

Minutes of a meeting of the **Planning Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 3 October 2018** at **9.30am** when there were present:

Miss S Lawn – Chairman

Mr A D Adams
Mrs C H Bannock
Mr G Everett

Mr R J Knowles
Mr K G Leggett
Mr G K Nurden

Mrs B H Rix
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 Copplestone - Minute no: 38 (Greater Norwich Food Enterprise Zone, Red Barn Lane, Honingham)

Mr Riley - Minute no: 40 (Street Farm, The Street, Oulton)

Also in attendance were the Head of Planning, Area Planning Managers, the Senior Planning Officer (CJ) (for Minute no: 41) and the Senior Committee Officer.

John Flack of nplaw attended for Minute nos: 34 – 39.

34 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

| Member | Minute No & Heading | Nature of Interest |
|---------------|--------------------------------|---|
| Mr Adams | 42 (24 Cromer Road, Hellesdon) | Advised that he had concerns but not predetermined the application. |

35 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs Hempsall and Mr Mallett.

36 MINUTES

The Minutes of the meeting held on 5 September 2018 were confirmed as a correct record and signed by the Chairman.

The Chairman authorised that agenda item 6 be brought forward for consideration prior to plan no: 1 as it was considered expedient for this matter to be determined first.

37 APPLICATION NUMBER 20181177 – DETAILS TO BE APPROVED UNDER LOCAL DEVELOPMENT ORDER CONDITION 2.20 AT CHURCH LANE, HONINGHAM

The Committee considered a report by the Head of Planning outlining the details to be approved under condition 2.20 of the Local Development Order (LDO) granted by the Council in October 2017 for a Food Enterprise Zone (FEZ) on land at Honingham. The LDO effectively granted planning permission for specified agri-tech developments on the site, subject to conditions and that vehicular access to and from the site accorded with the vehicular routing agreement set out in a Section 106 Agreement accompanying the LDO.

The routing agreement specified that all vehicles in excess of 7.5 tonnes visiting the site for the purposes of, and in connection with, the LDO development shall gain access along the permitted route, being Church Lane to the Easton roundabout at the A47. The routing agreement applied until vehicular access was provided between the LDO site and the A47 trunk road. Condition 2.20 of the LDO required details of the scheme of highways works to be submitted and agreed in writing by the Local Planning Authority in consultation with the Highway Authority and, where appropriate Highways England, prior to the commencement of development, including triggers for the implementation of each component of the works

The components of the scheme of works were:

- Realignment/change of priority at the junction of Dereham Road / Church Lane
- A right turn lane from Dereham Road into Church Lane
- A scheme of widening improvements to Church Lane
- Vehicular access to the LDO site either off Church Lane/Red Barn Lane or directly from the A47
- Enhanced footway and cycle facilities to connect with Dereham Road
- The closure of Blind Lane

Details had been submitted under application 20181177 in respect of the vehicular access to the LDO and interim proposals for highway improvements to Church Lane, all as detailed in the report. These included four passing bays to the north west side of Church Lane; interim footway and cycle facilities to connect to Dereham Road through a 1.5m wide TROD; road widening on a 40m long section of Church Road and a footway on the opposite side of Church Lane. The trigger for these works was prior to the first occupation of a development on the LDO site. It was noted that the proposed trigger for the

remaining parts of the highway improvement works specified in condition 2.20, together with the full widening of Church Lane and the full provision of footway and cycle facilities to Dereham Road was upon the provision of 10,000m² of development floorspace on the LDO site, unless otherwise agreed in writing by the local planning authority including but not limited to a high traffic generator being proposed within the LDO or if direct access to the A47 could be achieved.

The Committee noted the additional representations from the occupiers of 1 Horse & Groom Yard, Colton; Easton Parish Council; the joint comments from Easton and Marlingford & Colton Parish Councils, together with the officer comment and an amendment to the trigger for the later phase of highway works under part (ii), all as reported in the Supplementary Schedule.

In addition, the Committee received the verbal views of Peter Milliken of Easton Parish Council and Clarke Willis of the Food Enterprise Park (agent for the landowner) at the meeting.

It was noted that part of the proposals were located within the parish of Easton and therefore it would be appropriate to consider the proposals against the Easton Neighbourhood Plan (ENP) although the plan did not form part of Broadland's development plan. The Committee considered that the individual elements of the proposals and in combination had been designed so that they did not cause substantial harm to the setting of the Grade I listed Church of St Peter and did safeguard its integrity and setting. Accordingly, the proposals were considered to meet the requirements of Policies 1 and 4 of the ENP.

The Highways Authority had confirmed that the details submitted to meet the requirements of condition 2.20 were acceptable, together with the two trigger points.

The Committee took into account the fact that South Norfolk Council had granted outline planning permission for a major residential development on land to the south east of Church Lane with allotments shown on the illustrative masterplan immediately adjacent to the site boundary to Church Lane. It was noted that the vehicular access for that residential development was onto Dereham Road to the north and there was no vehicular access onto Church Lane. The Committee considered that the submitted details under condition 2.20 of the LDO will have no adverse impact on the housing development.

Consideration was also given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 given that part of the proposed highway improvement works and a section of the footpath / cycleway were within the setting of the Grade I listed Church of St Peter, Easton. Members noted in detail all of the works to be carried out and concluded these were all

minor and noted that they would be carried out under S278 of the Highways Act. Accordingly, it was considered that each element had been designed to be sensitive to the Grade I listed church and special regard had been had to the desirability of preserving the setting of the Grade I listed church of St Peter.

In conclusion it was considered that the proposed works were acceptable and met the requirements of both the development plan and the NPPF (2018). It was noted that further details would be submitted and agreed for the later phase of off-site highway improvement works set out in condition 2.20 of the LDO. Accordingly, it was

RESOLVED:

to approve the following details submitted under Condition 2.20 of the Local Development Order:

- (1) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and shall be brought into use prior to the first occupation of development on the LDO site:
 - Dwg. No. CL-1011 Rev. P3 – Details of junction for proposed estate road with Church Lane, received 13 July 2018
 - Dwg. No. CL-1010 Rev. P3 – General arrangement of proposed s.278 works on Church Lane, received 13 July 2018
 - Dwg. No. CL-1012 Rev. P3 – Typical construction details for proposed highway works (sheet 1), received 13 July 2018
 - Dwg. No. CL-1013 Rev. P1 – Typical construction details for proposed highway works (sheet 2), received 13 July 2018
 - Dwg. No. CL-1014 Rev. P1 – Typical construction details for proposed highway works (sheet 3), received 13 July 2018
- (2) Further details in respect of scaled plans are required to be submitted under Condition 2.20 of the LDO, to the Local Planning Authority and agreed, in consultation with the Highway Authority and, where appropriate Highways England, to identify:
 - Realignment/change of priority at the junction of Dereham Road / Church Lane
 - A right turn lane from Dereham Road into Church Lane
 - A scheme of widening improvements to Church Lane
 - Enhanced footway and cycle facilities to connect with Dereham Road
 - The closure of Blind Lane.

These works shall be carried out as approved and brought into use prior to completion of 10,000m² of development floorspace on the LDO, unless otherwise determined by the Local Planning Authority where appropriate circumstances apply including but not limited to, if a high traffic generator is proposed within the LDO or if direct access to the A47 can be achieved.

The Committee adjourned at 10.35am and reconvened at 10.45am when all of the Members listed above were present.

38 APPLICATION NUMBER 20181294 – GREATER NORWICH FOOD ENTERPRISE ZONE, RED BARN LANE, HONINGHAM

The Committee considered an application for a milling tower building measuring 20m in length, 15.4m in width and 20m in height; six storage hopper silos each 10m in height with the gantries and associated equipment up to 14.6m in height positioned to the side of the milling building. The application site measured 46m x 19.5m (897m²). The milling building and silos were proposed to be located to the south east corner of the site which was designated as a Food Enterprise Zone (FEZ) under a Local Development Order (LDO) at Red Barn Lane in Honingham. The proposals for consideration formed part of a wider development for a processing plant for mustard and mint together with an external storage area and had been submitted under the parameters and conditions of the LDO. As the milling building and part of the hopper silos exceeded the height prescribed within the LDO, they required planning permission. The applicant was a grower consortium which farmed 50,000 acres of land throughout Norfolk and would supply Unilever with mustard flour and mint for food production under the Colman's of Norfolk brand.

In presenting the application, the Area Planning Manager read out a summary of a statement which had been received from Unilever in support of the proposals highlighting the historic link between Colmans and the city of Norwich and the company's long-term commitment to continue to source mint and mustard locally (initial 10 year contract).

The application was reported to committee at the request of the Head of Planning.

The Committee noted a revised site location plan; the additional representations received from the Council's Environmental Health Officer; Honingham Parish Council; Easton Parish Council; Marlingford and Colton Parish Council; the occupiers of 19 Aldryche Road, Norwich; 1 Horse & Groom Yard, Colton; that letters of support had been received from Ben Burgess Norwich and the New Anglia Local Enterprise Partnership for Norfolk and Suffolk (LEP); the further comments of South Norfolk Council; the officer's comments in response to all of the above; a revision to paragraphs

9.18 and 9.20 of the report in respect of the voluntary submission of an informal Environmental Statement and that the content of the statement and responses to it have been taken into account in assessing the proposal; an additional condition 8 and an amendment to condition 4, all as reported in the Supplementary Schedule.

In addition, the Committee received the verbal view of Peter Milliken of Easton Parish Council (which had agreed to retract its objection subject to a number of conditions); Andrew Cawdron representing the Wensum Valley Alliance objecting to the proposals and Dave Martin of Condimentum Ltd (the applicant) at the meeting. Mrs Copplestone spoke in favour of the application in her capacity as Portfolio Holder for Economic Development.

The site was located outside of the settlement limit but had been granted as a Food Enterprise Zone under the LDO. Furthermore, Policy 17 of the JCS allowed development in the countryside where it could be clearly demonstrated to further the objectives of the JCS. The Committee considered that these were the “in principle” policies of the development plan which supported the proposal outside of the settlement limit.

Landscape

It was noted that a detailed Landscape and Visual Impact Assessment had been submitted which included nine viewpoints from the locality to establish the effect on the proposals on the landscape. This concluded that the landscape’s sensitivity to the proposed development was high; however no significant areas of settlement would be directly affected by the proposals. Whilst in close proximity to the site the mill building would appear as a tall and noticeable feature but it was considered that the strategic planting required as part of the LDO condition would provide some visual mitigation on the local scale. It was noted that the impact would be further mitigated by the proposed use of a graduated colour finish on the milling building (from green to white) which would provide for the upper part of the building to blend in with the skyline thereby reducing the full effect of the 20m height. In conclusion, it was acknowledged that there would be an impact on the character and appearance of the surrounding area particularly before the strategic landscaping planting became established, this did not significantly and demonstrably outweigh the economic benefits of approving the application.

Heritage assets

Regard was given to Section 16 of the NPPF and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies 1 and 4 of the Easton Neighbourhood Plan which did not form part of Broadland’s Development Plan, in terms of the relationship between the proposals and the two listed churches in the locality. It was noted the applicant had submitted a Supplementary Landscape and Visual Impact

Assessment – Listed Buildings and this concluded that in both cases the impact on the churches and their churchyards was negligible and neutral due to the distances involved; the vegetation which existed between them and in the case of St Andrews Church, the topography, as the church was at a much lower point in the valley. The comments of both Historic England and the Council's Historic Environment Officer were detailed in the report and the Committee concluded that, given these comments and the submitted assessment, it had been demonstrated that the proposals would have less than substantial harm on the setting of the listed churches. Consideration was given to Paragraph 196 of the NPPF and Members agreed that the economic benefits of providing employment and securing the first development on the LDO site, together with the increased revenue in the area and the district overall, was a public benefit which outweighed the less than substantial harm to the churches.

Residential amenity

It was noted that there were no immediate residential properties to the application site; Red Barn Cottage was the nearest dwellings and was approximately 430m to the south west of the application site. To the east of the application site, approximately 650m away, outline planning permission had been granted by South Norfolk Council for 890 dwellings. However, no details had been submitted to identify the position of the dwellings and it was considered that the proposals would not have an unacceptable impact on any residential property or settlement. The Committee acknowledged that, in granting the LDO, conditions had been imposed setting out the acceptable parameters for noise, dust and emissions from the FEZ development including relevant monitoring points for each element.

Highways

The Committee noted that the Highway Authority had no objection to the proposal based on the anticipated traffic movements as detailed in the report on the basis that there would be limited impact on the local highway network.

Members acknowledged the proposed works to the highway as discussed at Minute no: 37 above. Accordingly, it was considered that the requirements of Policy TS3 had been complied with.

In terms of all other matters raised, it was considered these had either been satisfactorily addressed by the officers or would be dealt with through the imposition of appropriate conditions.

In conclusion it was considered that, having taken account of the development plan, NPPF and other relevant material considerations, on balance the benefits associated with the proposal outweighed the harm. Accordingly, it was

RESOLVED:

To delegate authority to the Head of Planning, in consultation with the Chairman and Vice-Chairman of the Planning Committee and the Portfolio Holder for Planning, to **APPROVE** subject to no new material issues being raised before the expiration of the consultation period and 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) Development shall not proceed above slab level until details of all external materials including details of the colour finish of the cladding to the milling building to be used in the development have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
- (4) Noise and sound pressure emanating from the site associated with any building or use permitted by virtue of the LDO shall not exceed the following limits when measured at the southwest corner of the FEZ site.

A-weighted noise limits

| Time Period | LAeq, 15 mins (dB) | LAFmax, 5 min (dB) |
|------------------------|--------------------|--------------------|
| Daytime – 0700 to 1900 | 50 | - |
| Evening - 1900 to 2300 | 45 | - |
| Night – 2300 to 0700 | 40 | 61 |

Octave band noise limits

| Time Period | Frequency (Hz) | | | | | | | | A |
|-----------------------|----------------|-----|-----|-----|----|----|----|----|----|
| | 63 | 125 | 250 | 500 | 1k | 2k | 4k | 8k | |
| Day (0700 – 1900) | 57 | 40 | 41 | 45 | 47 | 37 | 30 | 31 | 50 |
| Evening (1900 – 2300) | 51 | 37 | 37 | 40 | 42 | 32 | 23 | 27 | 45 |
| Night (2300 – 0700) | 43 | 32 | 32 | 33 | 33 | 24 | 27 | 31 | 40 |

- (5) Prior to the use of the building hereby approved commencing an air quality screening and assessment report must be submitted to the Local Planning Authority for its agreement and written approval. The screening and assessment must detail all emission points, mitigation techniques and emission standards. The assessment must satisfy Condition 2.19 of the LDO and the development shall be carried out as per this approval.
- (6) Emissions from the activities (including those associated with the commissioning the plant, waste disposal and treatment of waste water) shall be free from odour at levels likely to cause harm to amenity outside of the site, as perceived to constitute a statutory nuisance by an authorised officer of Broadland District Council. The operator shall use appropriate measures to prevent or where that is not practicable, to minimise odour.
- (7) The use hereby approved shall not commence until details of any floodlighting have been submitted to and approved by the Local Planning Authority. The equipment shall then be installed, operated and maintained in accordance with the approved details.
- (8) The buildings hereby approved shall not be brought into use until the processing building shown on drawing no: 5940/059 (sheet 2 of 2) received on 6 August 2018 has been constructed and brought into use.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure the satisfactory appearance of the building in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To safeguard residential amenity in accordance with Policy GC4 of the Development Management DPD 2015.
- (5) To provide adequate protection to the natural environment and to safeguard residential amenity in accordance with Policy GC4 of the Development Management DPD 2015.

- (6) To provide adequate protection to the natural environment and to safeguard residential amenity in accordance with Policy GC4 of the Development Management DPD 2015.
- (7) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (8) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.

Plans and documents:

Dwg. No.5940/060 (sheet 2 of 2) Rev. D – Proposed location plan, received 6 August 2018

Dwg. No. 5940/059 (sheet 1 of 2) Rev. F – Proposed site plan, received 6 August 2018

Dwg. No. 5940/059 (sheet 2 of 2) Rev. F – Proposed elevations, received 6 August 2018

Dwg. No. 5940/061 (sheet 1 of 1) Rev. D – Proposed site plan site services, received 6 August 2018

The Committee adjourned at 11:56am and reconvened at 12:04pm when all of the Members listed above were present.

39 APPLICATION NUMBER 20181336 – LAND WEST OF BLIND LANE, HONINGHAM

The Committee considered an application for a 26,000m³ infiltration lagoon and swale which connected via a culvert under Blind Lane to the east to accommodate the surface water arising from the adjacent Food Enterprise Zone (FEZ) which was granted under a Local Development Order (LDO) in 2017. Condition 2.25 of the LDO specified the details to be considered for a strategic foul and surface water disposal scheme and as the proposed lagoon and associated works would be outside of the site granted by the Order, they required separate planning permission.

It was proposed to install a temporary private treatment plant within the FEZ for foul water disposal to serve the first 20,000 sqm of development floorspace. Once this threshold was reached, a connection to the Anglian Water mains sewer would be provided and the treatment plant would be decommissioned with the pipework and treatment plant removed.

The application was reported to committee at the request of Head of Planning on the grounds that the Council had been involved in the preparation and

submission of the details.

The Committee noted that revised plans had been received on 24 September 2018 and as a result the site location plan had been revised; additional representations received from the Council's Conservation Officer (Arboriculture & Landscape); Easton Parish Council; the occupiers of Red Barn Cottage, Blind Lane, Honingham; 1 Horse & Groom Yard, Colton; the Environment Agency; Anglian Water; further comments from the applicant's consultant on water quantity and quality, and confirmation from the applicant about where the excavated material would be spread; together with the officer comment and a revised recommendation, condition 5 and list of plans and documents, all as reported within the Supplementary Schedule.

In addition, the Committee received the verbal view of Peter Milliken of Easton Parish Council; Andrew Cawdron representing the Wensum Valley Alliance objecting to the proposals and Paul Clarke of Brown & Co (the agent) and Clark Willis of the Food Enterprise Park (agent for the landowner) at the meeting.

The Committee noted that the reason for the applicant proposing the infiltration lagoon on a site outside of the FEZ, on land within their ownership, was to allow commercial development to take place across the whole of the FEZ as an onsite infiltration lagoon would significantly reduce the developable area. As a consequence, full planning permission was required as the offsite location did not benefit from the LDO consent. As the surface water drainage proposals and the temporary outfall from the foul water proposals from the LDO site are proposed to drain into the infiltration lagoon, details had been submitted to allow condition 2.25 of the LDO to be approved alongside the planning application and the determination of this application included both these elements.

The site was located outside of the settlement limit and had not been allocated for any purpose. Policy CSU5 of the DM DPD supported mitigation measures to deal with surface water arising from development proposals to minimise risk of flooding elsewhere and Policy 17 of the JCS allowed development in the countryside where it could be clearly demonstrate to further the objectives of the JCS.

It was noted that the proposed lagoon and swale would not be clearly visible from outside of the site and therefore, it was considered that the proposals paid adequate regard to the environment, character and appearance of the area and complied with bullet point (i) of Policy GC4 and the requirements of Policy EN2 of the DM DPD.

It was noted none of the statutory consultees had objected to the proposals but had recommended the imposition of certain conditions.

Members acknowledged that the proposals did not necessitate the formation of a vehicular access onto the highway either during the period that the swale and lagoon were excavated or once it was in use as access could be achieved across the applicant's substantial agricultural holding.

In response to concerns raised during the consultation on possible contamination to water supplies from a borehole, the Committee noted that the "temporary foul discharge to the infiltration lagoon" would be the treated outfall from the private treatment plant on the LDO site which was safe to enter into the surface water drains and groundwater. In addition, separate consent for the formation of the lagoon and private treatment plant were required from the Environment Agency who would need to be satisfied that the ground water would not be contaminated by these proposals before they issued a licence and Anglian Water in terms of the connections to the main sewer.

In terms of all other matters raised, it was considered that these had either been addressed by officers in the report or could be dealt with through the imposition of appropriate conditions.

In conclusion it was considered that the proposal would generate economic benefits, such as the development of the FEZ site, generation of employment, business growth etc and would not result in any significant or demonstrable harm. Accordingly, it was

RESOLVED:

to

- A) approve the details submitted under condition 2.25 of the Local Development Order; and
- B) delegate authority to the Head of Planning, in consultation with the Chairman and Vice-Chairman of the Planning Committee and the Portfolio Holder for Planning, to approve application 20181336 subject to no new material issues being raised before the expiration of the consultation period and subject to the following conditions:

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) No work shall commence on site until details of the culvert required across Blind Lane for the off-site surface water drainage system have been submitted and approved in writing by the Local Planning Authority and has been constructed to the approved specification.
 - (4) (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, (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 / organisation 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 condition (A), and;
 - (C) The development shall not be operated 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 condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- In this case the programme of archaeological mitigatory work will consist of an archaeological excavation. A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service.
- (5) Prior to the commencement of development a scheme for the protection of the retained trees that complies with the relevant sections of British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations shall be agreed in writing with the Local Planning Authority (LPA). A plan shall be submitted to a scale and level of accuracy appropriate to the proposal that shows:
 - a) the position and Root Protection Areas (RPAs) of every retained tree on site and on neighbouring ground to the site in relation to the approved plans.

- b) the details and positions of the Tree Protection Barriers. Barriers should be fit for the purpose of excluding construction activity and storage of materials within RPAs appropriate to the degree and proximity of work taking place around the retained trees.
- c) the details and positions of the Ground Protection Zones. Ground protection over RPAs should consist of scaffold boards placed on top of 100-150mm layer of woodchip which is underlain by ground sheets.

No works should take place until the Tree Protection Barriers and Ground Protection are installed.

In the event that any tree(s) become damaged during construction, the LPA shall be notified and remedial action agreed and implemented. In the event that any tree(s) dies or is removed without the prior approval of the LPA, it shall be replaced within the first available planting season, in accordance with details to be agreed with the LPA.

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 Policy GC4 of the Development Management DPD 2015.
- (4) To enable the archaeological value of the site to be properly recorded before development commences in accordance with Policy EN2 of the Development Management DPD 2015.
- (5) To ensure the appropriate protection of landscape features adjacent to the site in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.

Plans and documents:

Dwg. No.18/094/01 rev. B – Proposed Location Plan, received 24 September 2018

Dwg. No. CL-1030 rev. P4 – Red line Boundary, received 24 September

2018

Dwg. No. CL-5001 rev. P3 – Detailed Design Drainage Strategy, received 24 September 2018

Dwg. No. CL-4003 rev. P3 - Drainage Construction (sheet 3 of 3), received 24 September 2018

Dwg. No. CL-1025 rev. P3 received 24 September 2018

Foul Water Drainage Strategy received 17 September 2018

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) The applicant is advised that separate licence approval for these works will be required in addition to the planning permission.

The Committee adjourned at 12:52pm and reconvened at 1:30pm when all of the Members listed above were present for the remainder of the meeting.

40 APPLICATION NUMBER 20180491 – STREET FARM, THE STREET, OULTON

The Committee considered an application for a 2,200 tonne agricultural box potato store with open loading canopy and lean-to housing farm office, QC, welfare facility and general secure machinery store at Street Farm, The Street, Oulton. The proposed potato store would be constructed from a clear span steel portal frame and measure 36m x 24m, 8m in height to the eaves and 10.9m to the ridge. Olive green box profile steel sheeting, with 100mm of insulation was proposed for the walls and the roof would be clad with box profile sheeting as well as insulation and coloured grey. Some old agricultural storage buildings would be demolished but the existing grain store would be retained, together with an existing workshop and two silos. Vehicular access onto Oulton Street would be to the south of the proposed potato store, the existing main entrance to Street Farm and would be used for all tractors, trailers and goods vehicles moving crops to and from the site.

In presenting the application, the Area Planning Manager provided statistics on the pattern of vehicle movements once the store was operational, compared to the 2017/18 figures as contained in the applicant's Planning, Design and Access Statement. These identified that there would be no increase in the number of movements but a total of 84 HGV movements would be spread over the period Spring and early Summer resulting in less

intensive HGV movements over the Autumn months. In addition, he referred to an amended condition 6 and new conditions to be imposed relating to surface water drainage, ecological enhancements and soft landscaping details, should the application be approved.

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

The Committee received the verbal views of Paul Killingback of Oulton Parish Council; the occupier of The Old Post Office; 1 Hodges Row, The Street; Pasture Cottage (also representing Holly Tree Cottage) all objecting to the application and Sofia Harrold (representing the applicant) and Jeremy Nunn (the agent) at the meeting. Mr Riley spoke in opposition to the proposals.

The Committee noted the main area of concern was possible noise nuisance that the fans and external chiller units would cause to residents in the neighbouring properties, together with noise from HGVs. To address these concerns, the applicant had submitted a noise impact assessment and, furthermore, the Parish Council had also commissioned another acoustician's advice. The Committee took into consideration the comments of the Council's Environmental Health Officer (which had been produced in full in the committee report) who concluded that there was no compelling reason to object, together with the comments of the agent at the meeting, explaining in detail how the potatoes would be stored and cooled utilising the most efficient methods and noise attenuation measures.

The Head of Planning provided examples of the level of noise at various decibels and emphasised that the figure of 37dBs quoted by the EHO in his representations would apply to the measurement outside of a property. Members acknowledged that if any noise complaints were received, these would be dealt with through the statutory powers of the Environmental Protection Act 1990 if a noise nuisance was substantiated.

It was noted that objections had also been received due to the scheme's scale and appropriateness so close to the edge of the Blickling Conservation Area. However, the Council's Historic Environment Officer had subsequently withdrawn their objection on the basis that further information had been provided about the landscaping scheme, with indicative drawings showing additional planting and the retention of all existing trees and colouring the external doors in olive green to match the outer walls of the store. Members acknowledged that this could be secured through the imposition of appropriate conditions, as referred to by the Area Planning Manager. Therefore, it was considered that the appearance of the Conservation Area would be preserved, in accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and paragraph 16 of the NPPF.

In terms of highway movements, it was noted that the Highways Authority had not objected to the application.

In conclusion it was considered that the proposal would not result in any significant adverse impacts. The concerns of residents were noted but based on the evidence available, including the response of statutory consultees, it was considered reasonable to approve the application. Accordingly, it was

RESOLVED:

to approve application number 20180491 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 proposed on-site vehicle parking / servicing / loading, unloading / turning / waiting area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- (4) The building hereby approved shall be used for agricultural storage only unless otherwise agreed in writing with the Local Planning Authority.
- (5) The development hereby permitted shall be carried out in accordance with the recommendations in the Adrian James Acoustics Noise Impact Assessment, received by the Council on 15 August 2018.
- (6) Prior to the commencement of any work specifically in respect of the construction of the swale and 3 no. parking spaces hereby permitted, an Arboricultural Method Statement and a Tree Protection Plan, detailing the extent of the direct and indirect impacts of these development proposals on existing trees on or adjoining the site, this will include details of Root Protection Areas (RPAs), Construction Exclusion Zones (CEZs), and Tree Protection shall be submitted to and approved in writing by the Local Planning Authority.

All works shall be carried out as approved to the satisfaction of the Local Planning Authority and in accordance with the requirements of BS 5837:2012 "Trees in relation to design, demolition and construction - Recommendations".

- (7) Development shall not proceed above slab level until the submitted surface water drainage scheme by Frith : Blake Consulting Ltd. received 26 March 2018 has been implemented. Development shall then be carried out in accordance with the approved details and maintained thereafter in accordance with the approved drainage strategy.
- (8) Prior to the first use of the building hereby approved the ecological enhancements as set out in section 7.2 of the submitted Ecological report received 26 March 2018 shall be carried out to the satisfaction of the Local Planning Authority
- (9) Prior to development commencing, a lighting plan shall be submitted and approved in writing by the Council that shows all external lighting, including lux levels and means for preventing light spillage and sky glow.
- (10) Development shall not proceed above slab level until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall indicate:

- (a) the species, number, size and position of new trees and shrubs at the time of their planting
- (b) all existing trees and hedgerows on the land, with details of any to be retained (which shall include details of species and canopy spread, root protection areas as required at para 4.4.2.5 of BS5837: 2012), together with measures for their protection during the course of development
- (c) specification of materials for fences, walls and hard surfaces
- (d) details of any proposed alterations in existing ground levels and of the position of any proposed excavation or deposited materials
- (e) details of the location of all service trenches.

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 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) In the interests of highway safety in accordance with policies TS3 and TS4 of the Development Management DPD 2015.
- (4) To ensure the proper development of the site without prejudice to the amenities of the area, and in accordance with Policy GC4 of the Development Management DPD 2015.
- (5) To safeguard the amenities of the adjacent residential properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (6) To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interest of amenity in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (7) Safeguard the amenities of the adjacent residential properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (8) To ensure the proper development of the site without prejudice to the amenities of the area and in accordance with Policies GC4 and CSU5 of the Development Management DPD 2015.
- (9) To ensure that the development has no adverse effects on the presence of protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (10) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.

Informatives:

The applicant is advised that the previous use of the building and associated land may have involved potentially contaminated activities which have given rise to the presence of contamination. In view of this you are advised to consider commissioning a suitably qualified independent and experienced professional or company to undertake a site investigation and risk assessment to determine whether any remedial work is required to ensure that the site is suitable for the intended use. The responsibility for the safe development of the site, the disposal of any contaminated materials from the development of the site and ensuring that the site is suitable, or can be made suitable for the intended development, through the implementation of an appropriate remediation strategy, is the responsibility of the developer.

A leaflet explaining in more details what the council would expect to comply with this advice is available either from the Broadland District Council office or via the Broadland District Council website (www.broadland.gov.uk).

Notwithstanding the granting of planning permission, the applicant is advised that the nuisance provisions of the Environmental Protection Act 1990 continue to apply. In the event of future complaints of noise, the matter will be investigated and if a noise nuisance is substantiated, abatement measures will be required.

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.

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

41 APPLICATION NUMBER 20172208 – LAND ADJACENT TO MAHONEY GREEN, RACKHEATH

The Committee considered an outline application for the construction of 205 dwellings and associated works on land adjacent to Mahoney Green in Rackheath. All matters were reserved for later approval with the exception of the access which would be via Green Lane West. The application also included provision for the delivery of 4.12 hectares of informal public open

space on land to the west of the Broadland Northway which would be subject to landscape and ecological enhancements. An indicative masterplan had been submitted to demonstrate how the number of dwellings could be accommodated within the application site (5.34 hectares) and the remaining 2.76 hectares used for informal open space, sustainable drainage features and two children's play area. A total of 68 dwellings would be provided as affordable housing which equated to 33% and the applicant had submitted a viability assessment to demonstrate that the scheme was viable and this had been tested by the Council's independent advisor.

The application was reported to committee as it was contrary to the Development Plan and the officer recommendation was for approval.

The Committee noted an amendment to condition 21 and received a copy of the Council's independent viability appraisal, both as reported within the Supplementary Schedule.

In addition, the Committee received the verbal views of Richard Seamark of Carter Jonas (the agent) at the meeting.

The site was located within the Broadland Growth Triangle as defined in the Joint Core Strategy where a minimum of 7,000 dwellings were to be delivered by 2026 continuing to grow to around 10,000 dwellings eventually. A Growth Triangle Area Action Plan (GT AAP) had been produced and adopted in 2016 to enable and co-ordinate sustainable strategic development in the Broadland Growth Triangle. Members noted that the site was not allocated for development in the GT AAP nor was it within the settlement limit for Rackheath.

Policy GC2 of the DM DPD stated that planning permission should be granted unless material considerations indicated otherwise and Paragraph 11(d) 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 11 of the NPPF.

However, the Committee noted that, in June 2017, an updated Strategic Housing Market Assessment (SHMA), published for Central Norfolk. 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.

A further important consideration in the determination of this application was paragraph 177 of the NPPF which stated that “the presumption of favour of sustainable development does not apply where requiring appropriate assessment because of its potential impact on a habitat’s site is being planned or determined”. The Committee noted that the site was within 5km of the Broads Special Area of Conservation (SAC) and Broadland Special Protection Area (SPA) which were European sites and part of the Natura 2000 (N2K) network where there was the potential for recreational pressures resulting from the development to impact upon designated features. It was therefore the responsibility of the local planning authority to undertake a screening exercise to determine whether an Appropriate Assessment needed to be undertaken. Whilst the application proposed significantly more open space than was required under development plan policies, it had been determined that an AA was required on the basis that mitigation measures could no longer be taken into consideration. The AA had concluded that there was not likely to be any significant impact on the integrity of N2K sites from recreational pressure resulting from the development. Notwithstanding this, however, because an AA was required, the wording of paragraph 177 of the NPPF established that the presumption in favour of sustainable development in paragraph 11(d) and GC1 of the DM DPD did not apply to the proposed development. Therefore, the decision must be made in accordance with the development plan unless material considerations indicated otherwise. One such material consideration was the requirement in the NPPF to support the Government’s objective of significantly boosting the supply of homes and this was considered to be a material factor in favour of the development, taking into account the absence of a 5 year supply of housing.

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. Furthermore, the development would also generate CIL (25% of which would go to the parish council) and New Homes Bonus. It was therefore considered that the scheme would bring forward a level of economic benefit.

Social Role

The site was adjacent to the settlement limit for Rackheath, a designated Service Village with a wide variety of services including a village hall, formal and informal recreational facilities, strategic employment area, primary school, local shop, Public House etc. Furthermore, over the longer term, the allocation GT16 in the GT AAP for approximately 4,000 dwellings and 25 ha

of employment and supporting services was planned so as to expand the range of services and facilities locally available. Therefore, the site was considered to be in a sustainable location with good accessibility to existing and planned services and facilities in Rackheath.

The situation regarding primary school places in the medium term was noted and Members took into consideration the fact that a new school would be delivered as part of the North Rackheath development. Regarding delivery of primary healthcare and the concerns of the NHS, Members acknowledged that the responsibility for health care remained with the health providers and residents in new developments would contribute to the NHS funding through national taxes.

Overall, taking into account all of the above, it was considered that the site was sustainable with reference to the scale of development proposed.

It was noted that 68 of the dwellings would be for affordable housing, equating to 33% which was in accordance with the Council's adopted policy requirements. Notwithstanding the implications of the 2017 SHMA on the weight to give to housing as a material consideration, the Committee considered that this represented a social benefit of significant weight in the overall planning balance.

As the application was in outline, precise figures for the amount of green infrastructure and formal recreational space were not available. However, it was noted the application proposed to meet its requirement for green infrastructure and children's open space on the residential site and to commute its obligations not met on site (including allotments and sports provision) off site. The site would also provide pedestrian and cycle access to Newman Road Woods, owned by the District Council, and where work was being undertaken with the Parish Council to provide improved access for the public.

In addition, the application proposed to provide a 4.1ha area of public open space to the west of the Broadland Northway, which was above and beyond the policy requirements of Policy EN3. However, the Committee only gave modest weight to the benefits of this open space due to its distance from the application site, being disconnected from the proposed residential development and existing housing in the village due to the Broadland Northway. Nevertheless it was regarded as a social benefit in accordance with Policy 7 of the JCS and paragraph 96 of the NPPF.

Environmental Role

The Committee acknowledged that the proposed development would have an urbanising impact on the character and appearance of the site, given its current undeveloped and open nature. In particular, the residential development would be visible from Green Lane West and the Broadland

Northway with a noticeable change in the site's character and appearance to the detriment of the visual amenity of the immediate locality. Consideration to the impact of overlooking on the properties to the south of Trinity Close would be given at the reserved matters stage.

Whilst visible in the immediate locality, the site would be well screened from longer distance views by existing groups of trees, topography and existing buildings and therefore, it was considered that the proposed development would not have an adverse impact on the wider landscape. Members considered that the loss of some trees was regrettable and would result in some landscape harm but acknowledged that some mitigation could be provided in the form of replacement planting across the site.

In terms of access / highways, it was noted that given the scale of development, it would be typical to provide two main points of vehicular access. However, Members noted that the provision of two main points of access on this relatively short stretch of site frontage would require the removal of significantly more of the existing trees and result in four points of access (to separate developments) within very close proximity. It was noted that the Highway Authority had accepted a single point of access in this instance and a secondary emergency access onto Green Lane West subject to conditions. A number of off-site highway works would also be provided as required by the Highway Authority. Accordingly, it was considered that the application would not lead to conditions detrimental to highway safety or the satisfactory functioning of the local highway network.

It was noted that matters of scale and impact on residential amenity would be considered at the Reserved Matters stage.

In terms of all other matters raised, including noise, pollution and air quality; ecology and green infrastructure; drainage; archaeology and heritage, and airport safeguarding, it was noted these had either been addressed in the report or would be dealt with through the imposition of appropriate conditions.

In conclusion, it was considered that the proposal would not result in any significant adverse impact and would contribute towards the provision of housing in a sustainable location. On balance, it was considered that the benefits of the scheme outweighed the limited harm and there were material considerations which justified approval contrary to the development plan. Accordingly, it was

RESOLVED:

To delegate authority to the Head of Planning to approve application number 20172208 subject to the satisfactory completion of a Section 106 Agreement to secure the following Heads of Terms and subject to the following conditions:

Heads of Terms:

- (1) 33% Affordable housing (60:40 Affordable Rent: Intermediate) tenure split.
- (2) Delivery of open space on the residential site (or commuted sum) in accordance with RL1 and EN3 of DM DPD.
- (3) Delivery of 4.11 ha of public open space, landscape and ecological enhancements and management on open space site to west of Broadland Northway.

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 205 dwellings.
- (4) There shall be no residential development on the part of the application site to the west of the Broadland Northway.

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

Dwg No CSA_3075_102 Site Location Plan

Dwg No NR5011-006-C Proposed Site Access

- (6) Prior to commencement of development, in accordance with the submitted Flood Risk Assessment (Matrix: reference BE1385 - 31M – second issue, dated February 2018) detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
- I Surface water runoff rates will be attenuated to 25.2 l/s as agreed with Anglian Water.
 - II Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change flood event. Demonstration that if extra storage cannot be achieved other mitigation should be proposed, such as providing at least the storage for a subsequent storm 1 in 10 year (10% annual probability) rainfall event. Other freeboard allowances should also be considered.
 - III Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - IV Calculations provided for a 1 in 100 year critical rainfall event, plus climate change, to show, if any, the depth, volume and location of any above ground flooding from the drainage network, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.
 - V Plans showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period need to be provided. Finished floor levels should be not less that 300mm above any sources of flooding and not less that 150mm above surrounding ground levels.

VI A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. This will also include the ordinary watercourse and any structures such as culverts within the development boundary.

- (7) Concurrently with the submission of reserved matters, an Arboricultural Impact Assessment to comply with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations Section 5.4 detailing the extent of the direct and indirect impacts of the development proposals on existing trees on or adjoining the site, this will include details of Root Protection Areas (RPAs), Construction Exclusion Zones (CEZs), and Tree Protection shall be submitted to and approved by the Local Planning Authority.

Additionally, an Arboricultural Method Statement shall be similarly submitted and approved prior to the commencement of any work on the site. This will specify the methodology for the implementation of any aspect of the development that has the potential to result in loss of or damage to any retained tree on or adjacent to the site.

All works shall be carried out as approved to the satisfaction of the Local Planning Authority and in accordance with the requirements of BS 5837:2012 “Trees in relation to design, demolition and construction – Recommendations”.

- (8) Concurrently with the submission of reserved matters full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- proposed finished levels or contours;
- means of enclosure;
- other vehicles and pedestrian access and circulation areas;
- hard surfacing materials;
- structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines etc indicating manholes, supports etc);

- retained historical landscape features and proposals for restoration, where relevant.

Soft landscaping works shall include:

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

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

- (9) Concurrently with the submission of reserved matters a noise report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how internal amenity in residential dwellings meets the criteria of BS8233:1999, Sound Insulation and noise reduction for Buildings – Code of Practice. The development shall be constructed in accordance with the approved details.
- (10) (A) Prior to the commencement of development an archaeological written scheme of investigation shall be 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; (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 / organisation 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 condition (A).

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 condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- (11) Prior to the commencement of the development hereby approved the following will be submitted to and approved in writing by the Local Planning Authority:

A Materials Management Plan – Minerals (MMP–M) which will consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site. The MMP–M will refer to the findings of the Site Investigation Report with particular reference to the Particle Size Distribution testing and the assessment of the results.

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

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

The development shall then be carried out in accordance with the approved MMP–M.

The developer shall provide an annual return of these amounts to the Local Planning Authority, or upon request of either the Local Planning Authority.

- (12) Prior to the commencement of development (including demolition ground works, vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and

approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce ecological impacts during construction;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details, unless agreed in writing by the local planning authority.

- (13) No works above slab level shall commence until a landscape ecological management plan (LEMP) shall be submitted to, and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following.

- (a) Description and evaluation of features to be managed
- (b) Ecological constraints on site that might influence management
- (c) Aims and objectives of management
- (d) Appropriate management options for achieving aims and objectives
- (e) Prescriptions for management actions
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)

- (g) Details of the body or organisation responsible for implementation of the plan
- (h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and / or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

- (14) Prior to the commencement of development, a Bird Risk Assessment and Bird Hazard Management Plan in respect of aviation safety shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.
- (15) Prior to the commencement of development, a site investigation into the nature and extent of possible contamination in the area of land shown green on drawing 001a/Rev 0 (contained in Appendix 12 of the amended Phase 1 and 2 desk study and site investigation report dated 16 February 2018) shall be carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation with associated risk assessment and interpretation shall be supplied to the local planning authority for approval before any development begins. If any contamination is found that requires remediation during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before commencement of the remediation of the site. The site shall be remediated in accordance with the approved measures and a post remediation validation report produced and submitted to the local planning authority to demonstrate the successful remediation of the site.

If, during the course of development of the site as a whole, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The additional remediation of the site shall be carried out in accordance with approved additional measures.

- (16) Concurrently with the submission of the reserved matters for any residential development, an assessment of the air quality impacts of the adjacent highways and the impacts of construction operations on the adjacent and proposed residential areas will be submitted the Local Planning Authority for approval.

The assessment should:

Identify if the air quality within the development will be impacted by the adjacent highways, alterations to traffic on Green Lane West as a result of this development and the impact on air quality to adjacent properties from the construction activities permitted by this permission by means of a preliminary study and risk assessment.

If required, based on the results of the above preliminary study and risk assessment, appropriate air quality modelling of the potential risk and area impacted must be undertaken and submitted to the Local Planning Authority. The results of the modelling and assessment must be fully interpreted and be able to determine whether the areas stated above are at risk of poor air quality that could result in the Local Authority being required to declare an Air Quality Management Area.

If the above modelling and risk assessment identifies a potential risk of poor air quality the developer must submit details of mitigation measures proposed for the area impacted in order for the properties to be able to be occupied by residents without causing unacceptable impacts on residential amenity.

All stages must be referred to the Local Planning Authority for consideration and written approval in advance of the commencement of development within that phase.

All works must be undertaken in accordance with accepted good practice.

- (17) Prior to the commencement of development detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- (18) Prior to the occupation of an dwelling the road(s) / footway(s) / cycleway(s) shall be constructed to binder course surfacing level from the dwelling unit to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.

- (19) Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4m x 59m shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225m above the level of the adjacent highway carriageway.
- (20) Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the highway improvement works as indicated on Drawing № NR5011-008-D 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.

- (21) No works shall commence on the site until the Traffic Regulation Order for the extension of the 30 mph speed limit on Green Lane West across the whole of the site frontage has been promoted by the Local Highway Authority.
- (22) Prior to development 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. 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.

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) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with Policies GC4, EN1 and EN2 of the Development Management DPD 2015.
- (5) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with Policy GC4 and TS3 of the Development Management DPD 2015.
- (6) To ensure the satisfactory development of the site in accordance with Policy CSU5 of the Development Management DPD 2015. The details are required pre-commencement as the drainage scheme relates to the construction of the development.
- (7) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015. The details are required pre-commencement as the details relate to the construction of the development.
- (8) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015. The details are required pre-commencement as the details relate to the landscaping of the site which is a reserved matter.
- (9) To ensure residents of the site have an acceptable level of amenity in accordance with Policies GC4 and EN4 of the Development Management DPD 2015. The details are required pre-commencement as the details may relate to the location and construction of dwellings.
- (10) To ensure the satisfactory development of the site in accordance with Policy 1 of the Joint Core Strategy 2011/2014. The details are required pre-commencement as construction activity may harm any buried archaeological remains.
- (11) To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026. The details are required pre-commencement as the details relate to below ground resources which may be impacted by construction activity.
- (12) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015 and GT2 of the Growth Triangle AAP 2016. The details are required pre-commencement as the details relate to the construction of the development.

- (13) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015 and GT2 of the Growth Triangle AAP 2016.
- (14) To ensure that the development does not result in any significant impact on aviation safety in accordance with TS6 of the Development Management DPD 2015. The details are required prior to commencement as the details may impact upon the layout and landscaping of the site.
- (15) To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EN4 of the Development Management DPD 2015. The details are required pre-commencement as the details may relate to construction activities and the need to avoid unacceptable risk to construction workers.
- (16) To ensure an acceptable level of amenity in accordance with Policies GC4 and EN4 of the Development Management DPD 2015. The details are required pre-commencement as the details may relate to the construction of dwellings and infrastructure.
- (17) 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. This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.
- (18) To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway in accordance with Policy GC4 of the Development Management DPD 2015.
- (19) To ensure satisfactory development of the site in accordance with Policy GC4 and TS3 of the Development Management DPD 2015.
- (20) 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 Policies GC4 and TS3 of the Development Management DPD 2015.

- (21) In the interests of highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD 2015. This needs to be a pre-commencement condition to ensure it is resolved in a timely manner in advance of the development being occupied.
- (22) In the interests of maintaining highway efficiency and safety in accordance with Policies GC4 and TS3 of the Development Management DPD 2015. The details are required pre-commencement as the details relate to construction activity.

Informatives:

- (1) 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 developer's 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.
- (2) 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 applicants and the County Council. Please note that it is the applicants' 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.

- (3) If the construction phases of the development require the use of mobile or tower cranes, they should be operated in accordance with British Standard 7121 and CAP 1096, and the Airport should be notified of plans to erect these cranes at least 21 days in advance.

The notification should include:

- OSGB grid coordinates of the crane's proposed position to 6 figures each of Eastings and Northings,
 - the proposed height of the crane Above Ordnance Datum (AOD),
 - the anticipated duration of the cranes existence, and
 - contact telephone numbers of the crane operator and the site owner for use in an emergency.
- (4) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (5) 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 and the website www.cncbuildingcontrol.gov.uk
- (6) The applicants need 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) 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.

42 APPLICATION NUMBER 20180950 – 24 CROMER ROAD, HELLESDON

The Committee considered an outline application for the construction of two, two storey houses on land in the car park of the former Co-op on Cromer Road in Hellesdon. All matters, except for access, were reserved for later determination. An indicative layout suggested two properties distributed in a terrace onto Mayfield Avenue with off-road parking for two vehicles per dwelling.

In presenting the application, the Area Planning Manager referred to two additional informatives which would need to be added, should the application be approved, relating to the variation of the approved car park / servicing layout at the retail unit in respect of pp 20140700 and liability for CIL.

The application was reported to committee at the request of Mr Adams and Mr Grady for the reasons given in paragraphs 5.1 and 5.2 of the report.

The site was located within the settlement limit where the principle of development was considered to be acceptable, subject to other considerations.

In terms of highway considerations, it was noted that the Highway Authority had no objections to the proposals, subject to the inclusion of conditions. Members noted that delivery vehicles for the commercial premises would continue to be able to access and egress the site in a forward gear and a total of 15 car parking spaces would be retained.

The Committee considered that the scheme would not appear as an incongruous addition to the street scene and whilst the prevailing character for Everseley Road was for larger, detached properties, a pair of semi-detached dwellings would not be incongruous to the character of Hellesdon. Members noted the degree of separation between existing and the proposed dwellings, together with the position and types of windows on existing dwellings and it was concluded that the level of potential overlooking and the effect on the street scene would be acceptable.

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

RESOLVED:

To approve application number 20180950 subject to the following conditions:

- (1) Application for approval of ALL “reserved matters” must be made to the Local Planning Authority not later than the expiration of TWO years beginning with the date of this decision.
- (2) 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.

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 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) Prior to the first occupation of the development hereby permitted the vehicular access crossing over the footway / verge shall be provided and thereafter retained at the position as shown on the approved plan in accordance with the highways specification (TRAD 3) attached. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the Highway.
- (5) Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking areas shall be laid out and demarcated in accordance with the approved plan and retained thereafter available for that specific use.
- (6) Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate:
 - i) the species, number, size and position of new trees and shrubs at the time of their planting
 - ii) specification of materials for fences, walls and hard surfaces,

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) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (4) To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.
- (5) To ensure the permanent availability of the parking / manoeuvring areas, in the interests of satisfactory development and highway safety.
- (6) To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features in accordance with Policies GC4, EN2 and EN3 of the Development Management DPD (2015).

Informatives:

- (1) 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 work within the Public Highway, which involves a Public Right of Way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that in addition to planning permission any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group. Please contact Stephen Coleman on 01603 430596.

If required, street furniture will need to be repositioned at the applicant's 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 accrued out at the expense of the developer.

- (2) The applicant is advised that the previous use of the building and associated land may have involved potentially contaminated activities which have given rise to the presence of contamination. In view of this you are advised to consider commissioning a suitably qualified independent and experienced professional or company to undertake a site investigation and risk assessment to determine whether any remedial work is required to ensure that the site is suitable for the intended use. The responsibility for the safe development of the site, the disposal of any contaminated materials from the development of the site and ensuring that the site is suitable, or can be made suitable for the intended development, through the implementation of an appropriate remediation strategy, is the responsibility of the developer.

A leaflet explaining in more details what the council would expect to comply with this advice is available either from the Broadland District Council office or via the Broadland District Council website (www.broadland.gov.uk)

- (3) 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 and a liability notice will be issued. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (4) Additional informative 2 – The applicant is advised that as a result of this planning permission, the layout for the car park and servicing area serving the retail store and residential unit approved as part planning permission reference 20140700 will need to be varied as illustrated on the revised block plan [drawing no. 4697-PL1A. This will require the submission of a S73 Application seeking to vary the car parking and service area layout for the retail store and residential unit as originally approved.

The meeting closed at 3.50pm