

Minutes of a meeting of the **Planning Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 7 August 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
Mr R R Foulger

Mr K G Leggett
Mr J M Ward

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

Mr Kelly Minute no: 23 (76 Sandy Lane, Taverham)
Mr Murrell Minute no: 26 (Recreation Ground, Thieves Lane, Salhouse)
Mr Snowling Minute no: 24 (Shiels Court, 4 Braydeston Avenue, Brundall)

Also in attendance were the Assistant Director of Planning; Senior Planning Officer (CJ) for Minute nos: 22 & 23); Senior Planning Officer (HB) for Minute nos: 24-26 and the Senior Committee Officer. Mr Bizley, the Council's viability consultant, attended for Minute no 22.

19 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member / Officer	Minute No & Heading	Nature of Interest
Senior Committee Officer on behalf of officers and Members	Minute no: 23 (76 Sandy Lane, Taverham)	Acquainted with the objector as she was a former District Councillor (retired May 2019)
Mr Snowling	Minute no: 24 (Shiels Court, 4 Braydeston Avenue, Brundall)	Owned the adjacent property (no: 4 Braydeston Avenue). Disclosable pecuniary interest so left the room during discussion and voting.

20 APOLOGIES FOR ABSENCE

Apologies for absence were received from Ms Grattan, Mrs Karimi-Ghovanlou, Mr Moncur and Mr Riley.

21 MINUTES

The Minutes of the meeting held on 10 July 2019 were confirmed as a correct record and signed by the Chairman.

In respect of the decisions indicated in the following Minutes (nos: 22 to 26), 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.

22 APPLICATION NUMBER 20182043 – LAND OFF MANOR ROAD AND MANOR ROAD, NEWTON ST FAITHS

The Committee considered an application for the demolition of an existing dwelling (no: 156) and the erection of 69 dwellings and associated infrastructure and landscaping on land off Manor Road and Manor Road itself in Newton St Faiths. The development would be served by a single point of access onto Manor Road onto a 4.8m wide estate road with 1.5m wide footpaths to either side. The proposal provided for 10% affordable housing provision (equating to seven dwellings) and a viability appraisal had been submitted to justify this level of provision.

In presenting the application, the Senior Planning Officer advised the Committee that the objection from Mr Jeans had attached to it three emails which were correspondence between Mr Jeans and planning officers relating to his application on the adjacent site. As officers did not consider the content of these emails to materially affect the acceptability of the application under consideration by the Committee, they had not been published as part of the committee papers.

The application was reported to committee as it was contrary to the Development Plan and also due to the level of affordable housing being proposed, and the recommendation was to approve.

The Committee received the report of the Council's viability consultant and letters of objection from both the agent and applicant for application 20181525, all as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Mr Jeans (applicant for adjacent site - 20181525) and Mr Jennings (Mr Jeans' planning advisor) objecting to the application, at the meeting.

The site had been allocated under Policy HNF1 of the Site Allocations Development Plan Document 2016 and, therefore, the principle of development was considered to be acceptable. However, the site boundaries were not wholly contiguous with the allocation as the site included the curtilage of no: 156 Manor Road instead of no: 154 and therefore the "wrong"

dwelling would need to be demolished to provide access to the site. The majority of no: 156 was within the settlement limit but part of the rear garden was outside the settlement limit and also the boundaries of the site allocation. It was this element which led the application to be contrary to Policy GC2 of the Development Management DPD. Members noted that the applicant was a house builder and was in advance discussions with the owners of no: 156 to purchase the property. Due to complexities with multi parties involved in the land deal for the whole site, to renegotiate the deal to reflect the boundaries of the allocation would significantly delay of housing on this site. It was considered that a refusal on the grounds that a small part of the site was outside of the allocation could not be justified.

In terms of the provision of affordable housing, Members acknowledged that the Council's viability consultant had discussed with the applicant the costs and assumptions they had made, taking account of the abnormal costs associated with the application (eg drainage issues requiring a pumping station, offsite highway improvements, demolition and remediation of buried asbestos) and the figures had been robustly challenged. However, it was considered that further clarification was needed particularly in terms of the some of the inputs and assumptions of land value as if there was potential for variation this could then potentially increase the percentage of affordable housing. The Senior Planning Officer assured the Committee that the proposed Section 106 Agreement would include a claw-back provision so that if the scheme did prove to be more viable than currently indicated, then this would result in a requirement for the applicant to pay a commuted sum. However, notwithstanding the advice and assurances from both the Council's viability consultant and the Assistant Director of Planning, Members considered that they were currently unable to determine the application.

Accordingly, it was

RESOLVED:

to defer consideration of application number 20182043 to enable further analysis of the figures provided in the viability report

The Committee adjourned at 10:29am and reconvened at 10:33am when all of the Members listed above were present.

23 APPLICATION NUMBER 20190807 – 76 SANDY LANE, TAVERHAM

The Committee considered an application for the erection of a two storey side extension and a single storey rear extension at 76 Sandy Lane in Taverham. The two storey element would be partially over the existing attached garage on the northern elevation of the dwelling towards the neighbour at no: 78; the rear extension would also be towards the northern boundary and the side

extension was designed with a projecting gable to the front and would be the same width of the existing attached garage.

The application was reported to committee at the request of one of the Ward Members for the reasons given in paragraph 4.4 of the report.

The Committee received the views of the occupiers of no: 74 Sandy Lane who did not object to the proposals, as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Mrs Bannock of no: 78 Sandy Lane, objecting to the application, at the meeting. Mr Kelly, one of the Ward Members, expressed his concerns on the application, supporting the neighbour's objections.

The site was located within the settlement limit where the principle of development was considered to be acceptable, subject to an assessment of the impact of the proposals. It was noted that there was a mixture of house types located in the area with the two neighbouring properties being large, two storey detached dwellings. The Committee considered that due to the scale of the proposed side extension, it would not look out of character or alien to the setting of that part of Taverham.

The proposed extensions and alterations to the property were considered to be subservient features which would not impact significantly on the character and appearance of the property as it was felt that they had been designed in a manner which would respect the characteristics of the property. It was noted that the single storey rear extension would not be visible from the street scene and would have no impact on the appearance of the existing or neighbouring properties.

In terms of residential amenity, it was considered that, due to the siting, bulk and mass of the proposed extensions, together with the fact that the application site was at a lower level, the proposals would not result in an overbearing impact on no: 78 Sandy Lane. It was noted that a 1.8 metre high close boarded fence defined the boundary between the properties, which staggered along the garden as the land levels increased towards the rear of the site.

The Committee acknowledged that the adjoining neighbour's ground floor windows would be affected by the proposed two storey side extension, but the living room would not be significantly adversely affected as there was an existing large front window and a conservatory to the rear which would provide adequate daylight to the living room. Furthermore, the neighbour's concerns on loss of daylight to the conservatory were noted but it was considered that adequate light would still enter the conservatory over the top of the proposed extension, due to the change in levels. Accordingly, although it was accepted that there would be minor loss of daylight to the living room,

the Committee considered that this would be insufficient to warrant a refusal of the application.

In terms of sunlight, Members noted the distance between nos: 76 and 78 and the fact that the two storey extension would be the same height as the existing dwelling. Taking these factors into account, in combination with the orientation of the sun, it was noted that only a small amount of sunlight would be lost in late morning to midday. As such, this was considered insufficient reason to warrant refusal. Again, as the property at no: 78 was at a higher level than the application site, it was accepted this would enable no: 78 to receive adequate sunlight and daylight.

Finally, whilst the development was in relatively close proximity to the neighbouring property's side elevation, it was not considered to be overbearing due to the changes in levels which helped to reduce the overall impact.

In conclusion it was considered that the proposal represented an acceptable form of development and accordingly, it was

RESOLVED:

To approve application number 20190807 subject to the following conditions:

- (1) Time limit (A1)
- (2) Plans and documents (E3)
- (3) External materials to match existing dwelling (E5)

24 APPLICATION NUMBER 20190569 – SHIELS COURT, 4 BRAYDESTON AVENUE, BRUNDALL

The Committee considered an application for extensions to the existing care home at Shiels Court Care Home at 4 Braydeston Court in Brundall. The proposal comprised a first floor extension above an existing single storey building with a further two storey extension parallel to the southern boundary with the primary school. The proposed extension would provide additional accommodation in the form of 13 single bedrooms, employing an additional ten members of staff (additional three on site at one time) and would be built in context with the existing appearance of the buildings within Shiels Court. An additional four parking spaces would be provided.

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

The Committee received the additional comments from the Historic Environment Officer and the officer comment regarding the need for

additional conditions on the provision of additional parking and details of materials, all as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Mrs Cook of 9 Braydeston Avenue, objecting to the application at the meeting. Mr Snowling, one of the Ward Members, expressed his concerns on the application.

The site was located within the settlement limit and the existing building had been established as a residential care home for some time; therefore, the principle of development was acceptable, subject to other considerations.

A material consideration was the fact that planning permission had been granted on two separate occasions for an extension to the building (most recently 2013) but had not been implemented. The current scheme incorporated into its design elements of the earlier proposals and whilst the approved development had not been commenced, the fact that it formed part of the current scheme was of material consideration. Whilst it was acknowledged that the overall scheme was larger than the previous approval, and would utilise a greater area of the site, it was noted that it would be set back from the street scene, providing a good degree of separation from other buildings along Braydeston Avenue and the wider area. Furthermore, whilst outdoor amenity area space would be reduced, it was acknowledged that this had not been used effectively by residents due to its large size and a smaller, more usable garden space would be of greater benefit.

In terms of highway issues, Members noted the concerns which had been raised as part of the consultation process but noted that, in respect of the parking situation along Braydeston Avenue, this was a private road and therefore, could not be resolved through this planning application. The Committee noted that further parking on site was being proposed for staff members and this, in conjunction with working shift patterns and also some staff walking to work, would ensure the parking issues along Braydeston Avenue would not be exacerbated significantly as to warrant refusal of the application. Furthermore, the Committee noted that the applicant would be prepared to enter into a Construction Traffic Management Plan to ensure deliveries in association with the development would not occur during peak times, such as school drop off / pick up times to reduce the level of disruption to local residents and school / nursery users.

The Committee considered that the extension would improve the overall appearance of the building, which had been extended a number of times resulting in a variety of design styles, some of which were not considered to be of great merit. In addition, the extension would be of subservient scale and form to the original building and many of the existing materials and detailing would be matched. Therefore, on balance, the overall scheme was considered to be acceptable and would not lead to a significantly detrimental impact on the character and appearance of the area.

In terms of the impact on residential amenity, the Committee acknowledged that the additional built form would likely be visible from the front aspect of numbers 7, 9 and 11 Braydeston Avenue, but due to the distances involved (30m separation), there would be limited impact in terms of overlooking, overshadowing and loss of privacy. In addition, there were a number of mature trees present along that section of Braydeston Avenue, some of which were protected by a Tree Preservation Order, which would further reduce the impact of the development once built.

In conclusion it was considered that the proposal represented an acceptable form of development and accordingly, it was

RESOLVED:

To approve application number 20190569 subject to the following conditions:

- (1) Time limit [A1]
- (2) Plans and documents [E3]
- (3) In accordance with AIA, TPP & AMS [NS]
- (4) Construction Traffic Management Plan [SCH 23B NS]

The Committee adjourned at 11:20am and reconvened at 11:27am when all of the Members listed above were present for the remainder of the meeting.

25 APPLICATION NUMBER 20190710 – LAND OFF HOWLETT’S LOKE, SALHOUSE

The Committee considered an outline application for the erection of two detached bungalows on land off Howlett’s Loke in Salhouse. All matters were reserved for later approval. It was noted that an application for outline planning permission for four detached dwellings on land to the north of the application site had been granted approval on appeal in September 2018.

The application was reported to committee as it was contrary to policy as the site was outside of the settlement limit and the recommendation was to approve.

The Committee noted the officer recommendation for an additional tree condition, as reported in the Supplementary Schedule.

The majority of the site (with the exception of the access road) was located outside of, but adjacent to, the settlement limit for Salhouse where new development proposals would not normally be permitted unless they complied with a specific allocation and / or policy of the development plan. It was noted that the application site had not been allocated for housing but permission had previously been granted on the site for the erection of one dwelling

(20160367 and 20172054). Therefore, whilst contrary to Policy GC2 of the DM DPD, the site did benefit from an extant planning permission which was a material consideration.

The Committee noted that Salhouse was designated as a Service Village under Policy 15 of the JCS and was within walking distance of public transport (both rail and bus) and furthermore, the site to the north (also outside of the settlement limit) had been granted outline planning permission on appeal for the erection of four detached dwellings. These were further justification in favour of the application, subject to other considerations.

Members acknowledged the recommendation from the Highway Authority to refuse the application but noted that the site benefited from an extant permission for one dwelling (20172054) and the Highway Authority had not objected to that application, subject to conditions for access arrangements and parking provision and the access to the site remained the same. Furthermore, the Inspector had considered the highway officer's concerns on the nature of the road and the junction as part of the appeal for four dwellings (20171207) which had been allowed. Given the appeal decision, which was a material consideration, it was not considered a refusal could be substantiated for one additional dwelling.

In terms of the impact on the character and appearance of the area, it was considered that the development would not result in any adverse impact as it would be in keeping with the general pattern of development in the immediate locality and provide a positive contribution to the housing mix in Salhouse. In terms of residential amenity, due to the single storey nature of the proposed properties and the distances to existing properties, together with the existence of a group of mature trees along the south-west boundary (protected by a Tree Preservation Order) it was not considered there would be any significant detrimental impact.

Finally, in terms of the comments received from the BDC Contracts Officer in relation to bin storage and collection points, Members noted that these could be required as part of the Reserved Matters application.

In conclusion it was considered that the proposal represented an acceptable form of development and accordingly, it was

RESOLVED:

To approve application number 20190710 subject to the following conditions:

- (1) Time limit [A5]
- (2) Submission of Reserved Matters application including details of refuse bin storage area [A3]
- (3) Plans and documents [E3]

26 APPLICATION NUMBER 20190639 – RECREATION GROUND, THIEVES LANE, SALHOUSE

The Committee considered an application for a Multi-Use Games Area (MUGA) measuring 34m by 18m on the playing field towards the north-east corner of the recreation ground at Thieves Lane in Salhouse. The playing area would be lined out for football, basketball, netball and tennis and whilst the existing mini-football pitch would be displaced by the MUGA, this would subsequently be marked out on the currently unused part of the playing field.

The application was reported to committee in view of the objection from Sport England, a statutory consultee. There was a requirement for the local planning authority to refer the application to the Secretary of State for Housing, Communities and Local Government under the Town and Country Planning (Consultation) (England) Direction.

The Committee noted the request from the applicant for the floodlights to be switched off at 10.05pm, together with the office response, as reported in the Supplementary Schedule. In addition, the Committee received the views of Mr McCormick, Vice-Chairman of Salhouse Parish Council (the applicant) at the meeting. Mr Murrell, one of the Ward Members, spoke in favour of the application and expressed his support for the request from the applicant concerning the floodlighting.

Members noted the relevant policies in the Development Management DPD and the NPPF relating to the provision of community facilities, together with the playing pitch strategy produced in 2014.

The objection from Sport England was noted but the Committee considered that the provision of a MUGA, for which there was community support, outweighed the loss of the mini football pitch and loss of the potential for provision of a two-thirds size pitch. Furthermore, Members took into consideration the acknowledged community support for the proposal.

Regarding the potential impact, the Committee considered that the proposed MUGA would not have a significant detrimental impact on the landscape character, given its size, siting, design and external appearance. Furthermore, there would not be a significant detrimental impact on the amenities of nearby residential properties in terms of noise, given the distances involved and the proposed noise reduction mesh on the fence enclosure.

In terms of the floodlighting, Members noted the request from the applicant but were conscious of the potential noise and disturbance to neighbouring residents from users leaving the site (allowing for equipment to be put away and people to use the changing facilities etc) if the lights were permitted to be switched on until 10pm. Therefore, it was suggested that, on balance, a more

acceptable time would be 9.15pm. The Assistant Director of Planning advised that the applicant would have the option of submitting an application to vary the condition in due course, which would enable residents to submit any comments / concerns as part of the consultation process.

In conclusion, it was considered that the proposal represented an acceptable form of development and accordingly, it was

RESOLVED:

To advise the Ministry of Housing, Communities and Local Government's National Planning Casework Unit that Broadland District Council is minded to approve application number 20190639, subject to the following conditions:

- (1) (A1) - Statutory Time Limit (Three Years)
- (2) (E3) - Development to be Carried out in Accordance with the Approved Plans and Documents
- (3) (NS) - Submission of Details on Sound Insulating Material in Fence
- (4) (SHC27) - Floodlights to be Installed in Accordance with the Approved Plans and Documents and Not Cause Glare Beyond Site Boundary
- (5) (NS) - Floodlight Switch Off Time (9.15pm)

The meeting closed at 12pm