

Minutes of a meeting of the **Planning Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 27 November 2019** at **9.30am** when there were present:

Miss S Lawn – Chairman

Mr A D Adams
Mr N J Brennan
Mr J F Fisher

Mrs C Karimi-Ghovanlou
Mr K S Kelly
Mr I N Moncur

Mr G K Nurden
Mr S Riley
Mr J M Ward

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

Mr Peck Minute no: 55 (Site of T H Blyth & Sons Builders' Yard, Claypit Road, Foulsham)

Miss Thomas Minute no: 54 (land at Dawson's Lane, Blofield)

Also in attendance were the Assistant Director of Planning (for Minute nos: 51-55); Area Planning Manager (West) (for Minute nos: 55 and 56); Area Planning Manager (East) (for Minute no: 57); Senior Planning Officer (East) (for Minute no: 54) and the Senior Committee Officer.

51 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mr Kelly	55 (Site of T H Blyth & Sons Builders' Yard, Claypit Road, Foulsham)	Council representative on the Norfolk Rivers Internal Drainage Board. Local choice, non-pecuniary interest.
Mr Moncur	57 (Homeleigh, Broad Lane, Lt Plumstead)	Acquainted with the agent. Non-disclosable, non-pecuniary interest.

52 APOLOGIES FOR ABSENCE

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

53 MINUTES

The Minutes of the meeting held on 30 October 2019 were confirmed as a correct record and signed by the Chairman.

In respect of the decisions indicated in the following Minutes (nos: 54 to 57), 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.

54 APPLICATION NUMBER 20190844 – LAND AT DAWSON’S LANE, BLOFIELD

The Committee considered an application for a residential development of 12 dwellings on land at Dawson’s Lane in Blofield. Four of the proposed dwellings would be affordable (two single storey dwellings for rent and two houses for shared ownership) which equated to 33% of the overall provision. Access would be off Dawson’s Lane and the application included adopting part of Dawson’s Lane; providing a pedestrian footpath along Blofield Corner Road and an off-site surface water drainage strategy.

The application was reported to committee (1) at the request of one of the Ward Members for the reasons given in paragraph 4.2 of the report and (2) as it was contrary to the development plan.

The Committee noted additional comments from the Ward Member; Lead Local Flood Authority on scheme 5 and current scheme (6); comments received via four additional letters of objection; correction to paragraphs 5.9, 5.10 and 5.13 (should read number 72 not number 74 Blofield Corner Road); officer comments together with an amended recommendation, all as reported in the Supplementary Schedule. The Senior Planning Officer (East) also reported verbally at the meeting a recent update advising that the attenuation basin was now slightly bigger in size and a different shape. Furthermore, the results of the percolation tests had been received yesterday but these needed to be passed to the LLFA for comment.

In addition, the Committee received the verbal views of Stella Shackle representing Blofield Parish Council and Mary Moxon of 74 Blofield Corner Road, both objecting to the application and Ian Douglass of Lanpro (the agent) and Nicholas Hooper of Rossi Long (drainage engineers) at the meeting. One of the Ward Members expressed her concerns at the application including the increase in the number of properties; local flooding issues, the proposed surface water drainage strategy and maintenance schedule.

The site was outside of, but immediately adjacent to, the settlement limit where the principle of new development would not normally be considered acceptable unless the proposal complied with a specific allocation and / or policy of the development plan. Members noted that the site currently benefitted from an extant outline permission for eight dwellings, granted on appeal (20172032). The Inspector had concluded that, in the absence of a five year housing land supply, the development did not result in significant

and demonstrable harm which outweighed the benefits. This was considered to be a material consideration in the determination of this new application.

It was noted that Paragraph 117 of the NPPF supported making effective use of land and Members took the view that the proposed density would not be out of character with other developments in Blofield and, accordingly, the increased density on the site was considered to be acceptable in principle.

In terms of the impact on the landscape, it was noted that the proposal would result in a small contiguous extension with the shape of the settlement and it was considered that this would not result in any significant harm to the appearance of the village or the Blofield Tributary Farmland Landscape. It was noted that the dwellings had a simple, modern design which would not be out of keeping with other properties in the area.

In terms of residential amenity, given the size of the plots and the distance between the dwellings and neighbouring properties, it was considered that the development would not result in any significant loss of amenity.

Members noted the proposals to widen the lane to be used as the access and the new pedestrian footpath, as detailed in the report. Notwithstanding the concerns raised by local residents, it was considered that the proposal would not adversely affect highway safety in accordance with Policy TS3 of the DM DPD. It was noted that the Highways Authority had not raised any objections to the proposal, subject to the imposition of conditions.

The Committee acknowledged that surface water drainage was a key concern raised by local residents through the consultation. However, the site was within fluvial flood zone one (low risk) and therefore was not at risk of surface water flooding. Percolation tests had established that surface water would not infiltrate on the site. It was noted that the surface water drainage strategy had changed a number of times during the life of the application to achieve a satisfactory solution and Members noted the detailed proposals as contained within the committee report. It was acknowledged that the proposed drainage strategy was complex but it would provide attenuated discharge into any area suitable for infiltration, with considerable additional storage being created within the system and the whole system could be managed and maintained by a management company. Accordingly, it was considered that the system would be compliant with the guidance within the NPPF and in accordance with Policy 1 in the JCS, Policy CSU5 in the DM DPD and Policy ENV3 in the Blofield Neighbourhood Plan. Residents' concerns were acknowledged but Members took into consideration the comments of the Assistant Director of Planning, who stated that a considerable amount of time had been taken to resolve the drainage issues with the LLFA and ensure that this proposal did not exacerbate existing drainage problems in the area. The officer recommendation had been amended (as per the Supplementary Schedule) to reflect that the drainage scheme required sign-off by the LLFA prior to approval being granted as opposed to being the subject of a condition but this

could be amended further to include reference to the culvert inlet details being agreed by the LLFA. If the LLFA did not agree to the drainage strategy, then the application would be brought back to Committee for reconsideration.

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

In conclusion, it was considered that the benefits of the proposal outweighed the harm and the extant planning permission, together with the Government's aim in the NPPF to make the most effective use of land, warranted a departure from the development plan in this instance. Accordingly, it was

RESOLVED:

To delegate authority to the Director of Place to approve application number 20190844 subject to completion of a S106 Agreement with the Heads of Terms below; satisfactory percolation tests in the area where the proposed infiltration basin is proposed and submission of culvert inlet details to the satisfaction of the Lead Local Flood Authority; and satisfactory Arboricultural Implication Assessment and method statement to assess the implication of the trees along Dawsons Lane and subject to the following conditions:

- (1) Full permission time limit (TL01)
- (2) In accordance with drawings (AD01)
- (3) Surface water drainage (bespoke)
- (4) Standard Estate Road (SHC01)
- (5) Standard Estate Road (SHC02)
- (6) Standard Estate Road (SHC03A)
- (7) Highway improvements off-site (SHC32A)
- (8) Highway improvements off-site (SHC32B)
- (9) Tree protection (L08)
- (10) Landscaping scheme to be submitted (L06)
- (11) Renewable energy – decentralised source (E01)
- (12) Boundary treatments (L02)
- (13) No PD fences, walls etc on western boundary (P08)
- (14) Fire hydrant (D09)

Heads of Terms

- 33% affordable housing
- Contributions for open space and green infrastructure

The Committee adjourned at 10:50am and reconvened at 10:55am when all Members of the committee were present.

55 APPLICATION NUMBER 20190792 – SITE OF T H BLYTH AND SONS BUILDERS' YARD, CLAYPIT ROAD, FOULSHAM

The Committee considered an application for the demolition of a builders' yard and erection of nine dwellings (five houses and four bungalows) at T H Blyth & Sons Builders' Yard on Claypit Road in Foulsham. The dwellings would be accessed via three access points off Claypit Road.

The application was reported to committee at the request of the Ward Member for the reasons given in paragraph 4.13 of the report.

The Committee received the verbal views of John McManus of Beech House, Chapel Lane; Jenny Guymer of Coldharbour, Chapel Lane and Clare Hill of Greenman Cottage, Chapel Lane, all objecting to the application and Simon Wheatman (the agent) at the meeting. Mr Peck, the Ward Member, expressed his concerns on the application and the implications this could have on existing flooding experienced in the surrounding area.

The site was located within the settlement limit for Foulsham and there was a footpath running from the site to the centre of the village where there was a range of facilities. Furthermore, the application site was partially on a brownfield site and benefitted from a number of historical planning permissions for residential development. Accordingly, the principle of development was considered to be acceptable and the application accorded with Policy GC1 of the DM DPD and Policies 1 and 6 of the JCS.

As the site had last been used for employment purposes, the Committee had regard to Policy E2 of the DM DPD. The viability report which accompanied the application identified that refurbishment or reuse of the buildings was highly unlikely as they were beyond economic repair plus there were modern, purpose-built premises elsewhere in the village which were currently available and had been for a number of years.

Although the number of proposed dwellings was below the threshold for affordable housing, the size of the site constituted major development and accordingly, Policy 4 of the JCS required 28% affordable housing. However, an Economic Viability Analysis Report submitted with the application demonstrated that the viability of the development was insufficient to deliver either on-site affordable housing or a commuted sum. The report had been reviewed by the Council's independent consultant who had concluded that the applicants had justified that the proposed development was unable to support the delivery of affordable housing on grounds of viability.

It was noted that the development would provide financial contributions towards off-site provision of recreational open space and green infrastructure via a commuted sum (approximately £45,930) index linked, in accordance with the policy requirements.

As the site was immediately adjacent to the Foulsham Conservation Area, regard was given to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in terms of the development's layout, scale, spacing and appearance.

Members acknowledged that planning permission had been refused in August 2018 for a development of eleven dwellings on this site as the Committee at that time had considered that the layout and density was at odds with the immediate area; the scale and massing of some of the dwellings would be out of character with the immediate neighbouring properties and have a detrimental impact on their amenities. It was noted that this new application had been scaled down, with the number of dwellings proposed reduced to nine. It was considered this gave the development a much more spacious feel and allowed for increased amenity space for the majority of the dwellings.

Furthermore, the layout had been amended, particularly towards the west of the site, where the reduction in dwellings resulted in the development appearing less cramped. Regarding the scale and massing of the dwellings, it was noted that the number of two storey dwellings had reduced from nine to five and two detached bungalows were now proposed to the south west of the site which was adjacent to Coldharbour, as opposed to the houses proposed in the refused scheme. Whilst five, two storey dwellings were proposed on the north side of the access drive, these were either adjacent to an open parcel of land or to other, two storey dwellings in the area (such as no: 2 Chapel Lane to the north of Beech House to the west). Members took into consideration the variation in dwelling types in the immediate area, acknowledging that there was no particular style or type. It was also noted that the design of the dwellings had been amended to ensure they were more of a rural appearance than previously submitted.

To overcome the concerns of the Council's Historic Environment Officer, the scheme had been amended so that plots 4, 5 and 6 to the west of the site now fronted Chapel Lane to ensure they did not have a negative impact on the street scene or setting of the adjacent Conservation Area.

In terms of residential amenity, it was considered that, in their revised form, the proposals would not result in any significant detrimental impact upon residential amenity of neighbours or future occupiers and accordingly, the application complied with Policy GC4 of the DM DPD.

The site was located outside of, but within close proximity to, Flood Zones 2 and 3 which were to the south of the site and the concerns of local residents and the Ward Member about the proposal increasing the risk of flooding in the area were acknowledged. However, Members took into consideration the submitted Flood Risk Assessment and Surface Water Drainage Strategy and in particular, the fact that the development would bring about a positive impact on the surface water drainage in the area. Notwithstanding this, Members were mindful that the applicant was under no obligation to improve on any existing flood risk. It was noted that both the LLFA and Norfolk Rivers

Internal Drainage Board had not raised any objection to the proposals. Accordingly, the proposal was considered to comply with Policy 1 of the JCS and Policy CSU5 of the DM DPD.

In terms of highway safety, it was noted that the Highways Authority was not objecting to the application subject to the imposition of conditions relating to visibility splays, access and on-site parking, parking for constructions workers and off-site highway improvements.

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

In conclusion, it was considered that the application represented an acceptable form of development which would not result in any significant detrimental impacts. Accordingly, it was

RESOLVED:

To delegate authority to the Director of Place to approve application number 20190792 subject to the satisfactory completion of a Section 106 Agreement relating to the Heads of Terms below and subject to the following conditions:

- (1) Time limit (3 years)
- (2) In accordance with plans and documents
- (3) Details of external materials
- (4) Removal of PD – Schedule 2, Part 1, Class B – additions to the roof
- (5) All first floor bathroom and en suite windows and landing window for Plot 5 to be fitted with obscure glazed glass
- (6) Highways – visibility splays to be provided
- (7) Highways – access and on-site parking
- (8) Highways – on-site parking for construction workers and wheel washing provision
- (9) Highways – off-site highway improvement works
- (10) Highways – off-site highway improvement works completed to satisfaction of LPA
- (11) LLFA – surface water drainage scheme
- (12) Landscaping scheme
- (13) Contamination – site investigation report
- (14) In accordance with AIA (tree report)
- (15) 10% renewable energy
- (16) Scheme for bat and bird boxes to be submitted and approved by the LPA

Heads of Terms

- Play provision

- Recreational open space
- Green infrastructure contributions

The Committee adjourned at 12:26pm and reconvened at 12:33pm when all Members of the committee were present for the remainder of the meeting.

56 APPLICATION NUMBER 20190583 – WOODVIEW, 81 FAKENHAM ROAD, GT WITCHINGHAM

The Committee considered an application for the sub-division of an existing residential plot and the erection of two detached dwellings at Woodview, 81 Fakenham Road in Gt Witchingham with new vehicular access off Fakenham Road which would run along the west side of the site.

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

The Committee noted clarification on the failure of the application to comply with Policy GC1 of the DM DPD and the weight to be attributed to the appeal decision for application number 20150756, as detailed in the Supplementary Schedule. In addition, the Committee received the verbal views of Alan Irvine of Leathes Prior (the agent) at the meeting.

The site was outside of, but immediately adjacent to, the settlement limit where the principle of new development would not normally be considered acceptable unless the proposal complied with a specific allocation and / or policy of the development plan. It was noted that the proposed dwellings would be located at the end of a residential cul de sac with houses on the north side of Fakenham Road extending west of the site, as did the dwellings at no: 81. There was also a residential dwelling to the south and therefore, it was noted the proposed dwellings would be surrounded by residential development. Furthermore, the site was also within reasonable walking distance of a range of services and facilities and on a bus route with the nearest bus stop immediately outside the application site. Accordingly, the Committee considered that the site was in a broadly sustainable location.

Members noted the recent appeal decisions for this site and the Inspector's comments for application 20150756 were considered to be significant material considerations. He concluded that the principle of development outside the settlement limit was acceptable and therefore the proposal did not conflict with Policy GC1 of the DM DPD regarding sustainability and also that the proposal would reflect the character and appearance of the surrounding area. In addition, Members noted permission had been granted for two dwellings in April 2016 (20160253) but with proposed access off Fakenham Road, although work had not commenced due to ownership issues surrounding the turning head at the end of Morse Close and the permission

had subsequently lapsed.

It was considered that the site contained sufficient space to accommodate the proposals without resulting in a cramped form of development and the design, size and scale of the proposed dwellings and boundary treatments would relate sympathetically to the surrounding properties. Overall, although the dwellings would be clearly visible, they would not be viewed as a discordant feature in the street scene or cause harm to the general character and appearance of the area.

In terms of residential amenity, it was considered that, given the height of the dwellings and the degree of separation with neighbouring properties, the proposed dwellings would not appear dominating or overbearing or result in any significant loss of light or issues of overlooking.

The Committee noted that the Highways Authority was not objecting to the proposal, subject to the imposition of conditions and it was considered the application accorded with Policies TS3 and TS4 of the DM DPD.

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, Members considered that the proposal represented an acceptable form of development in a sustainable location and would not undermine the provisions of the development plan or result in demonstrable harm to the general character and appearance of the area, residential amenity or highway safety. Accordingly, it was

RESOLVED:

To approve application number 20190583 subject to the following conditions:

- (1) Time Limit
- (2) In accordance with plans and documents
- (3) Details of external materials
- (4) Highways - Vehicular access provided and retained as shown on plans
- (5) Highways – Access to be maintained in perpetuity with min width of 5.5m for at least 6m into site
- (6) Highways – Access visibility splays
- (7) Highways – No gates, bollard, chain, or other means of obstruction shall be erected across access
- (8) Highways – On-site parking and manoeuvring areas as shown on plans
- (9) Highways – Access shall be from Fakenham Road only
- (10) Tree Protection Plan
- (11) Landscaping Scheme

- (12) Removal of permitted development rights (Schedule 2, Part 1 of GDPO)

57 APPLICATION NUMBER 20191503 – HOMELEIGH, BROAD LANE, LT PLUMSTEAD

The Committee considered an application for the sub-division of an existing residential plot and erection of one dwelling with an attached double garage at Homeleigh, Broad Lane, Lt Plumstead. The existing dwelling at Homeleigh had two points of vehicular access onto Broad Lane and the southern access would be retained for that property and the northern access utilised for the new dwelling.

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

The Committee received the comments from the Parish Council together with the officer response and their additional comments on landscaping, all as reported in the Supplementary Schedule.

The site was located outside of the settlement limit where the principle of new development would not normally be considered acceptable unless the proposal complied with a specific allocation and / or policy of the development plan. However, Members acknowledged there was an extant planning permission for two dwellings adjoining the application site (20182088) and a previous approval for one dwelling (20170935) both at Leighton House. The Committee agreed that the principle of residential development had therefore been established within the immediate locality, which was a material consideration. Members also took into consideration the comments of the Inspector when dismissing an appeal for three dwellings at Leighton House in March 2018 (20172190) who had found that the site would be a suitable and sustainable location for housing but had concerns at the impact of three dwellings on the existing character and appearance of the area.

Another relevant consideration was the designation of Gt and Lt Plumstead as a Service Village, having a good level of services (such as Primary School, food shop, public transport links to Norwich or a main town) and in addition, the site was in very close proximity to Rackheath to the north and a reasonably short distance to the Broadland Northway, which provided good vehicular connection with the surrounding area.

Members acknowledged that the Council was currently able to demonstrate a 6.54 year housing land supply and accordingly gave due consideration to Paragraph 122 of the NPPF. They concluded that that the proposal would make the best use of the land available due to the predominantly residential locality and extant planning permission on the adjacent site as well as its

sustainable location. Furthermore, the proposal would provide a small site making a positive contribution to the housing requirements in the area.

In terms of highways, it was noted that the Highways Authority was not objecting to the proposal and therefore, it was considered the proposal would not have an adverse impact on highway safety and would be in accordance with Policies TS3 and TS4 of the DM DPD.

The proposed scale, form and position of the development was considered to be in keeping with other properties within the locality and therefore would not lead to an adverse impact on the existing character and appearance of the area. In terms of residential amenity, it was considered that the design and position of the proposed dwelling would ensure that the residential amenity of existing neighbouring properties and those constructed on the site to the northwest would not be adversely affected through loss of privacy, overlooking or loss of light.

In conclusion, it was considered that, whilst there was conflict with Policy GC2 of the DM DPD, there were material reasons which outweighed the conflict and justified approval in this instance. Accordingly, it was

RESOLVED:

To approve application number 20191503 subject to the following conditions:

- (1) Time limit (A1)
- (2) Plans and documents (E3)
- (3) Parking / turning on site (SCH20)
- (4) Landscaping details TBC

58 PLANNING APPEALS

The Committee noted details of the planning appeals decisions which had been received and details of the appeals lodged for the period 19 October to 15 November.

The meeting closed at 12:58pm