

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

Miss S Lawn – Chairman

Mr A D Adams
Mr G Everett
Mr R R Foulger
Mr R F Grady

Mr R J Knowles
Mr K G Leggett
Mr A M Mallett

Mrs B H Rix
Mr D C Ward
Mr D B Willmott

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

Mrs Bannock - Minute no: 28 (84 Taverham Road, Taverham)

Mr Peck - Minute no: 27 (site of T H Blyth & Sons Builders Yard and land to West of Claypit Road, Foulsham)

Also in attendance were the Development Manager, Planning Projects & Landscape Manager (for Minute nos: 22 – 26), Area Planning Managers and the Senior Committee Officer.

Mr Bizley, Chartered Surveyor, attended for Minute nos: 22 - 27.

22 REVISED NATIONAL PLANNING POLICY FRAMEWORK

The Development Manager reminded the Committee that the NPPF had recently been updated and all Members had been emailed a link to the new document. The Supplementary Schedule contained any relevant updates for the applications under consideration at the meeting but it was acknowledged these did not have any material effect.

In response to questions, it was noted that the situation regarding the supply of housing land in the Norwich Policy Area was unaffected so the Council would continue to rely on the Strategic Housing Market Assessment (SHMA) as a credible piece of evidence on housing need. The situation might change in November when the Council would need to reflect on the housing delivery test and the data available at that time. From 10 January, the five year housing supply would be measured against the local housing need as defined by the standard method in the new NPPF. The Development Manager emphasised that there were no applications on the agenda today which were of relevance to this issue.

23 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Mr Foulger reminded the Committee that he was the Portfolio Holder for Communities & Housing.

24 APOLOGIES FOR ABSENCE

An apology for absence was received from Mr J Ward.

25 MINUTES

The Minutes of the meeting held on 4 July 2018 were confirmed as a correct record and signed by the Chairman.

26 APPLICATION NUMBER 20160395 – LAND SOUTH OF GREEN LANE EAST, RACKHEATH

The Committee considered an outline application for a development of 157 dwellings together with associated access, open spaces and infrastructure on land south of Green Lane East, Rackheath. All other matters other than access were reserved for later approval. Vehicular access to the site would be via a single point onto Salhouse Road serving a 6m wide estate road with 1.8m wide footpaths to either side and a 3m wide shared use footway / cycleway along the site frontage. A pedestrian access would be provided to the south east of the site to providing a crossing point on Green Lane East. The application proposed the provision of 20% affordable housing and a viability appraisal had been submitted as justification for this.

The application was reported to committee as the level of affordable housing proposed was below the level required by the Development Plan.

The Committee noted the relevant paragraphs of the now superseded NPPF which were relevant to the determination of the application had been updated in accordance with the newly published NPPF and the receipt of an amended location plan submitted by the applicant on 25 July 2018 both as reported in the Supplementary Schedule and the content of an additional letter of representation from a resident who lived opposite the site on Green Lane East, as reported at the meeting. In addition, the Committee received the verbal views of Fergus Bootman of La Ronde Wright (the agent) at the meeting.

The site was located outside of the settlement limit but had been allocated for residential development under Policy GT19 of the Growth Triangle Area Action Plan 2016. Members noted therefore that the principle of development had been established. However, the proposal would need to satisfy four

criteria to ensure compliance with the policy:

- Provision of 33% affordable housing
- Pedestrian and cycle links across the frontage of the site
- Submission of landscape masterplan prior to commencement of development
- Noise assessment in terms of the impact of the Broadland Northway

Affordable Housing

Members noted that the viability assessment identified that, even with 10% affordable housing, the development fell below the benchmark land value and consequently the scheme could be deemed unviable at this level.

Notwithstanding this, the applicants were still proposing 20% affordable housing to assist in the delivery of a balanced community. The Committee acknowledged that the applicant was in advanced talks with a house builder and they had confirmed they were prepared to deliver a scheme with 20% affordable housing. The Committee accepted that by enabling a development with a lower percentage of affordable housing than was required by Policy GT19, the site would contribute towards housing supply in the Norwich Policy Area and this was a material consideration

Consideration was also given to Policy 4 of the JCS and Members agreed that the viability assessment did justify a reduction in the level of affordable housing in line with the policy requirements and noted that the assessment had been reviewed by an independent consultant on behalf of the Council. However, discussions would need to continue between Council officers and the applicant over the mix of tenures to be provided and this would be secured through a Section 106 Agreement. Furthermore, the agreement would contain a “clawback” clause for the provision of additional affordable housing / financial contribution for off-site provision of affordable housing should market conditions allow in the future.

Pedestrian / Cycle Links

Members acknowledged that the application was in outline only but an indicative plan demonstrated how the required pedestrian and cycle links could be incorporated into the development and this would be secured through the reserved matters application.

Landscape Masterplan

It was noted from the indicative layout plan how informal public open space could be provided on the site but further information would need to be

provided to satisfy the criteria within Policy GT19. Again, this would be secured through the reserved matters application.

Noise Assessment

Policy GT19 required a noise assessment to identify appropriate mitigation to offset the impact of the Broadland Northway. The Committee noted that such an assessment had been submitted and the Environmental Health Officer (Pollution Control) had raised no objection. However, further details would be required at the reserved matters stage to ensure that the criteria in the report were met and this could be secured by conditions.

Members considered that the four criteria of Policy GT19 had been satisfied and therefore, the principle of development was acceptable.

In terms of highways, it was considered that the development would not adversely impact highway safety or the satisfactory functioning of the local highway network and accordingly, the proposal complied with Policy TS3 of the DM DPD.

It was noted that the site was located within landscape character area E3 in the Landscape Character Assessment DPD and therefore, to introduce residential development and associated roads, hardstandings, street furniture etc would be contrary to development management policies. However, Members took into consideration the fact that the site was allocated for residential development and the impact of urbanisation would not in itself justify refusing the application. Furthermore, the development sought to retain existing tree belts to the south-west and south-east and additionally, the construction of the Broadland Northway had fundamentally altered the character and appearance of the landscape to the west of the site. It was noted that landscaping of the site would be considered at the reserved matters stage.

Whilst the overall housing mix had not yet been agreed, the indicative layout was considered to adequately demonstrate how informal open space on the site could be achieved and the provision and management of the open space would be secured through the Section 106 Agreement. It was noted that, given the scale of development, it was not considered necessary to provide sports facilities or allotments on site and a commuted sum could be secured for off-site provision to ensure compliance with Policy RL1.

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 appropriate conditions as part of this application or at the reserved matters stage.

In conclusion, it was considered that the proposal represented an acceptable

form of development which would not result in any significant adverse impact. Accordingly, it was

RESOLVED:

To delegate authority to the Head of Planning to approve application number 20160395 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:

- 20% affordable housing (tenure split 60:40 ART: Intermediate unless otherwise agreed with Housing Enabler) including “clawback” provision
- Provision of open space in accordance with RL1 and EN3 of the DM DPD

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.

- (2) Application for the approval of the “reserved matters” shall include plans and descriptions of the:

details of the layout;

scale of each building proposed;

the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction;

the landscaping of the site.

Approval of these “reserved matters” must be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved.

- (3) The details required by conditions 1 and 2 shall not include provision for more than 157 dwellings.

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

Location Plan:

Dwg PL202 – Site Access Arrangement (Appendix E of Amended Transport Assessment)

- (5) A scheme for landscaping and site treatment for each phase or parcel to include grass seeding, planting of new trees and shrubs, specification of materials for fences, walls and hard surfaces, and the proposed management and maintenance of amenity areas, shall be submitted to and approved prior to the commencement of development.

The scheme shall also include the positions of all existing trees (which shall include details of species and canopy spread) and hedgerows both on the site and within 15m of the boundaries together with measures for the protection of their above and below ground parts during the course of development.

The scheme as approved shall be carried out not later than the next available planting season following the commencement of development on that phase or parcel 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.

- (6) The plans and particulars submitted in accordance with condition 5 above shall include:
- (a) a plan showing the location of, and allocating a reference number to every tree on the site which has a stem with a diameter, measured over the bark at a point 1.5m above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread and Root Protection Area of each tree to be retained. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (eg by shade, overhang from the boundary, intrusion of the Root Protection Area (paragraph 4.6.1 of BS5837 2012 Trees in relation to design, demolition

and construction – Recommendations) or general landscape factors) must be shown.

- (b) the details of each tree as required at paragraph 4.4.2.5 of BS5837: 2012 in a separate schedule.
- (c) a schedule of tree works for all the trees in paragraphs (a) and (b) above, specifying those to be removed, pruned or subject to other remedial or preventative work.
- (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within 5m of the Root Protection Area (paragraph 4.6.1 of BS5837: 2012) of any retained tree including those on neighbouring ground.
- (e) details of the specification and position of all appropriate tree protection measures for the protection of every retained tree from damage before and for the entire duration of the course of the development.
- (f) a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.

In this condition, 'retained tree' means an existing tree which is to be retained in accordance with paragraph (a) and (b) above.

- (7) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development of each phase or parcel. The details as approved shall be completed prior to the first occupation of any part of the development hereby permitted and thereafter shall be maintained.
- (8) No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- (9) No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.

- (10) Before any dwelling is first occupied the road(s), footway(s) and 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.
- (11) Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan, drawing 1411-88-PL203. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225m above the level of the adjacent highway carriageway.
- (12) Prior to the commencement of any works on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority.
- (13) 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 unless otherwise approved in writing with the Local Planning Authority.
- (14) 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 off-site highway improvement works as indicated on drawing numbers 1411-88-PL201, 1411-88-PL204, 1411-88-PL205 & 1411-88-PL206 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 referred to in this condition shall be completed to the written satisfaction of the Local Planning Authority.
- (15) Concurrently with the submission of reserved matters for any phase, a noise assessment shall be submitted to demonstrate that the noise criteria stated in section 5 of the submitted Noise Assessment (Adrian James Ltd 22/02/2016) have been met. The development shall thereafter be constructed in accordance with the approved details.
- (16) (A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording (to include trial trenching), 2) The programme for post investigation assessment, 3) Provision to be made for analysis

of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and

- (B) No development shall take place other than in accordance with the written scheme of investigation approved under part A of this condition.

and

- (C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under part A of this condition and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- (17) Prior to the commencement of development, a scheme for ecological enhancement and improvement based on the requirements of section 5 of the submitted Ecological Survey (Norfolk Wildlife Services) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.
 - (18) Prior to the commencement of development a scheme for the provision of 1 fire hydrant for every 50 dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
 - (19) Concurrently with the submission of reserved matters for any phase of development, in accordance with the submitted FRA (Create Consulting Engineers Ltd, GS/CC/P15-835/03 Rev C, October 2017) including the proposed outline surface water drainage scheme, further detailed information shall be submitted to and agreed with the Local Planning Authority. This information will be used to inform the layout of the site and include:
 - I. Further detailed ground investigation undertaken across the site including infiltration testing in accordance with BRE Digest 365, and ground water monitoring to establish the location and depth of infiltration features.

- II. All properties and drainage infrastructure is located outwith areas shown on mapping to be at risk of surface water flooding (In all events up to and including the 1% annual probability (1:100 year event) with an allowance for climate change).
 - III. Information to demonstrate that any highway areas located in areas shown on mapping to be at risk of surface water flooding can accommodate any additional off site flows.
 - IV. 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% annual probability (1 in 100 year return period), including allowances for climate change, flood event for each dwelling unit. A minimum storage volume per dwelling of 14.4m³ based on a dwelling measuring 160m² will be provided in line with section 4.5 of the submitted FRA. The design of the soakaways to have half-drain times less than 24 hours. A minimum of 912m³ of cellular storage for impermeable road area of 1.01ha to be provided, accommodating 5.0m buffers to all buildings and adoptable roads. Areas of permeable paving are required to accommodate the 1% annual probability (1 in 100 year) plus an allowance for climate change event within its sub-base.
- (20) Prior to commencement of development, in accordance with the submitted FRA (Create Consulting Engineers Ltd, GS/CC/P15-835/03 Rev C, October 2017) and information submitted in support of condition 19 above, the following measures shall be submitted to and agreed with the Local Planning Authority. The scheme will be implemented in accordance with the approved details. The scheme shall address the following matters:
- I. 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 (eg pumping station or electricity substation) within the development.
 - II. 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. This will include surface water which may enter the site from elsewhere, such as the surface water flow path that is shown to enter the site from the north.

- III. Finished ground floor levels of properties should be a minimum of 300mm above expected flood levels of all sources of flooding including the proposed drainage scheme and a minimum of 150mm above surrounding ground levels.
 - IV. 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.
 - V. 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.
 - VI. Details of implementation of the surface water drainage strategy.
- (21) Prior to their installation details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (3) To reflect the scope of the application and to ensure the satisfactory development of the site 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 in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015.
- (6) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015.
- (7) To ensure the satisfactory development of the site in accordance with Policy 3 of the Joint Core Strategy 2011/2014.
- (8) 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 2011/2014.
- (9) 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 2011/2014.
- (10) 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 2011/2014.
- (11) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (12) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (13) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (14) 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.

- (15) To ensure an acceptable level of residential amenity in accordance with Policy GC4 of the Development management DPD 2015.
- (16) To ensure the satisfactory development of the site in accordance with Policy 1 of the Joint Core Strategy 2011/2014.
- (17) To ensure the satisfactory development of the site in accordance with Policy GC4 and EN1 of the Development Management DPD 2015.
- (18) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (19) To ensure the satisfactory development of the site in accordance with Policy CSU5 of the Development Management DPD 2015.
- (20) To ensure the satisfactory development of the site in accordance with Policy CSU5 of the Development Management DPD 2015.
- (21) To ensure the satisfactory development of the site in accordance with Policy GC4 and EN2 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.

If required, street furniture will need to be repositioned at the applicant's own expense.

- (2) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.

- (3) 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
- (4) It is an offence to disturb, harm or kill breeding birds in the UK under the Wildlife and Countryside Act 1981. The removal of the vegetation should take place outside of the breeding season (March – September). In the event that this is not possible, the vegetation to be removed should be inspected by a suitably qualified ornithologist and if any nests are found a 10m exclusion zone should be established until such time as the nest has been fledged.
- (5) 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.
- (6) 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
- (7) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

27 APPLICATION NUMBER 20170594 – SITE OF T H BLYTH & SONS BUILDERS' YARD AND LAND TO WEST OF CLAYPIT ROAD, FOULSHAM

The Committee considered an application for the demolition of the builders' yard and erection of 11 dwellings on the site and vacant land to the west of Claypit Road in Foulsham. The main vehicular access to the site was proposed from the existing access off Claypit Road which would be improved and lead to a private drive with turning head.

The application was reported to committee as the recommendation to approve was contrary to Development Plan policies.

The Committee noted the relevant paragraphs of the now superseded NPPF which were relevant to the determination of the application; amended wording for the reason for condition 12; amended informative (1) and the receipt of further comments from a resident of Green Man Cottage, Chapel Lane, together with the officer response, all as reported in the Supplementary Schedule.

In addition, the Committee received the verbal views of the occupiers of Coldharbour and Beech Lane both on Chapel Lane objecting to the application. Mr Peck, the Ward Member, expressed his concerns regarding flooding in the surrounding area.

The site was located within the settlement limit and therefore, the proposal for residential development complied with Policy GC2 and was acceptable in principle.

The Committee noted that for a development of the size proposed, the policy requirement of 30% would equate to three units. In its original form the application proposed no affordable units being provided and this was supported by the submission of a viability assessment report which had been reviewed by an independent consultant appointed by the Council. Following negotiations with the agent, it was agreed that one single unit of affordable housing be provided. It was noted that by enabling a development with a lower percentage of affordable housing, the scheme would be viable and allow for the site to be developed.

Members acknowledged that the development would aesthetically improve the overall area by the removal of several rundown buildings situated within the former builders' yard. However, it was considered that the development, as proposed, would appear at odds with the prevailing character of the area and therefore did not comply with Policies EN2 and GC4 of the Development Management DPD.

The Committee took into consideration the concerns raised by neighbours regarding overlooking and concurred that the level of overlooking would be so significant that it would result in a detrimental impact on neighbour amenity on existing properties, contrary to Policy GC4 of the DM DPD.

In terms of flooding, the site was located outside of, but within proximity to, flood zones 2 and 3 to the south of the site. Members noted the updated Flood Risk Assessment and Surface Water Drainage Strategy which had been submitted and the fact that the Lead Local Flood Authority and the Norfolk Rivers Internal Drainage Board had both subsequently withdrawn their objections to the scheme, subject to conditions. Whilst acknowledging the

concerns of neighbours and the Ward Member on occurrences of flooding which currently existed, Members accepted the advice of the Development Manager that local planning authorities were unable to require new development proposals to resolve existing flooding problems outside of the site and furthermore, this site was in flood zone 1 (lowest risk category). The Committee's attention was drawn to proposed condition (12) which was a very detailed and bespoke condition and would resolve any potential issues to the satisfaction of both the LLFA and the NRIDB.

In conclusion it was considered that the development would have an unacceptable impact on the character and appearance of the surrounding area and neighbour amenities by virtue of the scale and form of the development and overlooking from the proposed dwellings into existing neighbouring properties.

Accordingly, notwithstanding the officer recommendation, it was

RESOLVED:

To refuse application number 20170594 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 2014 (JCS); the Development Management DPD adopted 2015 (DMDPD). Also material is the National Planning Policy Framework (NPPF) 2018; the National Planning Practice Guidance (NPPG), the Landscape Character Assessment SPD 2013 and the Planning (Listed Buildings and Conservation Areas) Act 1990.

The policies particularly relevant to the determination of this application are policies 1, 2, 4, 6 and 15 of the JCS; policies GC1, GC2, GC4, EN1, EN2, EN3, EN4, E2, RL1, TS3, TS4 and CSU5 of the DMDPD.

The site is located within the settlement limit of Foulsham where the principle of new development is considered to be acceptable. However, whilst Government guidance advises that new development should preferably be located within existing settlements, this should not be at the expense of the erosion of the character of the surrounding area or give rise to anything that has an adverse impact on neighbour amenity or the amenity of the area.

It is considered that the layout and density of the development is at odds with the immediate area whilst the scale and massing of some of the dwellings is out of character with some of the immediate neighbouring properties. The application is therefore considered to have an unacceptable impact and cause harm to the general character and appearance of the area in conflict with Policy GC4 of the Development Management DPD.

It is also considered that the siting of two two-storey dwellings (plots 3 & 5) within close proximity to the detached bungalow to the south of the site (Coldharbour) could result in these properties appearing overbearing and dominating for the residents of the neighbouring bungalow. The first floor windows to the rear of Plot 3 are also likely to result in overlooking of the dwelling and the private garden at Coldharbour. Similarly plots 6 & 7 may also result in overlooking issues towards the neighbouring dwellings and gardens at both No.2 and Beech House on Chapel Lane. Overall it is considered that the development will have a detrimental impact upon neighbour amenity by virtue of the scale and form of the development and due to overlooking issues mentioned above. The application is therefore contrary to Policy GC4 of the Development Management DPD in this regard.

In conclusion, the application fails to accord with the requirements of Policy GC4 of the Development Management DPD for the reasons stated above. Whilst the proposal is located within the settlement limit this does not outweigh the harm that the application will have on the character of the area and on neighbour amenity. 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 by refusing this unacceptable form of development.

The Committee adjourned at 11:25am and reconvened at 11:40am when all of the Members listed above were present for the remainder of the meeting.

28 APPLICATION NUMBER 20180656 – 84 TAVERHAM ROAD, TAVERHAM

The Committee considered an outline application for the sub-division of the plot and erection of two detached dwellings at 84 Taverham Road, Taverham. All matters were reserved for later approval but an indicative layout identified a new shared access off Taverham Road for the new plots.

The application was reported to committee at the request of Mr Clancy, one of the Ward Members, for the reasons identified in the report.

The Committee noted that a new version of the NPPF had been published on 24 July 2018, since the report had been written and subsequently an amended Informative (1) both as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of the applicant at the meeting. Mrs Bannock, one of the Ward Members, expressed her concerns on the proposed access arrangements.

The site was located within the settlement limit and therefore the proposal for residential development complied with Policy GC2 and was acceptable in principle. The Committee considered that the site was of a sufficient size to accommodate two additional dwellings without resulting in overdevelopment

of the plot whilst leaving sufficient amenity space for the existing dwelling at no: 84.

Members noted there was a variety of both plot sizes and styles of property on Taverham Road and these two new plots would not be out of character with the immediate area. In addition, whilst the plots would be clearly visible from the street scene, it was not considered that the principle of two additional dwellings in the proposed location would be at odds with the prevailing character of the area or cause any significant harm to the general character and appearance of the area.

Although details of the size, scale and design of the dwellings were unknown at this stage, it was not considered that the principle of dwellings on the site would result in any detrimental impact upon neighbour amenity and therefore, the proposals were considered to be in accordance with Policy GC4 of the Development Management DPD.

Notwithstanding neighbours' concerns, Members noted that the Highway Authority was not objecting to the application and concurred that there would be no detrimental impact upon highway safety, subject to the imposition of appropriate conditions.

With reference to the three dimensions of sustainable development:

Economic Role

It was noted that the development would bring forward a level of economic benefit, albeit limited, from construction work for the dwellings in the short term and spending by future occupants of the dwellings in the long term.

Social Role

The site was located within close proximity to a number of local facilities, many within walking distance and therefore, was considered to be in a sustainable location. Furthermore, the two additional dwellings would be liable for CIL payments and therefore the proposal would result in a modest social benefit.

Environmental Role

It was considered the proposal would have a neutral impact upon the general character and appearance of the area and local residents' amenities. It was noted that a landscaping condition was being proposed which would secure further planting to enhance the landscaping and biodiversity on the site.

In conclusion, it was considered that the proposal represented an acceptable form of development which would not result in any significant adverse impact. Accordingly, it was

RESOLVED:

to approve application number 20180656 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 THREE 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.

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

Approval of these “reserved matters” must be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved.

- (3) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (4) The following highway matters need to be agreed as part of a reserved matters planning application:
 - i) Visibility splays
 - ii) Access arrangements
 - iii) Parking and turning provision in accordance with adopted standard

- (5) Prior to the first occupation of the development hereby permitted a visibility splay measuring 43 metres x 2.4 metres shall be provided to the western side of the access(es) where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- (6) Prior to the first occupation of the development hereby permitted the first floor windows on the south (side) elevation of the existing dwelling at no: 84 shall be fitted with obscure glass and these windows shall remain in this form perpetuity.
- (7) A scheme for landscaping and site treatment to include grass seeding, planting of new trees and shrubs, specification of materials for fences, walls and hard surfaces, and the proposed maintenance of amenity areas, shall be submitted to and approved as part of the application for reserved matters.

The scheme shall also include the positions of all existing trees (which shall include details of species and canopy spread) and hedgerows both on the site and within 15m of the boundaries together with measures for the protection of their above and below ground parts during the course of development.

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.

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act

1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (4) In the interest of highway safety and in accordance with Policies TS3 and TS4 of the Development Management DPD 2015.
- (5) In the interest of highway safety and in accordance with Policies TS3 and TS4 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.
- (7) To ensure the provision of amenity afforded by new landscape features and to retain and protect existing trees which are within close proximity of the site in accordance with Policies GC4 and EN2 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
- (3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The CIL figure will be calculated at the Reserve Matters Stage. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp

29 APPLICATION NUMBER 20180894 – GREENRIDGE, 26 HIGHFIELD CLOSE, THORPE ST ANDREW

The Committee considered an application for a single storey rear extension at Greenridge, 26 Highfield Close, Thorpe St Andrew. The property would be extended 5.2m further to the rear than the existing building to form an open plan dining and entertaining area measuring 8.1m in width. No additional windows were proposed within the east elevation; an additional door was proposed to the west elevation with the removal of an existing door to be replaced by a window.

The application was reported to committee at the request of Mr Emsell, one of the Ward Members, for the reasons stated in the report.

The Committee noted that a new version of the NPPF had been published on 24 July 2018, since the report had been written and subsequently an amended Informative (2) both as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of the occupier of 25 Highfield Close objecting to the application and the applicant, at the meeting.

Members acknowledged that whilst there would be some change to the appearance of the dwelling at the rear, this would not be significantly visible from within the street scene and therefore, it was not considered to cause harm to the character and appearance of the area.

It was noted that, under permitted development, development up to 4m with a height of up to 4m would be allowed and therefore, on balance the proposed extension was not significantly excessive (an additional 1.2m in length and 1.55m in height. The concerns of the neighbour at no: 25 were noted but due to the distances to the boundary and the level of increase over what would be allowed under permitted development, the Committee did not consider that the overall impact of the extension would be excessive or overly oppressive.

On balance, it was considered that the proposed development would not cause significant harm to the character and appearance of the area nor lead to prolonged or significant harm to neighbour amenity in terms of loss of light, overshadowing or outlook

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

RESOLVED:

to approve application number 20180894 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.

Dwg No. P_001 Existing Floor Plans and Elevations received 29 May 2018

Dwg No. P_002 Proposed Floor Plans and Elevations received 29 May 2018

Location Plan received 29 May 2018

Amended Block Plan received 16 July 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 and the website 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 paragraph 38 of the National Planning Policy Framework.

The meeting closed at 12:24pm