

Planning Committee

Agenda

Date

Wednesday 10 April 2019

Members of the Planning Committee

Miss S Lawn
(Chairman)

Mr D B Willmott
(Vice Chairman)

Mr A D Adams
Mr G Everett
Mr R F Grady
Mrs L H Hemsall
Mr R J Knowles

Mr K G Leggett MBE
Mr A M Mallett
Mrs B H Rix
Mr J M Ward

Time

9.30am

Place

Council Chamber
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Substitutes

Conservative

Mrs C H Bannock
Mr R R Foulger
Mrs T M Mancini-Boyle*
Mr I N Moncur
Mr G K Nurden
Mr M D Snowling MBE
Mrs K A Vincent
Mr S A Vincent
Mr D C Ward

Liberal Democrat

Mr S Riley

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*not met training requirement so ineligible to serve

If any Member wishes to clarify details relating to any matter on the agenda they are requested to contact the relevant Area Planning Manager, Head of Planning or the Head of Democratic Services & Monitoring Officer prior to the meeting.

The Openness of Local Government Bodies Regulations 2014

Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.

**The Chairman will ask if anyone wishes to
film / record this meeting**

A G E N D A

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Please Note: In the event that the Committee has not completed its business by 1.00pm, at the discretion of the Chairman the meeting will adjourn for 30 minutes.

Trevor Holden
Managing Director

Copies of the applications and any supporting documents, third party representations and views of consultees are available for inspection in the planning control section.

Minutes of a meeting of the **Planning Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 6 March 2019** at **9.30am** when there were present:

Miss S Lawn – Chairman

Mr A D Adams
Mr G Everett
Mr R F Grady

Mrs L H Hemsall
Mr R J Knowles
Mr K G Leggett

Mrs B H Rix
Mr D Ward
Mr D B Willmott

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

Mr Peck	90 (Grove Farm, Blackwater Lane, Heydon)
Mr Proctor	88 (116 The Street, Brundall)
Mrs Vincent	89 (land to the north of Sprowston and Old Catton)

Also in attendance were the Development Manager; Area Planning Managers; Planning Projects & Landscape Manager (for Minute no: 89) and the Senior Committee Officer.

86 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Mallett and Mr J Ward.

87 MINUTES

The Minutes of the meeting held on 6 February 2019 were confirmed as a correct record and signed by the Chairman.

88 APPLICATION NUMBER 20182021 – 116 THE STREET, BRUNDALL

The Committee considered an application for the removal of condition 5 of planning permission 20172094 relating to a hot food takeaway at 116 The Street in Brundall. The condition stated:

“The use hereby permitted shall be limited to producing hot food through the use of multi-deck or conveyor feed, gas or electric, pizza style convection ovens only, with no additional cooking (including chargrilling) or food reheating equipment being operated at the premises without the prior written approval of the local planning authority.”

In presenting the application, the Area Planning Manager recommended to Members that condition 5 be amended by including the requirements of the Environmental Health Officer relating to the cleaning of the Electrostatic Precipitator Unit (ESP) and replacement of the Carbon Filters within the proposed odour control equipment.

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

The Committee noted the receipt of a letter of objection from the owner of the Ram Public House as reported at the meeting. In addition, the Committee received the verbal views of Dr Wade of 14 The Street, objecting to the application, at the meeting. Mr Proctor, one of the Ward Members, expressed his concerns on the proposal and requested the Committee to refuse the application.

It was noted that planning permission had been granted for the change of use from an existing opticians shop (A1) to a pizza takeaway (A5) on appeal, subject to certain conditions which included the type of cooking which would be permitted at the premises. The change of condition application proposed upgrades to the filtration and ventilation equipment including the use of an ESP which was used to filter out particulates such as smoke and liquid particles. Furthermore, Carbon Filters would be used to absorb the odorous gases in the filter media. The abatement equipment was also designed to deal with the smoke and odour from cooking such as charring.

The Committee accepted that the principle of a takeaway establishment in this location had been set by the allowing of the appeal in November 2018. The comments from objectors concerning parking were acknowledged but Members took into account the fact that the Highways Authority had not objected to the proposal, together with the comments of the Inspector in his appeal decision. In terms of residential amenity, Members noted the comments of the Environmental Health Officer, who had scrutinised the risk assessment submitted by the applicant, concluding that this was robust. Although a high level of odour would be created, the proposed equipment would mitigate this sufficiently to ensure there would be no significant detrimental impact on the amenity of residents and businesses in the vicinity.

In conclusion, it was considered that it had been sufficiently demonstrated that the proposed development could be adequately controlled by conditions to ensure there would be no undue harm to the living conditions of nearby residents and businesses in terms of noise and disturbance, odour or highway safety issues. Therefore, the proposal complied with Policies GC4 (parts i and iv), EN4, TS3 and TS4 of the DM DPD 2015. Accordingly, it was

RESOLVED:

to approve application number 20182021 subject to the following conditions:

- (1) The development to which this permission relates must be begun before the expiration of THREE years from 14 November 2018.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) The premises shall be open to customer between the hours of 11:00 hrs to 21:00 hrs Monday to Sunday.
- (4) Prior to the first operation of the use hereby approved, the floor construction recommendations as described in Section 2.2 of the Acoustic Design Review Report received 4 February 2019 and shown on the accompanying drawing REVD-TS-2711-2 received 4 February 2019, shall be implemented and retained unless otherwise agreed in writing with the Local Planning Authority.
- (5) The filtration, ventilation and sound insulation detailed within the Acoustic Design Review (received 4 February 2019), Purified Air Specification (received 11 December 2018) and Dwg No TS-2711-2 (received 4 February 2019) shall be:
 - (a) installed as proposed within the Acoustic Design Review (received 4 February 2019), Purified Air Specification (received 11 December 2018) and Dwg No TS-2711-2 (received 4 February 2019) prior to the first use of the development hereby permitted;
 - (b) maintained in accordance with the details contained within the Acoustic Design Review (received 4 February 2019), Purified Air Specification (received 11 December 2018) and Dwg No TS-2711-2 (received 4 February 2019) and in accordance with the Council's Environmental Health Officer's recommendations (monthly cleaning of the ESP and filter changes every 6 to 9 months) and
 - (c) retained as proposed within the Acoustic Design Review (received 4 February 2019), Purified Air Specification (received 11 December 2018) and Dwg No TS-2711-2 (received 4 February 2019) unless otherwise agree in writing with the Local Planning Authority.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3-5) To safeguard the amenities of adjacent residential properties in accordance with Policies GC4 and EN4 of the DMDPD.

Informative:

The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

Plans and Documents:

- Site Location Plan received 11 December 2018
- Odour Control Specification received 11 December 2018
- Dwg No TS_2711_1 Proposed Floor Plans received 11 December 2018
- Design & Access Statement received 11 December 2018
- Additional Acoustic Design Review received 4 February 2019
- Additional Dwg No TS 2711_2 Proposed Elevations received 4 February 2019

89 APPLICATION NUMBER 20180708 – BEESTON PARK, LAND NORTH OF SPROWSTON & OLD CATTON

The Committee considered a reserved matters application for strategic infrastructure to phase one of the Beeston Park development. The application also sought to comply with relevant conditions attached to the outline approval (ref 20161058) – 1, 2, 3, 4, 5, 10, 11, 21, 22, 27, 28, 29, 31, 32, 33, 35 and 36. Phase one covered the area to the north of Old Catton and between St Faiths Road and the Norwich Rugby Club / Norwich School land. The strategy for delivery of phase one of Beeston Park was to plan and deliver a package of strategic infrastructure costing approximately £13m which would enable the disposal of serviced parcels to housing developers.

This particular application included:

- the proposed East-West link road (EWLR) between St Faith's Road and Norwich Rugby Club incorporating new junctions with St Faith's Road and with Buxton Road;
- surface water drainage attenuation areas and connections to serve both the EWLR and future development parcels and
- utilities to serve future development parcels.

The application was reported to committee at the request of Mrs Vincent, one of the Ward Members, for the reasons given in paragraph 5.2 of the report.

In presenting the application, the Planning Projects & Landscape Manager advised the Committee that a bid was shortly to be made to the Housing Infrastructure Fund (HIF) for £60m to deliver the infrastructure upfront on phases 2 and 3 of Beeston Park and it would be beneficial in terms of the bid for phase 1 to have been granted planning permission. The deadline for submitting bids was end of March 2019 and that was why this application was for consideration at the current time. The Planning Projects & Landscape Manager reported that the response of the Lead Local Flood Authority (LLFA) which was expected the day before committee had unfortunately not been forthcoming. He explained that information was continually being submitted and amended and this could be the cause of the delay. However, he had spoken to colleagues at the LLFA yesterday and they had confirmed their acceptance in principle of the use of deep bore soakholes. However, discussions would need to continue between the LLFA and the applicant / agent. Therefore, it was accepted that not all the technical matters had been resolved but it was possible for the Committee to give its approval in principle. Accordingly, the officer recommendation was amended to delegate authority to the Head of Planning to approve, subject to the technical matters being agreed by the Highways Authority; Lead Local Food Authority and the Environment Agency. However, in the unlikely event that agreement could not be reached on the drainage and highways issues, then the matter would be referred back to committee for reconsideration.

The Committee noted the comments of the Highways Authority, which was raising no objection, as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Mrs Leggett, Chairman of Old Catton Parish Council, raising issues of concern to the parish council and Mike Bodkin, Project Director of TOWN, the applicant/agent, at the meeting. In addition, Mrs Vincent, one of the Ward Members, expressed her concerns on the application, requesting the Committee to defer until all the information was available and presented to it in full.

It was considered that the principle of this reserved matters application was

acceptable and in accordance with Policy GT12.

In terms of highways issues, it was noted that the link road had been designed in such a way to allow for the free flow of traffic along it but also give just as much consideration to pedestrians and cyclists. Furthermore, parking bays would be incorporated along the northern and southern sides of the road, to allow for future housing to front onto the link road to enable residents to park their cars to the front of their properties. As reported above, it was noted that the Highways Authority had no fundamental objection to the proposals but wished to ensure that all of the plans and documents were fully representative of what would be built.

In terms of drainage, the application proposed a network of pipes, primarily underneath the EWLR and secondary streets, leading to surface water attenuation tanks and then onto deep bore soakaways. The Committee acknowledged that deep bore soakaways were the least favoured choice and both the Environment Agency and LLFA had raised concerns but there was no alternative means of drainage at this particular site due to the composition of the ground with the soil having a relatively low infiltration potential. Furthermore, the boreholes would not be adopted by Anglian Water. Therefore, they would need to be managed and maintained and it was proposed this would be undertaken by a management company, with residents contributing to the costs via a service charge. The Committee acknowledged the statement made by the Project Director of TOWN that the management company would most likely be a charitable trust which would maintain the SUDS and boreholes in perpetuity and they had responsibility for similar schemes elsewhere in the country. It was noted that, although significant and appropriate testing of the ground had been undertaken by the applicant, the LLFA was still asking for further testing to be done. This would add considerable delay to starting the development and cost to the applicant. The Committee took account of the fact that the use of deep bore soakaways had been agreed in principle at the stage of considering the outline planning application and Section 73 application (variation of conditions and phasing strategy) and testing had been carried out in the broad areas in which they would be placed.

In terms of all other matters raised by consultees, the Committee noted the officer response as detailed in the report.

Finally, in terms of concerns raised about the route to be used by construction traffic, it was noted that this would be the subject of a separate discharge of condition application and would include a Traffic Management Plan. The Planning Projects and Landscape Manager assured the Committee that this would be subject to the usual call-in procedure.

In conclusion, it was considered that the link road design and SuDS had been designed in an appropriate and desirable way which would result in the basis of a high quality, sustainable community. It was accepted that there were still

matters outstanding but agreement between the relevant parties was close and accordingly, it was

RESOLVED:

to delegate authority to the Head of Planning to approve application number 20180708 subject to the technical matters being agreed by the Highways Authority, Lead Local Flood Authority and Environment Agency.

The Committee adjourned at 11:24am and reconvened at 11:31am when all of the Members listed above were present for the remainder of the meeting.

90 APPLICATION NUMBER 20190005 – GROVE FARM, BLACKWATER LANE, HEYDON

The Committee considered an application for the use of land as a camp site for four tents, the erection of a timber shower block with storage and honesty shop and the provision of a car parking area at Grove Farm, Blackwater Lane in Heydon. The tents would be sited and available for hire from March to October, and measure approximately 5m wide by 9m long with a pitched roof approximately 3.4m to the ridge, clad in heavy green and brown canvas and would sit on wooden floors supported by small concrete pads. Each could accommodate 6-8 people. The shower block would be a permanent construction of a wooden timber frame and clad building, measuring approximately 5m wide by 9.5m in length with a pitched roof approximately 3.3m high. The scheme proposed parking for up to 10 cars located at the southern end of the site.

The application was reported to committee at the request of Mr Peck, the Ward Member, for the reasons given in paragraph 5.3 of the report.

The Committee received the verbal views of Simon Pegg, the agent, at the meeting. Mr Peck, the Ward Member, expressed his support requesting the Committee to approve the application.

The site was located outside of any settlement limit, in open countryside. It was noted that Policies 5 and 17 of the Joint Core Strategy and paragraph 83 of the NPPF all promoted development of new tourist accommodation as a form of farm diversification where a rural location could be justified and it would have no significant adverse impacts for the site or surroundings. In addition, Policy E3 of the DM DPD stated that new tourist accommodation would be permitted outside settlement limits where it had been adequately demonstrated that a site-specific demand for the accommodation existed, for example where accommodation was associated with an established enterprise and that the enterprise would be financially viable.

It was noted that the applicant had submitted a written justification for the proposed tourist accommodation in this particular location which concluded that the development had the potential to be commercially viable if well marketed and developed to a high standard. The analysis also concluded that there was an identified local shortage of tourist accommodation within the district and this proposal would supply the local area with the additional bed spaces required to meet an identified need. Therefore, the application was considered to comply with the aims of Policies 5 and 17 of the JCS and paragraph 83 of the NPPF. However, Members acknowledged that the accommodation was not for a site-specific purpose and no financial evidence had been submitted and, therefore, did not comply with Policy E3 of the DM DPD.

In terms of the visual impact of the proposals, it was considered there would be no significant adverse effect on the character or appearance of the landscape and therefore, the proposal would comply with the aims of Policy 2 of the JCS and Policy EN3 of the DM DPD. Furthermore, it would be difficult to justify that there would be any significant adverse impacts from the proposal for the amenity of neighbours, which were some distance from the site, due to its small scale. Accordingly, it was considered to comply with the aims of Policy GC4 of the DM DPD.

As the site was in a very rural location, it was not close to any forms of public transport and therefore, the majority of visitors would arrive by private car. The nearest villages would be approximately 1.1 – 1.2 miles distant with the closest service centre at Reepham approximately 4.5 miles from the site. It was noted that the road leading to the proposed campsite was a narrow and winding single track road. Members acknowledged the concerns of the Highway Authority which had objected to the proposals, noting that Blackwater Lane was typically only 3m in width with a number of bends which restricted forward visibility. Whilst the applicant had proposed the provision of passing places to mitigate the increased traffic use, Blackwater Lane measured 1.6km in length from the Wood Dalling Road to the Heydon Road meaning the number of passing places required would be significant in order to be effective (each costing approximately £5,000). Furthermore, there were also a number of constraints such as conservation, verge alignment and land ownership issues.

Members were supportive of proposals for farm diversification but concluded that the applicant needed to provide evidence to demonstrate the financial viability of the proposals. Furthermore, there were issues concerning highway safety, in particular the provision of passing bays and how these could be achieved and also the impact of loss of hedgerows which would be required to provide appropriate visibility splays at the proposed site access.

Accordingly, it was

RESOLVED:

to defer consideration of application number 20190005 to enable the applicant to demonstrate:

- the financial viability of the proposal and
- how the proposed passing bays and revised access could be achieved and to appraise the visual impact of these works.

91 APPLICATION NUMBER 20181487 – THE LODGE, 39 CHURCH ROAD, UPTON

The Committee considered an application for the sub-division of the curtilage and the erection of a detached dwelling on land to the south-west of The Lodge, 39 Church Road in Upton. Access would be onto Church Road. The proposed dwelling had a two-storey monopitch “barn” element with an exposed steel frame and an extended open bay and straw clad wall. At the front there would be a “silo” staircase leading to the first floor. The building would comprise a steel frame construction, zinc roof with a natural finish, sawn timber boarding, grey aluminium windows, straw cladding panels and a concrete finish to the silo stair tower. The application had been submitted for consideration under paragraph 79 of the NPPF.

The application was reported to committee at the request of Mr O’Neill, one of the Ward Members, for the reasons given in paragraph 5.2 of the report.

The Committee noted the receipt of an additional plan showing the root protection areas of the adjacent trees, together with the officer response, as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Nigel Brennan, representing Upton Parish Council, objecting to the application and Mr Marris, the agent, at the meeting.

As the site was outside of the settlement limit, the application had been submitted as an example of a dwelling which met the guidance set out in paragraph 79(e) of the NPPF, a material consideration which could be given some weight contrary to the Development Plan, where the design was of exceptional quality. Members noted that to meet the test set by this paragraph, all four aspects needed to be met and this had been reinforced by Planning Inspector’s decisions when considering appeals against the previous Paragraph 55 requirements in the now superseded NPPF.

In terms of tests (3) and (4) – significantly enhance its immediate setting and be sensitive to the characteristics of the area – Members concurred with the officers’ concern that the site was not suitable for a Paragraph 79 dwelling; given the semi-domesticated nature of the site and the paucity of features

within it, it was considered difficult to justify that the proposal would enhance the immediate setting. Furthermore, the building proposed and the use of “agricultural” materials in its construction were not considered to be in keeping with the immediate setting of that part of Church Road. The proposal would not only adversely change the existing settlement pattern by resulting in infill development and a loss of an open green space but would also result in an incongruous building which would be harmful to the existing rural setting of the locality. Members took into account the fact that the predominant character of the area was red brick, traditional style dwellings of quite a uniform design. Between the clusters of dwellings, the landscape gaps and views to open countryside remained an important characteristic of that part of Upton. It was noted that in order to preserve this more rural character, infill and ribbon development should be avoided. Members acknowledged that the site was an existing open gap and, although it was not considered to contribute significant to expansive views across open countryside, it did remain of importance in preserving the existing settlement pattern of the locality. Furthermore, the addition of planting to the front of the site, to partly screen the building from the streetscene, suggested that the design of the building was not sensitive to the character of the area and the planting of trees behind the existing post and rail fencing hedge would change the “hedge and open field” character of the site. Accordingly, the proposal was considered to be contrary to Policy 2 of the JCS, Policies GC2 and GC4 of the DM DPD and the requirements of Paragraph 79 of the NPPF.

As the dwelling had been submitted as a self-build proposal, the Committee had regard to the Self Build and Custom Housebuilding Act 2015. The applicant was not listed of the Register but, in any event, the Council was able to demonstrate an excess of the required provision in planning permissions.

In terms of the other matters raised, the Committee considered that the proposal would not result in a detrimental impact on the amenity of neighbouring properties and the new access onto Church Road was acceptable to the Highways Authority.

In conclusion, it was considered that the benefits of the proposal were outweighed by the harm and, in the absence of any special need identified, the proposal conflicted with the JCS and DM DPD and furthermore, did not satisfy the requirements of Paragraph 79 of the NPPF. Accordingly, it was

RESOLVED:

to refuse application number 20181487 for the following reasons:

The proposed development is outside of a Settlement Limit as defined by the Broadland District Council Site Allocations DPD Development Management DPD 2016. In the absence of any special need identified, the proposal

conflicts with the Joint Core Strategy and the Development Management DPD Policy GC2.

The proposal fails to meet the four requirements of Paragraph 79 of the National Planning Policy Framework (NPPF), particularly in relation to significantly enhancing its immediate setting and being sensitive to the defining characteristics of the local area. The site is open and laid to grass, which contributes to the characteristics of the area. The proposed design, by virtue of its scale, size and contemporary form together with its siting and the proposed additional landscaping, would be harmful to the defining characteristics of this part of Church Road, Upton. The proposal is therefore contrary to Policy 2 of the Joint Core Strategy and Policy GC4 of the DM DPD and Paragraph 79 of the NPPF.

As the proposal development conflicts with the Development Plan and there are no other material considerations that override it, including the criteria set out in Paragraph 79 of the National Planning Policy Framework (NPPF), the proposal is refused in accordance with paragraph 12 of the NPPF.

92 APPLICATION NUMBER 20182088 – LEIGHTON HOUSE, BROAD LANE, LITTLE PLUMSTEAD

The Committee considered an outline application for the sub-division of the plot and erection of two dwellings at Leighton House, Broad Lane, Little Plumstead. All matters were reserved for later approval but an illustrative layout provided for two detached dwellings each served by their own vehicular access onto Broad Lane.

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

It was noted that planning permission had been granted for a single property in 2017 and a subsequent application for three properties had been refused and dismissed on appeal.

Members noted the current situation with the housing land supply and how this should be calculated and, in advance of the publication of a comprehensive update of the land supply position, applications should continue to be determined in accordance with Appendix A of the Joint Core Strategy Annual Monitoring Report. As at 1 April 2017, there was a supply of 4.61 years in the combined Norwich Policy Area, a shortfall of 1,187 dwellings. Consequently, the policies related to housing land supply could not be considered up to date and applications for housing should continue to be determined within the context of the tilted balance referred to in Paragraph 11 of the NPPF which meant that planning permission should be granted unless any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits.

The Committee assessed the application against the relevant Development Plan policies and the NPPF, with reference to the three dimensions of sustainable development, as follows:

Economic Role

The development would result in some short-term economic benefits as part of any construction work and, in the longer term, spending from the future occupants of the dwellings. Therefore, it was considered that the scheme would bring forward a small level of economic benefit.

Social Role

Although the site was located outside of the settlement limit, it was less than half a kilometre from the settlement of Rackheath and on a bus route into the city of Norwich, as well as being close to the new Broadland Northway. It was noted that the new properties would be sited amongst other residential dwellings in accordance with Paragraph 79 of the NPPF (ie would not result in isolated homes in the countryside) and therefore, the site was considered to be a sustainable development.

It was noted that, given the site area, no affordable housing in accordance of Policy 4 of the JCS would be delivered. Furthermore, the site was below the threshold for both recreational open space and green infrastructure.

It was concluded that the provision of two additional dwellings in that location would make a small contribution to the maintenance of services in the settlement and also bring forward a modest social benefit on the basis of its contribution to the supply of homes.

Environmental Role

As the proposal involved the erection of two dwellings on an area of land between residential properties and did not extend further into the countryside, it was considered that it would not have an adverse visual impact on the locality.

In terms of the other matters raised, including the appeal decision, Members noted that the proposal would create two road frontages of approximately 18m and 20m respectively and these were considered to be in keeping with the existing character of Broad Lane. It was further considered that the proposal would not have an adverse impact on existing neighbouring residential properties and would be sympathetic to the existing character and appearance of the area in accordance with Policy G4 of the DM DPD.

It was noted that adequate parking provision could be made with ample room for off-street parking and the Highways Authority had not objected to the proposal. Accordingly, the proposal was considered not to have an adverse impact on highway safety and therefore, was in accordance with Policies TS3 and TS4 of the DM DPD.

In conclusion it was considered that the application represented an acceptable form of development which would not undermine the aims and objectives of the Development Plan. Accordingly, it was

RESOLVED:

to approve application number 20182088 subject to the following conditions:

- (1) Application for approval of ALL “reserved matters” must be made to the Local Planning Authority not later than the expiration of TWO years beginning with the date of this decision.

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. The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission was granted.

- (2) Application for the approval of the "reserved matters" shall include plans and descriptions of the:
 - i) details of the layout;
 - ii) scale of the building proposed
 - iii) the appearance of the building including the precise details of the type and colour of the materials to be used in its construction;
 - iv) the means of access to the site and
 - v) the landscaping of the site.

- (3) The development hereby permitted shall be carried out in accordance with the plans and documents listed below:

20182088 Dwg No 12_12_2018 Location Plan.pdf

20182088 Dwg No MJSM12122018 Site Layout Plan.pdf

- (4) Prior to the first occupation of the development hereby approved the vehicular access / crossing over the verge shall be constructed in accordance with a detailed scheme to be agreed in writing by the Local Planning Authority in accordance with the highways specification (TRAD 5) and thereafter maintained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
- (5) Vehicular access to and egress from the adjoining highway shall be limited to the accesses shown on the approved plan only. Any other access or egress shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed by the Local Planning Authority concurrently with the bringing into use of the new approved access.
- (6) Prior to the first occupation of any of the development hereby approved a 2 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage and adjacent land under the control of the applicant (Leighton House). The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- (7) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates / bollard / chain / other means of obstruction / enclosure shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- (8) Prior to the commencement of the development hereby approved, full details (in the form of scaled plans and / or written specifications shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:
 - Parking provision in accordance with adopted standard.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure the satisfactory development of the site.
- (4) To ensure construction of satisfactory accesses into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- (5-8) In the interests of highway safety.

Informatives:

- (1) The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are: telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (3) This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing. 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. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Control Group. Please contact Stephen Coleman on 01603 430596. If required, street furniture will need to be repositioned at the applicants own expense. 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.

- (4) 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 submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp

The meeting closed at 1:10pm

DRAFT

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

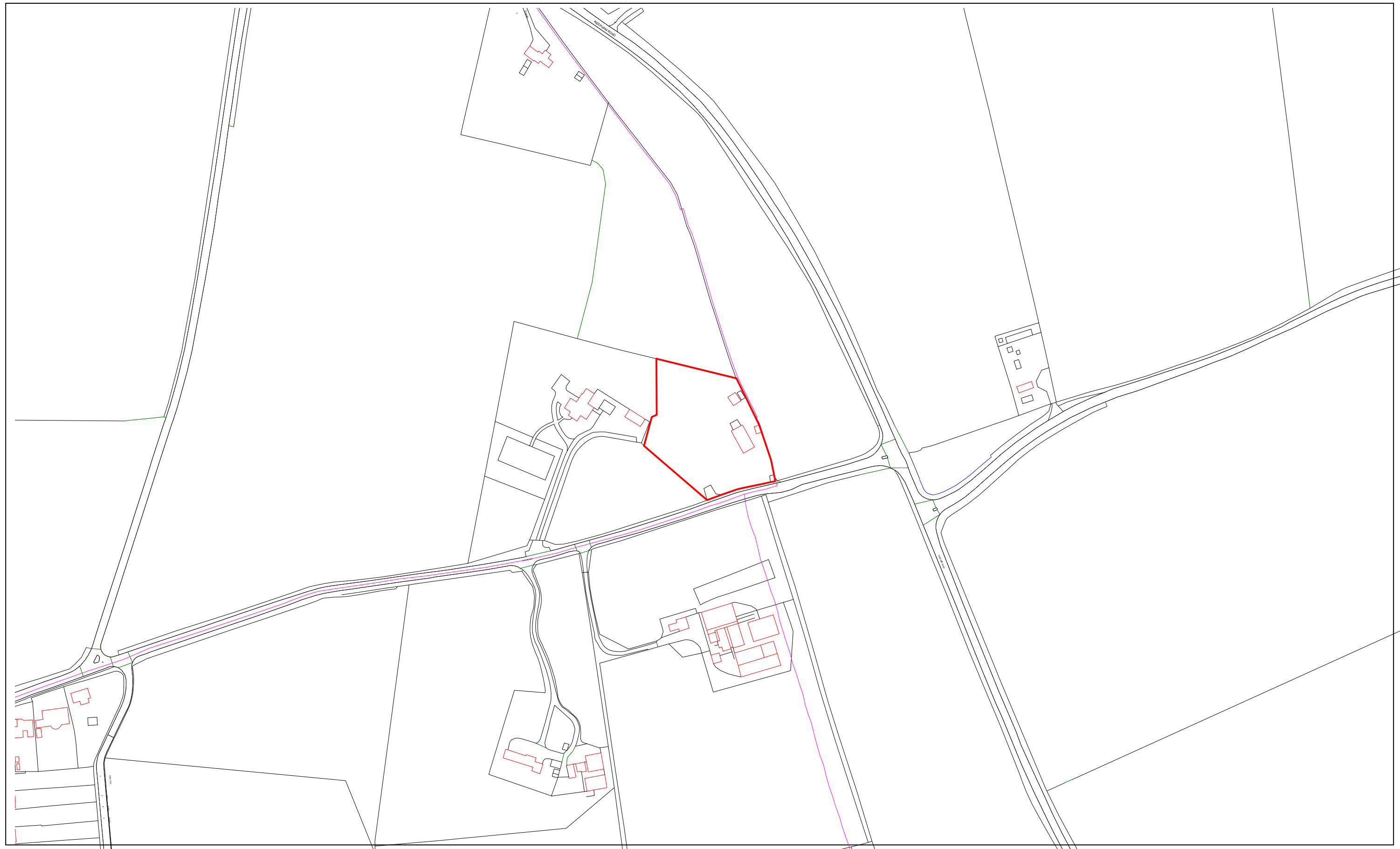
Area	Application No	Location	Contact Officer	Officer Recommendation	Page Nos
1	20181623	Hill House, Hall Lane, Drayton	CR	APPROVE subject to conditions	20 – 67
2	20171464	Land off Green Lane West, Rackheath	CJ	Delegate authority to the HoP to APPROVE subject to completion of a Section 106 Agreement and conditions	68 – 98
3	20182040	Land at rear of 33 Norwich Road, Strumpshaw	CP	Delegate authority to the HoP to APPROVE subject to the satisfactory completion of a Section 106 Agreement and conditions	99 – 116
4	20190202	Hill Rest, Clarks Loke, Blofield	MC	APPROVE subject to conditions	117 – 124
5	20190178	Land to the rear of 30 Saint Pauls Close, Horsford	CR	APPROVE subject to conditions	125 – 132
6	20190113	Unit H, Sapphire House, Roundtree Way, Sprowston	CR	APPROVE subject to conditions	133 - 145

Key:

Contact Officer

Direct Dial No:

CR	Chris Rickman	01603 430548
CJ	Charles Judson	01603 430592
CP	Cheryl Peel	01603 430550
MC	Martin Clark	01603 430581



Application No: 20181623
Hill House, Hall Lane, Drayton, NR8 6HH

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Scale:
1:2500
Date:
1-Apr-19



AREA West
PARISH Drayton

1

APPLICATION NO: 20181623 **TG REF:** 619320 / 313987
LOCATION OF SITE Hill House, Hall Lane, Drayton, NR8 6HH
DESCRIPTION OF DEVELOPMENT Demolition of Dwelling and Erection of 56 Bed Nursing Care Home, New Vehicular Access and Associated Landscaping
APPLICANT Mr Lester Broome, B2016 Limited & Guide Total Care Limited
AGENT One Planning Ltd

Date Received: 03 October 2018
8 Week Expiry Date: 28 November 2018

Reason at Committee: (1) The recommendation for approval is contrary to development plan policies and (2) at the request of Councillors Everett and Foulger for the reasons set out in paragraphs 5.2 and 5.3 of this report.

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of a detached dwelling and garage/annexe and the erection of a 56 bed nursing care home, new vehicular access and associated landscaping.
- 1.2 The care home is proposed to provide on dementia care and co-morbidity conditions with a specialist focus on early onset dementia. The care home would provide en-suite bedrooms clustered in 'households' of up to eight residents, each sharing domestic scale kitchen, dining and living space. Each household would have dedicated care staff and a therapeutic case worker delivering unique and appropriate care to each resident.
- 1.3 The care home building is proposed to predominantly be a rectangular shaped building running east/west and fronting onto Hall Lane. The building will accommodate four storeys with the top floor being located within the roof space. The south (front) elevation is broken up by a larger pitched roof gable central wing and lower flat roof element and smaller gable bays towards either end. On the north elevation there is proposed to be a large central gable with

lower level, three storey, flat roofed elements either side. The east and west elevations are broken down in scale to provide a pair of linked feature gable ends. There will be a number of flat roofed dormer windows on the north and south elevations which will serve the rooms on the fourth floor.

- 1.4 The position of the care home is in its amended form as it's been turned to run east / west rather than the original position of north to south.
- 1.5 The height of the building will vary due to the changing levels on the site. The main part of the building will be approximately 12 metres in height although it will be set on a reduced ground level so that the majority of the ground floor is set below the existing ground level. This means that the building will, in the main, be read as a having three storeys. The highest part of the building is the central wing which is approximately 14 metres above the existing ground floor level.
- 1.6 The building measures approximately 45.5 metres in width from east to west. The main building measures approximately 15.4 metres in depth (from north to south) however when including the central wing the building measures approximately 22.8 metres in depth.
- 1.7 In terms of the materials proposed for the building, multi-red blend facing bricks are proposed up to ground floor height with an off white coloured render above. Certain feature elements are expressed in a horizontal black Cedral timber weather board or in two instances where the face brick is taken full-height across the gable elevation. The roof is proposed to be finished in a pre-weathered orange-brown mix plain clay tile.
- 1.8 The existing entrance to the site is proposed to be re-located to provide a new centralised vehicular access. A new hard surfaced drive and car park is proposed to be created to the front of the site providing a total of 30 car parking spaces including 2 disabled/minibus spaces. The parking area also provides an ambulance bay, an area for motorcycle parking and 9 cycle stands within a covered structure.
- 1.9 Hard and soft landscaping works are also proposed including the re-grading of the site and areas of new planting.
- 1.10 A Unilateral Undertaking has been submitted with the application. This provides an on-going daily shuttle service offering all staff a free daily taxi pick up / drop-off facility and will provide transport twice a day (once in the morning and once in the afternoon) for visitors to and from the property to and from Drayton Village Centre.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance
- Highway safety and on-site parking
- The design and impact of the development upon the character and appearance of the area
- The impact of the development upon the amenity of nearby residents
- The impact of the development upon existing trees
- Surface and foul water drainage
- Other matters

3 CONSULTATIONS

3.1 Drayton Parish Council (summarised):

The Parish Council fully supports the concept of the project and acknowledges there is demand for this type of facility.

The Parish Council does not support the application as currently proposed because of a number of concerns and fully endorses the objections raised by Highways:

- The proposed development does not adequately provide for pedestrians/people with disabilities to link with existing provision and / or local services.
- The proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce reliance on the private car as represented in national and local policy.
- The proposal does not incorporate adequate on-site vehicular parking and manoeuvring facilities to the standard required by the Local Planning Authority. The proposal, if permitted, would therefore be likely to lead to an undesirable increase in on-street parking to the detriment to highway safety.

In addition, the Parish Council has concerns in respect of sewage from the site and feels that the system proposed needs addressing. Connection to the mains sewers would be preferable to reduce any potential additional risk of surface flooding to the village and to eliminate any potential unpleasant smells.

Further comments following submission of amended scheme:

The Parish Council recognised that efforts had been made to address some of the previous concerns and acknowledged that the Highways objection (regarding on-site parking) had largely been addressed. However, the Parish Council does not support the application with the amendments as proposed and wishes to reiterate their concerns as raised by Highways previously:

- The proposed development does not adequately provide for pedestrians/people with disabilities to link with existing provision and / or local services.
- The proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce reliance on the private car as represented in national and local policy.

In addition, the concerns around the proposals for sewerage could be resolved by connection to the main sewers to prevent the risk of additional surface flooding and to eliminate any unpleasant smells. Given that this is a care facility the highest standards around sewage should be adopted.

The facility would place intolerable pressure on the local GP surgery where waiting times are in advance of several weeks for an appointment. The complex primary care needs and requirements of the residents need to be addressed and this would task the practice, which is already struggling with demand, with an impossible challenge.

3.2 Anglian Water:

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

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

The applicant has indicated on their application that their method of foul water drainage is not to a public sewer. Therefore, this is outside our jurisdiction for

comment and the Planning Authority will need to seek the views of the Environment Agency to gauge whether the solutions identified are acceptable from their perspective. We request that the agreed strategy is reflected in the planning approval.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Further comments following submission of amended scheme:

The sewerage system at present has available capacity for these flows via a gravity connection to manhole 8801. If the developer wishes to connect to our sewerage network they should serve notice under section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (**Officer Note:** Anglian Water set out five informatives to be added to the decision notice and all of these informatives are to be added as suggested)

3.3 District Council's Conservation Officer (Arboriculture & Landscape):

There appears to be limited tree removals to implement the scheme. As the majority of the trees will be retained and unaffected by the proposals I have no objections if the recommendations within the AIA are implemented, my only additional comment relating to the tree survey detail is that no annotations relating to shadow patterns have been provided, these would usually be shown on the Tree Constraints Plan (TCP) to help establish the overshadowing the proposed development would experience.

The retained trees T34, T31, T26 to T30 and T37 and T38 would be the most significant from this aspect and the overshadowing they produce should be verified.

It would be useful if areas were shown on the Tree Protection Plan (TPP) to designate the location of construction material deliveries and tradesman's parking during the demolition and construction phases of the scheme.

Section 7. Conclusions; of the Landscape Statement describes the intention to provide additional boundary planting and replacement trees as mitigation for those removed to implement the scheme, Landscape condition T04 would be suitable.

Further comments following submission of amended scheme:

The changes to the layout have significantly increased the impact on the existing trees and specifically the proposed removal of Scots Pine T8, T9, T16 and T17 and also Sycamore T15 all of which have been categorised as 'B's' and which form part of the established landscaping and screening between Hill House and the neighbouring property Brickyard Farm which is located to the west. Additional planting is shown removed to achieve the required visibility splays. The loss of the additional five trees would be regrettable.

The shadow patterns of the existing trees have been added which demonstrates that the south west portion of the building would be shaded by T1, T3 and T4. This area of the building would require increased fenestration measures included in the design to ensure adequate daylight and quality of life for future residents and reduce the pressure for additional tree removals or inappropriate lopping.

My feeling is the loss of the additional trees is far from ideal from a landscape and neighbours perspective and the benefits the revised layout provides should be shown to be demonstrably beneficial to the scheme as a whole. I acknowledge my considerations have to be balanced against other balanced planning policy requirements.

A landscape strategy is shown on drawing No. E18843-TLP-002, which illustrates the proposed replacement planting within the site; this includes nineteen new trees and additional native hedges and an earth bund of 0.6m in height. The installation of an earth bund within the Root Protection Areas (RPA's) of the retained trees would not be acceptable as there should be no changes to the existing levels within the trees rooting areas. If additional screening is required the use of an evergreen, shade tolerant species to establish an understory or hedge would be a better option.

If the revised scheme is judged to be acceptable on planning policy grounds and it is approved, a comprehensive planting element will be required in the landscaping proposals as mitigation and landscape condition T05 would be appropriate. (**Officer Note:** Landscaping Condition T05 is proposed to be appended to decision notice as requested).

Further comments following submission of further amended scheme:

Having studied the latest revised AIA, the additional information relating to the construction of the bund is covered within section 8.7 of the document. This states that 'the use of machinery within the tree protection area (RPA) is prohibited' which means the construction of the bund will have to be undertaken using hand tools; I would assume that this has been verified as an achievable method by the consulting engineers and if it has all is well and good.

The new parking bays No.18 to No.22 are located within the RPA of T34 Beech (B Category); the construction of this area of hard surface has been detailed as 'No dig' and is shown on drawing No. E18843-TLP-603 – AMS Construction.

In theory this is possible if the merging of the traditional construction and the 'No-dig' section can be achieved, however if the joining of the two types of construction over the small section shown on the drawing isn't achievable in creating an acceptable wearing surface, then I would suggest the whole section from bays No.16 to 27 should be of a 'no-dig' construction.

Additional bin stores are referred to being added and I have no concerns regarding this as the construction is shown outside the majority of the retained trees RPA's with; a minor encroachment within the RPA of T27.

3.4 District's Contracts Officer:

This development would not receive a household waste collection and will require a commercial collection of waste. The commercial business will need to ensure that a waste contractor can access site, so the applicant needs to ensure that a large refuse vehicle can access the place where the bin store is currently located. If any of this is expected to have council tax paying "supported living" properties, then the planning guidance for household waste should be followed. Our household waste collection would not access the bin store shown on the plans and so the developer would need to agree a refuse strategy with us if there are any such properties.

Further comments following submission of amended scheme:

I would advise the applicant that should they ever need to use a different waste contractor, that they may well have issues on size of vehicle and safe collection with their current plans.

Any waste contractor would most likely want vehicle access to the bins to prevent operators having to wheel 1100 litre bins more than the recommended British Standard of 10m (over and above this distance presents

a manual handling risk, particularly with larger bins). There is no tracking near the bin store and I can't see that the turning head would allow access to bins with a vehicle this size. This may well leave a high risk reversing manoeuvre on this site as the only option to access the bins. This is concerning on a site where I understand there may well be vulnerable people.

I don't think we can do anything here other than advise them of the above, and confirm that Broadland District Council would be unable to offer any kind of waste service here based on the plans provided as we could not do it safely. This I believe would discharge our duty under the Environmental Protection Act 1990 to provide a commercial waste collection with the current proposed plan.

Further comments following submission of further amended scheme:

This looks a much better layout with regards to the safe access to this site for waste collection. A large vehicle can now access the site, and does not have to reverse for an unsafe distance. I now believe this proposed development is serviceable for waste collection.

3.5 Districts Design Advisor:

You will be aware that there has been quite extensive pre-application advice on this site resulting in a number of amendments to the previous designs. The current scheme still proposes the total demolition of the existing dwelling on the site and its replacement with a specialist purpose built care home facility.

Previously there had been questions as to the appropriateness of the location for this facility, although this is, and remains, essentially a development management issue. The fact that it introduces a large scale building into an area of sparsely developed residential / agricultural building outside the suburban fringe of Norwich does have some impacts in terms of design – particularly the visual impact of the new building in its wider landscape setting.

There have been a series of amendments to the original design which attempt to mitigate this visual impact including a significant reduction in scale and also some modifications to the topography of the site to enable the buildings to sit lower and be less visually prominent.

The latest design comments on the scheme acknowledged that, overall, the mitigation measures adopted had resulted in a design which reduced the visual impact of the massing and form of the proposal to an acceptable level.

Having looked at the submitted scheme, whilst the above comments regarding overall visual impact is that the scheme is now on balance

acceptable, the secondary detailed design issues raised in my previous comments have not in the main been addressed particularly the following:

- The detailed design will still appear somewhat institutional and a more domestic language in terms of the elevational treatment is required given the generally domestic architecture of the surrounding buildings. This is a comment that has been made consistently since the first pre-application enquiry and still requires to be addressed.
- The flat portion of the mansard roofs are hard to handle and may appear correct but the elevations should be considered as though the fenestration is sitting below a hipped roof rather than accentuating the flat roof portion. On the large block in particular the use of a gable or gablets either end might help conceal the flat roofed portion more easily. It is the plan depth that will really belie the impression of a hipped roof to the buildings but fenestration and articulation in the form of a gable may help the elevations appear more rational.

Previously the suggestion had been made that possibly a more domestic appearance to the elevations would sit more comfortably on this site and this remains the case. The satellite block in particular requires attention but the main block also could benefit from amendments to the elevations particularly the end elevations which lack finesse.

The satellite building requires a complete rethink in terms of its elevational treatment and its overall form could also benefit from some additional articulation to attempt to break its visual mass particularly the roof form, which on the end elevations results in an unacceptable visual appearance.

The fenestration pattern as submitted does little to lift the building in terms of its appearance and the floor to ceiling heights seem excessive resulting in the solid to void ratio in the elevations appearing completely unbalanced. This results in a very institutional appearance especially on the gables but also on the flank elevations.

It is disappointing that having reduced the overall mass and visual impact of the proposal to a level that is acceptable that the detailed design issues previously raised still have not been addressed in any meaningful way.

There needs to be further consideration given to the roof design and the elevations of both elements at this stage to ensure that the development overall is appropriate.

The issues outlined above need to be addressed before an approval could be recommended on design grounds. The scheme as submitted could not be supported owing to the adverse visual impact resulting from its external

appearance and refusal on design grounds would be considered entirely justifiable.

Further comments following submission of amended scheme:

The current proposal follows meetings with the Architects and applicant and discussions that you have been having regarding the issue of visual impact / neighbouring amenity. The revised scheme has in the main addressed these issues.

The loss of the satellite block is particularly welcome and allows the re-orientation of the main block across the site which improves the layout of the site and car parking. This may also mitigate some of the concerns regarding outlook from neighbouring properties.

In terms of the building's massing the use of the levels across the site does reduce the overall visual bulk.

In terms of the overall appearance of the building, whilst still of significant scale, the massing has been broken by the introduction of articulation to the elevations in the form of projections and setbacks.

The mansard roofs have been replaced with gables and the elevational treatment overall has a less institutional appearance and appears far more appropriate to its location. A more considered and appropriate fenestration pattern gives visual interest to the long elevations.

The break in the long facades provided by the central cross wings and attached flat roofed elements visually shorten the appearance as well as providing a central focus. To the south the introduction of the gables also breaks the façade and provides visual interest.

Overall the resulting design represents a significant improvement over the previously submitted scheme. The current proposal successfully addresses previous concerns regarding the appearance and amount of development on the site. The loss of the satellite building is particularly welcomed in this regard.

In terms of detail the choice of materials and the architectural detailing to key junctions such as the eaves, verge, dormers, reveals, plinth and projecting bays will be critical to the overall appearance of the building. Choice of finish for hard landscaping and dwarf walls etc. as well as external lighting and soft landscaping will also be key to the overall visual impact of the development. It is considered that details of these elements should either be secured as part of the application or secured by condition.

In conclusion, subject to the above comments regarding the detailing and materials, the revised scheme is considered to address previous concerns regarding detailed design and can therefore be recommended for approval on design grounds subject to those comments being satisfactorily addressed by the submission of further details or secured by condition.

3.6 District's Economic Development Officer:

I can confirm that I would fully support the application which would provide valuable dementia care within the district. Although the facility indicates that it would focus on early onset dementia care, I feel that expanding dementia care facilities covering any age range would be of benefit to both the district and the wider community. The proposal would also provide some additional local employment opportunities.

3.7 Environment Agency:

We have inspected the application, as submitted and are raising a holding objection to the proposal on the grounds of foul drainage.

The application form indicates that the development is to use a package treatment plant as the means of foul drainage. Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality - considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer.
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation).
3. Septic Tank.

The first presumption should be to provide a system of foul drainage discharging into a public sewer to be treated at a public sewerage treatment works. A private means of foul effluent disposal is only acceptable when foul mains drainage is not feasible (in terms of cost and/or practicality).

Our mapping data demonstrates that it is feasible for the proposed 56 no. bed nursing care home to be connected to the Mains Sewer Network. The Anglian Water Services sewer network is approximately 330 metres from the property boundary.

A 56 bed residential care home with staff will house considerably more people than the existing dwelling, with a much higher rate of water consumption and

therefore producing more sewage, than an equivalent development of domestic properties.

There are serious concerns with the volumes of sewage being produced, requiring treatment and disposal as stated in the application. British Water's Code of Practice, Flows and Loads 4, says that residential care homes produce 350 litres of sewage per person per day, significantly more than the 200litres per person per day quoted in the application.

Flows and Loads 4 also states that for hospitals and residential care homes: "The nature of the facility affects the design values. Some nursing homes have very high hydraulic loads as a result of the use of bedpans and their sanitation. Consider any disinfection equipment installed. With drugs and hygiene requirements of hospitals, adjust the equipment size to compensate for treatability factors."

Both the treated sewage and the clean surface water are proposed to be discharged to a buried crate infiltration system (soakaway). As well as considering the increased amount of sewage requiring disposal via infiltration, the applicant must also factor in the additional input of rainfall going to the soakaway, particularly during heavy rainfall events. The saturated soil must be able to accept, without impact to the lower-lying adjacent property situated just beside the proposed location of the soakaway, both the larger volumes of sewage and the rainfall entering the soakaway.

The car park surface water discharge may require an oil interceptor if over the threshold for the number of spaces. If the applicant overcomes our objection we would likely request a condition requiring the use of an oil interceptor. The applicant can overcome our objection by doing either of the following options:

1. Altering their plans to show that the development site will connect to the Anglian Water Services sewer network instead of using a package treatment plant.
2. Providing evidence that it is not feasible for this site to connect to the mains sewer network. It may help the applicant to follow the guidance in our Foul Drainage Assessment Form (FA1), which we have attached with our response.
 - Demonstrating in the event mains sewer connection is not feasible, that the soakaway will be able to accept the increased discharge, without impacting the adjacent property.
 - Providing confirmation that any treatment plant will be able to efficiently treat more than 350litres per person per day, as well as such materials as disinfectant. The treatment of any discharge from an on-site laundry would also need to be considered.

If connection to the mains foul system is not feasible, an environmental permit will be required for the treated sewage discharge. The applicant should submit a Permit Pre-Application request to the Agency.

Please note that the granting of planning permission does not guarantee the granting of an environmental permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Further comments following submission of amended scheme:

We have reviewed the additional information, as submitted, and are maintaining our holding objection.

We note from the Addendum Update document, dated 22 January 2019, the applicant appears to have increased the number of beds from 56 to 57.

Further consideration of connection to the mains foul sewer must be undertaken. Although the distance along Hall Lane from the site to the sewer is around 450m, other potential routes need to be looked at i.e. west across the agricultural field from the northernmost corner of the site along the northern boundary of Brickyard Farm. This route is approximately 325m and would involve no traffic disruption compared to the Hall Lane route. The application contains no confirmation of capacity at the receiving sewage treatment works or any costings for the connection works.

The amended figure of 28m³/day of treated sewage effluent is a significant volume to be discharged and infiltrate to ground. The test pit locations and percolation results supplied in the revised Drainage Strategy are for the previous soakaway location and so cannot be used with any confidence as evidence regarding the ability of the soil geology at the new proposed location, some 50m away.

Appendix A in the Drainage Strategy states: "Drainage field design data is also provided for the proposed foul water treatment plant. It is noted that the Vp values obtained may indicate that the natural materials present would provide insufficient subsurface effluent treatment."

The application states that the treated effluent will be discharged via a 'soakaway.' From the attached drainage drawing, this would seem to be a 6m x 6m x 0.8m crate-style system. This is not an acceptable system for the discharge of treated sewage, only clean surface water i.e. rainfall, may go to ground via a soakaway. The applicant would need to install a suitably-sized infiltration drainage field system (a network of perforated pipes) that complies with the relevant British Standard. Given the expected volume of 28 cubic metres being discharged every day, we have significant doubts that there is

enough space on the site to accommodate an adequately-sized drainage field.

A Bespoke discharge permit would need to be applied for, as this volume falls outside the 15m³/day maximum allowed under the Standard Rules permit.

Further comments following submission of further amended scheme:

We have reviewed the latest information submitted and are now satisfied our holding objection can be removed. The amended foul drainage strategy confirms connection to the main sewer network, which was the preferred disposal route. We therefore have no further concerns to raise with regards to this proposal and our objection can be removed.

3.8 District's Environmental Health Officer:

No objection.

3.9 NHS England Midlands and East (East):

The proposal comprises a development of up to 56 dwellings, which 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 are 2 surgeries within a 2km radius of the proposed development; Hellesdon Medical Practice and Drayton and St. Faiths Medical Practice. The catchment practices do 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.

In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework and the CIL Regulations, which provide for development

contributions to be secured to mitigate a development's impact. 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.

Assuming the above is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development. It is noted that this development incorporates C2 use. We would be grateful if the council would keep us informed of the final determined use for these facilities to assist with capacity planning. NHS England and the CCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response.

3.10 Norfolk County Council as Highway Authority:

This proposal replaces an existing (albeit large) single dwelling with a 56 Bed Care home employing in excess of twenty daytime staff.

It can therefore be considered that the traffic generation of the site will increase significantly. However in highway safety terms the application suggests a new access point able to provide visibility splays considered acceptable for the 85th percentile traffic speed on the adjacent section of Hall Lane which is subject to a 30 Mph speed limit and traffic calming measures.

The site, however, is not linked to any footway facilities and the nature of Hall Lane with narrow and raised verges does not encourage walking on a road where, even with the calming measures, traffic tends to travel in excess of the speed limit.

There accordingly are transport sustainability and accessibility concerns with this proposal with the expectation of satisfactory siting of such proposals being that alternative travel modes to that of the car are safely and readily available. Whilst it is accepted that the residents would not be car owners and family visitors will generally travel by car, alternatives should be available to staff and care visitors and it is also expected that the residents would need and require to take some air, visit local facilities and take exercise away from the fairly restricted and isolated proposal site.

The nearest existing footway is some 500m to the south west of the site. I have considered the possibilities of a footway link being provided to these existing facilities and my present view is that this is both generally undesirable and unachievable due to land ownership restrictions, levels, drainage and conservation constraints.

I note the application includes both a Transport Assessment and Interim Travel Plan; the contents of which are noted, however, without a footway link to the site itself a significant part of what the agent is suggesting to be acceptable falls down.

I also note the on-site parking provision to be below that considered adequate. The Broadland District Council parking standards state a maximum of 1 space per resident staff and 1 space per 3 dwelling unit/beds is required. Based upon staff numbers of twenty and even allowing that the majority are not resident the requirement for this 56 Bed unit should be more (suggest 30 spaces;- 15 staff /15 visitor) than the 21/22 spaces that can be established from the submitted plan.

I consider that without an increase to the parking provision the possibility exists, with the buildings being located close to the road, of parking occurring on the carriageway of Hall Lane.

As presently submitted I consider the application to be unacceptable and it should be refused for the following reasons:-

1. SHCR 02. The proposed development does not adequately provide for pedestrians / people with disabilities (those confined to a wheelchair or others with mobility difficulties) to link with existing provision and /or local services. Contrary to Development Plan Policies.
2. SHCR 33. The proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as represented in national and local policy. Contrary to the National Planning Policy Framework and Policy 5 of Norfolk's 3rd Local Transport Plan, entitled Connecting Norfolk.
3. SHCR 17. The proposal does not incorporate adequate on-site vehicular parking and manoeuvring facilities to the standard required by the Local Planning Authority. The proposal, if permitted, would therefore be likely to lead to an undesirable increase in on-street parking to the detriment to highway safety. Contrary to Development Plan Policies.

Further comments following submission of amended scheme:

The agent is suggesting that a number of methods (car sharing/ taxi provision/cycling etc.) could be provided to reduce traffic movements to the site by staff. Whilst this is to be welcomed the practicality or reality of this occurring in perpetuity is slim and without any planning conditions that could be put in place to ensure compliance I must place little weight on these suggestions.

The agent notes that the proposal will have no resident staff, nevertheless there should be some allowance for staff parking in addition to the one parking space per dwelling unit required by the C2 Residential Care Home Parking Standards. With the proposed Care Home being fifty six beds this requires nineteen car parking spaces alone and further staff spaces should be provided to allow for shift overlap etc. and I therefore reiterate that thirty car parking spaces should be aimed for.

This response does not satisfactorily address the fact that the site is not linked to pedestrian facilities without which public transport facilities are not linked, pedestrian access is not conducive and the site generally does not meet transport sustainability aims in both terms of the staff working or residents living at the site.

In addition the shortage of car parking facilities has not been overcome. My previous recommendation of objection therefore remains.

Further comments following submission of further amended scheme:

The Highway Authority remain sceptical of the enforceability of the proposed Unilateral Undertaking to provide a staff bus service to the site. A number of concerns are also raised by the apparent lack of a mechanism to ensure the obligation remains in place should either of the named parties change or that Broadland District Council as Enforcing Authority are not a named party etc.

The provision of a footway (on highway) or footpath (on third party land) linking the site to existing pedestrian facilities and services has been deemed to be impractical due to land ownership and conservation constraints. There is also a further consideration of the desirability, in this particular countryside location, of a surfaced and kerbed footway of some considerable distance that serves in practicality only Hill House and the neighbouring dwelling.

On this basis and taking into account that even if the bus service were to be provided the site still remains inaccessible to 1) staff living away from the to be provided bus route 2) visitors to occupants of the Care Home and 3) residents of the Care Home itself, I remain of the view that this proposal does not meet the requirements of National and Local policies in regard to

development offering safe access to alternative modes of transport to the private car.

Accordingly the reasons for objection SHCR 02 & SHCR 33 as set out in my letter of the 24 October 2018 remain.

I have taken note of the contents of the applicants agents e-mail to me of the 5 March 2019, regarding the intended bus service, residents, staff and visitors. The information provided in that mail may, to a greater or lesser extent, be correct but the fact remains that the site is isolated and located on a busy section of highway where traffic is travelling at or above the speed limit in force. On this basis the proposed development is both considered unsatisfactory in terms of accessibility and potentially detrimental to highway safety should walking by any person associated with the development occur in the immediately adjacent sections of highway.

3.11 Norfolk County Council as Lead Local Flood Authority (LLFA):

The applicant has provided an FRA and Drainage Strategy (Clancy Consulting Ref 8/1833 Rev B dated 24 September 2018). However the application has not fully assessed the surface water risk affecting the site.

We therefore object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) / Drainage Strategy relating to:

- The demonstration that the development is in accordance with National Planning Policy Framework (NPPF) with regard to the risk of flooding. There is currently insufficient information to demonstrate that surface water arising from the development would not result in flooding of the proposed building.
- There are no calculations to demonstrate that surface water can be adequately managed within the site to accommodate up to the critical duration rainfall event including climate change allowances in compliance with the latest Environment Agency guidance.
- Insufficient information provided regarding the future adoption and maintenance of the entire drainage system.
- The design of the drainage system for exceedance flow management has not been considered.

We will consider reviewing this objection if the following issues are adequately addressed.

- An updated Flood Risk Assessment to include detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

Please note that FSR (Flood Studies Report) rainfall data should be used for storm durations less than 1 hour and FEH (Flood Estimation Handbook) rainfall data should be used for storm durations greater than 1 hour when identifying the critical storm duration.

- A maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.
- Plans showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period need to be provided. Floor levels associated with the drainage system should not be less than 300mm below the finished ground floor levels.

As part of this stage of the application we would expect the applicant to provide evidence to demonstrate that the proposals for surface water are sufficient to prevent an increase in the risk of flooding elsewhere as a result of increased speed of runoff through the development; and, appropriately integrate within the development layout the ingress, through flow and egress of surface water flow path exceedance routes identified as affecting the development site.

Further comments following submission of amended scheme:

The applicant has now provided an amended FRA and Drainage Strategy (Clancy Consulting Ref 8/1833 Rev D dated 16 January 2019 – including drainage calculations) to reflect the revised layout, together with a revised drainage strategy plan (No 400400-P1 dated 16 January 2019). This new information addresses most of our previous concerns.

We therefore have no objection subject to conditions being attached to any consent if this application is approved and the Applicant is in agreement with pre-commencement conditions. If not, we would request the following information prior to your determination. We recognise that the Local Planning

Authority is the determining authority, however to assist, we suggest the following wording:

Prior to commencement of development, in accordance with the submitted FRA (Clancy Consulting Ref 8/1833 Rev D dated 16 January 2019), Drainage Strategy (plan ref: No 400400-P1 dated 16 January 2019) detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- I. Detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the proposed infiltration features.
- II. Provision of surface water storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 115.2m³ will be provided in line with drawing No 400400-P1 dated 16 January 2019.
- III. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - o 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - o 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
- IV. The design of the infiltration tank will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
- V. Finished ground floor levels of properties are to be a minimum of 300mm above expected flood levels of all sources of flooding (including SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
- VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 163 and 165 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.

Officer Note: Above condition is proposed to be added to decision notice as requested by the LLFA.

3.12 Norfolk County Council – Minerals and Waste:

While the application site is underlain by a Mineral Safeguarding Area (Sand and Gravel), it is considered that as a result of the site area it would be exempt from the requirements of Policy CS16 –safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

3.13 Norfolk Fire and Rescue Service:

With reference to the proposed development, based on the location and infrastructure already in place and the type of building proposed, our minimum requirement is for 1 fire hydrant capable of delivering a minimum of 20 litres per second of water. The positioning of the hydrant should meet the requirements of Building Regulations Approved Document B volume 2 B5 sections 15 & 16 (Fire Hydrants / water supplies and Vehicle access).

Suggested condition: No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service.

Reason for Condition: Condition is needed to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Suggested Informative: With reference to the condition, the developer will be expected to meet the costs of supplying and installing the fire hydrant.

Officer Note: Above condition and informative are proposed to be added to the decision notice as requested by Norfolk Fire and Rescue Service.

3.14 District's Pollution Control Officer

The location is in part on the site of a former brick works. I would therefore like to have a condition added to require a site investigation on the land condition.

Officer Note: A condition is proposed to be added to the decision notice as requested by District's Pollution Control Officer.

4 PUBLICITY

4.1 Site Notice:

Date displayed: 17 October 2018

Expiry date: 7 November 2018

4.2 Press Notice:

Date displayed: 23 October 2018

Expiry date: 13 November 2018

4.3 Neighbour notifications:

Letters sent: 9 October 2018

Last expiry date: 14 February 2019

5 REPRESENTATIONS

5.1 20 letters of representation have been received (19 objections, 1 comment). The representations have raised the following issues:

- No doubt care home of this nature is needed but not in this location
- Unsustainable location – lack of public transport provision, nearest bus stop is 1km away and acceptable distance to walk to a bus stop is only 400m. Proposal is good distance from local services.
- Location should be accessible to patients, visitors, care providers/staff and deliveries/service providers
- Lack of footpath or street lights along Hall Lane. – It is dangerous to walk or cycle along this lane, especially after dark – footpath must be installed for pedestrian protection.

- Condition of the access to the site – access is moving closer to dangerous junction leading onto Reepham Road.
- Proposal will cause traffic problems - Intensification of movement to and from the site along Hall Lane and in surrounding area.
- Insufficient parking and turning areas – could cause chaos at staff hand over times – could add to the dangers on Hall Lane.
- Unilateral Undertaking to provide for shuttle bus service is not enforceable.
- Lack of identified need for nursing home in this location – submitted documents admit families and friends will have to travel up to an hour, as the home would serve the whole of East Anglia.
- We already have a care home in the village so this appears a strange location for a new care home – Local area already well served by care homes - there are four care homes within a 10 mile radius.
- The viability of Brooklands Care Home could be undermined should this application be approved – the new care home should be limited to serving a need that Brooklands Care Home does not provide, such as care for the under 65's.
- Impact on Drayton Medical Practice – pressure on existing service – negative impact on patient experience
- Detrimental impact upon village – proposal will undoubtedly put even more pressure on the overstretched resources of the village, particularly the doctors, dentists, health visitors and other specialist/professionals.
- Detrimental impact on the character and appearance of the area – Proposal will detract from the rural and green setting of this route into the village and the rural landscape.
- Poor design – out of scale development with the rural area – proposal is too large – 4 storey building in this location will be unduly prominent – inappropriate design, including bulk and massing – detrimental visual impact.
- Overdevelopment of the site – the site is simply not big enough to satisfactorily accommodate the sheer size of the institution being proposed.

- Negative environmental impact – Detrimental impact on wildlife
- Loss of trees that contribute significantly to the site
- Unsuitable location next to a family home where young children play. Contributing factors leading to young onset dementia include things such as alcohol and/or drug use (making up well over half the cases studied) use of antipsychotic medication, depression, low cognitive function etc. all that can progress and result in challenging behaviour. Symptoms include impulsivity, difficulty controlling emotions, tension, lack of sensitivity to the feelings of other people and behaviour which is socially inappropriate. All reasons why such a facility should not be adjacent a residential property.
- Detrimental impact upon neighbour amenity – proposals will result in overlooking issues with four storey building looking into parts of neighbouring garden and therefore an invasion of privacy - residents of adjacent residential property would not feel safe in their own home.
- Noise Pollution - activities in the main garden area will undoubtedly be extremely noisy (potentially disruptive) bearing in mind the type of residents using it – increase in noise due to additional vehicular movements, ambulances, trade vehicles etc.
- Proposal will result in light pollution from building and lighting in car park etc. - adverse effect on this dark area
- Noise levels from adjacent residential dwelling could unsettle patients in the home.
- Concerns over security of the site – residents could easily get out of the site – causing alarm for residents themselves and residents of next door residential dwelling
- Concerns raised regarding boundary treatments – Only post and rail fencing proposed to rear boundary?
- Application does not propose to connect to the main sewer – proposed on-site foul sewer treatment plant and soakaway field which will create problems and smells is unsatisfactory.
- Demolition of a long standing and well recognised landmark in the village.
- Factual inaccuracies in submission documents – western boundary on site plan is shown incorrectly.

- There does not appear to be any mention of how laundry will be taken care of.
- The utility services to the site are unsatisfactory – The water main serving Hill House is unlikely to have the capacity for such a large institution.
- Hall Lane area is of National importance for bats - bats have been seen flying around Hill House – there needs to be a full survey to see if bats are nesting in the buildings.
- Addendum CBRE Report states that green standing entertainments facility and coffee shop will not be part of the proposed application. Will this be added at a later stage?
- Why is there a need for a service yard? Vehicles using this road will also create unnecessary light and noise pollution.
- Can all development traffic utilise the Broadland Northway road rather than roads through Drayton village, especially Hall Lane?

5.2 Councillor Everett:

If you are minded to approve the application I wish to call it in to Planning Committee for determination.

There are numerous reasons why I believe the application is contrary to policy, but will focus on just a few.

DM DPD (2015)

Policy TS3. Highway safety - I believe there would be significant adverse impact on the safety of the highway network.

Policy TS4. Parking Guidelines. - I do not believe appropriate parking and manoeuvre space is provided on the site and the site is not easily accessible by non- car modes. The nearest footpath is approx. 500m away and there is no footway lighting, the nearest buses stops are 1.15k and 1.2K away, which are almost 3 times the recommended guidelines.

Policy H5. Residential Institutions - The site is approx. 500m outside the settlement limit of Drayton and it is not accessible by public transport. The policy also states for residential institutions outside the settlement limit the proposal needs to demonstrate that the facility is required to meet an identified need in the locality. I do not believe this local need has been demonstrated.

5.3 Councillor Foulger:

I feel that if implemented it would be a very welcome development providing a much needed facility. However there are some local concerns and for this reason if you are minded to approve I wish it to be considered by the Planning Committee.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2018:

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The NPPF is a material consideration and should be read as a whole but paragraphs 1, 2, 6, 7, 8, 9, 10, 11, 12, 38, 47, 54, 55, 56, 61, 92, 102, 103, 109, 110, 111, 122, 124, 127, 128, 130, 150, 163, 165, 170, 175, 179, 180 and 182 are particularly relevant to the determination of this application.

Planning Practice Guidance (SPG) 2014:

- 6.3 Web based national guidance formalised in March 2014.
- 6.4 Paragraph 8 in section 'Determining a Planning Application' states a material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission).
- 6.5 Paragraph 1 in section 'The importance of good design' states good quality design is an integral part of sustainable development.

Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk 2011 (amendments adopted 2014):

- 6.6 Policy 1: Addressing climate change and protecting environmental assets

This Policy sets down a number of standards that new development should achieve in its attempts to address climate change and promote sustainability; including giving careful consideration to the location of development and the impact it would have ecosystems of an area.

6.7 Policy 2: Promoting good design

Seeks to ensure that all development is designed to the highest possible standard, whilst creating a strong sense of place. It also states that developments will respect local distinctiveness.

6.8 Policy 3: Energy and water

Seeks to minimise reliance on non-renewable high-carbon energy sources. All development proposals of a minimum of 1,000m² of non-residential floor space will be required to include sources of 'decentralised and renewable or low-carbon energy' providing at least 10% of the scheme's expected energy requirements.

6.9 Policy 4: Housing delivery

States to meet the existing and future needs of the community provision will be made for specialist housing such as supported housing, care facilities and retirement communities.

6.10 Policy 5: The Economy

Seeks to develop and promote the local economy in a sustainable way to support jobs and economic growth both in urban and rural locations.

6.11 Policy 6: Access and Transportation

Relates to access and transportation. Particularly it seeks to concentrate development close to essential services and facilities to encourage walking and cycling as the primary means of travel with public transport for wider access.

6.12 Policy 7: Supporting communities

Requires development to maintain or enhance the quality of life and the well-being of communities and will promote equality and diversity, and protect and strengthen community cohesion.

6.13 Policy 12: The remainder of the Norwich urban area, including the fringe parishes

Amongst other things states that throughout the suburban area and fringe parishes opportunities will be sought to improve townscape and retain the best local character and to retain and improve local jobs.

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

6.14 Policy GC1: Presumption in favour of sustainable development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

6.15 Policy GC2: Location of new development

New development will be accommodated within the settlement limits defined on the proposals map. Outside these limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and / or policy of the Development Plan.

6.16 Policy GC4: Design

Sets out a list of criteria that proposals should pay regard to which includes the need to consider impact upon the amenity of existing properties, the environment, character and appearance of an area and being accessible via sustainable means.

6.17 Policy EN1: Biodiversity and Habitats

Development proposals will be expected to protect and enhance the biodiversity of the district, avoid fragmentation of habitats and support the delivery of a co-ordinated green infrastructure network.

6.18 Policy EN2: Landscape

In order to protect the character of the area, development proposals should have regard to the Landscape Character Assessment SPD and, in particular, consider any impact upon a range of issues.

6.19 Policy EN4: Pollution

Development proposals will be expected to include an assessment of the extent of potential pollution. Where pollution may be an issue, adequate mitigation measures will be required. Development will only be permitted where there will be no significant adverse impact upon amenity, human health or the natural environment.

6.20 Policy H5: Residential Institutions

Planning applications for residential institutions within settlement limits will be considered acceptable in principle provided the site is accessible by public transport and is within reasonable proximity of community facilities. In addition to the above, proposals for residential institutions outside settlement limits will also need to demonstrate that the facility is required to meet an identified need in the locality.

6.21 Policy TS3: Highway safety

Development will not be permitted where it would result in significant adverse impact upon the satisfactory functioning or safety of the highway network.

6.22 Policy TS4: Parking Guidelines

Within new developments appropriate parking and manoeuvring space should be provided to reflect the use and location as well as its accessibility by non-car modes.

6.23 Policy CSU5 – Surface Water Drainage

Mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise the risk of flooding on the development site without increasing flood risk elsewhere.

Drayton Neighbourhood Plan, Adopted July 2016:

6.24 Policy 1A:

Proposals for development must show how the development would achieve a high standard of design, sustainability and innovation. Development which reflects the historic character of Drayton will be supported.

6.25 Policy 2A:

Proposals for development which would use traditional building materials found in Drayton will be supported.

6.26 Policy 3:

Maintaining important views. States that development which would be prominent in, or would be materially intrusive in, the views described below will not be permitted. Amongst the views described is 'views across open land from the top of School Road to the south east towards Hall Lane'.

6.27 Policy 5:

Development proposals which are likely to increase the risk of surface water flooding will not be permitted. Applications for planning permission for development within the Drayton Critical Drainage Area as defined in the Norwich Surface Water Management Plan must be accompanied by a flood risk assessment which considers surface water flooding.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site is a residential plot located on the north side of Hall Lane in Drayton. The site is situated approximately 1.3 kilometres to the east of the centre of Drayton. The site comprises a substantial detached dwelling and smaller single storey detached garage on a large plot which measures approximately 0.58 hectares in size. The site slopes significantly from east to west.
- 7.2 The site is bounded by Hall Lane to the south with two detached dwellings on the opposite side of the road. To the east of the site lies an open field with Reepham Road beyond. To the north of the site is an area of private woodland with fields beyond. To the west of the site there is another detached residential dwelling on a large plot called Brickyard Farm which is set well back from Hall Lane.
- 7.3 The existing property on the site is a brick built dwelling which is painted pink and has a dark grey tiled roof. The dwelling is two storeys in height with accommodation within the roof space featuring large dormer windows and a projecting front gable. The main dwelling has been extended to the south and features a large gable elevation to the west and east. To the north the dwelling drops down to single storey and features a large glazed conservatory. There is a detached modern brick garage/annexe building with a dual pitched roof to the north of the dwelling. Vehicular access is onto Hall Lane and is sited in the south west corner of the site.
- 7.4 There is currently timber post and rail fencing of approximately 1.2 metres in height on the northern boundary of the site. To the east of the site there is hedging of varying heights which starts at approximately 3.5 metres in the north east corner and then drops down to a height of approximately 2 metres. A brick wall of approximately 1.5 metres then forms the boundary towards the south east corner of the site. On the southern boundary there is close boarded fencing of approximately 1.5 metres in height with a brick wall of approximately 1.8 metres either side of the vehicular access. There is approximately 3 metre high hedging on the south west boundary this is followed by timber post and rail fencing and hedging of various heights further north along the western boundary. There are also trees and hedges of varying heights on all boundaries as well as several established trees within the site.

8 PLANNING HISTORY

- 8.1 912007: Single Storey Side And Rear Extension –. Withdrawn – 15 January 1992
- 8.2 9200031: Single Storey Side Extension – Full Approval – 18 February 1992
- 8.3 920885: Garage – Full Approval – 19 August 1992
- 8.4 981240: Two Storey Rear Extension – Full Approval – 02 June 1999
- 8.5 20020703: Two Storey Extension to Provide New Entrance Hall and Stairs – Full Approval – 19 June 2002

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against Development Plan policies and national planning guidance. In particular the impact of the development upon highway safety, on-site parking, the trees on the site, the design, the character and appearance of the area, neighbour amenity and the acceptability of the proposed surface and foul water drainage.

Whether the proposed development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance

- 9.2 The application proposes a 56 bed nursing care home which will provide dementia care and co-morbidity conditions with a specialist focus on Early Onset Dementia. The proposed facility will offer a bespoke specialist care service, said to be unlike traditional care homes. The proposed facility will comprise of 'households' of up to 8 residents. Each household, in addition to the dedicated care staff, will have a therapeutic case worker delivering unique and appropriate care to each resident. The household environment encourages the residents to continue with everyday life and participate in daily living activities.
- 9.3 The site lies outside the settlement limit that has been defined for Drayton where Policy GC2 of the Development Management DPD (DM DPD) seeks new development to be located. Policy GC2 also states however, that outside of these limits, development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan.

- 9.4 In this regard Policy H5 'Residential Institutions' of the DM DPD states planning applications for residential institutions outside of settlement limits will be considered acceptable in principle provided the site is accessible by public transport, is within reasonable proximity of community facilities and it has been demonstrated that the facility is required to meet an identified need in the locality. In addition Policy 4 'Housing delivery' of the Joint Core Strategy (JCS) states to meet the existing and future needs of the community provision will be made for specialist housing such as supported housing, care facilities and retirement communities.
- 9.5 The Council's Economic Development Officer has supported the application as it would provide additional local employment opportunities. The proposals will support jobs and economic growth and is therefore considered to accord with Policy 5 of the JCS. Policy 7 of the JCS states that appropriate and accessible health facilities and services will be provided across the area. It continues to state that an expansion of care home provision specialising in dementia care will be required. Supporting paragraph 5.53 of Policy 7 also recognises the urgent need for new dementia care facilities in the plan area. It states: 'evidence from consultation suggests that over 1,000 additional specialist dementia care homes and care homes with nursing places addressing various needs will be required by 2026'. The application is therefore also considered to accord with Policy 7 of the JCS.
- 9.6 The Planning Statement submitted with the application states that dementia is a key priority for both NHS England and the Government. It continues to state that one of the ten priorities identified by NHS England as part of the 'Five Year Forward View' is to upgrade the quality of care and access to mental health and dementia service.
- 9.7 The applicant has commissioned a report from CBRE to identify local supply and demand data for dementia care within the county and more specifically within site catchment area. With regards to the supply, the report confirms that there are currently only 25 registered mental health facilities across the east of England region, providing only 769 beds with 7 of these catering for challenging behaviour. It sets out that the majority of these sites are co-serviced facilities and not dedicated for Young Onset Dementia (YOD) and Complex Behaviour (CB) patients. CB facilities in the area do not cater for dementia. With regards to the demand, the CBRE report states that there are over 36,938 people registered with dementia and an estimate of over 1,798 with YOD (calculated as a 5% prevalence rate) living in the east of England region alone. The report states that there is a significant unmet need to provide appropriate care and residential pathways for these patients. The report goes further to state that within a 10-mile radius of the site there is currently an estimated 303 people living with YOD.
- 9.8 The applicant has also discussed the proposal with the Director of Commissioning at Norfolk County Council for Adult Social Services. The Director of Commissioning has welcomed the proposal as a priority

development for Norfolk County Council and confirmed that there will be future demand for the facility within the locality. It is therefore considered that as in line with Policy H5 DM DPD, the facility is required to meet an identified need in the locality.

- 9.9 Policy H5 of the DM DPD also states that residential institutions will be acceptable in principle provided the site is accessible by public transport and is within reasonable proximity of community facilities. The site is located approximately 1.3 kilometres from the centre of Drayton and the nearest bus stops are located on School Road and Drayton High Road. A Transport Statement and Interim Travel Plan have been submitted with the application. These both confirm that the site is accessible from sustainable modes of transport. Drayton centre and residential areas to the north of Hellesdon are located within a 2km catchment area of the site. Facilities within Drayton centre include a food store, pharmacy, bank, church, Public Houses, village hall, schools, leisure uses and a petrol filling station. There are a range of additional facilities and services located within a 5km catchment area including Horsford, Horsham St Faith, Taverham, Hellesdon and Norwich Airport. The applicant has investigated with the Highway Authority whether a footway can be provided to link the site to the existing footway on Hall Lane, however this has not proved possible due to insufficient land within the highway being available. Overall, the site is considered to be suitably accessible by sustainable transport modes for employee commuting purposes as a Unilateral Undertaking is to be entered into to secure this. On this basis, it does not conflict with the aims and objectives of Policy H5 of the DM DPD.

Highway safety and on-site parking

- 9.10 A new centralised vehicular access is proposed at the site off Hall Lane and the Highway Authority has raised no objection to this with regards to the access and visibility splays. The Highway Authority has however objected to the application as the proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as represented in national and local policy. The Highway Authority has also objected to the application as they have stated that the proposed development does not adequately provide for pedestrians / people with disabilities to link with existing provision and/or local services due to the lack of footway along Hall Lane. They have continued to state that the nature of Hall Lane, with narrow and raised verges, does not encourage walking on the road.
- 9.11 It is accepted that the site has limited footway provision along Hall Lane although there are no known recorded accidents along this section and Hall Lane also benefits from traffic calming measures. However in a bid to overcome this issue the applicant has submitted a Unilateral Undertaking with the application. This provides an on-going daily shuttle service offering all staff a free daily taxi pick up / drop-off facility which would coincide with shift

patterns on site to minimise car based trips and encourage shared vehicle journeys. The Unilateral Undertaking also sets out that it will provide transport twice a day (once in the morning and once in the afternoon) for visitors to and from the care home to and from Drayton Village Centre, where access to public transport can be achieved.

- 9.12 Due to the type of residents to be accommodated at the care home and their specific conditions, they will have no need for daily journeys to and from the site and individuals would not be allowed independent or unaccompanied movement outside of the care home grounds such as along Hall Lane. Residents will have the opportunity to walk around the sites grounds or be taken out by visitors. It is accepted that given the care home use and the sites semi-rural location, the predominant means of access to the site would be by car but it is considered that the shuttle bus service would allow for staff who live locally, who may have otherwise walked, to get to and from the site. The Unilateral Undertaking also provides an opportunity for visitors to visit the site or to take residents out into Drayton should they wish to do so. This will mean that they are able to gain access to and from the care home if they do not have their own car.
- 9.13 Notwithstanding this, the applicant is willing to facilitate the provision of a footpath and enquiries have been made to the Highway Authority in terms of exploring the option of providing a footway along Hall Lane towards the village of Drayton. The Highway Authority has however deemed this impractical due to land ownership and conservation constraints. The applicant has stated that there is not enough land available to achieve this on the north side of Hall Lane whilst on the on the south side the land has a raised bank and is heavily planted. It would also involve at least one crossing and for the limited use by staff/visitors this makes it an untenable option.
- 9.14 The Highway Authority did originally also raise concerns that the proposals failed to provide adequate on-site vehicular parking and manoeuvring facilities. During the course of the application however this has been addressed and the site layout now provides 30 vehicular parking spaces, including two disabled spaces and a mini-bus space. In addition, space for motorcycle parking and cycle parking is provided together with spaces for bin stores. The Highway Authority has since removed the objection relating to the parking on site and overall the level of parking is now considered to be acceptable. The application is therefore considered to comply with Policy TS4 of the DM DPD.

The impact of the development upon existing trees

- 9.15 There are a number of established trees within or within close proximity to the site and an Arboricultural Impact Assessment (AIA) has therefore been submitted with the application. The Council's Conservation Officer (Arboriculture and Landscape) initially raised some concerns regarding the

revised scheme and layout of the proposed development which he has commented will increase the impact on the trees on site and result in the removal of several of these trees. The AIA sets out that eight trees will be removed to facilitate the development however whilst the Conservation Officer has said that this would be regrettable the indicative landscape strategy proposes nineteen new trees on the site which would help to mitigate for the loss of the trees to be removed. As the landscaping strategy is only indicative at this stage the Conservation Officer has asked for a condition to be added to the decision notice which requires a landscaping scheme to be submitted and approved by the Local Planning Authority and this is to be imposed as requested.

- 9.16 The Conservation Officer also raised concerns with regards to the installation of a flood containment bund at the front of the site, and more particularly, its impact on the retained trees on the site. During the course of the application the AIA has been amended to add details of a three-dimensional confinement system which is to be installed to lessen the impact that the construction of the bund will have on nearby trees. The Conservation Officer has raised no objection to the revised AIA and overall it is considered that the proposals are acceptable with regards to the impact on the trees on the site.

The design and impact of the development upon the character and appearance of the area

- 9.17 The site is considered to be large enough to accommodate the proposal, whilst still providing sufficient amenity space, without resulting in overdevelopment of the site. The application originally proposed two buildings on the site with a large main building located in the same part of the site as the existing dwelling but positioned further north into the plot. A smaller two storey building was then proposed to the south west corner of the site, perpendicular to the main care home. The Local Planning Authority raised concerns with regards to the layout, scale and mass of the development. The District's Design Advisor stated that a more domestic appearance was required to the elevations of the main building and that the secondary building required a complete rethink in terms of its elevational treatment and overall form.
- 9.18 During the course of the application the plans have been amended in order to address these concerns. All of the accommodation is now located in a single building on the site, maintaining a traditional pitched roof form with two wings ranging off a central feature gable. The building is now also proposed to be orientated to provide principal elevations to align with Hall Lane at the front.
- 9.19 With the plans in their amended form the District's Design Advisor has now raised no objection to the application. The Design Advisor has stated that loss of the second building is particularly welcome and allows the re-orientation of the main block across the site which also improves the layout

and car parking. Although the proposal is for a four storey building, it is proposed to be partly sunken into the ground and the Design Advisor has noted that the levels across the site reduce the overall visual bulk. The Design Advisor has concluded that that proposal successfully addresses previous concerns and can therefore be recommended for approval on design grounds subject to a condition requiring details of the materials and detailing at key junctions being appended to the decision notice. A condition is proposed to be added to the decision notice as requested by the Design Advisor.

- 9.20 The proposed building will be visible from outside the site however there are some existing mature trees which are to be retained on and around the site which will provide some screening. Furthermore the additional landscaping will add to the screening on the site however notwithstanding this with the design and scale of the building considered to be acceptable the proposal is not considered to cause any harm to the general character and appearance of the area.
- 9.21 Objections have been raised regarding the demolition of the existing dwelling on the site however this building is not listed or protected in anyway and it is considered that the loss of this building will not have any detrimental impact upon the general character and appearance of the area.
- 9.22 Policy 3 of the Drayton Neighbourhood Plan titled 'maintaining important views' states that development which would be prominent in, or would be materially intrusive in, the views across open land from the top of School Road to the south east towards Hall Lane' would not be permitted. Although the proposal maybe visible from this view, given that the proposed building is replacing an existing dwelling and the distance from School Road to Hall Lane, and the development is not considered to be 'prominent' or 'materially intrusive' from this view. The application is therefore not considered to conflict with Policy 3 of the Drayton Neighbourhood Plan.
- 9.23 Overall the application is therefore considered to accord with Policy 2 of the JCS, Policies GC4 and EN2 of the DM DPD and Policies 1A and 2A of the Drayton Neighbourhood Plan.

The impact of the development upon the amenity of nearby residents

- 9.24 Concerns have been raised with regards to the impact of the proposals on residential amenity, particularly the impact upon the dwelling to the west of the site at Brickyard Farm. As highlighted above, concerns were initially raised regarding the scale, massing and design of the proposals. It is considered the scheme as a whole has been amended to reduce the overall impact including the loss of the second building on the site which was within close proximity to the sites western boundary. Given the degree of separation between the proposed building and the neighbouring properties and the screening

proposed on the western boundary, it is considered that the proposals in their revised form do not impact significantly upon neighbour amenity in terms of loss of light or by being overbearing.

- 9.25 Another of the concern raised is that the proposal will result in overlooking issues and impact upon the privacy of nearby residents, particularly at Brickyard Farm. When the plans were originally submitted the front of the building was facing towards the dwelling at Brickyard Farm and the Local Planning Authority shared the concerns that the proposal may result in overlooking issues. However with the plans in their amended form the side gable end will face in this direction which has very few windows and these will in the main not serve habitable rooms and will face towards the front part of the adjacent site. Any windows on the rear elevation will predominantly look across the lawns towards the rear of the site rather than directly towards the adjacent dwelling. Again given the degree of separation between the proposed building and the nearby dwellings and the screening proposed on this boundary, the proposal is not considered to result in any overlooking issues.
- 9.26 Furthermore when future residents are within the proposed gardens to the rear of the site, although there are changes in levels from east to west, it is considered that the existing and proposed screening will prevent any clear views towards the dwelling at Brickyard Farm or the rear amenity area associated with this dwelling.
- 9.27 Concerns have also been raised with regards to the boundary treatments that are proposed at the site as well as safety concerns as it is stated that this type of facility should be located away from residential properties. The boundary treatments to be installed on the site are proposed to be dealt with by a condition. It is however accepted that these will need to be of a sufficient height and design to ensure that residents cannot climb over these whilst at the same time being of a design and appearance that respects the appearance of the area. Fencing is likely to be located amongst and behind structural landscaping features to soften its appearance. Electronically operated gates are proposed across the sites service yard to ensure that residents are protected at all times. With the site secure it is considered that there should not be any safety concerns for nearby residents.
- 9.28 Concerns have been raised that the proposal will result in noise and light pollution. Whilst it is accepted that the proposed new use on the site will create additional light and noise from the number of residents and vehicular movements at the site, again given the distance between the site and neighbouring properties and the screening, which is to be enhanced, it is not considered to be so detrimental to amenities to warrant refusal of the application. Furthermore it should be noted that the Council's Environmental Health Officer has raised no objection to the application regarding these aspects.

- 9.29 Finally the Conservation Officer did also raise concerns that part of the building would be shaded by three of the trees located towards the south west corner of the site. The Conservation Officer suggested that increased fenestration should be included to ensure adequate daylight and quality of life for future residents and to reduce the pressure for additional tree removals or inappropriate lopping. No further alterations have been made to the fenestration since these comments were made, however it is not considered that these trees would impact the liveability of the site to such an extent as to have any significant detrimental impact upon the amenity needs of potential future occupiers.
- 9.30 Overall the proposal is not considered to result in any significant detrimental impact upon residential amenity and the application is therefore considered to comply with Policy GC4 of the DM DPD in this regard.

Surface and foul water drainage

- 9.31 With regards to the surface water drainage, the site is under 1 hectare and is located within flood zone 1 and so is not in area which is considered to be at risk of flooding. A combined Flood Risk Assessment and Drainage Strategy has been submitted with the application nonetheless. The Lead Local Flood Authority (LLFA) initially objected to the application as they considered that the information submitted was insufficient. During the course of the application the Flood Risk Assessment and Drainage Strategy was amended to take into account the comments made by the LLFA. The LLFA has now stated that the revised information addresses most of their previous concerns and has therefore removed their objection subject to a condition being appended to the decision notice. The condition requires detailed designs of a surface water drainage scheme to be submitted to and approved in writing by the Local Planning Authority and it is confirmed that this condition is proposed to be added to the decision notice.
- 9.32 With regards to the foul water drainage, a package treatment plant was originally proposed as the means of foul drainage. The Environment Agency objected to the application however as this is only considered to be an acceptable option when foul mains drainage is not feasible and there was no evidence to suggest that this was the case. During the course of the application the Flood Risk Assessment and Drainage Strategy was amended which confirms connection to the main sewer network is now proposed. The Environment Agency now raise no objection to the application whilst Anglian Water have confirmed that the sewerage system has available capacity for these flows and have also raised no objection. The application is therefore considered to be in accordance with Policy 1 of the JCS, Policy CSU5 of the DM DPD and Policy 5 of the Drayton Neighbourhood Plan.

Other matters

- 9.33 Concerns have been raised by local residents that the proposals will have a detrimental impact on the wildlife and biodiversity in the area. The site is currently a private dwelling with maintained landscaping. It is therefore considered that the site will have limited biodiversity with the exception of the larger trees on the site, most of which are being retained as part of the proposed development. There are no known protected habitats on the site and the site is not expected to contain protected species. Overall therefore it is considered unlikely that the proposals will result in any significant detrimental impact upon the wildlife and biodiversity on the site. The application is therefore considered to comply with Policy EN1 of the DM DPD.
- 9.34 Drayton Medical Practice have objected to the application due to the pressures that the proposals will put on their existing service. The NHS has also commented that the proposal 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 have stated that they would expect these impacts to be assessed and mitigated. There are two surgeries within a 2km radius of the proposed development; Hellesdon Medical Practice and Drayton and St Faiths Medical Practice. The catchment practices are said to not have sufficient capacity for the additional growth resulting from this development and proposed cumulative development in the area. NHS England state that a developer contribution will be required to help mitigate the impacts of this proposal and cumulative development growth in the area.
- 9.35 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.
- 9.36 Concerns have been raised that the proposed care home will have a detrimental impact upon Brooklands Care Home. This is a care home specifically for elderly residents and so the proposed care home will not be offering the exact same service. Overall it is not considered that there is reason to refuse the application on these grounds nor is it considered to be reasonable to add a condition limiting the age of the residents at the new care home to under 65's.
- 9.37 Although the site will require a commercial waste collection the District Council Environmental Contracts Officer originally raised some concerns that a large refuse vehicle would not be able to safely access and manoeuvre

around the site when. During the course of the application the layout of the development has been revised, and in its amended form the Contracts Officer is content that a large refuse vehicle can now safely access the site for waste collection.

- 9.38 Policy 3 of the JCS states that all development proposals of 1,000m² of non-residential floorspace will be required (a) to include sources of 'decentralised and renewable or low-carbon energy' providing at least 10% of the scheme's expected energy requirements and (b) to demonstrate through the Design and Access Statement for the scheme whether or not there is viable and practicable scope for exceeding that minimum percentage provision. An Energy statement has been submitted with the application which states that the installation of a 32 kWp PV array would provide 10% carbon saving from onsite renewable technology whilst possible options have been explored to potentially exceed this figure. A condition is proposed to be added to the decision notice which requires a detailed scheme showing how the 10% of the energy savings will be made as well as the location of the PV array. This information will need to be submitted to and approved in writing by the Local Planning Authority.
- 9.39 Due to the sites historic use as a former brick works the Council's Pollution Control Officer has requested that a condition is appended to the decision notice requiring a site investigation on the condition of the land. It is confirmed that a site investigation condition is proposed to be added to the decision notice as requested by the Pollution Control Officer.
- 9.40 Norfolk Fire and Rescue Service have requested that a condition is appended to the decision notice requiring a scheme to be submitted for the provision of a fire hydrant on the development. It is confirmed that this condition is to be added to the decision notice as requested.
- 9.41 One neighbouring resident has asked whether all construction traffic can utilise the Broadland Northway road rather than roads through Drayton village, including Hall Lane. It is confirmed that a condition is proposed which requires a 'Construction Traffic Management Plan' and 'Access Route' to be submitted to and approved by the Local Planning Authority prior to the commencement of any works on site. The construction traffic will then be required to comply with the approved route for the duration of the works.

Conclusion

- 9.42 In conclusion, it is considered that the development of a care home will provide significant employment opportunities within the area and the facility will meet a much needed and identified requirement in the locality. The application is not considered to cause any significant harm to the general character and appearance of the area or neighbour amenity or have any adverse impacts with regards to on-site parking, biodiversity and wildlife or

flood and drainage issues. It is acknowledged that the Highway Authority have objected to the application, however with the proposed shuttle bus service in place it is not considered that people will need to walk to and from the site or that there is sufficient reason to refuse the application on this basis. It is considered on balance that the scheme is acceptable subject to the imposition of conditions and the completion of a Legal Agreement to ensure that the shuttle bus service is in operation at all times whilst the care home is in operation.

RECOMMENDATION: Delegate authority to the Head of Planning to **APPROVE** subject to the satisfactory completion of a Unilateral Undertaking with the following Head of Terms and subject to the following conditions:

Head of Terms:

- To provide a daily shuttle service for employees of the care home at all times whilst the care home is in operation.
- To provide transport twice a day (once in the morning and once in the afternoon) for visitors to and from the property to and from Drayton village centre.

Conditions:

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) The building hereby approved shall be used as a care home for dementia and other neurological conditions only and for no other purpose (including any other purpose in Class C2 of the Schedule of the Town and Country Planning Country (Use Classes) Order 1987) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modifications.
- (4) Development shall not proceed above slab level until details of all external materials to be used in the development and details of the architectural detailing to key junctions (such as the eaves, verge, dormers, reveals, plinth and projecting bays) have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

- (5) Prior to the commencement of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority to identify the finished ground floor slab levels of the care home building above ordnance datum (AOD) with reference to off-site datum points. The development shall then be undertaken as approved.
- (6) Prior to the commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
- proposed finished levels or contours;
 - means of enclosure;
 - dwarf walls;
 - hard surfacing materials;
 - structures (e.g. signs, external lighting etc.);
 - proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines etc. indicating manholes, supports etc.);
 - retained historical landscape features and proposals for restoration, where relevant.

Soft landscaping works shall include:

- plans identifying all proposed planting;
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- implementation programme.

If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the local planning authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

- (7) Prior to the first use of the development hereby permitted visibility splays measuring 2.4m x 59m shall be provided to each side of all new accesses on Hall Lane where they meet the highway. The splays shall thereafter be

maintained at all times free from any obstruction exceeding 0.225m above the level of the adjacent highway carriageway.

- (8) Prior to the first use of the development hereby permitted the proposed access/on-site car and cycle parking / servicing / loading / unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- (9) Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning 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.
- (10) For the duration of the construction period 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.
- (11) Prior to commencement of development, in accordance with the submitted FRA (Clancy Consulting Ref 8/1833 Rev D dated 16 January 2019), Drainage Strategy (plan ref: No 400400-P1 dated 16 January 2019) detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
 - I. Detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the proposed infiltration features.
 - II. Provision of surface water storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 115.2m³ will be provided in line with drawing No 400400-P1 dated 16 January 2019
 - III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.

- 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
- IV. The design of the infiltration tank will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
- V. Finished ground floor levels of properties are to be a minimum of 300mm above expected flood levels of all sources of flooding (including SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
- VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.
- (12) Prior to the first occupation of the site a scheme detailing the provision of a fire hydrant within the development shall be submitted to and approved in writing by the Local Planning Authority.
- (13) Prior to the commencement of this development the following must be submitted to and approved in writing by the Local Planning Authority before the commencement of each stage of the process:
- a. A desk study compiled in line with current good practice guidance must be completed. The report must include a conceptual site model and risk assessment to determine whether there is a potentially significant risk of contamination that requires further assessment.
- b. Based on the findings of the desk study a site investigation and detailed risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originated on the site. The report must include:
- 1) A survey of the extent, scale and nature of contamination

2) An assessment of the potential risks to possible receptors identified in the desk study report:

The report must include a revised conceptual site model and risk assessment. There must be an appraisal of the remedial options, and details of the preferred remedial option(s). This must be conducted in accordance with currently accepted good practice guidance.

c. Based on the findings of the site investigation a detailed remediation method statement must be submitted for approval. Remediation must bring the site to a condition suitable for the intended use. The method statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990. Remediation work cannot commence until written approval of the proposed scheme is received from the LPA.

d. Following the completion of the remedial measures identified in the approved in C above a verification report (also called a validation report) must be produced. The report must scientifically and technically demonstrate the effectiveness and success of the remediation scheme. Where remediation has not been successful further work will be required.

e. In the event that previously unidentified contamination is found during the development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken as per part B above, and where remediation is necessary a remediation method statement and post remedial validation testing must be produced and approved in accordance with parts C & D above.

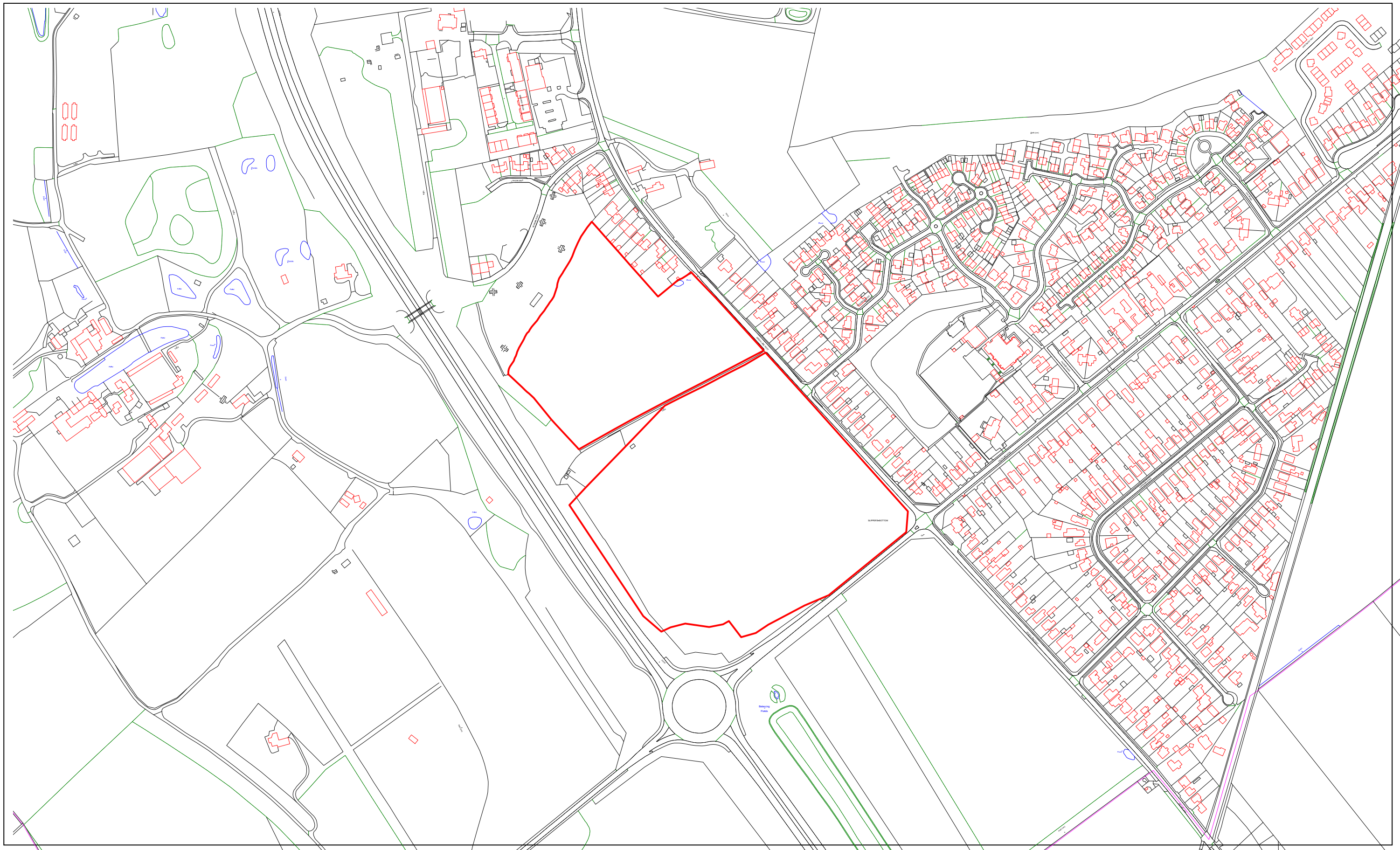
- (14) Development shall not proceed above slab level until a scheme including a timetable for implementation, to secure at least 10% of the energy supply of the development from decentralised and renewable or low-carbon energy sources shall be submitted to and approved in writing by the local planning authority. The scheme shall include the position of any proposed PV array. The development shall be carried out in accordance with the approved scheme.
- (15) Development on site shall take place in complete accordance with the approved Arboricultural Impact Assessment and Arboricultural Method Statement, supplied by the Landscape Partnership and received 21 March 2019.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) To ensure the satisfactory development of the site, avoid any detrimental impact on neighbour amenity and as this use is what the demonstrated need has been assessed against in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (5) To ensure the satisfactory development of the site and prevent any detrimental impact upon neighbour amenity in accordance with Policy GC4 of the Development Management DPD 2015.
- (6) In the interests of visual amenity and to conserve the contribution of trees to the character of the area and to ensure that acceptable screening and boundary treatments are proposed to avoid any detrimental impact upon neighbour amenity in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (7) In the interests of highway safety in accordance with the principles of the NPPF and Policy TS3 of the Development Management DPD 2015.
- (8) To ensure the permanent availability of the parking / manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policies TS3 and TS4 of the Development Management DPD 2015.
- (9) In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development in accordance with Policy TS3 of the Development Management DPD 2015.
- (10) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (11) To prevent flooding by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development in

accordance with National Planning Policy Framework paragraphs 163 and 165, Policy CSU5 of the Development Management DPD 2015 and Policy 5 of the Drayton Neighbourhood Plan.

- (12) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire and to ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (13) 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 policy EN4 of the Development Management DPD 2015.
- (14) To ensure the development is constructed to an appropriate standard in accordance with Policy 3 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014.
- (15) To avoid damage to the health of existing trees and hedgerows in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.



Application No: 20171464
Land off Green Lane West, Rackheath

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1:4336
Date:
1-Apr-19



AREA East

PARISH Rackheath

2

APPLICATION NO: 20171464 **TG REF:** 628246 / 312736

LOCATION OF SITE Land off Green Lane West, Rackheath

DESCRIPTION OF DEVELOPMENT Construction of 322 Dwellings with Associated Access, Open Space, Landscaping, Associated Works & increasing Height of Bund to NDR

APPLICANT Mr J Nicholls c/o Agent

AGENT Wheatman Planning Ltd, Attention: Mr Simon Wheatman, Beacon Innovation Centre, Camelot Road, Beacon Park, Gorleston, NR31 7RA

Date Received: 23 August 2017
13 Week Expiry Date: 30 November 2017

Reason at Committee: The provision of affordable housing is below that required by Policy GT18 of the Growth Triangle Area Action Plan

Recommendation (summary): Delegate authority to the Head of Planning to approve subject to completion of a Section106 Agreement and conditions

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the construction of 322 dwellings and associated works including the provision of three vehicular accesses, landscaping, open space and increasing the height of a bund to the Broadland Northway.
- 1.2 The application site is split into two distinct areas, subdivided by a track and an area of amenity land/paddocks outside of the applicant's control. The northern site would accommodate 120 dwellings and the southern site would accommodate 202 dwellings. The northern site would be served by a single point of access on to Green Lane west whilst the southern site would have one point of access on to Salhouse Road and one point on to Green Lane West.

- 1.3 The proposal includes a mix of 1, 2, 3, 4 and 5 bedroom dwellings of which 90 would be for affordable housing (28%) with a tenure split of 36:64 (Shared Equity: Affordable Rent).
- 1.4 2.89 ha of green infrastructure would be provided on site in addition to a 0.265ha children play area which would include 17 pieces of play equipment.

2 KEY CONSIDERATIONS

- Whether the proposal complies with the Development Plan.
- Whether the proposed level of affordable housing has been justified.
- Whether there are any material considerations that justify determining the application otherwise than in accordance with the development plan.

3 CONSULTATIONS

3.1 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. An informative should be imposed regarding this.

The foul drainage is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows. The sewerage system has available capacity for these flows.

The surface water strategy relevant to Anglian Water is acceptable and should be reflected in the planning approval. Condition recommended.

3.2 Conservation Officer (Arboriculture and Landscape):

Tree constraints are located to the periphery of the site. The proposals require the removal of groups of trees to provide the new access and visibility, roads, paths and parking spaces, the most significant loss from a landscape perspective is the loss of G8 to Green Lane West. There is encroachment into RPAs with hard surfacing and an AMS will be required once the layout is finalised. The proposed planting will be sufficient mitigation to replace the trees for removal. Root barriers should be used where adjacent to hardstanding or service runs. Additional information on planting methods and aftercare should be provided.

Comments on amended plans:

The submitted AMS, tree pit details and Landscape Management Plan are acceptable. These details must be implemented in full.

3.3 Design Advisor:

Visually and conceptually this is one of the most cohesive volume housing schemes I have seen. Minor points provided to the elevations and layout.

3.4 Environmental Contracts Officer:

Insufficient information submitted regarding refuse collection. Information should be provided on management arrangements for public open space and streets.

Comments on amended plans:

No objection following submission of amended tracking plans

3.5 Environmental Health Officer:

No objection but recommend that the dwellings are constructed in accordance with the glazing and ventilation specification requirements as detailed in 4.2 of the submitted acoustic report.

3.6 Historic Environment Service:

There is the potential for heritage assets to be present within the site area and that significance would be adversely affected by the proposed development. A programme of archaeological work should be carried out secured by condition.

Comments on additional information:

Trial trenching has been undertaken and no further fieldwork will be required. Further archaeological mitigation will take the form of radiocarbon dating of elements of the environmental sample residues secured by condition.

3.7 Housing Enabler:

Incorrect tenure split and affordable housing mix.

Comments on amended plans (reducing the scheme to 28% affordable housing):

The amendments are acceptable and the mix has previously been confirmed with the applicants. Some of the 2 bedroom property types are a very good size.

3.8 Highways Authority:

No objection in principle but detailed technical comments on layout. These have been subject to significant discussion and amendment but a number of concerns regarding the tracking of large vehicles. Conditions provided should the LPA wish to approve the application.

3.9 Lead Local Flood Authority:

The applicant has provided a Flood Risk Assessment to account for the local flood risk issues and surface water drainage. We welcome that SuDS have been considered and that the proposal is to infiltrate/attenuate and treat water prior to discharge into the Anglian Water Surface Water sewer system. No objections subject to conditions. No further comments on amended plans.

3.10 Landscape and Amenity Officer:

Details of boundary treatments should be provided; concerned about location of play equipment; who will be responsible for management of bund, paths and open spaces? There is a risk that garage walls to open space will result in ball games being played which may attract anti-social behaviour.

Comments on amended plans:

Clarification required over ownership of areas of open space, access to open space for maintenance and potential for garage walls to be used for ball games or graffiti resulting in anti-social behaviour.

3.11 Mineral Planning Authority:

The submitted assessment has identified that a significant proportion of the mineral deposits on site likely to be excavated as part of the groundworks would be viable for reuse within the construction phase. A condition should be imposed to require a Materials Management Plan – Minerals to estimate the quantities of material which would be extracted from groundworks and reused.

3.12 Natural England:

No comments

3.13 Natural Environment Team:

The submitted Phase 1 Habitat Survey is fit for purpose. We agree with the conclusions drawn and draw your attention to section 5 'Key recommendations, Further Surveys and Precautionary Methods' which summarises the ecological situation. If these measures are undertaken then ecological impacts would be minimal. We would recommend some ecological enhancement which you may wish to condition.

The HRA looks fine and can be adopted as the formal Broadland District Council assessment.

3.14 NHS England:

There are 4 GP practices within a 4.5km radius of the proposed development. The catchment practices do not have sufficient capacity for the additional growth resulting from this and cumulative development in the area. If left unmitigated the development would be unsustainable.

3.15 Norwich Airport:

The proposed development conflicts with national and international aerodrome safeguarding requirements and that it presents a hazard to the safe operation of aircraft in the vicinity of the airport.

Comments on amended plans:

Certain elements cause concern and we would request conditions regarding external lighting, landscaping to not attract birds and the use of mobile or tower cranes.

3.16 Police Architectural Liaison Officer:

Commented on the roads/footpaths layout; public open spaces; dwelling boundaries; orientation/layout of dwellings; rear footpath access; car parking.

Comments on amended plans:

No further comments.

3.17 Pollution Control Officer (land):

There is an area of ground identified as being a former gravel pit that requires further examination. *officer comment: This has been discussed with the Pollution Control Officer and as the area in question is outside of the application site this does not need to be provided.

3.18 Pollution Control Officer (air quality):

Based on the information submitted and the existing air quality threshold values I do not consider there to be a need to require any further assessment.

3.19 Principal Planning Officer (Spatial Planning):

Principle issues to consider are housing land supply; whether the proposal constitutes sustainable development; access including cycling and pedestrian links; public open space and landscape and mitigation of noise impacts from NDR.

4 PUBLICITY

4.1 Site Notice:

Expired 16 October 2017

4.2 Press Notice:

Expired 10 October 2017

Re-advertised expiry 27 March 2019

4.3 Neighbour notification:

62 Neighbouring properties consulted.

Expired 6 October 2017

5 REPRESENTATIONS

5.1 Rackheath Parish Council:

Access should be made to Newman Road Woods; pedestrian walkway should be provided along the boundary to utilise the narrow crossing point on Green

Lane West; a zebra crossing should be installed on Green Lane West; the existing bus stop on Green Lane West should be accessible from the development and improved; concerns over the safety of the pedestrian walkway terminating at the Sole and Heel roundabout; concerns over safety and effectiveness of balance pond; bus stop and layby should be provided on Salhouse road for the rapid transport bus route. Village sign and entrance should be provided on Salhouse Road/NDR roundabout exit.

Comments on amended plans:

Members were pleased to note that matters previously raised were addressed however there were still outstanding matters regarding the provision of a village sign, concerns regarding NHS capacity, more information was required on the drainage basin, Newman Road Woods access to be considered and the early phasing of the cycleway.

Comments on reduction in affordable housing to 28%: Disappointed that the level of affordable housing has been reduced and that the 33% should have been maintained as the statistics do not show the real picture of people in need of affordable housing in Rackheath.

5.2 Letters of representation received from 10 addresses raising the following issues:

- Land needs to be protected between the NDR and Rackheath
- Development will impact on outlook from existing houses
- Development will overlook existing houses
- Development will result in loss of light for existing residents
- Bird and bat habitat will be lost
- Noise report states that noise will increase on Green Lane West from the NDR
- Rackheath School does not have capacity so children will be driven elsewhere
- People will have to drive to doctors and dentists as there are none locally
- Bees kept by resident will prove a nuisance to new residents
- Development will make Rackheath a town
- Development will prevent resident access through the field to Newman Road Woods

- Increase in traffic will make crossing Green Lane West dangerous
- Rackheath cannot support this level of growth
- Loss of countryside
- Development will de-value existing property
- Access on to Salhouse Road is dangerous and at capacity
- Proposed plans fail to take account of suggestions made by residents such as open space to the rear of existing houses
- The northern and southern sites should be developed as one, reducing the need for two access on to Green Lane West
- Vehicular access should be provided via Newman Road Woods
- Development should not be undertaken until a full assessment of the NDR has been carried out.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF):

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. As national policy, the NPPF is an important material consideration and should be read as a whole but paragraphs 7, 8, 10, 11, 73, 74, 91, 92, 96, 102, 103, 104, 108, 109, 110, 111, 122, 123, 124, 125, 126, 127, 128, 130, 131, 170, 175, 177, 178, 180 and 182 are particularly relevant to the determination of this application.

National Planning Practice Guidance:

- 6.2 This provides guidance and adds further context to the NPPF and should be read in conjunction with it as a material consideration.

Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk 2011 (amendments adopted 2014):

- 6.3 Policy 1 – Addressing Climate Change and Protecting Environmental Assets:

This policy sets down a number of standards that new development should achieve in its attempts to address climate change and promote sustainability,

including giving careful consideration of the location of development and the impact it would have on the ecosystems of an area.

6.4 Policy 2 – Design:

Seeks to ensure that all development is designed to the highest possible standard, whilst creating a strong sense of place. It also states that developments will respect local distinctiveness.

6.5 Policy 3 – Energy and Water:

Amongst other things seeks to ensure that the highest levels of energy and water efficiencies are met through the planning submission and conditions if necessary.

6.6 Policy 4 – Housing Delivery:

States that proposals for housing will be required to contribute to the mix of housing required to provide balanced communities and meet the needs of the area, as set out in the most up to date study of housing need and/or Housing Market Assessment. Furthermore it sets out appropriate percentages for the delivery and tenure of affordable housing.

6.7 Policy 6 – Access and Transportation:

States that the transportation system will be enhanced to develop the role of Norwich as a Regional transport Node and will improve access to rural areas.

6.8 Policy 7 – Supporting Communities

Requires development to maintain or enhance the quality of life and the well-being of communities and will promote equality and diversity, and protect and strengthen community cohesion.

6.9 Policy 9 – Growth in the Norwich Policy Area:

The Norwich Policy Area (NPA) is the focus for major growth and development. Housing need will be addressed by the identification of new allocations to deliver a minimum of 21,000 dwellings distributed across a number of locations.

- 6.10 Policy 10 – Locations for major new or expanded communities in the Norwich Policy Area:

Identifies the Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle as a location to deliver a major urban extension.

- 6.11 Policy 21 – Implementation of proposals in the Broadland part of the Norwich Policy Area:

When considering development proposals in their part of the Norwich Policy Area Broadland District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

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

- 6.12 Policy GC1 - Presumption in favour of sustainable development:

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant planning permission unless material considerations indicate otherwise – taking into account whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole of specific policies in the Framework indicate that development should be restricted.

- 6.13 Policy GC2 - Location of new development:

New development will be accommodated within settlement limits defined on the proposals map. Outside of these limits, development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the Development Plan

- 6.14 Policy GC4 – Design:

Development will be expected to achieve a high standard of design and avoid any significant detrimental impact.

6.15 Policy EN1 - Biodiversity and Habitats:

Development proposals will be expected to protect and enhance the biodiversity of the district, avoid fragmentation of habitats and support the delivery of a co-ordinated green infrastructure network.

6.16 Policy EN2 – Landscape:

In order to protect the character of the area, this policy requires development proposal to have regard to the Landscape Character Assessment SPD.

6.17 Policy EN3 - Green Infrastructure:

Residential development consisting of five dwellings or more will be expected to provide at least 4 hectares of informal open space per 1,000 population and at least 0.16 hectares of allotments per 1,000 population.

Development will also be expected to make adequate arrangements for the management and maintenance of green infrastructure.

6.18 Policy EN4 – Pollution:

Development will be expected to include an assessment of the extent of potential pollution, and mitigation measures will be required where necessary.

6.19 Policy RL1 - Provision of Formal Recreational Space:

Residential development consistent of five dwellings or more will be expected to make adequate provision and subsequent management arrangements for recreation.

6.20 Policy TS2 - Travel Plans and Transport Assessments:

In the case of major development a Transport Assessment and/or Travel Plan will be required.

6.21 Policy TS3 - Highway Safety:

Development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network.

6.22 Policy CSU5 - Surface Water Drainage:

Mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise the risk of flooding on the development site without increasing flood risk elsewhere.

Growth Triangle Area Action Plan (GT AAP) (2016):

6.23 Policy GT1 – Form of development:

States that all development proposals should create, or contribute to the creation of, distinct quarters; the character of which should be based upon the principles of mixed use walkable neighbourhoods and master planned in a manner which has regard to other development proposals in the locality.

6.24 Policy GT3 – Transport:

Identifies the need for transport improvements in the growth triangle to support planned growth including a new orbital link road, bus rapid transport routes. Internal layouts will need to support public transport and provide permeable and legible street layouts which support walking and cycling and encourage low traffic speed.

6.25 Policy GT18 – Land south of Green Lane West:

Allocates a site of approximately 14 hectares for residential development to include 33% affordable housing; pedestrian and cycle links across the site frontage adjacent to Green Lane West; a landscape masterplan; a noise assessment to identify noise mitigation to offset impact of the NDR.

Rackheath Neighbourhood Plan 2017-2037 (2017):

6.26 Policy HOU1 – Mixed type and tenure of housing:

In any new development there will be provision of mixed type and tenure of housing, appropriately located to ensure exclusive enclaves do not occur. Proposals for new residential development should not include large scale amounts of flatted accommodation to contribute to a rural village feel.

6.27 Policy HOU2 – Character, density and massing:

New development should maintain a green and rural village feel of high quality and inclusive design that conserves local distinctiveness. Density and massing should vary and should be of a character to reflect existing development in Rackheath. Where possible main routes through

developments should be laid out to create efficient vehicle, cycle and pedestrian connections with permeable cul-de-sacs.

6.28 Policy ENV1 – Drainage:

Development should take advantage of modern drainage to prevent and alleviate localised flooding.

6.29 Policy ENV2 – Climate change:

The neighbourhood plan supports cost effective and efficient passive solar gain and solar PV panels.

6.30 Policy ENV3 – Tree belts and wildlife habitats:

Where possible existing strategic tree belts should be protected, extended and linked to other existing tree belts creating circular routes within the parish. Development should facilitate access to and through them with paths, cycleways and bridleways. Development should support the creation of wildlife habitats for enhancing ecological networks.

6.31 Policy ENV4 – Trees and soft site boundaries:

Development proposals should seek to retain mature or significant trees. New development should incorporate significant tree planting and landscaping.

6.32 Policy ENV5 – Local landscape character and historical development:

All developments will be required to demonstrate how landscape character, historical development and features of local significance have been considered.

6.33 Policy ENV7 – Green space:

Proposals for new housing developments should include quality outdoor green amenity space

6.34 Policy ENV8 – Approaches to Rackheath and village landscape:

New development located at the village entrances will be encouraged to enhance the approaches to Rackheath, for example through the provision of signage, tree, shrub and flower planting. High quality landscaping should be incorporated to create a village feel and new houses should overlook green spaces.

6.35 Policy COM1 – Linked community:

Developments should contribute to an enhanced and joined-up movement network of roads, footpaths, pavements, tree belt routes, cycle ways and bridleways to connect Rackheath as one Parish.

6.36 Policy COM3 – Social spaces, play spaces and parks:

All developments are expected to include new landscaped play areas and parks with appropriate parking for larger play and park provision. All play areas and parks should have good road access, be near family housing and benefit from natural surveillance. Major developments will be expected to provide enhanced facilities, including children's play areas, water features, covered areas for sitting and stopping, nature conservation and sports.

6.37 Policy COM4 – Community safety:

New development should be designed with good natural surveillance, active frontage, permeable routes and buildings that face onto the public realm and open spaces/play areas. Development proposals will be expected to meet secured by design.

6.38 Policy COM7 – Allotments:

Major developments should make appropriate provision for allotments.

6.39 Policy TRA2 – Pedestrian, cycle and bridleways:

Developments will be expected to contribute to sustainable transport by providing safe, attractive, convenient and where possible off-road pedestrian routes, cycle ways and bridleways and providing crossing points from development with boundaries on Green Lane East to the other side of the road.

6.40 Policy TRA3 – layout and traffic calming:

To retain a rural feel, development design and layouts should promote a street hierarchy which is sensitive to user's needs and which prioritises the safety of pedestrians. Developments must be permeable and maximise pedestrian access with more than one route in and out of any large development.

Recreation Provision in Residential Development Supplementary Planning Document 2016:

- 6.41 Sets the guidance on how the requirements set out within Policies EN1, EN3 and RL1 will be applied

Broadland Landscape Character Assessment Supplementary Planning Document 2013:

- 6.42 E4 – Rackheath and Salhouse

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is approximately 14ha in area split across two parcels of land divided by a Norfolk County Council agricultural access.
- 7.2 The southern parcel shares a boundary with the Broadland Northway to the west, Salhouse Road to the south and Green Lane west to the east. The northern parcel shares a boundary with Newman Road Woods to the north, residential dwellings and Green Lane West to the east and a landscape belt/open space to the west.
- 7.3 The site is broadly flat and level. Existing mature trees and mixed hedgerow form the site boundary to Green Lane West. Dwellings on Green Lane west are a mix of mainly bungalows and 1.5 storey chalets with the occasional two storey dwelling.

8 PLANNING HISTORY

- 8.1 20140781 - Residential Development - EIA Screening Opinion. Not EIA development 22 May 2014.

9 APPRAISAL

- 9.1 The application seeks full planning permission for the construction of 322 dwellings with associated access, open space, landscaping, associated works and increasing the height of bund to the Broadland Northway.

Principle of development

- 9.2 Policy GC2 of the Development Management DPD 2015 (DM DPD) states that development outside of settlement limits which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan. The site is located outside

of a settlement limit; however it is allocated for residential development under policy GT18 of the Growth Triangle Area Action Plan 2016 (GT AAP). The principle of residential development is therefore acceptable.

- 9.3 Whilst Policy GT18 establishes the principle of residential development it also contains five criteria regarding affordable housing, pedestrian and cycle routes, highway improvements, landscaping and noise mitigation that the development will need to satisfy to ensure compliance with the policy. These criteria are discussed within the following appraisal.

Affordable Housing

- 9.4 Policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011/2014) (JCS) states “Proposals for housing will be required to contribute to a mix of housing required to provide balanced communities and meet the needs of the area, as set out in the most up to date study of housing need and/or Housing Market Assessment”. At the adoption of the JCS the demonstrated affordable housing need was 33% for larger sites. JCS Policy 4 also states that “the proportion of affordable housing ... will be based on the most up to date needs assessment for the plan area”. 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%.
- 9.5 The application was originally submitted on the basis of 33% affordable housing, however this was subsequently revised down to 28% to reflect the identified needs in the SHMA.
- 9.6 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% complies with this policy. Policy GT18 states that the development will deliver 33% affordable housing but 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 conflicts with this criterion of Policy GT18 of the GT AAP.
- 9.7 However, whilst the SHMA is untested, 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 are a material consideration that diminish weight to be given to the conflict with GT18 and that the delivery of 28% affordable housing, which would comply with Policy 4 of the JCS, is acceptable being in accordance with the most up-to-date evidence available.

- 9.8 A mix of affordable housing, based on 28% 36:64 (Shared Equity: Affordable Rent), has been agreed with the housing enabler who raises no objection to the application as amended. The affordable housing is mostly concentrated towards the west of the site however it is not considered that enclaves of market or affordable housing would result and the housing enabler raises no objections.
- 9.9 The proposed housing includes a range of dwellings between 1-5 bedrooms sufficient to ensure the development helps contribute towards a balanced community whilst delivering a mix that would be attractive to the market.

Highways and Access

- 9.10 The application proposes 3 points of access; one to the south on to Salhouse Road and two to the east on to Green Lane West. Visibility splays of 2.4 x 59m would be provided requiring the removal of mature landscape features on the site boundary but the Arboriculture and Landscape Officer does not object to this with it being necessary to provide safe access to this allocated site.
- 9.11 Internally the site would be served by a series of Type 3, 5 and 6 roads and private drives. Parking would be provided on driveways, courtyards and laybys adjacent to public open space to a level and specification agreed with the Highway Authority. A shared use path would be sited along the length of Green Lane West and Salhouse Road in accordance with the requirements of the second criterion of Policy GT18 of the GT AAP.
- 9.12 The internal road layout provides a permeable structure of streets and paths enabling a good level of movement through the site whilst creating a safe and attractive environment. There has been discussion with the Highway Authority regarding the internal layout with concerns raised by them on the ability for large vehicles to manoeuvre within the site. Officers consider that the requirements of the Highway Authority are not a highway safety issue and are relatively minor in nature and the scheme presents an acceptable balance between good urban design and creating an environment in which vehicles can freely move. The Contracts Officer is also satisfied with the submitted vehicle tracking which demonstrated that the site can be serviced by the Council's refuse fleet. Notwithstanding their comments on the internal layout, the Highway Authority has not objected and has provided conditions should the local planning authority approve the application.
- 9.13 A Transport Assessment has been submitted to quantify the highway impact of the development and whilst the development will result in a significant number of new cars using the local highway network given the scale of development, it is not considered that the proposal would adversely impact the satisfactory functioning of the network in transport terms. The Parish Council has raised concern regarding the amount of queuing which is

occurring on Salhouse Road at peak times following the opening of the Broadland Northway but no objections have been raised by the Highway Authority. However, to ensure an acceptable development some off site highway works are required including localised widening of Green Lane West, provision of a crossing on Green Lane West, provision of new bus stop facilities on Green Lane West and upgrades to the Sole and Heel roundabout to provide new pedestrian refuges and associated works. These works within the public highway would be secured through condition.

- 9.14 The Highway Authority and Norfolk County Council officers responsible for the delivery of the Broadland Northway have made no observations on the increased bund height to the Broadland Northway.
- 9.15 Overall it is considered that the development complies with policies TS2, TS3 and TS4 of the DM DPD and TRA2, TRA3 and TRA4 of the Neighbourhood Plan.

Open space:

- 9.16 Policies 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. The proposed housing mix results in the following requirements:
- 0.26ha children's play space
 - 3.10ha green infrastructure
 - 1.30ha formal recreation
 - 0.12ha allotments
- 9.17 The application proposes to provide 0.265ha of children's play space and 2.89ha of green infrastructure on site. This modest shortfall of 0.21ha for green infrastructure would be made up by way of a commuted sum for off site provision and contributions would also be secured for formal recreation and allotment contributions through a section 106 agreement.
- 9.18 The open space provided on site creates walking routes around the edge of the site with a larger area of space located more centrally. Generally speaking it is considered that this would provide suitable spaces to meet the informal recreational needs of residents with circular routes and access in to the adjacent Council owned Newman Road Woods will be secured by condition. Whilst a scheme which secured access through the middle of the site across the track in third party ownership would be preferable it has not been possible to deliver this and instead a footpath/cycle way link connects the site along the Green Lane West boundary. Comments received from the Green Infrastructure Officer have identified that improvements could be made to the connectivity of open space but no fundamental objections have been raised to the proposed Green Infrastructure strategy.

- 9.19 The delivery and management of the public open space is secured in the Section 106 agreement and it is considered by officers that the proposal complies with EN3 and RL1 of the DM DPD, ENV7, COM3 and COM7 of the Neighbourhood Plan.

Design

- 9.20 The proposed development has been described by the Council's design advisor as "visually and conceptually one of the most cohesive volume housing schemes" they have seen. The architectural approach is therefore supported by officers and whilst distinctive from the neighbouring dwellings in Rackheath it is considered to represent a high standard of design in accordance with policy 2 of the JCS. In addition, the treatment of hard surfaces, boundaries, open spaces and materials are of a similar high quality.
- 9.21 The dwelling types range from 1.5 – 3 storeys in height. This includes the provision of flats towards the western edge of the development, which would help to help provide noise attenuation from the Broadland Northway. Whilst Policy HOU1 of the Neighbourhood Plan seeks to avoid large scale amounts of flatted development, and the scheme represents a degree of conflict in this regard, given that these flats contribute to the overall cohesiveness of the architectural approach, help meet the affordable housing needs of the area and provide noise attenuation it is considered that their inclusion in the scheme is acceptable.

Landscape

- 9.22 The development will have an urbanising impact on the character and appearance of the site through the introduction of dwellings, hardstanding, domestic paraphernalia, hard boundaries and the loss of some tress. However, the site is allocated for residential development and this urbanising impact is accepted. The scheme does retain many of the mature trees to the boundaries of the site and appropriate tree protection measures would be implemented to ensure their protection. The Arboriculture and Landscape Officer has raised some concern about the amount of hardstanding within the root protection area of a mature Oak and two Field Maples to the north of the site but it is not considered that the application warrants refusal on this ground alone as tree protection would minimise any significant impact.
- 9.23 Significant new planting is proposed helping soften the built form and create an attractive environment and a condition should be imposed to ensure that this is implemented in accordance with the submitted details.
- 9.24 The Parish Council has requested that a village sign is provided by the developer, however it is not considered that this is necessary in planning terms. The developer has however expressed a willingness to discuss this further with the Parish Council outside of the application process.

- 9.25 On balance it is considered that the development would comply with EN2 of the DM DPD, policy 1 of the JCS and ENV3, ENV4 and ENV5 of the Neighbourhood Plan.

Ecology

- 9.26 Residential development has the potential to increase recreational pressure on internationally protected sites, however Natural England has no objections and an Appropriate Assessment (AA) has been undertaken by the applicant to demonstrate that there would be no impact upon these sites subject to the delivery of on-site green infrastructure. This has been reviewed by the Natural Environment Team at Norfolk County Council who advises that this can be adopted by the LPA as competent authority. The mitigation measures in the AA will be secured by a combination of condition and section 106 agreement.
- 9.27 Furthermore, ecological surveys have been carried out which the Natural Environment Team advise are fit for purpose and that the conclusions of the report are acceptable although further surveys for Skylarks are required. The development should be undertaken in accordance with these measures and the additional plans which show ecological enhancements and a condition is proposed to secure this.
- 9.28 It is therefore considered that the application complies with EN1 of the DM DPD and ENV3 of the Neighbourhood Plan in respect of ecology.

Amenity

- 9.29 It is considered that the proposed layout demonstrates that occupants of the development would have a good level of amenity with access to open space (in the form of private gardens and/or public open space) and would not suffer from unacceptable overlooking.
- 9.30 Existing residents most significantly affected by this development are those living to the west of Green Lane West who share a boundary with the application site. Plot 1 is particularly close to the site boundary and plots 11-18 all back on to the rear gardens of neighbouring dwellings. Representations have been received from a number of residents of these properties concerned that the development will impact on their amenity, de-value their property, impact on their views and affect access from the rear gardens to Newman Road Woods. In response to these concerns the plans have been amended to move some of the proposed dwellings slightly further from the boundaries. Undoubtedly, the development will impact on the neighbours' amenity but the distances between the proposed and existing dwellings are sufficient to ensure that there would be no significant overshadowing of houses and no significant window-window overlooking. The development would result in the loss of the residents' views across the agricultural field but the loss of such a

private view is not considered grounds for refusal, nor are issues in terms of property value. Residents on Green Lane West had suggested the inclusion of soft landscaping to the rear boundaries to soften the development but given the development as submitted is considered acceptable on neighbour amenity terms its inclusion and subsequent retention over the long term would not be reasonable to impose.

- 9.31 Concern has also been expressed by residents on Green Lane West that the development would prevent access across the field from their rear boundary to Newman Road Woods and have cited that prescriptive access is enjoyed due to the number of years that this has been occurring for. Such an issue is a civil matter and is not considered to be a material consideration in the determination of a planning application.
- 9.32 On balance, it is considered that the development would have an acceptable impact on residential amenity in accordance with GC4 of the DM DPD.

Noise/pollution/aviation safety

- 9.33 The proximity of the site to the Broadland Northway, Salhouse Road and Green Lane West raises amenity issues in terms of noise pollution and air quality. A noise assessment has been submitted and the Environmental Health Officer has no objections but recommends that the dwellings are constructed in accordance with the glazing and ventilation specification requirements as detailed in 4.2 of the submitted acoustic report. This can be secured by condition and will ensure compliance with criterion 5 of GT18. Furthermore, the Pollution Control Officer has assessed the submitted Air Quality Assessment and does not require any further assessment to be undertaken. It is therefore considered that the development would comply with EN4 of the DM DPD in respect of noise and air pollution.
- 9.34 Norwich Airport initially objected to the application due to the presence of a proposed pond which has the potential to attract birds, impacting on the safe operation of the airport due to the potential for bird strike. The 'pond' forms part of the sites surface water drainage scheme which has been amended to ensure that it does not hold water for a length of time that the airport would object to (24 hours for general rainfall, 1-4 days for an annual storm and 14 days for a 1-100 year storm event). The likelihood that it would attract birds has therefore diminished significantly given that as amended it would not permanently hold water. The airport has submitted further comments no longer objecting to the application but requesting that external lighting does not dazzle pilots (an external lighting scheme is proposed as a condition), that landscaping does not attract birds, particularly wild fowl and that the airport are notified in the event that cranes are required. The application is supported by a full suite of landscaping plans and no specific comments have been raised in relation to these plans by the airport. The landscaping scheme is not specifically tailored to meet the requirements of the airport (as it needs to serve other objective in terms of biodiversity and landscaping objectives to

meet the requirements of the development plan as a whole), it is not considered, given that the surface water drainage feature will not permanently hold water and given its modest size, that the proposal would result in any significant risk to the aviation safety. Furthermore, it is not considered that the proposed requirement to inform the airport of the use of cranes is a condition relevant to planning and would not be enforceable by the planning authority. It is however recommended that this is included as an informative to the decision notice. The development is considered to comply with policy TS6.

Drainage/Archaeology/Minerals

- 9.35 The site is located in Flood Zone 1 where there is the lowest risk of flooding. An amended Flood Risk Assessment and drainage scheme has been submitted which identifies variable ground conditions for infiltration and a combination of surface water drainage by infiltration (soakaways, permeable paving and drainage pond) and controlled discharge into the surface water sewer is therefore proposed. This is a strategy agreed by the Lead Local Flood Authority and Anglia Water and a condition is imposed to require detailed designs to be submitted for approval. The application has therefore had adequate regard to flood risk and surface water drainage in compliance with CSU5. Anglian Water has confirmed that the foul water network has capacity for the flows.
- 9.36 The site has the potential to contain archaeological remains of pre-historic, Roman and medieval date. In response the applicants have undertaken trial trenching across the site, the results of which have been shared with the Historic Environment Service who have requested that radiocarbon dating is undertaken. This has now been undertaken and a report is with the Historic Environment for consideration.
- 9.37 The site also has the potential to hold sand and gravel suitable for extraction and re-use and a Minerals Assessment has been submitted. This has identified that a significant proportion of the mineral deposits likely to be excavated as part of the groundworks within the site would be viable for re-use within construction phases. The Mineral Planning Authority has no objection subject to a condition requiring a Materials Management Plan to be submitted to estimate the quantities of material which could be extracted from the groundworks and reused.

Conclusion

- 9.38 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The site is allocated for residential development under GT18 and whilst the provision of affordable housing (28%) is below policy requirements of GT18 (33%), the amount is in

accordance with Policy 4 of the JCS which allows provision in accordance with the most up to date assessment of need. It is considered that the SHMA 2017, whilst untested, carries weight in the planning balance sufficient for officers to conclude that the delivery of 28% affordable housing is acceptable, being in accordance with the most up-to-date evidence.

- 9.39 No significant adverse impact has been identified in terms of highways, landscape, ecology and the natural environment, flood risk, amenity, and other relevant considerations. Taking into account all the matters assessed in the report and matters made in representations, officers conclude that the development is acceptable and it is recommended that planning permission should be granted subject to conditions and a Section 106 agreement.

RECOMMENDATION: Delegate authority to the head of planning to **APPROVE** subject to the completion of a Section 106 agreement to provide the following heads of terms and subject to the following conditions:

Heads of terms:

- (1) 28% affordable housing
- (2) Provision of open space in accordance with RL1 and EN3 of the DM DPD

Conditions:

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed in the attached schedule (insert schedule details here when final)
- (3) Prior to commencement of development, in accordance with the submitted Flood Risk Assessment (Rossi Long ref: 141079 Rev 3 Dated May 2018), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
 - I. Detailed infiltration testing in accordance with BRE Digest 365 along the length of the proposed infiltration features.

- II. Infiltration feature sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change flood event.
 - III. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change flood event.
 - IV. Surface water runoff rates from the development site should be attenuated to the existing runoff rate to a maximum of 15.6 l/s in all return periods as stated within section 7.11 of the FRA. This should be maintained at detailed design stage.
 - V. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - VI. Calculations provided for a 1 in 100 year critical rainfall event, plus climate change, to show, if any, the depth, volume and location of any above ground flooding from the drainage network, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
 - VII. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
 - VIII. Plans showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period need to be provided. Floor levels associated with the drainage system should not be less than 300mm below the finished ground floor levels.
 - IX. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. This will also include the ordinary watercourse and any structures such as culverts within the development boundary.
- (4) The development shall not be occupied until archaeological mitigation in the form of a programme of radiocarbon dating has been completed and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- (5) Prior to the commencement of development, further surveys for Skylarks shall be undertaken in accordance with best practice to determine the number of Skylark territories affected by the development. The surveys shall inform a scheme of mitigation for the loss of Skylark habitat to be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme of mitigation.
- (6) The development hereby permitted shall be carried out in full accordance with the approved Arboricultural Method Statement, Tree Protection Plans, Tree Pit details and Landscape and Ecological Management and Maintenance Plan as listed as approved plans and documents under condition 2.
- (7) Prior to the first occupation of any dwelling within a phase, a scheme for the implementation of landscaping within that phase shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved scheme. If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

- (8) All dwellings, other than those shown within the green contours in Figures 1 and 2 of the Noise Assessment (ref 15-0059-0 R02 dated 4th July 2017), shall be constructed in full accordance with the glazing and ventilation specification requirements as detailed in 4.2 of the submitted Noise Assessment.
- (9) Prior to the commencement of development the following shall be submitted to and approved in writing by the local planning authority:

A Materials Management Plan-Minerals (MMP-M) informed by the submitted Additional Mineral Assessment (Ref NHOM0114 dated January 2018), which will consider the extent to which on-site materials which could be extracted during the proposed development would be reused in the construction phases.

The MMP-M should outline the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant.

The MMP-M will require that the developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant.

The development shall then be carried out in accordance with the approved MMP-M. The developer shall provide an annual return of these amounts to the Local Planning Authority, or upon request of the Local Planning Authority.

- (10) Prior to the first occupation of phase 1 (as shown at 7.1 of the Design and Access Statement), details of pedestrian access routes and boundary treatment between the site and Newman Road Woods shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details prior to the occupation of the first dwelling in phase 1.
- (11) Prior first installation, details of external lighting to serve the public realm shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
- (12) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The details as approved shall be completed prior to the first occupation of any of the dwellings hereby permitted and thereafter shall be maintained.
- (13) Prior to the commencement of development detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.
- (14) Prior to the occupation of the final dwelling all works shall be carried out on roads / footways / cycleways / street lighting / foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- (15) Before any dwelling is first occupied the road(s)/footway(s)/cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- (16) Prior to the first occupation of any dwelling within phase 1 or 2, visibility splays at the access onto Green Lane West which serves these phases shall be provided in full accordance with the details shown on the approved plans. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Prior to the first occupation of any dwelling within phases 3,4,5 or 6 visibility splays at the accesses onto Green Lane West and Salhouse Road which serve these phases shall be provided in full accordance with the details shown on the approved plans. The splays shall thereafter be maintained at all

times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

- (17) Prior to the commencement of development a scheme detailing provision for on-site parking for construction workers for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- (18) Prior to the commencement of development a Construction Traffic Management Plan and Access Route which shall incorporate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning 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 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.

- (19) Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on drawings 141079-SK-20-P3 and 141079-SK-21-P2 have been submitted to and approved in writing by the Local Planning Authority.

Prior to the first occupation of the development hereby permitted the off-site highway improvement works shall be completed to the written satisfaction of the Local Planning Authority.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To avoid the risk of flooding and to ensure the satisfactory development of the site in accordance with policy CSU5 of the Development Management DPD 2015. The requirements of the condition are 'pre-commencement' to ensure that the detailed design has been finalised and appropriate room for

SuDS/local flood risk management has been allowed for and is compatible with other constraints.

- (4) To ensure the satisfactory recording of archaeological remains in accordance with policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014.
- (5) To ensure appropriate mitigation for the loss of Skylark habitat in accordance with policy EN1 of the Broadland District Development Management DPD 2015. The requirements of the condition are pre-commencement on the basis that the surveys must be undertaken before development commences.
- (6) To ensure the continuity of amenity value afforded by the existing and proposed trees in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (7) To ensure the timely delivery of proposed landscaping in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (8) To protect the amenities of future occupiers in respect of road noise in accordance with Policy GC4 and EN4 of the Development Management DPD 2015.
- (9) To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026. The requirements of the condition are pre-commencement as the details relate to construction activities on site.
- (10) To ensure access to Newman Road Woods is provided to enhance the permeability of the site for pedestrians in accordance with policy GC4 of the Development Management DPD 2015 and GT18 of the Growth Triangle Area Action Plan.
- (11) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (12) To ensure the satisfactory development of the site in accordance with Policy 3 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014.
- (13) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014. This needs to be a pre-commencement condition to ensure fundamental elements of the

development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.

- (14) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014.
- (15) To ensure satisfactory development of the site as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (16) In the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (17) To ensure adequate off-street parking during construction in the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- (18) In the interests of maintaining highway efficiency and safety in accordance with policy TS3 of the Development Management DPD 2015. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- (19) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD 2015.

Informatives:

- (1) 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.

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.

- (2) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of the National Planning Policy Framework.
- (3) The site is subject to a related agreement under Section 106 of the Town And Country Planning Act 1990.
- (4) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (5) It is an offence to disturb, harm or kill breeding birds in the UK under the Wildlife and Countryside Act 1981. The removal of hedges should take place outside of the breeding season (March to September). In the event that this is not possible, any hedgerow to be removed should be inspected by a suitably qualified ornithologist and if any nests are found a 10 metre exclusion zone should be established until such time as the nest has been fledged.
- (6) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp



Land at Rear of 33 Norwich Road, Strumpshaw, NR13 4AG

Scale:
1:1250

Date:
1-Apr-19



AREA East

PARISH Strumpshaw

3

APPLICATION NO: 20182040 **TG REF:** 635422/308060

LOCATION OF SITE Land at Rear of 33 Norwich Road, Strumpshaw, NR13 4AG

DESCRIPTION OF DEVELOPMENT Construction of 7 dwellings, ancillary garaging and works and demolition of storage building.

APPLICANT MM Tubby Ltd

AGENT MDPC Ltd, Malcolm Dixon.

Date Received: 14 December 2018
8 Week Expiry Date: 8 February 2019

Reason at Committee: The recommendation is contrary to the Development Plan

Recommendation (summary): To delegate authority to the Head of Planning to approve subject to the satisfactory completion of a Section 106 Agreement and conditions

THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of seven dwellings with garages and an access road from the adjacent development currently under construction, from Norwich Road.
- 1.2 The proposal is for two houses and five bungalows, one of which will be offered as an affordable housing unit (A shared equity property delivered via a shared ownership lease at 75% OMV).
- 1.3 There is an extant permission on the site for the erection of two dwellings ([20131181](#)) one of which is outside the settlement limit. The other of the dwellings has been commenced and is shown on the current plan as Plot 14.
- 1.4 The application site area for the seven dwellings proposed, has two plots within the settlement limit and the remaining five outside including the proposed affordable unit.
- 1.5 The two storey properties are located to the north of the site and the single storey properties are proposed to the south in a cul-de-sac arrangement. The

style is similar to those already constructed to the west of the site in terms of materials.

- 1.6 The existing entrance from Norwich Road will be used to access the development which will remain a private road.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the Development Plan, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance.
- Whether there are material considerations sufficient to outweigh the presumption of determining the application in accordance with the provisions of the Development Plan – in this instance whether it is appropriate to build new dwellings outside of a defined settlement limit.
- The impact of the development on the character and appearance of the area.
- The impact of the development on residential amenity.
- The impact of the development on highway safety.

3 CONSULTATIONS

3.1 Strumpshaw Parish Council:

The councillors objected to the plans.

A large part of the site is outside the development boundary so any development on that part of the site would be contrary to Strumpshaw's Neighbourhood Plan.

The Parish Council also recently objected to the proposed change to the development boundary at this location, put forward as part of the recent supplementary Call for Sites.

Can there be an obligation on the developer to provide and complete the footway on the south side of Norwich Road between Mill Road and a point just west of Page's Garage? The Parish feel that if the N Plan is to be disregarded, then at least the parish could gain an asset for the community out of it.

3.2 BDC Conservation Officer (Arboriculture & Landscape):

I would have no objection to the proposed development on arboricultural grounds.

Currently the area has a section of overgrown leylandii hedge on the north side of plots 19 & 20. Whilst this hedge is visible from public places such as Norwich Road it has suffered quite severe pruning works which has decreased its amenity value and its value in terms of habitat would be small. Regardless, permission was given in the 20131181 application to remove this leylandii hedging and it was to be replaced with native mixed hedging.

The site also has some tall mixed hedging consisting primarily of laurel and holly on the western border with the adjacent Public House. This hedging provides a screen and barrier to the Public House's rear amenity space and would also provide valuable screening for the gardens of the proposed properties, therefore this hedging should be retained as part of the development.

The Site Plan indicates the planting of new hedges around the perimeter of the site and new trees within front and back gardens. The Design and Access Plan also states that details on the soft landscaping could be agreed through a planning condition. I would suggest that condition T4 *Landscape Scheme to be submitted* would be suitable, particularly subsections a, b and the final paragraph which ensure that if any new trees die within a period of 5 years from planting then another should be planted. I would request that this condition is put on the planning permission if granted.

3.3 BDC: Environmental Health Officer (Contamination):

I think that it would be prudent to add a condition to require an assessment of the surface soils following the removal of the barn to show that the work has not resulted in asbestos containing material being left on the site. I would also add the informative about the safe removal and disposal of the asbestos material from the site.

3.4 BDC Housing Officer:

Thank you for this and as it has covered all my queries around approval of applicants and so at this stage we are happy to confirm Asett as the RP for the S/E unit.

The developers will still need to submit the full schedule on commencement on site and at this stage the Council will send formal confirmation that Asett is

approved as the RP on site. This letter will come from Bob Fell who now deals with issuing all letters approving the AH schedule and other requirements of the S106 agreement.

3.5 BDC S106 Officer:

The contribution figures as of March 2019

GI £17,783.34

Sport £11,697.49

Play £2,366.42

Allotments £534.06

3.6 BDC Contracts Officer:

Looking at this planning application, there are to be 11 properties along this private drive. As you know, with new developments now, we will not access a private drive with the waste collection vehicle. With regards to the 4 existing properties and the 7 new properties, we would request a waste collection point for up to 2 bins per property at the point where the private drive meets the road.

3.7 NCC Highways:

I can advise the changes to the turning head and width of the access as per drawing 1183/01/RevN are acceptable.

Should your authority receive drawings proposing footway works to address comments made by the Parish Council then we would be welcome the opportunity to comment.

3.8 NCC Ecology:

The ecological assessment is fine. I suggest you might wish to condition that works proceed in line with the precautionary measures contained within the report.

3.9 Norfolk Fire & Rescue:

Taking into account the location of the existing fire hydrant coverage, Norfolk Fire and Rescue Service will require a hydrant to be installed on no less than a 90mm main.

No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service

Reason for Condition: Condition is needed to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Informative

With reference to the condition, the developer will be expected to meet the costs of supplying and installing the fire hydrant.

4 PUBLICITY

4.1 Site Notice: 10 January 2019

Expiry date: 31 January 2019

4.2 Neighbour Notification:

8 Neighbours consulted: 22, 24, 33, 35, 37, 39 & 41 Norwich Road

Expiry date: 12 January 2019

4.3 Press Notice: 1 January 2019

Expiry date: 22 January 2019

5 REPRESENTATIONS

5.1 22 Norwich Road, Strumpshaw. Object.

- Strumpshaw has seen considerable growth in the past year
- The addition of another 7 dwellings would be very damaging
- The village only has a pub and church
- The site is subject to flooding

5.2 37 Norwich Road, Strumpshaw. Object.

- Loss of privacy
- The site is not a brownfield site
- Impact on wildlife
- The development will be out of character
- The proposals are not for affordable housing
- Noise and disturbance during construction

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2018:

- 6.1 Sets out the overarching planning policies on the delivery of sustainable development for rural communities through the planning system. It also reinforces the position that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration and should be read as a whole but paragraphs 2, 7, 8, 9, 10, 11, 12, 38, 47, 54, 55, 63, 78, 79, 108, 109, 127 and 170 are particularly relevant to the determination of this application.

National Planning Practice Guidance (NPPG):

- 6.2 Web based national guidance formalised in March 2014.
- 6.3 Paragraph 8 in section 'Determining a Planning Application' states a material planning consideration is one which is relevant to making the planning decision in question (eg whether to grant or refuse an application for planning permission).

Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 and as Amended 2014:

- 6.4 Policy 1: Addressing climate change and protecting environmental assets

This Policy sets down a number of standards that new development should achieve in its attempts to address climate change and promote sustainability; including giving careful consideration to the location of development and the impact it would have ecosystems of an area.

- 6.5 Policy 2: Promoting good design

Seeks to ensure that all development is designed to the highest possible standard, whilst creating a strong sense of place. It also states that developments will respect local distinctiveness.

- 6.6 Policy 4: Housing delivery

States that proposals for housing will be required to contribute to the mix of housing required to provide balanced communities and meet the needs of the area, as set out in the most up to date study of housing need and / or Housing Market Assessment. Furthermore, it sets out appropriate percentages for the delivery and tenure of affordable housing.

6.7 Policy 6: Access and transportation

Seeks to concentrate development close to essential services and facilities to encourage walking and cycling as the primary means of travel with public transport for wider access.

6.8 Policy 16: Other Villages

Strumpshaw is identified as an 'Other Village' in Policy 16 of the JCS. Policy 16 states that these villages will have defined settlement limits to accommodate infill or small groups of dwellings subject to form and character considerations.

Development Management Development Plan DPD (2015):

6.9 Policy GC1: Presumption in favour of sustainable development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

6.10 Policy GC2: Location of new development

New development will be accommodated within the settlement limits. Outside of these limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and / or policy of the Development Plan.

6.11 Policy GC4: Design

Development is expected to achieve a high standard of design and avoid any significant detrimental impact. Sets out a list of criteria that proposals should pay regard to, including the environment, character and appearance of the area.

6.12 Policy EN1: Biodiversity and habitats

Development proposals will be expected to protect and enhance the biodiversity of the district, avoid fragmentation of habitats and support the delivery of a co-ordinated green infrastructure network throughout the district.

6.13 Policy EN2: Landscape

In order to protect the character of the area, development proposals should have regard to the Landscape Character Assessment SPD.

6.14 Policy EN3: Green Infrastructure

Residential development consisting of five dwellings or more will be expected to provide at least 4 hectares of informal open space per 1,000 population and at least 0.16 hectares of allotments per 1,000 population. Development will also be expected to make adequate arrangements for the management and maintenance of green infrastructure.

6.15 Policy RL1: Provision of formal recreation space.

Residential development consisting of five dwellings or more will be expected to make adequate provision and subsequent management arrangements for recreation. The provision of formal recreation should equate to at least 1.68 hectares per 1,000 population and the provision of children's play space should equate to at least 0.34 hectares per 1,000 population.

6.16 Policy TS3: Highway safety

Development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network.

6.17 Policy TS4: Parking guidelines

Within new developments, appropriate parking and manoeuvring space should be provided to reflect the use and location as well as its accessibility by non-car modes.

6.18 Policy CSU5: Surface water drainage

Mitigation measures to deal with surface water arising from development proposals should be incorporated to minimise the risk of flooding on the development site without increasing flood risk elsewhere.

Strumpshaw Parish Council Neighbourhood Plan 2014

6.19 Policy 1

Any development will need to reflect the existing form and structure of settlements, respecting the planning policies of the LPA. It will also need to reflect and complement the rural character and history of the area.

6.20 Policy 2

The attractive countryside in the parish will be protected from intrusive development.

6.21 Policy 3

The Settlement limits will be maintained as they are in 2013.

6.22 Policy 5

New buildings should respect the vernacular design of current buildings in the parish and should allow adequate space between buildings to retain the character of the parish.

6.23 Policy 7

Development will be expected to ensure that there is no detriment to highway safety.

Site Allocations DPD (2016):

- 6.24 The site is not allocated for development but an existing permission is currently being built out on the site.

Landscape Character Assessment SPD:

- 6.25 The Strumshaw area is identified as C2 (Freethorpe) Plateau Farmland within the Landscape Character Assessment SPD.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is located to the east of the village of Strumpshaw and on the north side of Norwich Road. Existing residential development is currently being undertaken on the site as part of a re-development of a former commercial use on the site by The Hamper People.
- 7.2 The application site is situated to the north-east of the existing development and will be accessed via the same private drive. There is currently a large industrial building on the site which is used for the storage of building materials. This will be removed as part of the development.
- 7.3 The existing dwellings along Norwich Road are two-storey, detached properties with rear gardens of approximately 20m in depth.

8 PLANNING HISTORY

- 8.1 [20171722](#) Construction of 3 Dwellings (Revised Proposal) Including 2 Open Cart Sheds & Associated Works. Full Approval. 27 November 2017.
- 8.2 [20172178](#) Variation of Condition 2 of Planning Permission 20150188 - External Fenestration Changes to Dwellings. Full Approval. 7 February 2018.
- 8.3 [20150188](#) Part Redevelopment of Commercial Site to provide 10 No. Dwellings. Full Approval 18 September 2018.
- 8.4 [20140426](#) Demolition of Office Building & Erection of 3 No Dwellings. Full Approval 2 July 2014.
- 8.5 [20131181](#) Demolition of Existing Agricultural Barn. Erection of 2 Detached Houses with 1 Attached and 1 Detached Double Garages. Full Approval 11 October 2013.
- 8.6 [20120751](#) Erection of 10 Dwellings (Matters Reserved by Conditions 1, 3 and 4 of Planning Application 20100386). Reserved Matters Approval 20 February 2013.
- 8.7 [20100386](#) Part Re-development of Commercial Site for 10 Dwellings (Outline) Outline Approval 5 August 2011

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the relevant policies of the Development Plan; the guidance set out in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). This includes the impact of the development on the character and appearance of the area, neighbour amenity and highway safety.

Whether the development accords with the provisions of the Development Plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance and contributes towards sustainable development:

- 9.2 The majority of the site is located within the Rural Policy Area and lies outside the defined settlement limit for Strumpshaw. Policy GC2 of the Development Management DPD therefore does not permit new development unless the proposal accords with another policy of the Development Plan. Furthermore, the site has not been allocated for development in the Site Allocations DPD.

- 9.3 That said, the site straddles the settlement limit which wraps around the application site with residential development to the south and west. The site is also within walking distance of some local facilities including a Public House, garage and the shops and facilities of nearby Lingwood as well as bus stops to and from the City Centre. These are accessible via a public footpath constructed as part of the adjacent new development. The site is therefore considered to be located in a sustainable location with good accessibility to services and facilities and the proposals are therefore in accordance with Policy GC1 of the Development Management DPD.

The design of the proposals and the impact of the development on the character and appearance of the area:

- 9.4 The proposed dwellings will be similar in appearance to the properties under construction on the adjacent site using a red brick, grey slate or red pantile for the roof and black upvc for the windows. The paving will be a permeable block paving with shingle driveways.
- 9.5 The properties will replace an existing large industrial building and boundary planting is proposed. The dwellings are therefore not considered to result in an adverse visual impact on the character and appearance of the area.

The impact of the development on residential amenity:

- 9.6 The development has been designed with two storey properties to the north and single storey dwellings to the south so as to prevent overlooking and loss of privacy to existing residential properties. The properties on Norwich Road are two storey with approximately 20m long rear gardens and therefore despite the change in levels towards the north of the site, the single storey properties proposed are not considered to result in overlooking or loss of privacy.

The impact of the development on highway safety:

There is no objection from the Highway Authority in relation to an adverse impact on highway safety. Although Highways have suggested a footpath to the south of Norwich Road could be feasible and this would fulfil Neighbourhood Plan Policy 7, requiring this or accepting a lump sum in contribution to it would not be CIL Reg 122/123 compliant and cannot therefore carry any weight. CIL Reg 122/123 require that planning obligations should only be accepted where they are necessary to make the development acceptable in planning terms; are directly related to the development and are fairly and reasonably related in scale and kind to it. The proposal therefore complies with Policies TS3 and TS4 of the DM DPD.

Other Matters:

- 9.7 The site is not located within flood zones 2 or 3 and is therefore not considered to be any area at risk of flooding. The application proposes that surface water drainage will be provided through sustainable drainage systems whilst foul water drainage will be connected to the existing mains foul water drainage system in the vicinity of the site. It is intended to have soakaways in each garden.
- 9.8 Infiltration tests have been undertaken on the wider site area that demonstrates there is a good infiltration rate. The soakaway designs for the highway and offsite footway of the adjacent development have been agreed by Norfolk County Council Highways. It is understood that the site area will have good infiltration and further infiltration tests will be undertaken on site following grant of planning permission at location of proposed infiltration features. Details of the exact design of surface water can be conditioned.

Conclusion:

- 9.8 In drawing the above appraisal to a conclusion, it is appropriate to consider the proposal against the three dimensions to sustainable development: economic, social and environmental.
- 9.9 The NPPF confirms the economic role as: *“helping to build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.”*
- 9.10 The development would result in some short term economic benefits as part of any construction work for the dwellings and in the longer term by spending from the future occupants of the dwellings which could support local services and facilities. Furthermore, the development can be delivered immediately as a continuation of the existing development on the adjacent site. It is therefore considered that the scheme would bring forward a level of economic benefit.
- 9.11 The NPPF confirms the social role as *“supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.”*

As stated above, it is considered that the application site, despite being outside the settlement limit is still within a sustainable location close to local services, facilities and employment opportunities. Although Affordable Housing is not required as the site area and number of dwellings proposed

does not trigger a requirement for it, one AH bungalow is proposed (a shared Equity property delivered via a shared ownership lease at 75% OMV) along with a financial contribution towards off site provision of recreational open space and Green Infrastructure will be sought. These are benefits to the proposal and material considerations.

- 9.12 The additional dwellings would also be liable to pay towards the Community Infrastructure Levy and it is considered that this proposal would bring forward a modest social benefit on the basis of its contribution to the supply of homes and benefits to the viability and vitality of Strumpshaw.
- 9.13 The NPPF confirms the environmental role as *“contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*
- 9.14 The proposed development involves the erection of a seven dwellings; there is an extant permission [20131181](#) for the erection of two dwellings (one of which is within the current application site and so the proposal is in effect for six additional dwellings) on an area of land adjoining existing residential development. It does not extend further into the countryside and boundary treatment in the form of vegetation is proposed meaning it will not have an adverse visual impact on the locality.
- 9.15 Overall the application will provide economic, social and environmental benefits and is not considered to result in any significant detrimental impact upon the general character and appearance of the area, neighbour amenity or highway safety. This matter is considered to be finely balanced having regard to the three dimensions of sustainable development and the benefits of the proposal compared with the lack of any harm as discussed above. Having regard to all matters raised, the proposal is not considered to result in any significant adverse impact and given the presumption in favour of sustainable development the proposal is, on balance, considered acceptable subject to conditions.

RECOMMENDATION:

To delegate authority to the Head of Planning to **APPROVE** the application subject to the satisfactory completion of a Section 106 Agreement relating to the following Heads of Terms and subject to the following conditions:

Heads of Terms:

- (1) Affordable Housing Unit (shared equity property delivered via a shared ownership lease at 75% Open Market Value)
- (2) A financial contribution towards off site provision of recreational open space and green infrastructure.
 - GI £17,783.34
 - Sport £11,697.49
 - Play £2,366.42
 - Allotments £534.06

Conditions

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission was granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents:

[Amended Dwg No 1183_01_Rev N Site Layout Plan received 050219.pdf](#)
[Amended Dwg No 1183_11_Rev A Site Cross Section received 050219.pdf](#)
[Dwg No 1183_04_C Plots 15 and 16 Plans and Views.pdf](#)
[Dwg No 1183_05_C Plots 15 and 16 Elevations.pdf](#)
[Dwg No 1183_06_A Plots 15_16 and 17 Garage Plan and Elevations.pdf](#)
[Dwg No 1183_08_Plot 14 Plans and Elevations.pdf](#)
[Dwg No 1183_15_A Plots 20 and 21 Plans and Elevations.pdf](#)
[Dwg No 1183_16_A Plots 18 and 19 Plans and Elevations.pdf](#)
[Dwg No 1183_17_A Plot 17 Plans and Elevations.pdf](#)
[Planning Design and Access Statement.pdf](#)
- (3) Prior to the commencement of development, details showing the location and layout of the waste bin storage area required at the junction with Norwich Road shall be submitted to and agreed in writing with the Local Planning Authority. The waste storage area will then be laid out in accordance with these agreed details and retained.
- (4) Prior to the commencement of the development, a scheme shall be submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service.
- (5) Prior to the commencement of development, details of the strategy for disposal of surface water on the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented

and thereafter managed and maintained in accordance with the approved details.

- (6) Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate:-
- (a) the species, number, size and position of new trees and shrubs at the time of their planting.
 - (b) all existing trees and hedgerows on the land, with details of any to be retained (which shall include details of species and canopy spread, root protection areas as required at para 4.4.2.5 of BS5837: 2012), together with measures for their protection during the course of development
 - (c) specification of materials for fences, walls and hard surfaces,
 - (d) details of any proposed alterations in existing ground levels and of the position of any proposed excavation or deposited materials,
 - (e) details of the location of all service trenches.
- (7) The scheme as approved shall be carried out not later than the next available planting season following the commencement of development or such further period as the Local Planning Authority may allow in writing. If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- (8) Prior to the first occupation of the dwellings hereby approved hereby the proposed access / on-site car parking / turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- (9) Prior to first occupation of the properties hereby permitted soil testing will be carried out of the garden areas of the properties to demonstrate the suitability of the soils for domestic garden use. Testing should include asbestos along with other suitable parameters to ensure that the removal of the former building has not negatively impacted the soil condition. Soil testing, analysis, interpretation and the associated report and risk assessment must be carried out and produced by suitably competent and experienced professional to ensure that best practise is adopted. Should the results of the analysis and the risk assessment identify that the soil is not fit for domestic use a written

remediation method statement should be submitted to the LPA for written approval before implementation. The remediation work must be supported by soil testing to demonstrate its success. Further remediation will be required if the initial remediation has not been successful. All work must be carried out in accordance with accepted best practice.

- (10) Prior to the first occupation of the development hereby permitted, the proposed access and on-site car parking and turning areas shall be laid out in accordance with the approved plan (Dwg No 1183/01/RevN) and retained thereafter available for that specific use.
- (11) The precautionary measures contained within the Ecological Assessment Report shall be implemented in accordance with the agreed details.

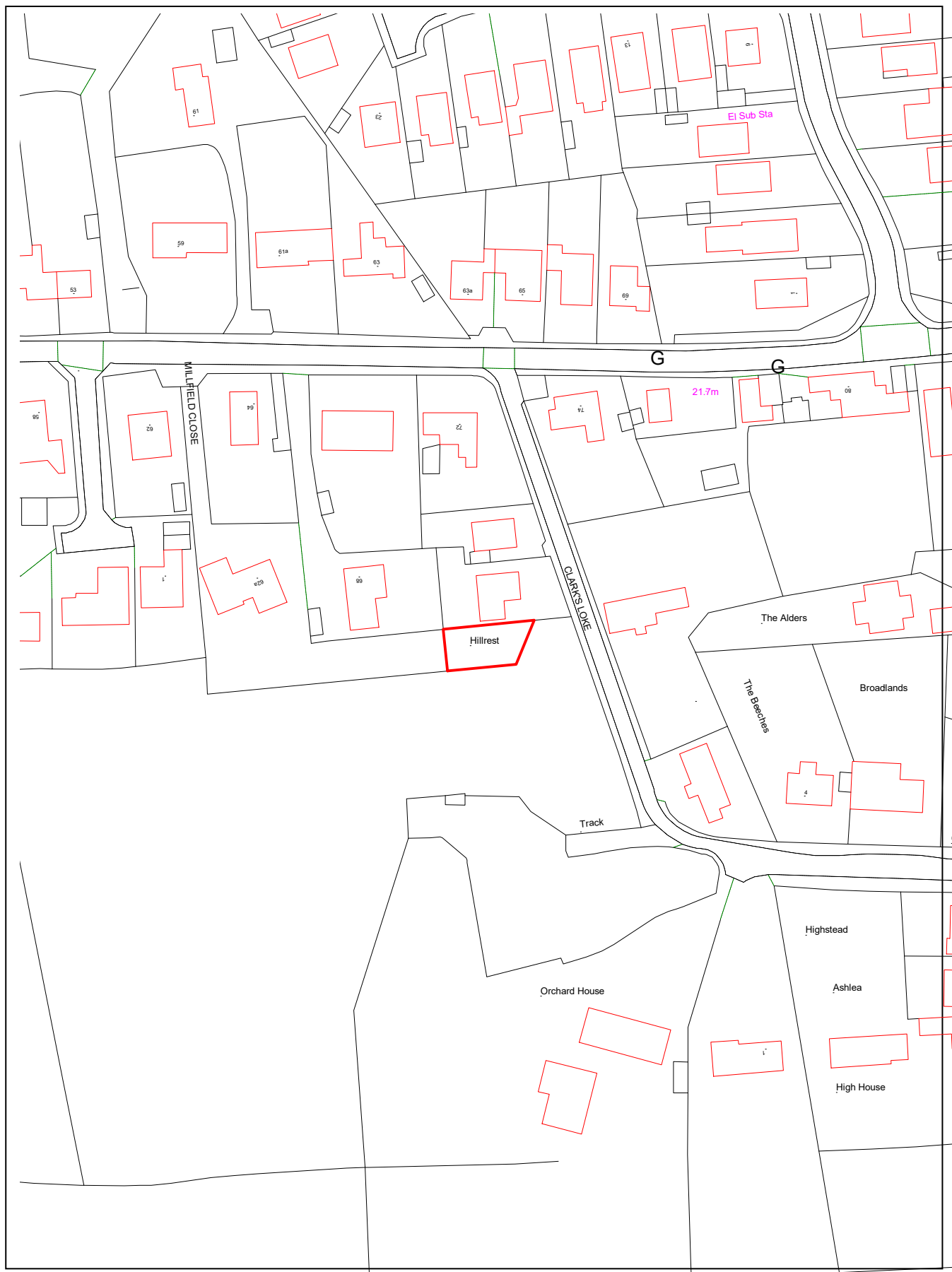
Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure the satisfactory appearance of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.
- (5) To prevent the existing surface water drainage issues being exacerbated by the development.
- (6) To ensure the satisfactory appearance of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (7) To ensure construction of a satisfactory access into the site in the interests of Highway Safety.
- (8) 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 policy EN4 of the Development Management DPD 2015.

- (9) To ensure the adequate provision of off site car parking in accordance with Policy TS4 of the DM DPD.
- (10) To ensure the works are carried out to industry best practice.

Informatives:

- (1) The local planning authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site.
- (4) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (5) Based on information provided with this application it has become apparent that asbestos containing material may be present within the existing building structure. The removal of asbestos materials must be carried out in accordance with appropriate guidance and legislation including compliance with waste management requirements. Accordingly any works should be managed to avoid damage to any asbestos containing material such as to prevent the release or spreading of asbestos within the site or on to any neighbouring land. Failure to comply with this may result in the matter being investigated by the Health and Safety enforcing authority and the development not being fit for the proposed use. In addition the developer may incur further costs and a time delay while ensuring the matter is correctly resolved.
- (6) With reference to the condition, the developer will be expected to meet the costs of supplying and installing the fire hydrant.



Application No: 20190202

Hill Rest, Clarks Loke, Blofield, NR13 4QU

**Scale:
1:1250**

**Date:
1-Apr-19**



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AREA East

PARISH Blofield

4

APPLICATION NO: 20190202 **TG REF:** 633413/311474

LOCATION OF SITE Hill Rest, Clarks Loke, Blofield, NR13 4QU

DESCRIPTION OF DEVELOPMENT Change of use from agricultural land to residential curtilage and erection of detached garage

APPLICANT Mr Brown

AGENT N/A

Date Received: 7 February 2019
8 Week Expiry Date: 4 April 2019

Reason at Committee: The site is outside of the settlement limit and the application is therefore contrary to policy

Recommendation (Summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the change of use of land to the south of the site from agricultural to residential curtilage to be used in association with the existing dwelling house at Hill Rest along with the erection of a detached garage.
- 1.2 The proposed detached garage measures 6.6m in length by 5.5m wide and a ridge height of 4.35m with a dual pitched roof and gable ends. The garage will be constructed from LBC Heather Brick and Redland 49 interlocking roof tiles in grey.
- 1.3 It is proposed for the boundary treatments to remain as existing which is hedging to the south and east and 6ft close board fence to the west. The northern boundary with Hill Rest is open.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance.

- Whether there are material considerations sufficient to outweigh the presumption of determining the application in accordance with the provisions of the Development Plan.
- The impact of the development on the character and appearance of the area.
- Planning history on adjoining sites.

3 CONSULTATIONS

3.1 BDC Pollution Control Officer:

No Objection

3.2 Blofield Parish Council:

We have now had an opportunity to consider the application and wish to make no comment.

4 PUBLICITY

4.1 Site Notice:

Date Displayed - 19 February 2019

Expiry Date - 12 March 2019

4.2 Press Notice:

Date Displayed – 26 February 2019

Expiry Date – 19 March 2019

4.3 Neighbour Notifications:

Sunny Patch & The Cottage, Clarks Loke; Conifer Drive, 68 Mill Road; Agent for the adjacent site approved under PP 20170634

Letters Sent - 11 February 2019

Expiry Date - 06 March 2019

5 REPRESENTATIONS

- 5.1 No representations received

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012:

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration and should be read as a whole but paragraphs 11, 38 are particularly relevant to the determination of this application.

Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 and as Amended 2014:

- 6.2 Policy 1: Addressing climate change and protecting environmental assets

This policy sets down a number of standards that new development should achieve in its attempts to address climate change and promote sustainability; including giving careful consideration to the location of development and the impact it would have ecosystems of an area.

- 6.3 Policy 2: Promoting good design

All development will be designed to the highest possible standards, creating a strong sense of place. In particular, development proposals will respect local distinctiveness.

Broadland Development Management DPD 2015:

- 6.4 Policy GC1: Presumption in favour of sustainable development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

6.5 Policy GC2: Location of new development

New development will be accommodated within the settlement limits. Outside of these limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and / or policy of the development plan.

6.6 Policy GC4: Design

Development is expected to achieve a high standard of design and avoid any significant detrimental impact.

6.7 Policy EN1: Biodiversity and habitats

Development proposals will be expected to protect and enhance the biodiversity of the district, avoid fragmentation of habitats and support the delivery of a co-ordinated green infrastructure network throughout the district.

Blofield Neighbourhood Plan

6.8 Policy HOU4: Rural image, heights and massing

The Neighbourhood Plan seeks to maintain and enhance the village image as rural and green. Wherever possible, development should deliver enhancements to the landscaping character.

Broadland Landscape Character Assessment SPD 2013:

- 6.9 The application site falls within the Blofield Tributary Farmland landscape character area.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site is a small rectangular parcel of land that sits to the south of the residential curtilage of Hill Rest, Clarks Loke.
- 7.2 The northern boundary of the site is open with the existing residential garden of Hill Rest, Clarks Loke. The east and south boundaries are hedged and adjoin agricultural land while the west boundary is a 6ft close board fence that adjoins the garden of 68 Mill Road.
- 7.3 The site measures approximately 21m along the northern boundary with the southern boundary slightly shorter at 16m by 10m in width, measuring approximately 185sq m in total.

- 7.4 The site is currently rough grass with a couple of small trees. All domestic structures associated with Hill Rest have been kept within the existing residential curtilage.
- 7.5 There is access to the agricultural field to the south east of the site and to the south of this is a site which has planning permission for a new dwelling under application [20170634](#).

8 PLANNING HISTORY

- 8.1 [20170634](#) – Erection of House and Garage – Land at Clarks Loke - appeal allowed 26 February 2018
- 8.2 [20041874](#) - Change of Use of Agricultural Land To Garden (Retrospective) – Land to the rear of 62A and 68 Mill Road - Full Refusal 27 January 2005
- 8.3 [011301](#) – Conservatory to Rear – Full Approval 06 November 2001
- 8.4 [901226](#) – Garage – Full Approval 08 October 1990
- 8.5 [911007](#) – Single Storey Side Extension – Full Approval 02 July 1991
- 8.6 [970618](#) – Raising of Roof Height to Include Rooms In Roof – Full Approval 16 July 1997

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the Development Plan, the JCS, the National Planning Policy Framework (NPPF) and the character and appearance of the area.
- 9.2 The site lies outside of the defined settlement limit which runs along the southern boundaries of the existing residential curtilages. As such the application sites northern boundary is adjacent to the settlement limit.
- 9.3 The site is already separated from the agricultural field to the south with a hedged boundary and there will be no change to this arrangement. The proposed garage is sited close to the existing dwelling and taking into account the extant permission for the erection of a detached house immediately to the south of the site it is not considered that there will be any detrimental impact to the character and appearance of the area.

- 9.4 The site shares a boundary with residential curtilage to the west and does not extend any further into the agricultural field than the neighbouring gardens.
- 9.5 The land to the south of the site with planning permission for a new dwelling sits outside of the settlement limit and fills in the remaining area on Clarks Loke between the south of the site and the wooded area on the corner of Clarks Loke and High House Lane. Given that this application allows residential development outside of the settlement limit adjacent to the application site it would seem unreasonable not to allow this application for the change of use and detached single garage as discussed above.
- 9.6 Application [20041874](#) was refused planning permission for the retrospective change of use of agricultural land to the rear of 62A & 68 Mill Road to residential curtilage. This was some time ago and the appeal decision for application [20170634](#) shows that the circumstances have changed over this time.
- 9.7 The detached single garage will be set to the side of the existing dwelling and is proposed to be constructed with LBC Heather Brick and Redland 49 interlocking tile in grey. This will be in keeping with the existing dwelling.
- 9.8 In summary the proposal represents an acceptable form of development.
-

RECOMMENDATION: APPROVE subject to the following conditions:

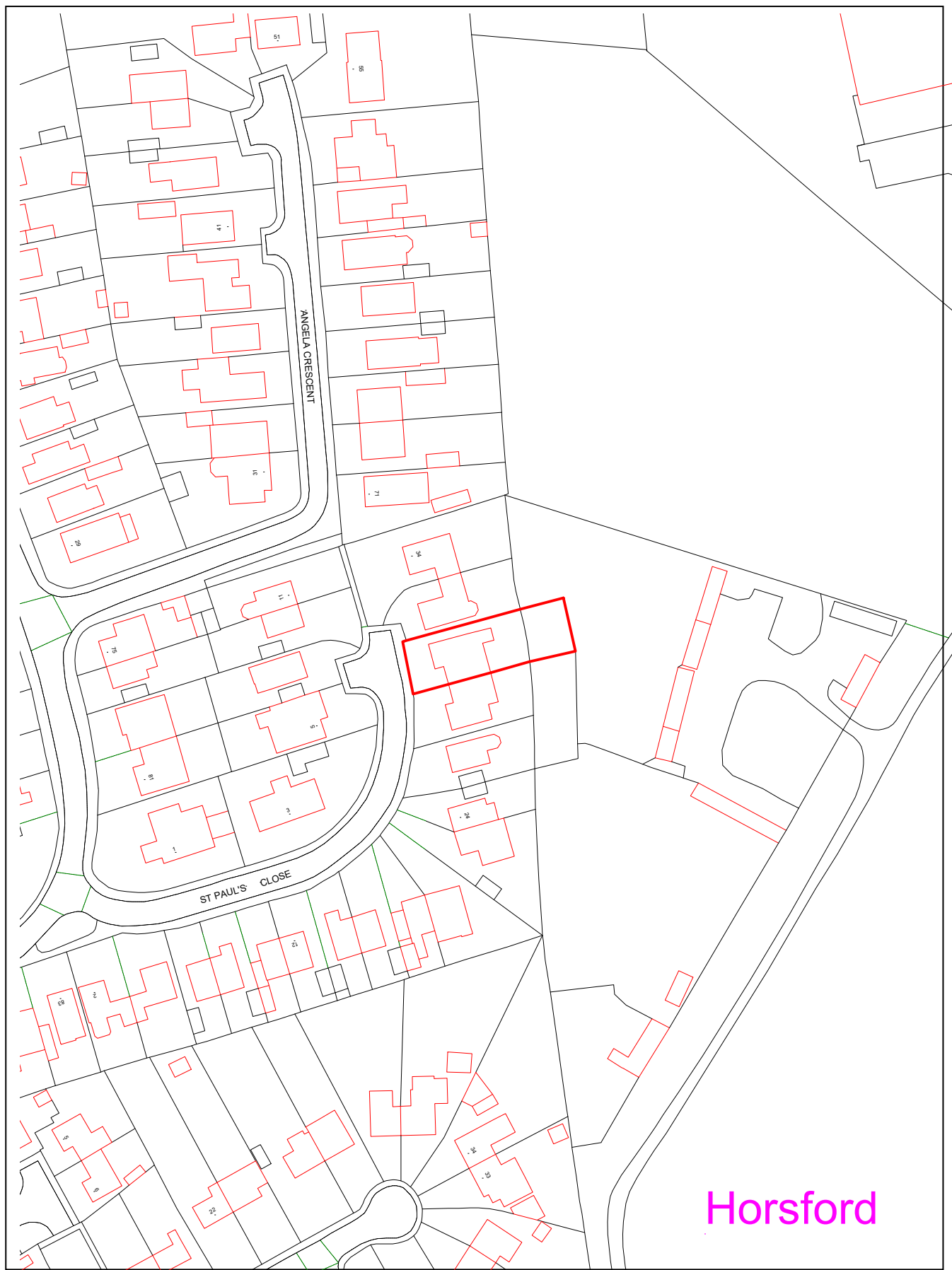
- (1) The garage must be begun not later than THREE years beginning with the date on which this permission is granted. (A1)
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below. (E3)

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. (R2)
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents. (R15)

Informatives:

- (1) Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraph 38 of the National Planning Policy Framework. (INF40)
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk (INF27)



Horsford



Application No: 20190178

**Land to the Rear of 30 Saint Pauls
Close, Horsford, NR10 3HG**

**Scale:
1:1250**

**Date:
1-Apr-19**



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AREA West

PARISH Horsford

5

APPLICATION NO: [20190178](#)

TG REF: 619333 / 316580

LOCATION OF SITE Land to the Rear of 30 Saint Pauls Close, Horsford,
NR10 3HG

DESCRIPTION OF DEVELOPMENT Change of Use of Land from Agricultural to Residential
Curtilage

APPLICANT Mr Steven Hayward

AGENT N/A

Date Received: 4 February 2019

8 Week Expiry Date: 4 April 2019

Reason at Committee: The recommendation for approval is contrary to the current development plan policies

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks retrospective planning permission for the change of use of agricultural land to residential curtilage in association with 30 Saint Pauls Close in Horsford.
- 1.2 The area of land which is the subject of this application is immediately to the east of the original residential curtilage associated with no: 30 and follows the sites northern and southern boundaries. The parcel of land measures approximately 130m².
- 1.3 The land has been used as part of the garden for no: 30 Saint Pauls Close for approximately 7 years. The parcel of land is laid to lawn although four small fruit trees have also been planted on the site. The land is enclosed by 1.8 metre high close boarded timber fencing to the north, south and east which is consistent with the boundaries around the original rear garden. To the west there is a low 0.6 metre high timber open weave fence forming a partial separation between the original garden and the additional land.

- 1.4 This application follows a similar application (Ref:[20170977](#)) where full planning permission was granted to extend the residential curtilage at no: 28 Saint Pauls Close in July 2017. The current application seeks to extend the residential curtilage to the east by approximately the same amount as that approved for no: 28. This will mean that the proposed eastern boundary follows the extended eastern boundary of no: 28.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the Development Plan, the NPPF and National Planning Practice Guidance
- The impact of the development on the character and appearance of the area
- The impact of the development on residential amenity.

3 CONSULTATIONS

3.1 Horsford Parish Council:

No objection.

3.2 Norfolk County Council as Community and Environmental Services (Minerals and Waste):

While the application site is underlain by a Mineral Safeguarding Area (Sand and Gravel), it is considered that as a result of the site area it would be exempt from the requirements of Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

3.3 Pollution Control Officer:

No objection.

4 PUBLICITY

4.1 Site Notice:

Expired: 7 March 2019

4.2 Press Notice:

Expired: 18 March 2019

4.3 Neighbour Notifications:

No's 5, 7, 9, 28, 30, 32 and 34 Saint Pauls Close, Horsford.

Expired: 8 March 2019

5 REPRESENTATIONS

5.1 No representations received.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2018:

- 6.1 Sets out the overarching planning policies on the delivery of sustainable development for rural communities through the planning system. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

Planning Practice Guidance (NPPG):

- 6.2 Web based national guidance formalised in March 2014
- 6.3 Paragraph 8 in section 'Determining a Planning Application' states a material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission).

The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interest such as the impact of development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk 2011 and as amended 2014:

- 6.4 Policy 1: Climate Change and Environmental Assets

Amongst other things, sets out that the environmental assets of the area will be protected, maintained, restored and enhanced.

6.5 Policy 2: Promoting Good Design

All development will be designed to the highest possible standards, creating a strong sense of place. In particular, development proposals will respect local distinctiveness.

6.6 Policy 15: Service Villages

Horsford is identified within the 'Service Villages' in which land will be allocated for small-scale housing development subject to form and character considerations. Small-scale employment or service development appropriate to the scale and needs of the village and its immediate surroundings will be encouraged. Existing local shops and services will be protected.

Broadland Development Management DPD 2015:

6.7 Policy GC1: Presumption in favour of sustainable development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

6.8 Policy GC2: Location of new development

New development will be accommodated within the settlement limits defined on the proposals map. Outside these limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the Development Plan.

6.9 Policy GC4: Design

Development will be expected to achieve a high standard of design and avoid any significant detrimental impact. Proposals should pay adequate regard to (amongst other things) the environment, character and appearance of the area and considering the impact upon the amenity of existing properties.

6.10 Policy EN2: Landscape

In order to protect the character of the area, development proposals should have regard to the Landscape Character Assessment SPD and, in particular consider impact upon a range of issues.

Broadland Landscape Character Assessment SPD 2013:

- 6.11 Identifies the application site as falling within the Woodland Heath Mosaic landscape character area.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is a parcel of land which is situated beyond the eastern boundary of the original residential curtilage associated with no: 30 Saint Pauls Close. The parcel of land, which was previously part of a larger agricultural field, is rectangular in shape and measures approximately 10.5 metres in width by approximately 12.5 metres in depth.
- 7.2 As well as being bounded by no: 30 to the west, the application site is bounded by the increased residential curtilage associated with no: 28 to the south and agricultural land immediately to the north and east. There are also a number of cattle sheds approximately 25 metres to the east of the site within the agricultural land.
- 7.3 The application site is bounded by approximately 1.8 metre high close boarded timber fencing to the north, south and east boundaries. There is a low timber open weave fence of approximately 0.6 metres in height between the majority of the site and original residential curtilage associated with no: 30. The original curtilage has approximately 1.8 metre high close boarded timber fencing to the northern boundary and approximately 3 metre high Conifer hedging to the southern boundary.
- 7.4 The application site is currently laid to lawn although there are also four small fruit trees on the site.
- 7.5 There is a general fall in levels across the site from west to east which means that the application site is on a lower level than no: 30's original residential curtilage.

PLANNING HISTORY

- 8.1 790104: Kitchen/Utility Room –30 Saint Pauls Close, Horsford. Approval – 9 February 1979.
- 8.2 20071206: Conservatory –30 Saint Pauls Close, Horsford. Full Approval – 10 October 2007.

The below application is also considered to be relevant to the determination of this application.

- 8.3 20170977: Change of Use from Agricultural to Garden/Domestic Use – 28 Saint Pauls Close, Horsford. Full Approval – 28 July 2017.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against Development Plan policies in particular the impact of the development on the character and appearance of the area and neighbour amenity.
- 9.2 The site is located within the countryside where the principle of new development is not normally considered to be acceptable unless the proposal complies with a specific allocation and/or policy of the development plan. The proposed extension of residential curtilage into the countryside is not considered to comply with a specific Policy of the Plan and the development is therefore considered to conflict with Policy GC2 of the Development Management DPD.
- 9.3 The parcel of land subject to the change of use is currently being used as part of the garden associated with 30 Saint Pauls Close and therefore this is a retrospective application. As stated in paragraph 1.4 of this report these proposals follow a similar application which granted permission to extend the residential curtilage at 28 Saint Pauls Close in July 2017.
- 9.4 The current application seeks to extend the residential curtilage to the east by approximately the same amount as that approved for no: 28. This means that the new eastern boundary for no: 30 follows that of no: 28. It is considered that by following these lines the site will follow a natural line from the south and creates a natural addition to the sites curtilage. The site is laid to lawn to match the original garden associated with no: 30 and the boundary treatments enclosing the site match the original boundaries at no: 30 and are considered to be in keeping with the site's surroundings.
- 9.5 The site is not visible from Saint Pauls Close or from any surrounding public vantage points. With the new boundaries in place it is considered that when viewed from the east the modest extension to the curtilage is not clearly visible. It is considered that the extension of curtilage is not unduly excessive and does not represent a significant incursion into the countryside to a degree that would cause harm to the general character and appearance of the surrounding area. No structures are being proposed on the site and the impact on the character and appearance of the area is not considered to be sufficient to warrant objection to the development on landscape grounds. The proposal therefore complies with Policies, GC4 and EN2 of the Development Management DPD and Policies 1 and 2 of the Joint Core Strategy.
- 9.6 It is considered that the development does not result in any adverse impact to the amenity of any neighbouring residents given the scale of development

being proposed. The application is therefore considered to accord with Policy GC4 of the Development Management DPD in this regard.

- 9.7 Consideration has been given to withdrawing permitted development rights for any further structures within the application site. It is however considered that the view from outside of the site of any further outbuildings or other domestic paraphernalia erected under permitted development rights would be very similar to the view of such structures if they were to be erected within the existing residential curtilage and it is considered that imposing such a planning condition would be unnecessary and unreasonable.
- 9.8 In conclusion, whilst the extension of the residential curtilage in the open countryside is contrary to Policy GC2 of the DM DPD, owing to the acceptable size of the extension and acceptable visual impact associated with the change of use, it is considered that the development does not cause significant harm in terms of its impact on the character and appearance of the area. Furthermore there is no other harm associated with approving the development. Therefore, whilst there is a degree of conflict with the development plan, with the site being outside of the settlement limit, the lack of harm is considered a material consideration to justifying approval of the application.
-

RECOMMENDATION: **APPROVE** subject to the following condition:

- (1) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.

[Location Plan, received 7 February 2019](#)

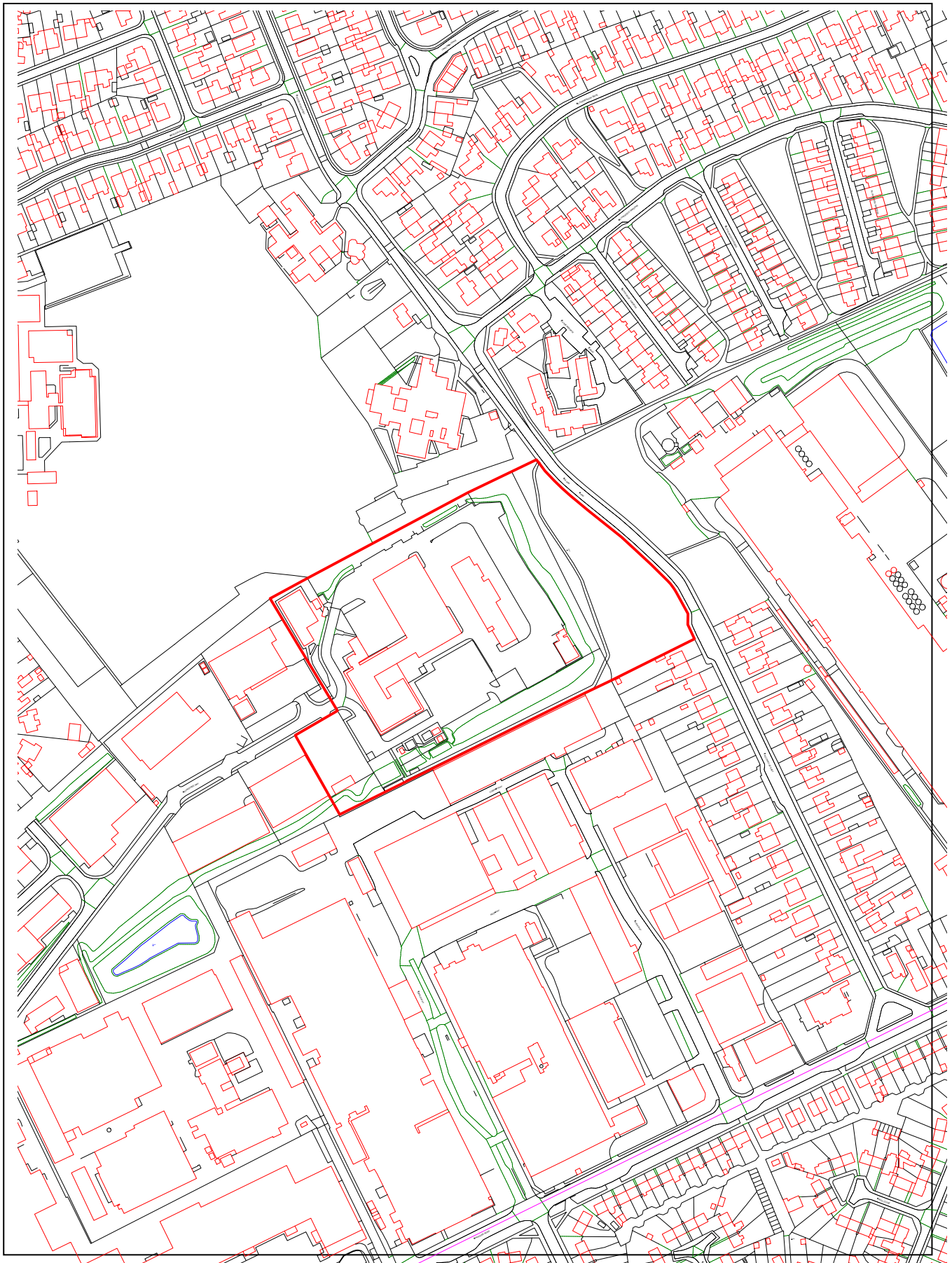
[Site Plan, received 7 February 2019](#)

Reason:

- (1) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.

Informative:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.



Application No: 20190113

**Unit H, Sapphire House, Roundtree
Way, Sprowston, NR7 8SQ**

**Scale:
1:3456**

**Date:
1-Apr-19**



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AREA West
PARISH Sprowston

6

APPLICATION NO: [20190113](#) **TG REF:** 625197 / 310969
LOCATION OF SITE Unit H, Sapphire House, Roundtree Way, Sprowston, NR7 8SQ
DESCRIPTION OF DEVELOPMENT Part Change of Use of Office (B1) to Gym and Sports Rehabilitation Centre (D2)
APPLICANT Mr Dominic Hills
AGENT N/A

Date Received: 23 January 2019
8 Week Expiry Date: 2 April 2019

Reason at Committee: The recommendation for approval is contrary to the current development plan policies

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the change of use of part of two storey office building (Use Class B1) to a gymnasium and sports rehabilitation centre (Use Class D2).
- 1.2 The unit is located on the ground floor in Sapphire House within Sapphire Business Park which is defined as a strategic employment site.
- 1.3 The unit, which is currently vacant, provides a gross internal floor area of approximately 193m². No physical alterations are proposed to the exterior of the building.
- 1.4 There are ten existing vehicular parking spaces provided to the south of the site. These spaces are specifically for the unit H but are located within a larger car park providing parking for the other commercial units within the site.

- 1.5 The applicant is proposing to move from an existing gym 'Evolution Gym' which is located at No.8 Roundtree Close, Sprowston in order to have a bigger unit, better facilities and more on-site parking.
- 1.6 Hours of opening are proposed to be 06:00 to 20:30 hours from Monday to Friday and 07:30 to 13:00 hours on Saturdays and 08:30 until 13:00 on Sundays and Bank Holidays.

2 KEY CONSIDERATIONS

- Whether the loss of an employment unit on a strategic employment site is acceptable.
- The level of parking provision provided.

3 CONSULTATIONS

3.1 Sprowston Town Council:

No objection.

3.2 Economic Development Officer:

I fully support the application which takes up a vacant unit in this location, provides local employment and has good parking for clients.

3.3 Norfolk County Council as Highway Authority:

This application raises no issues in terms of highway impacts and parking as sufficient parking provision is provided and existing access arrangements will remain unchanged. With this in mind, Norfolk County Council in their role as Highway Authority does not wish to object.

3.4 Norfolk County Council as Community and Environmental Services (Minerals and Waste):

While the application site is underlain by a Mineral Safeguarding Area (Sand and Gravel), it is considered that as a result of the nature of the proposed development (change of use within part of an existing building) it would be exempt from the requirements of Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

3.5 Pollution Control Officer:

No objection.

4 PUBLICITY

4.1 Site notice:

Expired: 14 February 2019

4.2 Neighbour notifications:

43, 45, 46, 48 Falcon Road East, Sprowston. Jarrold and Sons Ltd and Godfrey DIY, Avian Way, Sprowston. Plumbing Trade Supplies Ltd, Martins Driver Training, Falcon Junior School and the Gas Club, Roundtree Way, Sprowston and Social Services Centre, 3 Blithemeadow Court, Sprowston were all consulted on the application.

Expired: 2 March 2019

5 REPRESENTATIONS

5.1 No representations received.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2018

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.
- 6.2 Paragraph 80 of the NPPF states that 'planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.'

- 6.3 Paragraph 91 of the NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which amongst other things: 'enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'

Planning Practice Guidance (SPG) 2014:

- 6.4 Web based national guidance formalised in March 2014
- 6.5 Paragraph 8 in section 'Determining a Planning Application' states a material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission).

Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk 2011 and as Amended 2014:

- 6.6 Policy 1: Addressing climate change and protecting environmental assets

States that to address climate change and promote sustainability, all development will be located and designed to use resources efficiently, minimise greenhouse gas emissions and be adapted to a changing climate and more extreme weather. It continues to state that development will therefore (amongst other things) minimise the need to travel.

- 6.7 Policy 5: The economy

Amongst other things, sets out that the local economy will be developed in a sustainable way to support jobs and economic growth in both urban and rural locations and that tourism, leisure, environmental and cultural industries will be promoted.

- 6.8 Policy 7: Supporting communities

States that all development will be expected to maintain or enhance the quality of life and the well-being of communities.

- 6.9 Policy 8: Culture, leisure and entertainment

States that development will be expected to provide for local cultural and leisure activities, including new or improved built facilities.

- 6.10 Policy 12: The remainder of the Norwich urban area, including the fringe parishes

Amongst other items, states that throughout the suburban area and fringe parishes, opportunities will be sought to retain and improve local jobs, including through the retention of existing employment allocations and identified sites and by ensuring that small-scale opportunities are genuinely available to all levels of the market.

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

- 6.11 Policy GC1: Presumption in favour of sustainable development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

- 6.12 Policy GC2: Location of new development

New development will be accommodated within the settlement limits defined on the policies maps.

- 6.13 Policy GC4: Design

Sets out a list of criteria that proposals should pay regard to including the need to consider impact upon the amenity of existing properties, being accessible via sustainable means and the environment, character and appearance of the area.

- 6.14 Policy E1: Existing strategic employment sites

Employment sites of strategic importance as identified on the policies map will be reserved for employment use.

- 6.15 Policy E2: Retention of employment sites

Within settlement limits, sites which are in employment use or were last used for employment use will be retained in employment use unless the proposed new use will not result in any detrimental impact and;

- (i) It has been demonstrated that continued employment use is not viable;
or

- (ii) There is a significant environmental or community gain from redevelopment and/or change of use which outweighs the employment benefits.

6.16 Policy TS3: Highway safety

Development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network

6.17 Policy TS4: Parking Guidelines

Within new developments appropriate parking and manoeuvring space should be provided to reflect the use and location as well as its accessibility by non-car modes.

Sprowston Neighbourhood Plan 2014

6.18 Policy 5:

The adaption and use of vacant buildings for start-up businesses and retail, including former corner shops, will be encouraged up to a maximum size of 500 square metres.

6.19 Policy 6:

States that local employment opportunities will be supported by (amongst other things) promoting the development of appropriate new and expanded businesses.

6.20 Policy 8:

All development will be expected to maintain or enhance the quality of life and the wellbeing of the local community and to promote equality and diversity, and protect and strengthen community cohesion.

7 LOCATION AND DESCRIPTION OF SITE

7.1 The application site is a business unit on the ground floor in Sapphire House which is located within Sapphire Business Park in Sprowston. The business park offers a combination of factory and office space.

7.2 Sapphire House is an imposing and distinctive building situated at the entrance to Sapphire business park. The business park is a self-contained

eight acre site which has a reception/management office and provides approximately 250 car parking spaces.

- 7.3 The business park is located at the east end of Roundtree Way which is home to a number of other commercial and industrial buildings. There are commercial and industrial buildings to the south and west of the business park, Sprowston High School is to the north, Falcon Junior School is to the north east and there are some residential properties on Falcon Road East to the south east of the business park.
- 7.4 The application site is within the settlement limit that has been defined for Sprowston and is within an area identified within the DM DPD as a strategic employment site.
- 7.5 It is believed that Unit H was last occupied by a call centre who vacated the premises in June 2018. The premises have been vacant ever since.

8 PLANNING HISTORY

- 8.1 There is not considered to be any relevant planning history on the application site itself. Below are similar applications in Sprowston which have been determined in recent years.
- 8.2 [20160546](#): Unit 8 Caston Industrial Estate, Salhouse Road, Sprowston, NR7 9AQ. Change of use from B8 (storage & distribution) to D2 (Gym). Approved 25 May 2016.
- 8.3 [20171766](#): 8 Roundtree Close, Sprowston, NR7 8SX. Change of Use from B1 to Gymnasium Class D2 (Retrospective). Full Approval – 13 December 2017.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against Development Plan policies and national planning guidance. In particular, whether the loss of an employment unit on a strategic employment site is acceptable and whether there is acceptable parking provision on the site.
- 9.2 The site is within the settlement limit and has been identified as a strategic employment site under Policy E1 of the Broadland Development Management DPD (2015) (DM DPD) where it states that such sites will be reserved for employment use. Such uses are defined in the glossary of the DM DPD as a use primarily for industrial, warehousing, office or other business uses falling within Classes B1, B2 and B8 of the Use Classes Order. Employment sites of

strategic importance are generally large scale sites in close proximity to areas of significant population which are well linked to the transport network and provide a range of employment opportunities throughout the district. The supporting text to this policy explains that the retention of an adequate supply of employment land is crucial for achieving economic stability. The loss of employment uses will be controlled in order to maintain an adequate supply of employment land in appropriate locations. The proposed use as a gymnasium and sports rehabilitation centre would fall within use class D2 (assembly and leisure). On this basis the proposal would conflict with the objective of Policy E1 and represent departure from the Development Plan.

- 9.3 Policy E2 of the DM DPD meanwhile states that sites in the settlement limit which are in employment use or were last used for employment will be retained in an employment use unless the proposed new use will not result in any detrimental impact and:
- (i) It has been demonstrated that continued employment use is not viable; or
 - (ii) There is a significant environmental or community gain from redevelopment and/or change of use which outweighs the employment benefits.
- 9.4 Policy E2 goes on to state that in order to demonstrate that a continued employment use is not viable it will normally be expected for the site to be marketed at a realistic price for 12 months by a reputable estate agent, without any definite offers having been received. Full details of the marketing exercise and any offers received should be submitted in support of any application for alternative use. In similar circumstances on other sites within the district, non-employment uses have been permitted where no adverse impact has been demonstrated and the building has been vacant for a number of months, actively marketed and found to have no likely prospect of being occupied as an employment use.
- 9.5 The applicant has provided information which states that the unit became vacant in June 2018 and was marketed with Sapphire Property Services. The unit has therefore been vacant for approximately 10 months and it has been stated that there has been no interest in the unit to date. It has also been stated that there are other office units which are vacant on the site which have again not had any interest since being marketed.
- 9.6 It is considered that, with consideration of the overall scale of the business park the proposal would, at worst, result in a very modest loss of employment. A significant majority of the units within the industrial estate continue to be used for employment purposes and the loss of this unit to a non-employment use would have a very limited impact on the business park overall and would not be significantly harmful to the function of the park as a strategic

employment site. Furthermore, the proposal would create the equivalent of ten full-time jobs which is likely to be beneficial both economically and socially. Although not an employment use (ie those that fall within the B1, B2 and B8 Use Classes), the gymnasium and sports rehabilitation centre is a business that could arguably employ a similar number of people to an employment use would in a unit of this size.

- 9.7 The proposal would also provide a facility which would help support healthy lifestyles and add to the range of recreational opportunities available to the local community. The applicant has stated that there has been a lot of interest in the proposed gym from other businesses and workers within the site. The Council's Economic Development Officer supports the application and has noted that the re-use of the unit is preferable to the unit remaining vacant. The proposal is therefore considered to represent a sustainable development helping to support local communities in terms of employment and healthy lifestyles.
- 9.8 Overall, officers do not consider that the change of use to a gymnasium and sports rehabilitation centre undermines the development plan to a significant degree. On balance, despite conflicting with Policy E1 of the DM DPD it is considered that the proposal would still provide employment and support the healthy lifestyles of the community in accordance with Policies 5 and 7 of the Joint Core Strategy and Policies 6 and 8 of the Sprowston Neighbourhood Plan.
- 9.9 In terms of parking, the proposal provides parking for ten cars to the south side of the unit. The Highway Authority has acknowledged that the parking is sufficient and the application raises no issues in terms of highway impacts. In addition the proposed use will be partly operational outside of daytime working hours of the remainder of the business units which means that there should be ample free parking spaces available within the wider site at these times. Furthermore, the site is located in a sustainable location which will help to encourage alternative modes of transport. Overall the proposal is considered to comply with Policies TS3 and TS4 of the DM DPD.
- 9.10 On other matters, officers are also of the view that the gymnasium sits comfortably alongside neighbouring uses. The nearby businesses are likely to be noise generating, being largely industrial in nature, and it is not considered that the proposal would be sensitive to the noise generated by adjacent units. Amplified music may be played during classes but it is not considered that this would cause any noise nuisance given the adjacent land uses.
- 9.11 The application form sets out that the hours of operation proposed for the gymnasium and sports rehabilitation centre are 06:00 until 20:30 Monday to Friday, 07:30 until 13:00 on Saturdays and 08:30 until 13:00 on Sundays and Bank Holidays. Given the location of the site these hours are considered to be acceptable. A condition is proposed to be imposed restricting the hours of

operation, as if the unit was to be in operation for 24 hours there could be a detrimental impact upon neighbour amenity, in particular for those residential properties to the south east of the site. The condition will allow slightly longer operational hours than stated on the application form to allow people to arrive early for, or time to leave following, a class or appointment. Overall it is considered that the proposal would not conflict with the operation of adjacent businesses or have any detrimental impact upon residential amenity in accordance with Policy GC4 of the DM DPD.

- 9.12 Furthermore, given the size of the premises and the activities that take place within the gymnasium, it is considered that it will have a neutral impact on the general character and appearance of the area. The application therefore complies with Policy GC4 of the DM DPD in this regard.
- 9.13 To ensure future development appropriate to the site and the surrounding strategic employment site, it is considered necessary to use a planning condition that restricts the use of the premises to a gymnasium and sports rehabilitation centre and upon that use ceasing or the premises being vacated, the use of the unit to revert back to its previous use.
- 9.14 Reference has been made within the submitted documentation of a change of use to a D1/D2 use however from the information provided it appears that the sports rehabilitation element (D1 use) of the proposal would be ancillary to the gymnasium element and therefore officers consider that a change to a D2 use would acceptably cover the proposed use at the site.
- 9.15 Overall, whilst the proposal would not be an employment use, and its change of use to a D2 use would conflict with Policy E1 of the DM DPD, the proposal is in a sustainable location and would bring back into economic use a unit which has stood empty since June 2018. The proposal is not considered to result in a detrimental impact and the length of time that the property has been on the market demonstrates that a continued employment use may not viable or desirable. The proposal would therefore meet the requirements of Policy E2. Furthermore a suitable condition is proposed to ensure that the unit will be returned to an employment use upon cessation of the proposed use.
- 9.16 In conclusion it is considered that the application would maintain employment and support the healthy lifestyles of the community. The parking arrangement is considered to be acceptable and it is not considered that the development would have an adverse impact on any other users of the industrial estate, upon neighbour amenity or the character of the area. Therefore, the officer recommendation is that the application is approved.
-

RECOMMENDATION: **APPROVE** subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
 - Location Plan, received 29 January 2019
 - Site Plan, received 29 January 2019
 - Floor Plan, received 23 January 2019
- (3) The premises shall be used as a gymnasium and sports rehabilitation centre and for no other purpose including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification. Upon the gymnasium ceasing to operate or the premises being vacated, the premises shall revert back to its previous B1 business use.
- (4) Unless otherwise specified in writing by the Local Planning Authority, hours of operation shall be limited to 06:00 to 20:30 on Monday to Friday and 07:30 until 13:00 on Saturdays and 08:30 until 13:00 on Sundays and Bank Holidays.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure development appropriate to the area in accordance with Policies GC4, E1, E2, TS3 and TS4 of the Development Management DPD 2015.
- (4) To ensure the satisfactory development of the site and to safeguard the amenities of neighbouring properties in accordance with Policy GC4 of the Development Management DPD 2015.

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk

**CONSIDERATION OF CONDITION 19 OF PLANNING APPLICATION
REFERENCE 20161770 – PROVISION OF BUS GATE ON LAND TO THE EAST
OF HOLT ROAD, HORSFORD**

1 BACKGROUND

- 1.1 In granting full planning permission for the residential development of 259 dwellings on land to the East of Holt Road, Horsford (ref: 20161770) the Highway Authority requested that a condition be imposed to ensure that the vehicular access shown between the residential development under consideration, known as Kingfisher Meadow (the second phase) and the neighbouring residential development of 125 dwellings, known as Butterfly Mill (the first phase) be restricted to buses and emergency vehicles only as there was concern that unrestricted vehicular access between the two developments would enable residents from the proposed development to drive through Butterfly Mill and cause an unacceptable increase in vehicular traffic passing along Mill Lane in front of Horsford Primary School and the associated danger to pedestrians including school children and other motorists that this could cause.
- 1.2 Planning Committee considered the matter at its meeting on 8 March 2017 and resolved to delegate authority to the Head of Planning to approve the application subject to the satisfactory completion of a Section 106 Agreement and subject to conditions. Once the S106 legal agreement was completed, full permission was granted for 259 dwellings in October 2017 with a vehicular access from Green Lane to the north west and included a condition in respect of the provision of a bus gate between the first and second phases of development to provide a vehicular entry point which permits only buses and emergency services to pass through. Condition 19 states:
- ‘Notwithstanding the details indicated on the submitted drawings, no works shall commence on-site unless otherwise agreed in writing until a detailed scheme for the provision of a Bus Gate between this development and the development to the South (served off Mill Lane and known as Butterfly Mill) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority’.
- 1.3 To comply with the requirements of Condition 19 the applicants submitted a plan which identifies the respective hammerheads between the two developments, marked by a narrow landscaped strip including bollards so that pedestrians and cyclists can pass through unhindered, a central roadway is provided which is the bus lane with a rising bollard shown in the centre which is lowered as the bus/emergency vehicle approaches but prevents vehicular traffic passing between the two developments, this forms the bus gate.
- 1.4 These details were sent to the Highway Authority to comply with condition 19; however the Highway Authority refused to approve them as they state that rising bollards across the county have proved to be problematic and have

long term maintenance issues, as over time the rising mechanism can fail and the bollard sticks in the upright position. The Highway Authority has instead requested that the bus gate is provided with a CCTV camera which will record any vehicle that passes through it, together with an effective monitoring system, but does not have a physical barrier.

2 THE ISSUES

- 2.1 It is necessary to report the matter back to Planning Committee as the plans previously presented to the Committee and the officer's presentation specifically referred to a rising bollard and there is an expectation from residents and Horsford Parish Council that a rising bollard will be provided at the bus gate between the developments. Therefore the implications of an alternative design for the bus gate require further assessment.

3 ASSESSMENT

- 3.1 The applicant's preference is to provide a rising bollard within the bus lane, however they are prepared to meet the requirements of the Highway Authority but have not yet submitted revised details of the bus gate with a CCTV camera, as officers have advised that the matter should be re-considered by the Planning Committee to allow assessment of:
- How will the CCTV images be monitored and what are the consequences for motorists who breach the restricted access?
 - The implications for general traffic driving between the two developments and in turn passing in front of Horsford Primary School.
- 2.2 Taking these in turn, the Highway Authority has advised that Norwich City Council currently administer enforced bus lanes and the City Council has agreed to administer this proposal if required. Appropriate signage will be required to be installed on both sides of the bus lane and Norwich City Council has an operator who views the images from the CCTV camera and records contraventions. The City Council is then responsible for issuing a penalty charge notice within 14 days of the contravention, they ensure that the charge is paid and also administer the associated appeals procedure. Further details in this respect are available on [Norwich City Council's web-site](#).
- 2.3 In respect of the implications for general traffic driving between the two developments and in turn driving in front of Horsford Primary School, it is considered that without the bus gate a total of 384 dwellings (125 dwellings in the first phase and 259 from the second phase) could potentially access Mill Lane both into and out of the respective developments; this is considered to be quite likely as Mill Lane is to the south of the developments and is a shorter route to the village amenities and access to the Broadland Northway.

This would significantly increase the traffic and cause particular highway and pedestrian safety issues in proximity to the school; it is anticipated that this impact would be emphasised at school drop off and pick up times during the school day. The provision of an effective bus gate therefore is essential so that general traffic from the second phase uses the access provided on Green Lane, but pedestrians and cyclists could gain access to the school, Mill Lane and village amenities without adversely affecting the traffic situation along Mill Lane. In addition, a bus gate would allow the bus route to be extended to incorporate the second phase of the development and therefore provide residents from both phases of the residential development access to public transport without the bus service having to enter and exit the first phase of the development via Mill Lane and then drive along Holt Road and enter and exit the second phase of the development via Green Lane, which will increase the traffic on Mill Lane and the surrounding roads.

- 2.4 It is noted that the Highway Authority has serious concerns about the use of a rising bollard within the bus lane due to anticipated problems with on-going maintenance because if the bollard fails to lower then the bus lane will be blocked and buses and emergency vehicles will be prevented from using the bus lane which will have major implications for provision of service; this is recognised as having long term issues for the effectiveness of the bus gate.
- 2.5 As an alternative and effective means of restricting the use of the bus lane by unauthorised vehicles can be implemented which does not raise the same maintenance issues as a rising bollard, which will be effectively managed by Norwich City Council, then it is considered that this should be pursued.

3 RECOMMENDATION:

- 3.1 The Committee is **RECOMMENDED** to delegate Authority to the Head of Planning to approve a bus gate proposal which includes designs for signage and a CCTV camera system including a mechanism for effective monitoring, administration and issuing of a penalty charge notice should any breaches occur and administration of any appeals submitted.

Phil Courtier
Head of Planning

Background Papers

Planning application file 20161770

For further information please contact Matthew Rooke on 01603 430571 or email matthew.rooke@broadland.gov.uk

PLANNING COMMITTEE

10 April 2019

Final Papers

Page No

Supplementary Schedule

150 – 155

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

DEMOCRATIC SERVICES

Broadland District Council

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SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
1	20181623	Hill House, Hall Lane, Drayton	<p>(1) Suggested condition 3 is proposed to be changed to include comorbidity conditions at the request of the applicant. The condition shall now read:</p> <p>‘The building hereby approved shall be used as a care home for dementia, comorbidity conditions and other neurological conditions only and for no other purpose (including any other purpose in Class C2 of the Schedule of the Town and Country Planning Country (Use Classes) Order 1987) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modifications.’</p> <p>For information comorbidity can be explained as conditions that range from things but not limited to such as heart failure or cardiac problems, respiratory problems such as COPD / asthma all the way through to lesser things such as diabetes or obesity. ‘Co’ means more than one which significantly impacts life expectancy when there’s more than one. It is important to note that Dementia sufferers and people with neurological conditions often suffer with other associated conditions as set out above.</p> <p>(2) In paragraph 9.11 of the report it states that ‘there are no known recorded accidents along this section and Hall Lane.’</p>	20 - 67

			Following further assessment it can be confirmed that this statement is not correct as there have been accidents recorded on Hall Lane.	
2	20171464	Land off Green Lane West, Rackheath	<p>(1) Letter of representation received from resident of 19 Aldryche Road, Norwich stating that the application should provide 33% affordable housing for the following reasons:</p> <ul style="list-style-type: none"> • Policy GT18 which is the adopted plan and requires 33% affordable housing has precedence over the SHMA which has not been tested. • The GNLP Local Plan regulation 18 consultation proposed options on affordable housing which have not been finalised. Changes to the statutory requirements are therefore premature. • Policy 4 of the JCS states that the proportion of affordable housing is to be based on the most up to date needs assessment. However, it also differentiates that the target to meet these needs is likely to reflect differing percentages for the various ranges of site sizes. It is therefore questionable whether using the 2017 needs assessment as the target percentage for a single site without consideration of other sites with reduced affordable housing provision complies with Policy 4 of the JCS. • Although the 2015 – 2036 need for affordable housing may have been established in the June 2017 SHMA 	69 - 98

			<p>report as 28%, this is not the same as percentages required in establishing requirement targets of the various range of sites likely to be presented for planning consideration. To fulfil the need, planning policy must take into account sites of 5 or less where no affordable housing is required, reduced numbers on brownfield sites and sites on which viability assessments have previously been approved with reduced affordable housing provision. Recent decisions by Broadland have already approved affordable housing percentages at 15/17% on 803 units (20160498) and 10% on 380 units (20170104) which would suggest a probable shortfall in meeting the 28% assessed overall need.</p> <ul style="list-style-type: none"> • Unless and until the 33% affordable housing requirement for larger sites in Broadland's Policy is changed, it must be considered as the up to date assessment as part of the overall target to meet the need and remains mandatory. Any proposed reduction in this provision must be justified through a Viability Assessment (VA) as outlined in the National Planning Policy Framework (NPPF) and guidance. There is no evidence of a VA submission in respect of 20171464. • The Norwich City Council in its 2019 SPD Consultation Document for Affordable Housing suggests that the 33% target for the larger sites to achieve the needs as determined in 2014 are not being achieved with delivery in the past 6 years averaging 24% of total housing provision. This would suggest that the current target 	
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			<p>percentages should be maintained and is another pertinent factor which should be reflected in the planning balance rather than the single 2017 needs statistic used out of context.</p> <ul style="list-style-type: none"> It must be assumed from this statement on failing past delivery against targets that LPAs are collectively maintaining a record of planning approvals with actual approved affordable housing numbers. This should be the defining factor to establish whether revisions to individual adopted Planning Policy Documents are necessary, which is a reserved decision for full Council and not simply a policy which can be overridden on an ad hoc basis at the whim of the Planning Committee. <p>(2) Representation received from Historic Environment Service:</p> <p>“We have reviewed and approved the second version of the archaeological report, the archaeological mitigation report including radiocarbon (C14) dating information. No further archaeological work will be required in relation to the application site and no archaeological conditions need to be placed on the application.”</p> <p>*officer note – on this basis Condition 4 is no longer required.</p> <p>(3) Advice received from the Highway Authority following concerns raised by Rackheath Parish Council that the traffic impact of the Broadland Northway is resulting in queuing on Salhouse</p>	
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			<p>Road and requested confirmation of whether a right hand turn lane could be provided:</p> <p>“Whilst there may be some queuing relating to the NDR, this does not alter the junction form required for the development. This scale of development would only need a priority junction. A right hand turn lane would not be appropriate and would also make exiting the development more difficult for future residents. In addition a right hand turn to the application site would require further tree removals along Salhouse Road.”</p> <p>(4) Letter of representation received from occupant of 111 Green Lane West raising the following issues:</p> <p>“The developers have included a new cycleway path that finishes short of the Newman Road woods what a shame they are missing the whole point of taking our young people away from the rat race that is Green Lane West. Why on earth doesn’t this cycleway/ path extend behind our properties to join the new toll path cycleway that runs into the new pathway/ cycleway used by countless joggers and cyclists and dog walkers into Newman woods considering future earmarked developments coming in the next adjacent fields.”</p> <p>In addition, reiterates comments made in previous representations regarding overlooking and retaining access from rear boundary to Newman Road woods</p> <p>*Officer note – Condition 10 requires details of pedestrian</p>	
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			access routes from the site in to Newman Road woods to be provided from the estate roads.	
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