

Minutes of a meeting of the **Planning Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 31 January 2018** at **9.30am** when there were present:

Mr I N Moncur – Chairman

Mr A D Adams
Mr P H Carrick
Mr G Everett
Mr R R Foulger

Mrs L H Hemsall
Mr R J Knowles
Miss S Lawn

Mr K G Leggett
Mr A M Mallett
Mrs B H Rix

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

Mr O'Neill - Minute no: 88 (land at Dawsons Lane, Blofield)

Mr Proctor- Minute no: 85 (land south of Broadland Gate, Postwick)

Also in attendance were the Head of Planning, Planning Projects & Landscape Manager (Minute nos: 82-85), Area Planning Managers and the Senior Committee Officer.

82 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mr Everett	86 (land off Drayton High Road, Drayton)	Had chaired Drayton Parish Council meetings and declared his view on the application. Therefore, spoke as the Parish Council representative only and did not vote on the application.
	70 (land adj to 2 Hurn Road, Drayton)	Had not participated at the Drayton Parish Council meeting when the application had been considered. Therefore retained the right to speak and vote on the application.
Mr Foulger reminded the Committee that he was the Portfolio Holder for Communities & Housing.		

83 APOLOGIES FOR ABSENCE

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

84 MINUTES

The Minutes of the meeting held on 29 November 2017 were confirmed as a correct record and signed by the Chairman.

85 APPLICATION NUMBER 20170095 – LAND SOUTH OF BROADLAND GATE, ADJACENT TO POSTWICK INTERCHANGE, POSTWICK

The Committee considered an application for a petrol filling station, two drive-through restaurants and a 24 space HGV parking area together with various infrastructure and landscaping works on land south of Broadland Gate adjacent to Postwick Interchange, Postwick. Thirty-three car parking spaces would be provided to serve the petrol filling station, which would also include an ancillary retail shop element and a small food-to-go counter. Vehicular access to the site would be from an existing point off the A1042 from the south, via a recently constructed roundabout.

The application was reported to committee (1) at the request of Mr Proctor and (2) as it was contrary to policies in the Development Management DPD.

The Committee received the further comments of Mr Eley of 18 Church Road, Postwick, together with the officer's response, both as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Alan Woods, Chairman of Postwick Parish Council, Nick Walters of Anglian Water and Andrew Cawdron of 8 The Boulevard, Thorpe End, all objecting to the application and Emily Robinson of PWA Planning (agent), Marcus Bell of EPS Strategies and Antonio Caparelli ((both representing the applicant) in support. Mr Proctor, one of the Ward Members, expressed his concerns on the application.

The application site was located within the Norwich Policy Area but outside of a defined settlement limit. As the proposal did not accord with a specific allocation and / or policy of the development plan, it was therefore contrary to policy.

The Committee noted that the site was within close proximity to a public water supply groundwater abstraction and also an EU Water Framework Directive Drinking Water Protected Area. Therefore, the environmental sensitivity at the site was considered to be very high. The application proposed below ground fuel tanks for the petrol filling station and it was acknowledged that the Environment Agency (EA) was not objecting to the application (having previously objected) following amended reports, tests and assessments being undertaken and the imposition of certain conditions. However, Members were cognisant of the objection from Anglian Water and, in particular, the fact that it maintained its objection, despite having detailed discussions with the applicants and their agents. Notwithstanding that the EA was the statutory

consultee on this application, Members took the view that greater weight should be given to the views of Anglian Water.

The applicant's representative presented detailed information on the composition and design of the storage tanks, together with the systems which would come into effect if a leak occurred. He stressed that any leaks would be detected very early on and contained within either the first or, if necessary, the second of the two skins within each tank, thereby preventing any leak into the drinking water system.

Notwithstanding the assurances given the applicant's representatives, Members remained of the view that the concerns of Anglian Water should be addressed before considering granting planning permission and therefore, until such time as these matters were resolved to the satisfaction of Anglian Water, the application was contrary to paragraph 120 of the NPPF and Policy ENV3 of the DM DPD.

In conclusion it was considered that the development was contrary to the development plan and insufficient information had been provided to demonstrate there would be no pollution into the drinking water should the underground petrol storage leak. Therefore, contrary to the officer recommendation, it was

RESOLVED:

to refuse application number 20170095 for the following reasons (summary):

The development is contrary to the provisions of the development plan and insufficient information has been provided to demonstrate that there will be no pollution into the drinking water should the underground petrol storage leak.

The Committee adjourned at 11.10am and reconvened at 11.25am when all of the Members listed above were present.

86 APPLICATION NUMBER 20170212 – LAND OF DRAYTON HIGH ROAD, DRAYTON

The Committee considered a full application for the erection of 71 dwellings with garages, open space, vehicular access and ancillary works on land off Drayton High Road in Drayton. The proposed vehicular access would be created from Drayton High Road to the north east corner of the site in the position of the current bus layby. The bus stop would be relocated approximately 50m to the east in a position where the footpath was to be widened. There would also be cycle and footpath access from the site linked to the existing footpaths on Fairview Close and to Lodge Breck. In addition to

the housing elements, the site layout included the retention of a 15m wide tree belt along the southern boundary to accommodate a green infrastructure pathway providing a footpath link from the site to the land beyond to the south east. There would also be three separate areas of public open space within the development. Of the 71 houses, 23 would be for affordable housing of various types and tenures.

The application was reported to committee (1) at the request of Mr Foulger, the Ward Member and (2) as it was contrary to the development plan.

The Committee received the response from the District Council's Contracts Officer; a correction to the year in paragraph 9.6 of the report; a request from the applicant regarding the "triggers" for conditions 4, 14 and 20 to be amended, together with the officer's response, all as reported in the Supplementary Schedule. It was noted that, as the submitted details did not meet the requirements of the Contracts Officer and further negotiation was required, the recommendation would need to be amended accordingly. In addition, the Committee received the verbal view of Mr Everett, Chairman of Drayton Parish Council, David Clarke of 58A Drayton High Road and Christopher Mitchell of 76 Drayton High Road, objecting to the application and Simon Wheatman (the agent) in support.

The Committee concurred with the suggested amendments to conditions (4), (14) and (20).

The site was outside of any defined settlement limit and had not been allocated for development. Therefore, the proposal conflicted with Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD. However, the site was within the Norwich Policy Area and the JCS stated that approximately 33,000 new homes would be built by 2026 within the NPA. Members were reminded that there was not currently a five year housing land supply (current figure was 4.7 years). Accordingly, the relevant local policies for the supply of housing could not be considered up to date and applications for housing should be considered in the context of the presumption in favour of sustainable development, as prescribed by Paragraph 49 of the NPPF. Therefore, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies as a whole.

It was noted that Drayton had a good level of services / facilities including a doctors' surgery, dentist, infant school, junior school, Post Office, two pharmacies, various food / retail outlets, supermarket, two Public Houses, restaurants, village hall, sports centre and a regular bus service to and from Norwich. Therefore, having regard to the deficit in the supply of land for housing within the NPA and the fact that Drayton was considered to be a sustainable location for new residential development of the scale proposed, it was considered that the principle of development was acceptable, subject to other considerations.

The proposal was also assessed against the Drayton Neighbourhood Plan and it was considered that the proposals met objectives, 1, 2, 4 and 6 and the relevant policies with the exception of Policy 1E as it did not directly alleviate traffic congestion in the village centre. However, the site was not located close enough to directly address this.

Notwithstanding the concerns of the Parish Council and local residents, it was noted that the Highway Authority was not objecting to the proposals, in their revised form, subject to the imposition of a series of conditions. The Committee concluded that the highway proposals were acceptable and met the requirements of Policy 6 of the JCS and Policies TS3 and TS4 of the DM DPD.

The Committee acknowledged the difference in levels between the site and neighbouring properties, which were set approximately 2.5-2.8m lower and the fact that the distances to rear boundaries reduced as the neighbouring property numbers increased. It was proposed to erect a 2.4m fence along the length of the neighbour's boundary along Drayton High Road and at no: 19 Fairview Close. In response to neighbour objections about the loss of privacy and the impact of the proposed dwellings on their properties at 58a-80 Drayton High Road and nos: 19-20 Fairview Close, the applicant had amended the scheme insofar as the proposed houses / garages on the boundary with no: 78 and the rear of nos: 64-66 were concerned. It was noted that the submitted revised drawings indicated that, with a 2.4m high boundary fence, it would not be possible to look into the ground floor windows or the rear gardens of the neighbouring properties from the garden areas or either the ground or first floor windows of the proposed houses. However, mutual overlooking from respective first floor windows would be possible but, given the distances involved, it was considered that the revised proposals paid adequate regard to the amenities of the existing properties on Drayton High Road to the north of the site.

As the site was currently an undeveloped grass field use to graze livestock, its development would inevitably change the character and appearance of the area. Consideration was also given to longer distance views of the site, together with the impact on the visual amenities of the Wensum Valley to the south. On balance it was considered that the proposals would not have a significant detrimental impact on the character and appearance of the area.

In respect of flood risk and drainage, the Committee noted that a revised Flood Risk Assessment with a drainage strategy had been submitted and the Lead Local Flood Authority were no longer objecting to the application, subject to the imposition of a condition requiring more detailed analysis of the proposals to prevent the risk of flooding. Therefore, whilst acknowledging both the Parish Council's and residents' concerns, the Committee concluded that the proposals complied with Policy CSU5 of the DM DPD and the relevant parts of the NPPF.

Regarding the provision of affordable housing, Members noted that the provision of 23 units equated to 32.4%. Therefore, coupled with the tenure mix and dwelling sizes proposed, it was considered that the policy requirement had been met and the proposals were acceptable.

In terms of the provision of formal recreation space, it was noted that the applicant was proposing to meet the requirements through a commuted sum, as opposed to providing on-site. The requirements of Policy EN3 of the DM DPD required the provision of informal open space and this would be met through the on-site provision of three areas of public open space and a publicly accessible path through the tree belt which would ultimately connect to the neighbouring site as part of a wider strategy to link Drayton with the open space at the David Rice site. A commuted payment for the maintenance of the pathway would be secured through the S106 Agreement. The requirement for allotments would be met through the payment of a commuted sum.

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

In conclusion it was considered that the development would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole and that the development was sustainable, thereby resulting in an acceptable form of development. Accordingly, it was

RESOLVED:

to delegate authority to the Head of Planning to approve application number 20170212 subject to: no adverse comments in respect of the outstanding issue; the satisfactory completion of a S106 Agreement with the following Heads of Terms and subject to the following conditions:

Heads of Terms:

- Affordable housing as proposed with a tenure split of 12 units of ART: 11 units of intermediate tenure as per the approved plans and details.
- Payment of a commuted sum for the provision and maintenance of a development plan compliant provision of off-site open space, formal recreation, allotments and on-site provision and maintenance of the green infrastructure proposal.

Conditions:

- (1) The development to which this permission relates must be begun not later than **TWO** 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 samples of bricks and roof tiles) 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) Development shall not proceed beyond the formation of the 10th floor slab until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.
- (5) No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the approved specifications of the Local Planning Authority in consultation with the Highway Authority.
- (6) Before any dwelling is first occupied the roads and footways shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (7) Prior to the first occupation of the development hereby permitted visibility splays onto Drayton High Road shall be provided in full accordance with the details indicated on the approved plan, drawing NHDN1/10-01-RevE. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- (8) Prior to the commencement of any works on-site a Construction Traffic Management Plan to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority in consultation with Norfolk County Council Highway Authority.

- (9) For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan unless otherwise approved in writing with the Local Planning Authority in consultation with the Highway Authority.
- (10) Notwithstanding the details indicated on the submitted drawings no works shall commence on-site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawings numbered 1304/HWY/046 & 1304/HWY/043-RevF have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (11) Prior to the commencement of the works on-site, the off-site highway improvement works referred to in condition 10 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- (12) Notwithstanding the details indicated on the submitted drawings no works shall commence on-site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawings numbered 1304/HWY/044B have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (13) Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 12 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- (14) Development shall not proceed beyond the formation of the 10th floor slab until such time as, in accordance with the submitted Flood Risk Assessment and drainage strategy 1304/NMT/FRA/08-17 and drawings 1304/DRA/301B Proposed drainage strategy and 1304/DRA/016 Surface water impermeable area plan; detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed in writing 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) The scheme will maximise the use of infiltration through the provision of soakaways and permeable paving as shown on drawing no. 1304/DRA/016. The residual areas of the site requiring discharge via a positive connection will be attenuated to discharge at a maximum rate of 3.9 l/s in all return periods (up to and including 1:100 plus climate change) as stated within section 1.14 of the FRA and Drainage Strategy.

- (ii) The surface water attenuation storage and soakaways will be 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. The positive system will have a minimum storage volume of 650m³ in accordance with Appendix I of the submitted FRA and Drainage Strategy. The soakaways will be designed using the worst infiltration rates (as per sections 1.7 and 1.8 of the amended FRA and Drainage Strategy).
- (iii) Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.

This will include separate calculations for each of the individual soakaway features.

- (iv) In accordance with the drainage hierarchy, the positive elements of the drainage system will outfall to the adjacent watercourse as outlined in section 1.12 of the FRA and Drainage Strategy.
- (v) Plans to be submitted showing the routes for the management of exceedance surface water flow rates that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period as outlined in section 1.18 and 1.19 of the FRA and Drainage Strategy.
- (vi) Finished ground floor levels of properties are a minimum of 300mm above expected levels of all sources of flooding.
- (vii) Details of how all surface water management features are to be designed in accordance with The SuDs Manual (CIRIA C697, 2007), or the updated SuDs Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

- (viii) A maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development based on the information provided in section 1.20, 1.21, 1.22, 1.23 and Appendix J of the FRA and Drainage Strategy.
- (15) Prior to the commencement of development the tree management work recommended in the submitted Arboricultural Impact Assessment (AIA), Tree Protection Plan and the Arboricultural Method Statement dated February 2017 shall be carried out to the satisfaction of and in consultation with the Broadland District Council Conservation (Arboricultural) Officer and in accordance with the requirements of BS 3998:2010 and BS 5837:2012 "Trees in relation to design, demolition and construction – Recommendations".
- (16) Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall indicate:

- (a) The species, number, size and position of new trees and shrubs at the time of their planting.
- (b) All existing trees and hedgerows on the land, with details of any to be retained (which shall include details of species and canopy spread, root protection areas as required at para 4.4.2.5 of BS5837: 2012), together with measures for their protection during the course of development.
- (c) Specification of materials for fences, walls and hard surfaces.
- (d) Details of 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.

- (17) Prior to the commencement of the development hereby approved the following will be submitted to and approved in writing by the Local Planning Authority in consultation with the Mineral Planning Authority:
- A A Mineral Resource Assessment will be carried out to inform a Materials Management Plan-Minerals (MMP-M). The Mineral Resource Assessment will include a written methodology for an intrusive site investigation, including particle size distribution testing to determine if the site contains a viable mineral resource for prior extraction. Assessment of the results of the particle size distribution testing should refer to material class types in Table 6/1 of the Manual of Contract Documents for Highway Works: vol. 1: Specification for Highway Works Series 600, in order to identify potential suitability for use in the construction phases.
 - B The MMP-M will consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through intrusive site investigations, testing and assessment. The MMP-M should outline the amount of material which could be re-used 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 and the developer shall provide an annual return of these amounts to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or Mineral Planning Authority.

- (18) Prior to the first occupation of the housing plots adjacent to the existing properties on Fairview Close and Drayton High Road the new 2.4m high boundary fence shall be installed in the positions shown on the approved plan and shall be retained in perpetuity.
- (19) Prior to the first occupation of the development hereby approved full details of the positions of two fire hydrants for the purposes of firefighting on-site shall be submitted to and approved in writing by the Local Planning Authority in consultation with Norfolk County Council. The hydrants shall be installed as approved.

- (20) Development shall not proceed beyond the formation of the 10th floor slab until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved foul water strategy unless otherwise approved in writing by the Local Planning Authority.
- (21) Development shall not proceed beyond the formation of the 10th floor slab until such time as an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority in order that biodiversity is protected during the construction phase of the proposed development and measures are incorporated into the proposals which accord with the recommendations section of the submitted Phase 1 Habitat survey dated August 2016 and the Reptile survey dated October 2016 and ensure the retention of the southern boundary tree belt with measures to ensure that bats continue to use the site for feeding and include a sensitive lighting plan. The development shall then be undertaken in accordance with the approved EMP.
- (22) Prior to the commencement of development details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority. The details as approved shall be completed prior to the first occupation of any of the dwellings hereby permitted and thereafter shall be maintained.

Reasons:

- (1) The period for the commencement of the development has been reduced to bring forward the delivery of housing in a sustainable location where the relevant planning policies for the supply of housing are not considered to be up to date, in accordance with the requirements of paragraph 49 of the National Planning Policy Framework
- (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 ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy TS3 of the Development Management DPD 2015.

- (5) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy TS3 of the Development Management DPD 2015.
- (6) To ensure the satisfactory development of the site in accordance with Policy TS3 of the Development Management DPD 2015.
- (7) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (8) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (9) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (10) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD 2015.
- (11) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy TS3 of the Development Management DPD 2015.
- (12) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD 2015.
- (13) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy TS3 of the Development Management DPD 2015.
- (14) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (15) 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.

- (16) In the interest of maintaining the amenity value of the area in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (17) 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.
- (18) To safeguard the residential amenities of neighbours in accordance with Policy GC4 of the Development Management DPD 2015.
- (19) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (20) To prevent environmental and amenity problems arising from flooding.
- (21) To ensure that the development has no adverse effects on the biodiversity and habitats on site and the presence of protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (22) To ensure the satisfactory development of the site in accordance with Policy 3 of the Joint Core Strategy and Policies GC4 and GC5 of the Development Management DPD 2015.

Plans and documents:

NHDN1/GEN-013 Rev. TBC – Site location plan received TBC
NHDN1-10-01 Rev. E - Proposed layout received 29 November 2017
16.12.01 PL01 Rev. A - Elevations & floor plans Plots 1 & 40 received 30 October 2017
16.12.01 PL02 Rev. A - Elevations & floor plans Plots 2, 10, 21, 44 & 71 received 30 October 2017
16.12.01 PL03 Rev. B - Elevations & floor plans Plots 3 & 4 received 21 November 2017
16.12.01 PL04 Rev. A - Elevations & floor plans Plots 5 & 11 received 21 November 2017
16.12.01 PL05 Elevations & floor plans Plots 6 & 7 received 30 October 2017
16.12.01 PL06 Rev. B - Elevations & floor plans Plots 8, 20, 52 & 53 received 30 October 2017
16.12.01 PL08 Rev. B - Elevations & floor plans Plots 12 – 16 received 21 November 2017
16.12.01 PL09 Rev. B - Elevations & floor plans Plots 17 – 19 received 21 November 2017
16.12.01 PL11 Rev. A - Elevations & floor plans Plots 23 & 45 received 30 October 2017

16.12.01 PL12 Rev. C - Elevations & floor plans Plots 24, 25, 26 & 27 received 21 November 2017
16.12.01 PL14 Rev. D - Elevations & floor plans Plots 29, 30, 31 & 32 received 29 November 2017
16.12.01 PL15 Rev. B - Elevations & floor plans Plots 33 – 35 received 21 November 2017
16.12.01 PL16 Rev. A - Elevations & floor plans Plot 36 received 30 October 2017
16.12.01 PL17 Rev. C - Elevations & floor plans Plots 37 – 39 received 21 November 2017
16.12.01 PL18 Rev. C - Elevations & floor plans Plot 41 received 21 November 2017
16.12.01 PL19 Rev. B - Elevations & floor plans Plots 42, 48 & 70 received 21 November 2017
16.12.01 PL20 Rev. B - Elevations & floor plans Plot 43 received 21 November 2017
16.12.01 PL21 Rev. A - Elevations & floor plans Plots 46 – 47 received 30 October 2017
16.12.01 PL22 Rev. B - Elevations & floor plans Plots 49 & 54 received 21 November 2017
16.12.01 PL23 Rev. C - Elevations & floor plans Plot 50 received 21 November 2017
16.12.01 PL24 Rev. A - Elevations & floor plans Plot 55 received 30 October 2017
16.12.01 PL25 Rev. B - Elevations & floor plans Plots 56 – 59 received 21 November 2017
16.12.01 PL26 Rev. B - Elevations & floor plans Plots 60 – 62 received 21 November 2017
16.12.01 PL27 Rev. A - Elevations & floor plans Plot 63 received 30 October 2017
16.12.01 PL28 Rev. B - Elevations & floor plans Plots 64 – 68 received 21 November 2017
16.12.01 PL29 Rev. A - Elevations & floor plans Plot 69 received 30 October 2017
16.12.01 PL30 Rev. B - Elevations & floor plans Plots 9, 22, 28 & 51 received 30 October 2017
16.12.01 PL31 Rev. B – Elevations of garages sheet 1 received 30 October 2017
16.12.01 PL32 Rev. B – Elevations of garages sheet 2 received 30 October 2017
16.12.01 PL33 Rev. B – Elevations of garages sheet 3 received 30 October 2017
1304/SEC/001 Rev. D – Cross sections with location plan received 29 November 2017
1304/SEC/002 Rev. C – Proposed cross sections received 29 November 2017
1304/HWY/043 Rev. F – Access visibility with re-aligned Drayton High Road received 29 November 2017
1304/HWY/046 – Re-location of pedestrian refuge plan received 29

November 2017

1304/HWY/051 Rev. TBC – Refuse plan received TBC

1304/HWY/052 Rev. B – Site access plan received 30 October 2017

1304/ENG/20-01 Rev. B – Drainage and proposed level plan received 08

November 2017

1304/ENG/20-02 Rev. B – Drainage and proposed level plan received 08

November 2017

JBA16/156-SK01 Rev. A – Landscape street view entrance received 30

October 2017

JBA16/156-SK02 Rev. A – Landscape street view cross section received 30

October 2017

JBA16/156-04 Rev. C – Open space landscaping plan received 30 October 2017

NHDN1-EF-01 Rev. D – External finishes plan received 8 November 2017

NHDN1-GEN-011 Rev. C – Affordable housing plan received 30 October 2017

1304/HWY/044-PL-2 Rev. B – Works to pedestrian crossing Fakenham Road/Taverham Road junction received 15 November 2017

Arboricultural Implications Assessment & Preliminary Method Statement received 8 February 2017

Revised Tree Shade Analysis/Revised Plan received 12 December 2017

Revised Flood Risk Assessment & drainage strategy received 30 October 2017

Phase 1 Habitat Survey received 8 February 2017

Reptile Survey received 8 February 2017

Informatives:

- (1) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (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 applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

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

- (3) 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 aspects within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- (4) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (5) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. A separate CIL Liability Notice has been issued with the decision notice. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp

87 APPLICATION NUMBER 20171782 – TAVERHAM GARDEN CENTRE, FIR COVERT ROAD, TAVERHAM

The Committee considered a hybrid application for (1) full planning permission for the construction of a supermarket (Class A1) together with associated access, car parking and landscaping and (2) outline planning permission for the erection of a Class A1 retail unit; a Class A3/A4 public house / restaurant; Class A3 / A5 fast food restaurant and a Class A1 / A3 / B1 lifestyle leisure unit at Taverham Garden Centre, Fir Covert Road, Taverham. The supermarket, to be constructed and occupied by Lidl, would be 2,206m² and provide 129 car parking space along with 32 spaces for cycle parking. The access would be off Fir Covert Road in the form of a T-junction as well as utilising an existing access point which currently served Taverham Garden Centre. Other highways works included junction improvements with the installation of traffic signals at the junction of Beech Avenue, Fakenham Road and Fir Covert Road, with toucan crossings and the widening of footways. With the outline element of the application, all matters other than access would be reserved for later approval. In presenting the application, the Area Planning Manager (West) referred to a change to the conditions at request of applicant - condition (21) to be included as part of the outline permission rather than the full permission.

The application was reported to committee as it was contrary to the development plan.

The Committee received the verbal views of Paul Webster of Scott Properties (the applicant) at the meeting.

It was noted that planning permission had been granted in 2014 for a supermarket, petrol filling station, public house and an A1/A3/B1 lifestyle leisure unit on this site and this had established the principle of development (allocated under Policy TAV1 of the Site Allocations DPD). The current application was vastly similar as the lapsed permission - the main differences being the composition of the retail uses and the highways scheme along Fir Covert Road. The petrol filling station had been replaced with a fast food restaurant and an additional Class A1 retail unit with a floorspace of 1,715m² was proposed from the previously permitted supermarket floorspace which would not now be taken up by Lidl.

The type of retailer for the standalone Class A1 unit was unknown and consequently, to address the objection which had been raised about whether the sequential test had been followed, a condition was being proposed to restrict the unit to either convenience retailing or for the sale of bulky goods.

Members acknowledged the objections raised by local residents but did not consider these warranted refusal of the application.

Whilst the loss of 13 trees was regrettable, it was accepted that this was necessary to implement the highways improvement needed. Members noted the new landscaping being proposed and the mitigation this would provide to screening the back of the supermarket. The supermarket would be visible from the corner of Fakenham Road / Fir Covert Road but, given the need to maintain visibility at the junction, it was considered that the correct balance had been struck between landscaping and highways considerations. It was noted that the Highway Authority was not objecting to the application.

In conclusion, it was considered that the proposals represented an acceptable form of development subject to the suggested conditions but an additional condition should be imposed restricting the hours during which the fast food outlet could operate (not between midnight and 6am). It was noted that further consideration would be given to the development proposed under part (2) of the application at the Reserved Matters stage. Accordingly, it was

RESOLVED:

to approve application number 20171782 subject to the following conditions:

Outline permission conditions:

- (1) 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 hard and soft 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. **Reason for condition code – (R1)**

- (2) Application for approval of ALL Reserved Matters must be made to the Local Planning Authority not later than the expiration of THREE years beginning with the date of this decision.

The development hereby permitted must be begun in accordance with the Reserved Matters as approved not later than the expiration of TWO years from the final approval of the reserved matters. **(R1)**

- (3) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below. **(R15)**
- (4) Prior to the commencement of the development, the developer shall procure a bus service for a period of 5 years from the first occupation (or from opening) of the development. This shall be of a frequency between the development and local residential areas to be agreed in writing with the Local Planning Authority in consultation with the Local Highway Authority operating from 30 minutes prior to superstore opening and 30 minutes after superstore closing Monday to Saturday and a bus service of 60 minute frequency from 30 minutes prior to superstore opening and 30 minutes after superstore closing on Sunday (or such other hours as the Local Planning Authority may from time to time approve) such service is to be provided by a bus operator or operators with details of the service and operator(s) to be approved in advance in writing by the Local Planning Authority in consultation with the Local Highway Authority. **(R72)**
- (5) The net internal floorspace of the standalone A1 retail unit for comparison retailing is 25%, or that the unit is used for a bulky good retail operation. **(R11)**

- (6) The breakdown of the net floorspace within the 'lifestyle leisure unit' shall be as specified in the proceeding 20131175 permission, which is:

Use	Percentage net floorspace
Class A1 Retail	65%
Class A3 Eating and Drinking	10%
Class B1 Offices	20%
Class D1 Cookery School	5%

Unless otherwise agreed in writing with the Local Planning Authority.
(R13)

- (7) Retail sales within the 'lifestyle leisure unit' shall be restricted to the goods set out below and will not be for any other purposes within Class A1 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modifications.

Plants, shrubs, trees etc
Garden furniture
Cane and rattan furniture for conservatory use
Barbecues and patio heaters
Patio ware
Country clothing and footwear
Books and jigsaw puzzles
Games and toys
Christmas decorations and animations
Gift ware
Garden machinery
Children's play equipment
Watering equipment
Propagation and growing equipment
Wood preservatives and cleaning equipment (brushes, thinners et.)
Aquatic equipment /fish
Growing medium
Fertilisers – granular and liquid
Cleaners
Paraffin and coal
Bird care
Seeds and bulbs
Cut flowers
Garden related tools and accessories
Grass seed
Plant support and protection
Fungicide

Pesticides
Lighting (garden and exterior)
Vermin control
Composters
Garden related hardware
Garden related household goods
Animal foods and accessories
Craft related goods
Conservatories
Greenhouses
Timber sheds and buildings
Associated timber products
Landscape materials and garden architectural products including concrete slabs etc
Hot tubs
Swimming pools
Outdoor play furniture and equipment
Aquatic goods, water display features and ponds
Specialist food stuffs and local food produce (R13)

- (8) No individual A1 unit within the 'lifestyle leisure unit' shall exceed 200m² in gross floor area. **(R13)**
- (9) Notwithstanding the provisions of the Town and County Planning (Use Classes) Order 1987 (as amended) (or any Act or Order revoking and re-enacting that Order, with or without modification), the permitted Class A1 retail floorspace within the 'standalone retail unit' hereby permitted shall not be used for retail sale of the following goods:
- (a) Food, tobacco and drink
 - (b) Adult and children clothing, shoes and accessories (including sports and outdoor-pursuits clothing and shoes)
 - (c) Jewellery and watches
 - (d) Pharmaceutical good, toiletries and perfumes
 - (e) Book, magazines and stationery
 - (f) Toys and games
 - (g) Electrical good
 - (h) Travel good and luggage **(R11)**

- (10) A scheme for both hard & soft landscaping and site treatment for the whole site to include grass seeding, planting of new trees and shrubs, specification of materials for fences, walls, tree planting pits, root barriers and hard surfaces, and the proposed maintenance of amenity areas, shall be submitted to and approved as part of the application for Reserved Matters.

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

The scheme as approved shall be carried out not later than the next available planting season following the commencement of development or such further period as the Local Planning Authority may allow in writing.

If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation. **(R41)**

- (11) No works or development shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 - Trees in relation to design, demolition and construction - Recommendations has been agreed in writing with the LPA. This scheme shall include:

- (a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (paragraph 4.6.1) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
- (b) the details of each retained tree as required at paragraph 4.4.2.5 in a separate schedule.
- (c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree Work -

Recommendations.

- (d) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 6.2).
 - (e) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 paragraph 6.2.2 and Figure 2), identified separately where required for different phases of construction work (eg demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
 - (f) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6.2).
 - (g) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7).
 - (h) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (paragraph 4.6.1) of any retained tree, including those on neighbouring or nearby ground.
 - (i) the details of any special engineering required to accommodate the protection of retained trees (Annex A General advice for other interested parties), (eg in connection with foundations, bridging, water features, surfacing).
 - (j) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees.
 - (k) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of 'No-Dig' construction. **(R45)**
- (12) Prior to the commencement of development a scheme shall be agreed with the Local Planning Authority, which specifies the provisions to be made where necessary for the control of noise emanating from the whole site. The scheme shall be implemented and retained as agreed. **(R27)**

- (13) Prior to commencement of development, in accordance with the submitted Flood Risk Assessment, Taverham Garden Centre, Taverham, Norfolk, CCE/J121/FRA-01, June 2018 for M Scott Properties Ltd, and drawing J121/004, Rev C, detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
- I. Detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the proposed infiltration features.
 - II. Provision of surface water 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.
 - III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.
 - IV. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
 - V. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
 - VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

- VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. (Non-standard – NS)
- (14) (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/organization to undertake the works set out within the written scheme of investigation.
- and
- (B) No development shall take place other than in accordance with the written scheme of investigation approved under 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. **(R37)**
- (15) Prior to the commencement of this development details of the following must be submitted to and approved in writing by the Local Planning Authority before the commencement of each stage of the following process:

Based on the findings of the site investigation a detailed remediation method statement must be submitted for approval. Remediation must bring the site to a condition suitable for the intended use by removing or mitigating unacceptable risks to the identified receptors. The method statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and

site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990. The Local Planning Authority must be given a minimum of two weeks written notification of the commencement of the remediation scheme works.

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

In the event that previously unidentified contamination is found during the development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation method statement and post remedial validation testing must be produced and approved in accordance with the above. **(NS)**

- (16) The hours of operation of the Class A3 / A5 fast food restaurant hereby permitted shall be limited to 0600 hours to midnight. **(R20)**

Full permission conditions:

- (17) 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. **(R2)**
- (18) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below. **(R15)**
- (19) Prior to the commencement of development, details of all external materials (including samples) to be used in the development to which the full approval relates shall be submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details. **(R13)**

Landscaping

- (20) The landscaping scheme as approved by the Local Planning Authority shall be carried out prior to the first occupation of any part of the development or in accordance with a timescale agreed in writing with the Local Planning Authority.

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. (R11)

- (21) Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall indicate:

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

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. (R43)

Highways

- (22) The development hereby permitted shall not be commenced until an Overarching Travel Plan together with a timetable for its

implementation has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Travel Plan shall accord with Norfolk County Council document 'Guidance Notes for the Submission of a Travel Plan'. **(R66)**

- (23) Prior to commencement of the use hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 15 metres from the near channel edge of the adjacent carriageway. Any sidewalls / fences / hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the (outside) gateposts to the front boundary of the site. **(NS)**
- (24) Prior to the commencement of the use hereby permitted a visibility splay measuring 4.5 x 120 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway. **(NS)**
- (25) Prior to the commencement of the Supermarket use hereby permitted the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan (Drawing No 3627 05 Rev V2) and retained thereafter available for that specific use. **(NS)**
- (26) No works shall commence on site until a detailed scheme for the parking of cycles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. **(NS)**
- (27) Development shall not commence until a scheme detailing provision for onsite parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period. **(NS)**
- (28) No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. **(NS)**
- (29) For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in condition 27. **(NS)**

- (30) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawings numbered J121/210 Rev A and J121/011 Rev C have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. **(NS)**
- (31) Prior to the commencement of the use hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority. **(NS)**

Retail

- (32) The net internal floorspace for comparison retailing in the Lidl store shall not exceed 25%. **(R13)**
- (33) The premises which form the subject of this permission shall not be open to the public, trading or have members of the public, as customers or guests, on the premises between the hours of 22:00 and 07:00 on Mondays to Saturdays and 17:00 and 10:00 on Sundays or Bank or Public Holidays. **(R20)**
- (34) Trade deliveries or collections, including trade waste, shall take place between 06:00 hours and 21:00 hours Monday to Saturday and between 08:00 and 17:00 Sundays or Bank or Public Holidays. **(R20)**
- (35) Notwithstanding the provisions of section 55(2)(a) of the Town and Country Planning Act 1990 and Article 44 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, no mezzanine floor shall be installed within the food store hereby permitted without first receiving planning permission from the Local Planning Authority. **(NS)**
- (36) No subdivision of the food store hereby permitted shall take place and any comparison retail floor space provided shall not be accessed separately to the convenience floor space, nor shall it be operated by a different retailer to that of the convenience floor space. **(NS)**

Flooding

- (37) Development shall not commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed strategy. **(R16)**

- (38) Prior to commencement of development, in accordance with the submitted Flood Risk Assessment, Taverham Garden Centre, Taverham, Norfolk, CCE/J121/FRA-01, June 2018 for M Scott Properties Ltd, and drawing J121/004, Rev C, detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
- I. Detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the proposed infiltration features.
 - II. Provision of surface water 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.
 - III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.
 - IV. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
 - V. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
 - VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

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

Hydrants / Energy / Noise / Archaeology / Contamination

- (39) Prior to the commencement of the development details of the installation of fire hydrants for that phase shall be submitted to and agreed by the Local Planning Authority. These shall be installed to the satisfaction of the Local Planning Authority in consultation with the Norfolk Fire Service. **(R13)**
- (40) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The details as approved shall be completed prior to the first occupation of any of the development hereby permitted and thereafter shall be maintained. **(NS)**
- (41) The development hereby permitted shall be carried out in accordance with the recommendations in the Noise Impact Assessment, by Meyer Brown, received on 6 October 2017. **(R13)**
- (42) (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/organization to undertake the works set out within the written scheme of investigation.

and

- (B) No development shall take place other than in accordance with the written scheme of investigation approved under 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. **(R37)**
- (43) Prior to the commencement of this development details of the following must be submitted to and approved in writing by the Local Planning Authority before the commencement of each stage of the following process:

Based on the findings of the site investigation a detailed remediation method statement must be submitted for approval. Remediation must bring the site to a condition suitable for the intended use by removing or mitigating unacceptable risks to the identified receptors. The method statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990. The Local Planning Authority must be given a minimum of two weeks written notification of the commencement of the remediation scheme works.

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

In the event that previously unidentified contamination is found during the development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation method statement and post remedial validation testing must be produced and approved in accordance with the above. **(NS)**

Informative:

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.

The Committee adjourned at 1pm and reconvened at 1.30pm when all of the Members listed above were present for the remainder of the meeting with the exception of Mr Knowles and Miss Lawn (who left after Minute no: 87) and Mr Leggett (who left after Minute no: 89).

88 APPLICATION NUMBER 20172032 – LAND AT DAWSONS LANE, BLOFIELD HEATH

The Committee considered an outline application for the erection of eight detached dwellings with garages and an access road from Dawsons Lane, leading off Blofield Corner Road in Blofield Heath . All other matters were reserved for later approval. The application also included improvements to the access of Dawsons Lane onto Blofield Corner Road and a footpath along Blofield Corner Road to link up with the existing access at Skedge Way.

The application was reported to committee as (1) it was contrary to policy and (2) at the request of Mr O'Neill, one of the Ward Members.

The Committee noted the content of a letter which had been received the previous day from the Broads Internal Drainage Board (in its capacity as the Water Management Alliance) as reported by the Area Planning Manager (East) at the meeting. In view of its comments, an additional Informative was suggested and the letter would be attached to the decision notice, if planning permission was granted. In addition, the Committee received the response of Norfolk County Council Historic Environment Service and the comments of Cllr D Ward and Mr Coghlan of Bella Vista, Blofield Corner Road objecting to the application, all as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Dr Moxon of 74 Blofield Corner Road, objecting to the application and Cheryl Ward of Fusion 13 (the agent) in support, at the meeting. Mr O'Neill, one of the Ward Members, expressed his objections to the application.

The site was outside of any defined settlement limit and therefore, the proposal conflicted with Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD. However, the site was within the Norwich Policy Area and the Committee was reminded that there was not currently a five year housing land supply. Accordingly, the relevant local policies for the supply of housing could not be considered up to date and applications for housing should be considered in the context of the presumption in favour of sustainable development, as prescribed by Paragraph 49 of the NPPF. Therefore, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies as a whole. The Committee noted that Policy 15 of the JCS identified Blofield Heath as a Service Village based on having a good level of services / facilities. The village had a primary school, convenience store / Post Office, restaurant, Social Club, recreation ground, small scale employment opportunities and a regular bus service to and from

Norwich. Although the new dwellings would be located outside of the settlement limit, they would be located adjacent to other residential dwellings in accordance with Paragraph 55 of the NPPF and therefore, were considered to be sustainable development.

The Committee accepted that the character and appearance of the site would undoubtedly change but the site was currently featureless and therefore, did not make a significant contribution to the character of the wider area.

Members noted that the Highways Authority was not objecting to the proposal – acknowledging that the proposals indicated that Dawsons Lane could be widened to enable two cars to pass each other as well as the junction improvements could both be achieved on land within the applicant's control.

Notwithstanding the concerns raised by local residents and the Ward Member, Members noted that the Lead Local Flood Authority had advised that the proposal fell below the threshold for its comments in relation to surface water drainage as the site was not located within an area at risk of surface flooding nor was it on a surface water floodplain. However, there was a flood path to the south of the site at a lower level. Therefore, the submission of a sustainable drainage scheme as part of the Reserved Matters application would be imposed through condition which would require the surface water drainage to be discharged within the site and not lead to surface water flooding off site.

As it would not be appropriate to seek the provision of open space on site, this requirement would be met through the payment of commuted sums.

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

In conclusion it was considered that the development would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole and that the development was in a relatively sustainable location (in transport terms), thereby resulting in an acceptable form of development. Accordingly, it was

RESOLVED:

to delegate authority to the Head of Planning to approve application number 20172032 subject to the satisfactory completion of a Section 106 Agreement relating to the following Heads of Terms and subject to the following conditions:

Heads of Terms:

- Off-site commuted sums in respect of equipped play space (Policy RL1) and informal open space (Policy EN3) (including maintenance arrangements and provision).

Conditions:

- (1) Details of the appearance, landscaping, layout, access and scale (hereinafter called the “reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- (2) Application for approval of the all of the reserved matters shall be made to the local planning authority not later than TWO years from the date of this permission. The development hereby permitted shall not begin later than TWO years from the date of approval of the last of the reserved matters to be approved.
- (3) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents:
- (4) As part of the reserved matters application, details of the surface water drainage scheme to serve the residential dwellings and access shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following:
 - (a) Calculations of the existing greenfield run-off rates for the proposed impermeable area and modelling to demonstrate that the surface water runoff will be restricted to the existing greenfield run-off rates in the equivalent rainfall events.
 - (b) Modelling of the surface water drainage scheme to show that the attenuation features will contain the 1 in 100 year rainfall event including climate change.
 - (c) Modelling of the conveyance system to demonstrate that there would be no above ground flooding in the 1 in 30 year rainfall event, and to detail the volumes of flooding in the 1 in 100 year climate change event, along with plans and drawings to show where any flood volumes would flow and be stored to prevent flooding of buildings and offsite flows.
 - (d) Plans depicting the exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they

are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system.

- (e) Details of who will maintain each element of the surface water system for the lifetime of the development, and submission of a maintenance schedule.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the local planning authority.

- (5) Prior to any works starting on site the junction of Dawsons Lane with Blofield Corner Road shall be upgraded / widened to a minimum width of 5 metres and provided with kerb radii of 6 metres in accordance with the Norfolk County Council residential access construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- (6) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the highway improvement works (new section of 1.8m wide footway linking from Dawsons Lane to existing footway on Blofield Corner Road to the east) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (7) Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- (8) Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:
 - (i) Access arrangements.
 - (ii) Parking provision in accordance with adopted standard.

- (9) The development hereby approved shall have a maximum combined floorspace (including garaging) of no more than 1,000m² (gross internal area).
- (10) No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service. The fire hydrant shall be available for use prior to the first occupation of any dwelling.

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (4) To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amendments adopted 2014).
- (5) In the interest of highway safety and traffic movement in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.
- (6) 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.
- (7) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.
- (8) In the interests of highway safety and to ensure the provision of adequate off-road parking spaces in the interests of highway safety in

accordance with policies TS3 and TS4 of the Development Management DPD 2015.

- (9) This application is not seeking to provide affordable housing and this condition has been imposed to ensure compliance with the Ministerial Statement of 28 November 2014.
- (10) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with policy GC4 of the Development Management DPD 2015.

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site in due course. 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
- (4) It is an offence to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact Stephen Coleman on 01603 430596.

- (5) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (6) With reference to condition no: 10, the developer will have to meet the costs of supplying and installing the fire hydrant.
- (7) In relation to condition no: 4 above, the applicant's / developer's attention is drawn to the letter from the Broads Internal Drainage Board dated 29 January 2018 regarding possible land drainage consent.

89 APPLICATION NUMBER 20171008 – LAND AT LITTLE PLUMSTEAD HOSPITAL WEST, HOSPITAL ROAD, LITTLE PLUMSTEAD

The Committee considered an application for the erection of 20 two-storey dwellings (four of which would be affordable); the provision of a land swap between the applicant and Norfolk County Council to facilitate a better located car park in relation to potential expansion of the primary school; the provision of car parking and serviced access road to the walled garden and to transfer the walled garden to the Parish Council for community purposes all on land at Lt Plumstead Hospital West, Hospital Road, Lt Plumstead. Four of the houses would be accessed from Hospital Road (Old Hall Road) via the new estate road and the remaining 16 from Water Lane via the new estate road (Penrice Road).

The application was reported to committee as it was contrary to the development plan.

The Committee noted a correction to the year in paragraph 9.4 of the report and received the comments of Mr Nagle representing the Walled Garden Community Shop and Café, as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Andrew Cawdron of Gt & Lt Plumstead Parish Council in support of the application at the meeting.

In presenting the report the Area Planning Manager advised Members that the Heads of Terms for the Section 106 Agreement would need to include for the provision for the payment of a sum of £75 per dwelling towards library provision as required by Norfolk County Council Planning Obligation Standards April 2017.

The site was outside of but adjacent to the settlement limit defined for Gt & Lt Plumstead and had not been allocated for development. Therefore, the proposal conflicted with Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD. However, the site was within the Norwich Policy Area and the Committee and the JCS stated that approximately 33,000 new homes would be built by 2026 within the NPA. Members were reminded that there was not currently a five year housing land supply (current figure was 4.7 years).

Accordingly, the relevant local policies for the supply of housing could not be considered up to date and applications for housing should be considered in the context of the presumption in favour of sustainable development, as prescribed by Paragraph 49 of the NPPF. Therefore, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies as a whole.

It was noted that the proposed dwellings would be located within the larger site area currently being developed as part of planning permission 20160808 for 88 dwellings. The original proposal was for 104 dwellings but 16 dwellings had been omitted from to ensure the footprint of the original outline planning permission not was exceeded. This current application sought approval for those 16 dwellings and a further four on land identified in the current S106 as land for school expansion. The Committee considered that the proposal would not result in significant or demonstrable harm and would be of benefit by contributing to the deficit in the supply of land for housing.

It was acknowledged that Lt Plumstead VA Primary School needed to expand to accommodate need arising from housing growth in the locality (potentially from 210 to 420 places). Discussions had identified that the land currently secured for the school expansion (as part of OPP 20130906) would not enable the best possible outcome to be achieved in terms of outdoor learning space, access and vehicle parking. Accordingly, the proposed land swap would enable a parcel of land in front of the walled garden to be utilised for the school expansion with the current retained parcel of land being given up and developed with two pairs of houses. Members considered this to be acceptable in principle, mindful that the school expansion plans would require planning permission from Norfolk County Council as the relevant planning authority.

The application to bring forward the transfer of the walled garden was considered to be necessary as the local community group wished for this to be progressed in advance of the trigger point within the S106 relating to OPP 20130906 as it was unlikely to be reached for several years. Provision of the land for car parking and the surfaced road were not a requirement of the S106 but the applicant had responded positively to this request. However, the cost of the provision would be offset by a reduction in the number of affordable housing units from six down to four (now equating to 20%). Members acknowledged that the reduction was regrettable but considered that the community benefit which would be derived from the off-setting was a material consideration.

Regarding the design for the dwellings, it was noted that these represented a form and appearance already being constructed on the wider site and used a similar palette of materials.

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

In conclusion it was considered that the benefits from the proposal were material considerations which justified approving the application and that any adverse impacts did not significantly or demonstrably outweigh the benefits. Accordingly, it was

RESOLVED:

To delegate authority to the Head of Planning to approve application number 20171008 subject to the satisfactory resolution of surface water drainage and no new material issues being raised during the re-consultation period (expires 2 February) and completion of a Section 106 Agreement / Deed of Variation and subject to the following conditions:

S106 Heads of Terms:

- Provision of commuted sums for formal and informal recreation space.
- Provision of commuted sum for library provision.
- Provision of 4 affordable housing units (3 Affordable Rent Tenure and 1 Shared Equity).
- Land swap / transfer with Norfolk County Council.
- Provision of serviced access road to southern boundary of walled garden.
- Transfer of walled garden, serviced access road and additional land to Great & Little Plumstead Parish Council.

Conditions:

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

20171008 Design and Access Statement.pdf
20171008 Additional Dwg No 4918_84_C MaterialsPlan.pdf

20171008 Amended DwgNo 4918_80_B LocationPlan.pdf
20171008 Amended Dwg No 4918_81_C Site Plan recd 150118.pdf
20171008 Dwg No 4918_82_01 House Types Garages.pdf
20171008 Dwg No 4918_82_02 House Types AD 2b_4p Elevations & Floor Plans.pdf
20171008 Dwg No 4918_82_03 House Types B4 3b_6p Elevations & Floor Plans.pdf
20171008 Dwg No 4918_82_04 House Types B5 3b_6p House 1 of 2 Elevations & Floor Plans.pdf
20171008 Dwg No 4918_82_05 House Types B5 3b_6p House 2 of 2 Elevations & Floor Plans.pdf
20171008 Dwg No 4918_82_06 House Types C 3b_4p Elevations & Floor Plans.pdf
20171008 Dwg No 4918_82_07 House Types D 3b_5p Elevations & Floor Plans.pdf
20171008 Dwg No 4918_82_08 House Types D1 3b_5p Elevations & Floor Plans.pdf
20171008 Dwg No 4918_82_09 House Types F 4b_7p Elevations & Floor Plans.pdf

- (3) Highway condition(s) as recommended by the Highways Authority.
- (4) Surface Water drainage condition(s) as recommended by the Lead Local Flood Authority.
- (5) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The details as approved shall be completed prior to the first occupation of any of the dwellings hereby permitted and thereafter shall be maintained
- (6) No works or development shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 - Trees in relation to design, demolition and construction – Recommendations (section 5.5 the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:
 - (a) A plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (paragraph 4.6.1) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

- (b) The details of each retained tree as required at paragraph 4.4.2.5 in a separate schedule.
- (c) The details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 6.2).
- (d) The details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 paragraph 6.2.2 and Figure 2), identified separately where required for different phases of construction work (eg demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- (e) The details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6.2).
- (f) The details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7).
- (g) The details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 4.6.1) of any retained tree, including those on neighbouring or nearby ground.
- (h) The details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of 'No-Dig' construction.

In the event that any tree(s) become damaged during construction, the Local Planning Authority 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 Local Planning Authority, it shall be replaced within the first available planting season, in accordance with details to be agreed with the Local Planning Authority.

- (7) No development shall commence until a foul water drainage strategy has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the works have been carried out in accordance with the foul water drainage strategy so approved unless otherwise approved in writing by the local planning authority.

- (8) Development shall not proceed above slab level until a scheme has been submitted for the provision of a fire hydrant in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service. The fire hydrant shall be available for use prior to the first occupation of any dwelling

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.
- (4) In order to prevent flooding.
- (5) To ensure the development incorporates sufficient energy efficiency measures in accordance with policy 3 of the JCS.
- (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, EN2 and EN3.
- (7) To prevent environmental and amenity problems arising from flooding in accordance with GC4 of the DM DPD.
- (8) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with policy GC4 of the Development Management DPD 2015.

Informatives:

- (1) The local planning authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.

- (3) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provides 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

90 APPLICATION NUMBER 20172017 – LAND ADJACENT TO 2 HURN ROAD, DRAYTON

The Committee considered an application for the erection of a single storey shop unit (Use Class A1) adjacent to an existing shop at 2 Hurn Road, Drayton. The application site was currently used as a parking area for the adjacent unit (previously a hairdressers but currently vacant). No details had been provided with regards to the future occupier of the proposed unit. Vehicular parking would be provided to the front of the proposed unit for three vehicles, adjacent to which was parking associated with the neighbouring three units. There was also room for a single parking space to the side of the shop, resulting in a total of four car parking spaces for this particular unit.

The application was reported to committee at the request of Mr Foulger, one of the Ward Members.

The Committee noted the receipt of amended plans as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Joy Ramsey of 151 Drayton High Road, objecting to the application, at the meeting.

The site was within the settlement and therefore, the principle of development was considered to be acceptable. Given the modest size and scale of the shop unit being proposed, it was not considered that the application would result in any harm to the existing retailing function of the village centre, thus complying with Policy 1D of the Drayton Neighbourhood Plan.

Members acknowledged the concerns which had been raised with regards to parking, particularly as some existing on-site parking would be lost by the creation of a further commercial unit. However, it was noted that the Highway Authority was not objecting to the application, subject to the imposition of a condition. Furthermore, the car parking standards for an A1 shop use, set out within the Council's Parking Standards SPD, stated that the maximum car parking provision for an A1 shop use should be one parking space per 20m² of the shop's floor area. The proposed unit had a floor space of 49m² and, therefore, the provision of four spaces was more than the recommended

number. It was considered that any off-site parking as a result of the development would not result in any detriment to highway safety; it was more likely to be an inconvenience.

There were not considered to any issues of overlooking or significant detrimental impact on residential amenity associated with the proposal. It was noted that the hours of operation would be limited by condition. The scale and design of the proposal were considered to be sympathetic with the character of the area and although the unit would be clearly visible in the street scene, neither the proposed building or associated parking could cause any harm to the general character and appearance of the area.

In conclusion it was considered that the benefits associated with the development (including the creation of employment) decisively outweighed any perceived harm. Accordingly, it was

RESOLVED:

to approve application number 2017/2017 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.

Site Location Plan, received 17 November 2017

Block Plan, received 17 November 2017

Existing and Proposed Floor Plans and Elevations (Amended), Dwg No: 01 A, received 21 November 2017

Proposed Site Plan (Additional), received 21 November 2017

- (3) Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking areas shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- (4) Unless otherwise specified in writing by the Local Planning Authority, hours of operation shall be limited to 08:00 to 18:00 on Monday to Saturday and 10:00 until 16:00 on Sundays.
- (5) The windows and door shown on the submitted plans on the rear elevation shall be permanently formed with obscure glass unless the prior consent of the Local Planning Authority has been obtained and no further openings shall be added to the rear elevation

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 permanent availability of the parking / manoeuvring area, in the interests of highway safety and in accordance with Policies TS3 and TS4 of the Development Management DPD 2015.
- (4) To ensure the satisfactory development of the site and to safeguard the amenities of neighbouring properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (5) To prevent overlooking to the detriment of the amenities of the adjacent properties in accordance with Policy GC4 of the Development Management DPD 2015

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the 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

91 APPLICATION NUMBER 20171945 – LAND REAR OF CHURCH COTTAGE, 2 NORWICH ROAD, STRUMPSHAW

The Committee considered an application for the change of use of agricultural land to residential curtilage to be used in association with Church Cottage and the erection of a garage on this parcel of land at 2 Norwich Road,

Strumpshaw. The additional residential curtilage would be linked to the existing dwelling through a new pedestrian link in the form of a gravelled path.

The application was reported to committee as it was contrary to policy.

The Committee received the verbal views of Lynda Hunt, the applicant, at the meeting.

The site was outside of the settlement limit where development proposals would not normally be permitted unless they complied with a specific allocation and / or policy of the development plan. The Committee noted that the site was within close proximity to the settlement limit (approximately 38m to the north and 45m to the south).

It was considered that the proposed development would not have any significant adverse impact on the amenity of adjacent residents, given the degree of separation from the majority of properties and the scale of development being proposed. Furthermore, the extension of the curtilage was not considered to be unduly excessive and therefore, would not represent a significant incursion into the countryside or cause harm to the general character and appearance of the surrounding area.

Members noted that the proposed garage was to be positioned towards the western side of the site, approximately 22m from the Grade I Listed Church of St Peter. It was considered that with the materials being proposed, the garage would have a weathered appearance as opposed to a newly built garage and therefore, would not look out of character next to the listed church. The comments of the Council's Historic Environment Officer were noted and Members concurred with their views, concluding that the change of use of the land and erection of a garage would not result in any significant harm to the listed church or its conservation.

The planning history of the site was considered to be of relevance – five applications had been refused permission for the erection of a dwelling on this site. Although one application had been granted permission by the Committee in 2013 (contrary to the officer recommendation) this had subsequently expired. It was considered that the current proposal was a more acceptable use than the erection of a separate dwelling.

In conclusion it was considered that the proposed development would not cause significant harm sufficient to justify refusing the application. Accordingly, it was

RESOLVED:

To approve application number 20171945 subject to the following conditions:

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

Location Plan

Amended Rev 2 Elevations, Sections, Floor Plan & Block Plan of Garage received 13 December 2017

Amended Window Materials received 13 December 2017

- (3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any other Order amending, revoking or re-enacting that Order with or without modification, no further outbuildings permitted by Class E, nor any further hardstanding permitted by Class F of Part 1; and no further gates, fences, walls etc permitted by Class A of Part 2 of Schedule 2 of that Order shall be carried out without first receiving planning permission from the Local Planning Authority.
- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any other Order amending, revoking or re-enacting that Order with or without modification, no installation of solar equipment within the site area permitted by Class A; and no installation of stand-alone solar equipment within the site area permitted by Class B of Part 14 of Schedule 2 of that Order shall be carried out without first receiving planning permission from the Local Planning Authority.
- (5) The garage hereby approved shall be incidental to the use of the main dwelling (known as Church Cottage, 2 Norwich Road, Strumpshaw) and shall not be occupied as a separate and unassociated unit of accommodation.

Reasons:

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

- (3) To ensure development appropriate to the site in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015.
- (4) To ensure development appropriate to the site in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015.
- (5) To ensure development appropriate for the area in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015.

Informatives:

- (1) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (2) Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.

92 APPLICATION NUMBER 20170764 – RESIDENTIAL DEVELOPMENT (OUTLINE) AT THE EQUESTRIAN CENTRE, LOWER STREET, SALHOUSE

Further to Minute no: 59 of the meeting held on 1 November 2017, the Committee considered a report providing an update since the decision to defer consideration.

It was noted that matters remain unresolved in respect of the options for access to the proposed development but a meeting with representatives of the Village Hall Committee was due to take place shortly. Furthermore, the applicant's drainage consultant was currently revising the Flood Risk Assessment in order to overcome the objection raised by the Lead Local Flood Authority.

Members were mindful that the Committee had previously considered that the application site was capable of accommodating the proposed development

without significantly compromising the character and appearance of the area, subject to the imposition of appropriate conditions. However, the matters referred to in Minute no: 50 of the meeting held on 4 October 2007 needed to be resolved to the Committee's satisfaction. Therefore, it was considered appropriate to extend the period for determination and accordingly, it was

RESOLVED:

to extend the period for negotiating the access and that the application be brought back to Planning Committee by 25 April 2018.

The meeting closed at 3pm