

Minutes of a meeting of the **Planning Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 6 June 2018** at **9.30am** when there were present:

Mr I N Moncur – Chairman

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

Mr R J Knowles  
Miss S Lawn  
Mr K G Leggett

Mr S Riley  
Mr J M Ward  
Mr D B Willmott

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

Mrs Gurney - Minute no: 5 (Pyehurn Farm, Pyehurn Lane, Horsford) and Minute no: 6 (70 Neylond Crescent, Hellesdon)

Mr Peck - Minute no: 7 (Manor House Farm, Reepham Road, Foulsham)

Also in attendance were the Head of Planning, Area Planning Managers and the Senior Committee Officer.

### 1 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mr Everett and Mr Grady	6 (70 Neylond Crescent, Hellesdon)	Hellesdon Parish Councillor. Non-disclosable local choice interest.
Mr Adams	5 (Pyehurn Farm, Pyehurn Lane, Horsford)	County Councillor for Horsford. Non disclosable local choice interest.

### 2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Carrick, Mr Mallett and Mrs Rix.

### 3 MINUTES

The Minutes of the meeting held on 25 April 2018 were confirmed as a correct record and signed by the Chairman.

### **4 APPLICATION NUMBER 20180464 – HILL HOUSE, NORWICH ROAD, MARSHAM**

The Committee considered an application for the change of use of the property and agricultural land to the rear to a dog rehabilitation centre, including the erection of 10 kennels and security fencing, at Hill House, Norwich Road, Marsham. The existing house would be occupied by a member of staff responsible for the day to day running of the kennels and the agricultural land to the rear of the house was proposed to be used as a secure exercise area for the dogs.

The application was reported to committee as the Highway Authority had objected to the proposals.

The Committee received the verbal views of Mrs Wilcocks of Marsham Parish Council objecting to the application and Bridget Foreman from Safe Rescue for Dogs in support of the application, at the meeting.

It was noted that Policy H4 of the Development Management DPD permitted proposals for the change of use of a dwelling, including to allow working from home, provided that the scale and nature of the use related acceptably to the surroundings. Notwithstanding the remote location of Hill House and the existing traffic noise from the A140, Members considered that the noise and disturbance from the keeping of up to 20 dogs would have a significant adverse impact on nearby properties and uses, notably the residential properties in the surrounding area.

The applicant had provided details of the likely traffic movements to be generated by the use: weekly waste collection and monthly food delivery; new dogs would be delivered every two to three weeks plus the normal vehicular movements associated with the residential use of the property. It was acknowledged that the rehabilitation centre would not be open to the public. Members concurred with the views of the Highway Authority regarding the intensification of use of the access from the property onto the A140 as a result of the change of use. Concern was expressed that traffic turning into and out of the access would compromise highway safety.

In conclusion it was considered that the proposal would be contrary to Policies GC4 and TS3 of the DM DPD.

Therefore, notwithstanding the officer recommendation it was

### **RESOLVED:**

To refuse application number 20180464 for the following reasons:

The application has been considered against the Development Plan for the area, this being the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk 2014 and the Development Management DPD (2015). Other material considerations include the National Planning Policy Framework (NPPF) 2012 and the Planning Practice Guidance (2014).

The policies particularly relevant to the determination of this application are Policies 1 and 2 of the JCS and Policies GC1, GC2, GC4, H4, TS3 and TS4 of the Development Management DPD.

The application seeks full planning permission for the change of use of Hill House and a parcel of agricultural land to the rear of Hill House to a Dog Rehabilitation Centre. The application also includes the erection of a block of ten kennels and security fencing within the existing residential curtilage of Hill House. A parking and turning area is to be provided utilising the front garden of Hill House.

Policy G4 of the Development Management DPD requires new development to avoid any significant impacts paying particular regard to the amenity of existing properties and uses. Hill House is positioned on higher ground and surrounded by open farmland which will allow the sound of barking dogs to travel unimpeded. It is considered that the noise and disturbance from the keeping of up to 20 dogs at Hill House would have a significant adverse impact on nearby properties and uses, notably residential properties in the surrounding area. The proposed use would therefore be contrary to the aims of Policy GC4 of the Development Management DPD.

The proposal would lead to intensification in the use of an access onto the A140, which is a busy Principal Route and would cause undue interference with the safe and free flow of traffic on this important traffic route to the detriment of highway safety. The application is contrary to Policy TS3 of the Development Management DPD.

The proposed development, if permitted, will lead to increased right hand turning movements across the opposing traffic stream of a busy Principal Route (A140) which would interfere with the free and safe flow of traffic and cause danger and inconvenience to highway users. The application is contrary to Policy TS3 of the Development Management DPD.

It is considered that the development conflicts with the development plan for the area for the above reasons. It is not considered that there are sufficient material considerations to overcome the conflict with policy and the proposal is not considered to represent sustainable development and is in conflict with the NPPF.

The Local Planning Authority will, where appropriate, discuss amendments to applications to secure an acceptable and sustainable form of development.

However, in this instance it is not considered that the proposal could be amended to overcome the concerns of the authority. The authority has therefore acted accordingly to refuse this inappropriate development.

### **5 APPLICATION NUMBER 20172132 – PYEHURN FARM, PYEHURN LANE, HORSFORD**

The Committee considered an outline application for the erection of five detached chalet bungalows on an agricultural parcel of land to the north of Pyehurn Lane in Horsford. Approval was being sought for the appearance, layout and scale of the development with access and landscaping proposed to be dealt with at the reserved matters stage. Vehicular access had been shown indicatively on the site plan coming off Pyehurn Lane towards the south east corner of the site.

The application was reported to committee as the recommendation to approve was contrary to development plan policies.

The Committee noted the further comments of the Highway Authority including an amendment to condition 4 as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Mr Graves Clerk to Horsford Parish Council, the occupiers of 2 and 3 Pyehurn Close, all objecting to the application and James King, the developer, at the meeting. Mrs Gurney spoke against the proposals on behalf of the Ward Members for Horsford.

The site was within the Norwich Policy Area but outside of the settlement limit where development proposals would not normally be permitted unless they accorded with another policy of the Development Plan. Furthermore, the site had not been allocated for development in the Site Allocations DPD. Policy GC1 of the DM DPD stated that planning permission should be granted unless material considerations indicated otherwise and Paragraph 14 of the NPPF required applications to be approved unless the adverse impacts of doing so would “significantly and demonstrably outweigh the benefits”.

There was currently a 4.61 years’ supply of housing land in the NPA as published in the 2017 Greater Norwich Area Housing Land Supply Assessment as part of the Annual Monitoring Report for the JCS. Consequently, relevant policies for the supply of housing in the NPA could not be considered up to date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF.

However, the Committee noted that, on 14 March 2018, the Greater Norwich Growth Board published the Joint Core Strategy draft annual monitoring report, a key element of which was the Central Norfolk Strategic Housing Market Assessment (SHMA), published in June 2017. This identified that, for

the Norwich Policy Area, there was an 8.08 year housing land supply. The SHMA was a material consideration in the determination of planning applications – now that this latest evidence showed that there was an abundant housing land supply this should be given weight in the decision making processes.

Accordingly, the Committee assessed the proposals against the three dimensions of sustainable development against the development plan policies.

### *Economic Role*

Having regard to the NPPF, the Committee acknowledged that the development of this site would result in some short term economic benefits as part of the construction work and for the longer term, the economy would benefit from local spending from the future occupants of the dwellings. It was therefore considered that the scheme would bring forward a level of economic benefit, albeit limited.

### *Social Role*

The site was within close walking distance of local facilities including a doctors' surgery and pharmacy, primary school, village hall, Post Office, convenience store and Public House as well as bus stops. Given the scale of development proposed, there was no requirement to provide affordable housing.

The development did propose contributions towards both open space of approximately £8,500 and green infrastructure of approximately £10,685. In addition, there would also be CIL contributions.

### *Environmental Role*

The Committee noted that the site was outside of the settlement limit and had not been allocated for housing. Therefore, it was considered that the development would result in an encroachment into the countryside contrary to the development plan policies. Accordingly, it was considered the proposals did not reflect the environmental dimension to sustainable development in accordance with the NPPF.

It was noted that the Highway Authority had raised no objection to the principle of the application and the Norfolk County Council Trails Officer had not objected to the proposal with regards to its impact upon the Public Right of Way. However, Members considered that as Pyehurn Lane was a mainly unmade track of single-track construction and also a designated Public Right of Way, it would be unacceptable to increase the vehicular movements

associated with this development along its length. Furthermore, the impact of the proposals would have a detrimental effect on the safety of users of the track including pedestrians, cyclists and horse-riders. It was considered these issues were exacerbated by the existing problems of parking and manoeuvring of cars at the junction of Holt Road and Pyehurn Lane.

In conclusion, it was considered that the adverse impacts associated with the development did not outweigh the economic, social and environmental benefits including the limited increase in housing delivery. Therefore, the proposal was considered to represent an unsustainable form of development, contrary to Policies GC2 and GC4 of the DM DPD. Accordingly, notwithstanding the officer recommendation it was

### **RESOLVED:**

to refuse application number 20172132 for the following reasons:

This application has been considered against the Development Plan for the area, this being the Joint Core Strategy for Broadland, Norwich and South Norfolk adopted 2011, amendments adopted 2014 (JCS); the Development Management DPD adopted 2015 (DMDPD) and the Site Allocations DPD, adopted 2016 (SADPD).

Also material is the National Planning Policy Framework (NPPF); the National Planning Practice Guidance (NPPG) and the Landscape Character Assessment SPD adopted 2013. The Horsford Neighbourhood Plan is also considered to have significant weight, as although it is yet to be formally adopted, it has been through a thorough examination.

The policies particularly relevant to the determination of this application are policies 1, 2, 4, 6, 15 and 21 of the JCS; policies GC1, GC2, GC4, EN1, EN2, EN3, EN4, RL1, TS3, TS4 and CSU5 of the DMDPD; and policies HBE1, HBE2, HBE3, TRA3 and ENV5 of the Horsford Neighbourhood Plan.

The proposal represents development outside of a defined settlement limit and the site has not been allocated for housing. The proposal would significantly impact on the rural landscape characteristic of this site by virtue of its encroachment into the countryside.

The site is proposed to be served from Pyehurn Lane which is a private unadopted road. The general configuration of Pyehurn Lane, including its inadequate width and surface, is considered to be poor and inadequate to accommodate the increase in vehicular movements associated with the development along its length. In addition, Pyehurn Lane serves as a restricted byway which gives a legal right to pedestrians, cyclists and horse riders and it is considered that the proposal will also unacceptably increase the potential conflict between the respective users. These issues are

exacerbated by the existing problems of parking and manoeuvring of cars at the junction of Holt Road and Pyehurn Lane.

The proposal would be contrary to Policies 1, 2 and 15 of the JCS; policies GC2, GC4 and EN2 of the DMDPD.

The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the environmental harm caused by the proposals encroachment into the countryside. The unsatisfactory condition of Pyehurn Lane, its function as a byway and the existing problems of parking and manoeuvring of cars at the junction with Holt Road all contribute to the harm that the proposals will cause. This harm is not outweighed by the modest short-term economic benefit the proposal may bring, especially with the diminished weight that can be applied to the benefits of housing delivery in the context of the Strategic Housing Market Assessment which was revised in 2017. Accordingly, the limited benefits of the scheme are not considered to be an overriding factor which justifies an approval under Policy GC1 of the DMDPD and Policy 21 of the JCS. For this reason, the scheme is also contrary to Policy GC1 of the DMDPD and Policy 21 of the JCS.

*The Committee adjourned at 11.35am and reconvened at 11:50am when all of the Members listed above were present.*

### **6 APPLICATION NUMBER 20180332 – 70 NEYLOND CRESCENT, HELLESDON**

The Committee considered an application for the erection of a detached, single storey outbuilding to form a hair salon and garden store at the rear of 70 Neylond Crescent in Hellesdon. The proposal was for the applicant to be the only person working in the salon, on a part-time basis. The garden store would be used in conjunction with the domestic dwelling and not for any business use.

The application was reported to committee at the request of Mrs Gurney, one of the Ward Members, for the reasons given in paragraph 5.4 of the report.

The Committee received the verbal views of the applicant at the meeting. Mrs Gurney spoke against the proposals in her capacity as Ward Member.

Members noted that the proposal was not too dissimilar to something which could be carried out as permitted development and therefore, without the need for planning permission. The outbuilding itself required planning permission due to its height exceeding the limits set out in the Town and Country Planning (General Permitted Development) (England) Order 2015.

In terms of the outbuilding it was considered that there was a good degree of separation between the neighbouring dwellings and it would not appear dominating or overbearing. Furthermore, being sited to the rear of the dwelling, the outbuilding would have no impact on the character and appearance of the area.

It was noted that the Highway Authority was not objecting to the proposal and the Committee took into consideration the information provided by the applicant at the meeting regarding the availability of parking on the driveway and the very low-key nature of the proposals together with an appointments only system.

In conclusion it was considered that the development would have a neutral impact upon parking in the area; highway safety; residential amenity and the character and appearance of the area, subject to the imposition of appropriate conditions.

### **RESOLVED:**

To approve application number 20180332 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.

Proposed Plan, Elevations, Section, Site & Location Plan (Amended),  
Dwg No: 01, received 22 May 2018

- (3) The building hereby permitted shall be used as a garden store and a hair salon and for purposes incidental to the enjoyment of the dwellinghouse only and for no other purposes (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking, re-enacting or modifying that Order).
- (4) Unless otherwise specified in writing by the Local Planning Authority, hours of operation shall be limited to 09:00 to 17:00 on Monday to Saturday and at no time on Sundays and Bank Holidays.
- (5) No other person other than Becky Marchese shall work in connection with the hair salon business hereby approved unless otherwise specified in writing by the Local Planning Authority.



- (6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development ) Order 2015 (or any Order revoking, or re-enacting, or modifying that Order) no further windows or doors shall be inserted in the northern, eastern or western elevations of the building hereby permitted.

### 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 in accordance with Policies GC4 and TS3 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.
- (5) To prevent other people being employed in order to control the scale of the business and to ensure development appropriate for the area in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015.
- (6) To prevent overlooking to the detriment of the amenities of the adjacent 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 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 applicants' 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](mailto:enquiries@cncbuildingcontrol.gov.uk) and the website  
[www.cncbuildingcontrol.gov.uk](http://www.cncbuildingcontrol.gov.uk)

### **7 APPLICATION NUMBER 20180323 – MANOR HOUSE FARM, REEPHAM ROAD, FOULSHAM**

The Committee considered an application for the erection of a single dwelling and detached garage on land to the south of Reepham Road in Foulsham. The proposal also sought alterations to an established access into the site which was off Reepham Road. The dwelling would be sustainable, of low impact and largely be constructed from materials sourced from the site or from the local area: built from a cob wall construction clad with straw bales and finished with a mixture of lime render and a transparent corrugated cladding which would expose the straw bales. The roof materials would be a combination of timber shingle and a sedum roof.

The application was reported to committee as the recommendation for approval was contrary to the development plan policies.

The Committee received the verbal views of the applicant and the agent at the meeting. Mr Peck spoke in support of the proposals in his capacity as Ward Member.

The site was located outside of the settlement limit and in a rural location where development proposals would not normally be permitted. However, the application had been submitted as an example of a dwelling which met the guidance set out in Paragraph 55 of the NPPF where the design should be of exceptional quality or innovative nature.

The Committee concurred with the views of the Council's Design Advisor that the proposal was truly outstanding and innovative and would enhance the immediate setting, with the combination of the regular and more organic forms and contrast between finishes also reflecting the characteristics of the site. The free form of the building was considered to accentuate the sensitivity to the natural setting of the site, avoiding the use of geometric angular forms and creating gently curving shapes which assimilated visually into the natural immediate setting of the wooded part of the site and then flatten off as the building extended beyond the woodland fringe to relate to the gently sloping open meadow. Therefore, it was considered that the proposal met the criteria of Paragraph 55 of the NPPF, together with Policy 2 of the JCS and Policy GC4 of the DM DPD.

It was considered that the high quality of the design would enhance the immediate setting and significant harm would not be caused to the landscape character of the area and accordingly, the application complied with Policy 1 of the JCS and Policy EN2 of the DM DPD.

As the site was immediately adjacent to a grade II listed historic farmstead, the Committee had regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Noting the comments and requirements of the Historic Environment Officer, it was considered that the application would not result in any significant detrimental impact upon the setting of the adjacent listed building and the application complied with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 1 of the JCS and Policy GC4 of the DM DPD.

Given the size and scale of the proposal, the degree of separation from neighbouring dwellings and the screening provided by the trees and hedging, it was considered that the proposal would not appear overbearing or dominating nor would it result in any overlooking issues. Therefore, it was not considered to result in any detrimental impact upon neighbour amenity and accordingly, complied with Policy GC4 of the DM DPD.

The Committee acknowledged the loss of 18 young woodland trees but accepted that the proposed location of the access road would have less of an impact on the listed building than moving it to the west of the site to reduce the number of removed trees. In addition, it was noted that further planting was also proposed as part of the application.

In conclusion it was considered that the proposal would have an acceptable impact on the landscape character of the area and would not cause significant harm to the adjacent listed building, residential amenity or the satisfactory functioning of the highway network. The benefit of an outstanding design which was responsive to its context outweighed the limited harm arising and accordingly, the proposal represented an acceptable form of development. Therefore, it was

### **RESOLVED:**

To approve application number 20180323 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.
- (3) Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification (Dwg No TRAD 5) attached. 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 carriageway.

- (4) Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m x 120m shall be provided to the eastern side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- (5) Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5m from the near channel edge of the adjacent carriageway.
- (6) Notwithstanding the provisions of Schedule 2 Part 1 and Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, and re-enacting or modifying that Order) with or without modification, no buildings, walls, fences or other structures shall be erected within the site curtilage, nor alterations or extensions be made to the dwelling without the prior consent of the Local Planning Authority.
- (7) All works shall be carried out in accordance with the requirements of the Arboricultural Impact Assessment and Tree Protection Plan, received 26 February 2018.
- (8) Prior to the first occupation of the development hereby permitted two sparrow boxes shall be erected on the north elevation of the garage and a bat box shall be erected on the south elevation of the garage. Boxes should be installed as indicated on drawing No P-220, received 26 February 2018.
- (9) The details of the Ecology Management Plan, received 16 May 2018 shall be adhered to and implemented in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
- (10) Prior to the first occupation of the dwelling further trees shall be planted on the site as in accordance with the Proposed Planting and Landscape Plan, Drawing No: P-50, received 23 May 2018.
- (11) Prior to the commencement of development details and proposed location of the package treatment plant and soakaway shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the approved 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 access into the site and avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (4) In the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (5) To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened in the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (6) To ensure development appropriate for the area in accordance with the criteria specified within Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014 and Policy GC4 of the Development Management DPD 2015.
- (7) To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability in the interest of amenity in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (8) To provide enhancements to the biodiversity and wildlife at the site in accordance with Policy EN1 of the Development Management DPD 2015.
- (9) To ensure the long-term continuance and safe-guarding of native biodiversity at the site and to ensure no harm is caused to the setting of the adjacent listed building in accordance with Policies GC4, EN1 and EN2 of the Development Management DPD 2015.
- (10) To mitigate for the loss of the trees to be removed from the site as part of the development and to provide additional screening in order to reduce the impact upon the setting of the adjacent listed building in accordance with Policy 1 of the Joint Core Strategy for Broadland,

Norwich and South Norfolk 2011/2014 and Policy EN2 of the Development Management DPD 2015.

- (11) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.

Plans and documents:

Site Location Plan, Dwg No: EX-001, received 26 February 2018  
As Proposed Site Plan, Dwg No: P-001, received 26 February 2018  
As Proposed Ground Floor Plan, Dwg No: P-100, received 26 February 2018  
As Proposed First Floor Plan, Dwg No: P-110, received 26 February 2018  
As Proposed Roof Plan, Dwg No: P-120, received 26 February 2018  
As Proposed South and East Elevation, Dwg No: P-210, received 26 February 2018  
As Proposed North and West Elevation, Dwg No: P-200, received 26 February 2018  
As Proposed Sections A-A and B-B, Dwg No: P-300, received 26 February 2018  
As Proposed Sections C-C and D-D, Dwg No: P-310, received 26 February 2018  
As Proposed Shed Plans, Dwg No: P-130, received 26 February 2018  
As Proposed Shed Elevations (Amended Plan), Dwg No: P-220, received 23 May 2018  
As Proposed Shed Sections, Dwg No: P-320, received 26 February 2018  
Arboricultural Impact Assessment, received 26 February 2018  
Tree Protection Plan, Dwg No: 002.rev1, received 26 February 2018  
Proposed Planting and Landscape Plan (Additional Plan), Dwg No: P-50, received 23 May 2018  
Ecology Report, received 26 February 2018  
Ecology Management Plan, received 16 May 2018  
Design and Access Statement, received 26 February 2018  
Material Sources, received 26 February 2018  
Appendix, received 26 February 2018

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision 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 applicants' 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](mailto:enquiries@cncbuildingcontrol.gov.uk) and the website [www.cncbuildingcontrol.gov.uk](http://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 applicants' 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 430 596.
- (4) 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.
- (5) The site to which this permission relates contains suitable habitat for bats, barn owls or reptiles which are protected by the Wildlife and Countryside Act 1981 (as amended). In this respect the applicants are advised to consult Natural England, Dragonfly House, 2 Gilders House, Norwich, NR3 1UB or [enquiries.east@naturalengland.org.uk](mailto:enquiries.east@naturalengland.org.uk) and follow any requirements in this respect.

*The Committee adjourned at 12:50pm and reconvened at 13:20pm when all of the Members listed above were present for the remainder of the meeting with the exception of Mr Riley who left after Minute no: 8.*

### **8 APPLICATION NUMBER 20180622 – TAVERHAM NURSERY CENTRE, FIR COVERT ROAD, TAVERHAM**

The Committee considered an application for the variation of condition 3 of planning permission 20081615 to allow an open A1 retail use at Taverham Nursery Centre, Fir Covert Road, Taverham. Condition 3 specifically restricted the following uses:

- Hairdressers and beauticians
- Shop for the sale of food and drink (except for the unit identified on the plan as the Farm Shop)

- Hire shop for personal or domestic goods or articles
- Cycle sales and repairs
- Chemists
- Newsagents / tobacconists
- Post Office
- Electrical white goods
- Travel or ticket agency or shop
- Vehicle parts and accessories
- Shop for the sale, rent or hire of video recordings, DVDs, computer games and similar products.

The reason for the condition was:

To minimise the impact upon local shopping areas and to prevent Class A1 uses which are not appropriate in the context of a garden centre in accordance with Policies GS1 and SHO10 of the Broadland District Local Plan (Replacement) 2006.

In presenting the application, the Area Planning Manager (East) advised the Committee that, following discussions with the applicant and agent, a late revision had been made to the application which limited the change of use to units 1 and 2 only (which were currently vacant). Accordingly, the officer recommendation was amended to delegate authority to the Head of Planning to approve the application subject to no new material issues being raised during the consultation period and any conditions considered appropriate by Members.

The application was reported to committee at the request of Mr Proctor, for the reasons given in paragraph 5.1 of the report.

The Committee noted the comments of the occupier of The Kitchenary Ltd as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of the agent and the applicant, at the meeting during which the Committee was advised that the prospective occupiers of the two units would be a hairdressers and beautician respectively.

It was noted that since the permission to regularise the uses and activities at the site, granted in 2009, planning permission had been granted to permit the production and sale of chocolate; permit the display and sale of caravans and allowed a temporary permission for a pop-up hospice charity shop. The Committee considered that, in its revised form, this current application represented an acceptable form of development and would not have an adverse impact on the existing local centres in Drayton, Taverham and surrounding areas. It was acknowledged that the situation could be reassessed if and when other units became vacant.



In conclusion, it was considered that planning permission should be granted but the change of use should be varied only allowing for a hairdressers and beauticians on units 1 and 2. Accordingly, it was

### **RESOLVED:**

To delegate authority to the Head of Planning to approve application number 20180622 (in its revised form) following expiry of the consultation period and no new material issues being raised and subject to a varied condition 3 only allowing for use by a hairdressers and beautician.

### **9 APPLICATION NUMBER 20180243 – 76 GORDON AVENUE, THORPE ST ANDREW**

Further to Minute no: 116 of the meeting held on 25 April 2018 the Committee reconsidered the application for the raising of the roof, rear extension and loft conversion at 76 Gordon Avenue, Thorpe St Andrew. The application had been deferred to enable officers to negotiate with the applicant a revised roof bulk which incorporated a hipped roof to the rear to match the proposed hipped roof to the front. In presenting the application, the Area Planning Manager (East) drew Members' attention to an additional plan which needed to be included as part of condition 2 which correctly showed the proposed rooflight to the first floor landing on the west elevation.

The applicants had been informed of the Committee's decision and given the option to amend their plans but they had indicated that they did not wish to further revise the plans and wanted the application to be determined in its current form. The Committee noted the content of a detailed letter from the applicants outlining the reasons for their decision and providing further evidence as to why they considered the application to be acceptable.

The Committee noted an extended summary of the representation submitted by the occupier of no: 78 Gordon Avenue as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Mrs Gurney representing the occupiers of no: 78 objecting to the application and the applicant, at the meeting.

It was acknowledged that there would be some change to the appearance of the dwelling from the street but it was not considered to be significant or cause harm to the character of the area. The raising of the roof ridge by 0.6m by following the existing roof slope and bringing it to a point rather than a flat top was considered to be more in keeping with the neighbouring properties than existing as the vast majority all came to a point to the front (with the ridge running backwards). Furthermore, the increase in height was not considered to be out of place against the neighbouring dwellings.

In terms of impact on neighbour amenity, it was considered that given the separation between the dwelling at no: 74 and the existing extension at no: 74 the proposed development would not have any significant impact on the amenity of no: 74. It was noted that no representations had been received by the occupiers of that property. The property to the east (no: 78) was separated by a gap of approximately 3 metres and also had a rear extension which extended approximately 4 metres further to the rear than the existing extension at no: 76. Members acknowledged that there may be some light loss as the sun set in the west but it was not considered to be significant, given the distance between the ridge line and the windows and that there was an existing garage and car port on the property at no: 78 which would also block some of the light.

Regarding the proposed rooflights, it was considered there would be no possibility of overlooking the neighbouring property as four of these served ground floor rooms and the fifth would serve a landing in the loft space (ie a non habitable room). One further rooflight would provide light to the stairwell on the east elevation.

In conclusion, it was considered that the proposals would not cause significant harm to the character and appearance of the area or neighbour amenity. Accordingly, it was

### **RESOLVED:**

To approve application number 20180243 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.

Amended Dwg No 76GA\_RC\_2018\_A Plans and Elevations received  
4 June 2018

Location Plan received 12 February 2018

### **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.

Informatives:

- (1) 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](mailto:enquiries@cncbuildingcontrol.gov.uk) and the website [www.cncbuildingcontrol.gov.uk](http://www.cncbuildingcontrol.gov.uk)
- (2) Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (3) The applicant is herewith advised that due to the proximity of the site to an area of filled ground, a suitable membrane to prevent the potential risk of gas ingress should be included in the design of the works to be carried out and agreed with 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](mailto:enquiries@cncbuildingcontrol.gov.uk) and the website [www.cncbuildingcontrol.gov.uk](http://www.cncbuildingcontrol.gov.uk)

### **10 APPLICATION NUMBER 20180634 – 1 ROUNDTREE CLOSE, SPROWSTON**

The Committee considered an application for the change of use of a light industrial unit (use class B1) with a floor space of 151m<sup>2</sup> to a gymnasium (use class D2) at 1 Roundtree Close Sprowston. No external works had been or were required to the building. Hours of opening were 0730 to 2100 from Monday to Friday and 0900 to 1200 on Saturdays, Sundays and Bank Holidays.

The application was reported to committee as the recommendation for approval was contrary to the provisions of the development plan.

The Committee noted a correction to paragraph 1.2 of the report and additional information from the applicant as reported in the Supplementary Schedule. In addition, the Committee received a verbal presentation by the

applicant at the meeting.

As a D2 use, the gymnasium was contrary to Policy E1 of the DM DPD which sought to protect employment sites of strategic importance. Policy E2 of the DM DPD permitted new uses on employment sites within the settlement limit, subject to certain criteria, including evidence that a continued employment use was unviable and there was a significant environmental or community gain which outweighed the employment benefits. However, a marketing exercise had not taken place and furthermore, it was not considered that a gymnasium of this size would provide a significant community gain. Consequently, the application was contrary to Policy E2.

The Committee did not consider that the gym would undermine the development plan to a significant degree. Although not an employment use, the gym was a starter business that employed a similar number of people for the size of unit in question and would sit comfortably alongside neighbouring uses. Therefore, it was considered to comply with the aims of Policy 5 of the JCS and Policy 6 of the Sprowston Neighbourhood Plan. However, it was considered appropriate to impose a planning condition which restricted the use of the unit to a gymnasium and, upon that use ceasing or the premises become vacant, the unit would revert to its former use. Furthermore, regard was also had to a decision made by the Committee in December 2017 in respect of unit 8 for a similar application.

In terms of all other matters raised, it was noted that these had either been addressed in the report or would be dealt with through the imposition of an appropriate condition.

In conclusion, it was considered that no harm would be caused to the character of the area or highway safety and, on balance, the development would not undermine the provisions of the development plan. Accordingly, it was

### **RESOLVED:**

To approve application number 20180634 subject to the following condition:

The premises shall be used as a gymnasium 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 use.

Reason:

To ensure development appropriate to the area in accordance with Policies GC4, E1 and E2 of the Development Management DPD 2015.

Informative:

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.

*The meeting closed at 2:40pm*