by reason of its bulk and scale resulting in its height and size would dominate the isolated and undeveloped rural setting of the Grade I Listed Church and result in less than substantial harm to the setting of the listed building, which would not be outweighed by the public benefit of providing a new dwelling on the site, which would be not in accordance with S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 196 of the National Planning Policy Framework and Policy 2 in the Joint Core for Broadland, Norwich and South Norfolk.

The scale and bulk of the dwelling as a result of its height and size would result in a dominant feature which would erode the isolated setting of the Church and in doing so adversely affect the D4 Blofield Tributary Farmland landscape as defined by the Broadland Landscape Character Assessment SPD contrary to Policies GC4 and EN2 of the Broadland Development Management Development Plan Document and Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk.

The Committee adjourned at 10:42am and reconvened at 10:52am when all of the Members listed above were present for the remainder of the meeting.

32 APPLICATION NUMBER 20191090 – RED HALL FARM COTTAGE, NORTH WALSHAM ROAD, CROSTWICK

The Committee considered an application for the change of use of agricultural land to residential curtilage adjoining Red Hall Farm Cottage, North Walsham Road, Crostwick. The applicant already had within his ownership an existing residential curtilage and storage area equating to approximately 3,253 square metres and the proposed additional curtilage measured approximately 1,822 square metres. The two strips of land were separated by hedging but it was proposed this would be removed and the new area of land seeded to grass.

The application was reported to committee as it was contrary to policy.

The site was located outside of the defined settlement limit where Policy GC2 of the DM DPD did not permit new development unless it accorded with a specific allocation and / or policy and not result in any significant adverse impact. It was noted that a similar application had been refused in 2012 but since that time, the site immediately to the north (known as St Mary's Care Home) had been granted planning permission for supported retirement bungalows and this had changed the use of the land from agricultural to residential.

The Committee noted that the site was not visible from any surrounding public vantage points from North Walsham Road due to natural screening and, with the new boundaries in place, it was considered that the modest extension to the curtilage was not clearly visible when viewed from the south west. Accordingly, it was considered that the extension of the curtilage was not unduly excessive and did not represent a significant incursion into the countryside to a degree which would cause harm to the general character and appearance of the surrounding area. Members acknowledged that the solar panels on the land to the south west of the site had been granted planning permission in 2012.

In terms of residential amenity, it was considered that the proposal would not result in any significant adverse impact on the amenity of adjacent residents, given the degree of separation from the nearest residential properties and the scale of the development proposed.

Members concurred with the officer view that Permitted Development Rights should be restricted for the erection of any outbuildings and the installation of additional solar panels and equipment.

In conclusion it was considered that the extension of the curtilage would not be unduly excessive and would not represent a significant incursion into the countryside or to a degree that would cause harm to the general character and appearance of the surrounding area. Accordingly, it was

RESOLVED:

to approve application number 2019090 subject to the following conditions:

- (1) Time limit (A1)
- (2) Plans and Documents (E3)
- (3) Restrictions on permitted development for outbuildings (D5)
- (4) Restrictions on permitted development for further solar equipment (D3)

33 PLANNING APPEALS

The Committee noted details of the planning appeals decisions which had been received for the period 27 July to 23 August 2019.

The meeting closed at 10:55am