

Planning Committee

Agenda

Date

Wednesday 31 January 2018

Members of the Planning Committee

Mr I N Moncur (Chairman)	Miss S Lawn (Vice Chairman)
Mr A D Adams	Mr R J Knowles
Mr P H Carrick	Mr A M Mallett
Mr G Everett	Mrs B H Rix
Mr I G Graham	Mr J M Ward
Mrs L H Hemsall	

Time

9.30am

Place

Council Chamber
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Substitutes

Conservative

Mrs C H Bannock
Mr R R Foulger
Mr R F Grady
Mr K G Leggett MBE
Mrs T M Mancini-Boyle*
Mr G K Nurden
Mr M D Snowling MBE
Mrs K A Vincent
Mr S A Vincent
Mr D C Ward
Mr D B Willmott

Liberal Democrat

Mr D G Harrison*
Mr S Riley

*not met training requirement so ineligible to serve

Contact

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

The Openness of Local Government Bodies Regulations 2014

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

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

A G E N D A

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| 4 | Matters arising therefrom (if any) | |
| 5 | Applications for planning permission to be considered by the Committee in the following order: | |
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| 6 | <u>Application No: 20170764 – residential development (outline) at the Equestrian Centre, Lower Street, Salhouse</u> | 232 – 233 |

Further to Minute no: 59 of the meeting held on 1 November 2017, to consider an update report since the Committee's resolution to defer consideration of the application.

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

P C Kirby
Chief Executive

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

Minutes of a meeting of the **Planning Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 13 December 2017** at **9.30am** when there were present:

Mr I N Moncur – Chairman

Mr A D Adams
Mr P H Carrick
Mr G Everett
Mr K G Leggett

Mrs L H Hempsall
Mr R J Knowles
Miss S Lawn

Mr A M Mallett
Mrs B H Rix
Mr J M Ward

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

Mr Peck and Mr Willmott - Minute no: 79 (Plot 15, Crown Meadow, Reepham)

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

74 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mr Moncur on behalf of all Members present	77 (land at Yarmouth Road, Postwick and Brundall) and 79 (Plot 15, Crown Meadow, Reepham)	Advised the meeting that correspondence had been received from various parties about the applications but had not expressed an opinion on either application.
Mr Knowles	80 (8 Roundtree Close, Sprowston)	Sprowston Town Council. Non disclosable, local choice interest.

75 APOLOGIES FOR ABSENCE

An apology for absence was received from Mr Graham.

76 MINUTES

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

77 APPLICATION NUMBER 20161483 – LAND AT YARMOUTH ROAD, POSTWICK AND BRUNDALL

The Head of Planning referred to the correspondence which had been sent by Quantum Group to Planning Committee members, in which they were encouraged to defer consideration of application number 20161483 to enable a comparison to be made between that application and the site being promoted on land adjacent to the Memorial Hall. He advised the Committee that whilst it was at liberty to agree to this request, it would need to justify its decision. Furthermore, the Committee could also reconsider the application in its entirety and not only that element which was the subject of the reasons for deferral, together with the highways implications, but again, he would need Members to consider this in light of their previous resolution. Finally, in response to the comments made by Quantum Group about its scheme resulting in less houses accessing Yarmouth Road, the Head of Planning advised the Committee that it had to determine the application before them and not hypothetical scenarios.

The Area Planning Manager appraised the Committee of the latest position since its decision to defer the application to enable the Head of Planning to negotiate further enhancements in the provision of formal recreational open space on site (Minute no: 69 of the meeting held on 29 November referred). It was noted that there had been discussions between the applicant and Brundall Parish Council regarding its requirements and mechanism for delivery of a recreational facility on the site. The applicant had recently indicated that the proposed site area of 1.12 ha was capable of accommodating an artificial grass senior football pitch to FA standards 100m x 64m with the remainder of the site available for run-off areas, access, parking and building to provide changing facilities etc. Consequently, the applicant had reviewed the sports offer and there were two options available:

- The applicant provides the land with a 3G surface 7-aside pitch, capable of being divided into two 5-aside pitches, together with vehicular access and car parking [[Option One](#)]; or
- The applicant provides the land with a 3G pitch to adult standards, with all other facilities provided by the Parish Council using their available funds including S106 money arising from other development in Brundall [[Option Two](#)]

Each of these options had an approximate cost of £450,000-£460,000, to be funded by the applicant but would include the commuted sum payment for off-site recreational facilities required in respect of the residential element of the proposal (approx. £250,000). The Committee noted that the Parish Council had received approximately £800,000 from other S106 Agreements to spend on recreational facilities in the village. The applicant had confirmed it would be willing to enter into a legal agreement to provide the land and one

of the two options. It was noted that both options included elements which would require the separate grant of planning permission, with the final details being agreed with this Council. If the Committee considered it appropriate, a consultation period of 21 days could be undertaken on either / both options.

The Committee noted amendments to conditions 7, 8, 12, 15, 16, 19, 21 and 32 all as reported in the Supplementary Schedule and the receipt of a further letter of objection from Mr Daniels a resident of Brundall, as reported at the meeting. In addition, the Committee received the verbal views of Sharon Smyth of Brundall Parish Council; Steve Parkin of 53 Medeswell Close, Robert Cole of 17 Cucumber Lane and John Duvall of 64 Cucumber Lane (letter read out by Area Planning Manager in his absence due to ill-health) all objecting to the application and Simon Wheatman (the agent) and Martin Scott of Brooms Boats (the applicant) at the meeting.

The Committee considered that the applicant had responded to its resolution and, having heard from the Parish Council representative at the meeting that option 2 was the favoured option, it was not considered necessary to undertake further consultation.

Accordingly, the Committee concluded that the application represented an acceptable form of development and therefore

RESOLVED:

to delegate authority to the Head of Planning to approve application 20161483 subject to the satisfactory completion of a Section 106 Agreement and subject to the following conditions:

Heads of Terms:

- (i) Delivery of Recreational Facility on 1.12ha site which secures option 2 (as outlined above and constructed to FA standards including drainage, fencing and floodlighting)
- (ii) 33% Affordable Housing (tenure split 60% affordable rent tenure; 40% intermediate tenure)
- (iii) Informal Open Space to comply with Policy EN3 of the DM DPD
- (iv) Travel Plan and associated monitoring

Conditions:

- (1) Application for approval of ALL “reserved matters” must be made to the Local Planning Authority not later than the expiration of 18 MONTHS 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 12 MONTHS from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

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

- details of the layout;
- scale of each building proposed;
- the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction;
- the landscaping of the site.

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

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

Location Plan

Dwg No. 1264/HWY/041 Rev J Access Proposals and Offsite Highway Improvements

Amended Arboricultural Impact Assessment dated November 2017

- (4) The details required by condition 2 shall not include provision for an A1 retail supermarket in excess of 2,500m² (gross floorspace).
- (5) The reserved matters required by condition 2 shall not include provision for more than 155 dwellings.
- (6) The plans and particulars submitted in accordance with condition 2 above shall include:

- (a) a plan showing the location of, and allocating a reference number to every tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread and Root Protection Area of each tree to be retained. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area (para. 4.6.1 of BS5837 2012 Trees in relation to design, demolition and construction - Recommendations) or general landscape factors) must be shown.
- (b) the details of each tree as required at para 4.4.2.5 of BS5837: 2012 in a separate schedule.
- (c) a schedule of tree works for all the trees in paragraphs (a) and (b) above, specifying those to be removed, pruned or subject to other remedial or preventative work.
- (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within 5m of the Root Protection Area (para. 4.6.1 of BS5837: 2012) of any retained tree including those on neighbouring ground.
- (e) details of the specification and position of all appropriate tree protection measures for the protection of every retained tree from damage before and for the entire duration of the course of the development.
- (f) a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.

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

- (7) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the residential 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 first dwelling. The details as approved shall be completed prior to the first occupation of any of the dwellings hereby permitted and thereafter shall be maintained.
- (8) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the supermarket 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 supermarket. The details as approved shall be completed prior to the first occupation of any of the supermarket hereby permitted and thereafter shall be maintained.

- (9) Prior to its first use in the development, details of any external plant and machinery associated with the supermarket shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.
- (10) Concurrently with the submission of reserved matters for the residential site required by condition 2, an updated acoustic report to demonstrate that the noise levels identified in the submitted Environmental Noise Assessment (Report No 15-0088-0 R01) can be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.
- (11) Prior to occupation of the first dwelling details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.
- (12) Development shall not proceed beyond the 10th dwelling floor slab until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- (13) No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.
- (14) Before any dwelling is first occupied the roads, footways and cycleways 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.
- (15) Prior to the first occupation of any of the residential development accessed from Yarmouth Road a visibility splay (measuring 4.5 x 120

metres to each side of the access where it meets the highway (Yarmouth Road)) shall be provided in full accordance with the details indicated on the approved plan (Drawing no. 1264/HWY/041 Rev J). 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.

- (16) Prior to the first occupation of any of the residential development accessed from Berryfields a visibility splay (measuring 2.4 x 59 metres to each side of the access where it meets the highway (Berryfields)) shall be provided for both accesses in full accordance with the details indicated on the approved plan (Drawing no. 1264/HWY/041 Rev J). 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.
- (17) The residential development shall not commence until a scheme detailing provision for on site 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.
- (18) No works shall commence on the residential site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities.
- (19) Notwithstanding the details indicated on the submitted drawings development shall not proceed beyond the 10th dwelling floor slab until a detailed scheme for the off-site highway improvement works as shown indicatively on Drawing no. 1264/HWY/041 Rev J have been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be in the form of a, footway on the south side of Yarmouth Road (linking to the network on Cucumber Lane); a new section of footway along the frontage of the garage / fast-food restaurant (with suitable crossing) and a new frontage footway on Berryfields. Prior to the first occupation of the residential development hereby permitted the off-site highway improvement works referred to in this condition shall be completed to the written satisfaction of the Local Planning Authority.
- (20) Notwithstanding the details on the submitted plans, no development shall commence on the supermarket site until a scheme for off-site highway improvements as shown indicatively on Dwg 1264/HWY/041 Rev J has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be in the form of a

shared use cycleway / footway along the north side of Yarmouth Road (linking to Blofield) and a new pedestrian refuge crossing of Yarmouth Road. Prior to the first use of the supermarket development hereby permitted the off-site highway improvement works referred to in this condition shall be completed to the written satisfaction of the Local Planning Authority.

- (21) Development shall not proceed above slab level until a Traffic Regulation Order for a 40 mph speed limit on Yarmouth Road has been promoted by the Highway Authority.
- (22) Development shall not proceed above slab level until details of an Interim Travel Plan shall be submitted, approved and signed off by the Local Planning Authority, such a Travel Plan shall accord with Norfolk County Council document 'Guidance Notes for the Submission of a Travel Plan'.

No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority.

- (23) Prior to the commencement of the supermarket 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) Roads and footway
 - (ii) Pedestrian Access arrangements
 - (iii) Parking provision in accordance with adopted standard
 - (iv) Loading areas
 - (v) Turning areas
- (24) The gradient of the supermarket vehicular accesses shall not exceed 1:12 for the first 10 metres into the site as measured from the near channel edge of the adjacent carriageway.

- (25) Prior to commencement of the supermarket 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 10 metres from the near channel edge of the adjacent carriageway.
- (26) Before the supermarket development is brought into use, signs in compliance with the Traffic Signs Regulations and General Directions 2002 (or any Order/Act revoking, amending or re-enacting those Regulations) shall be provided and thereafter retained at the means of delivery & staff entrance in accordance with a scheme to be submitted to and approved by the Local Planning Authority.
- (27) Prior to the first occupation of the supermarket development hereby permitted a visibility splay (measuring 4.5 x 120 metres to each side of the main access where it meets the highway (Yarmouth Road)) shall be provided in full accordance with the details indicated on the approved plan (Drawing no. 1264/HWY/041 Rev J). 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.
- (28) Development on the supermarket site shall not commence until a scheme detailing provision for on site 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.
- (29) No works shall commence on the supermarket site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities.
- (30) The details of layout for the residential site required by condition 2 shall include provision for a Type 2 link road through the development between Yarmouth Road and Berryfields and a phasing scheme for the erection of dwellings, supermarket, and completion of the spine road between Yarmouth Road and Berryfields. The development shall thereafter be constructed in accordance with the approved details.
- (31) No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:

- An assessment of the significance and research questions
 - The programme and methodology of site investigation and recording
 - The programme for post investigation assessment
 - Provision to be made for analysis of the site investigation and recording
 - Provision to be made for archive deposition of the analysis and records of the site investigation
 - Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation
- (32) No development shall commence 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 foul water strategy so approved unless otherwise approved in writing by the local planning authority.
- (33) The supermarket hereby permitted shall not be occupied until it has incorporated the provision of one fire hydrant. The residential development hereby permitted shall not be occupied until it has incorporated one fire hydrant for every 50 dwellings.
- (34) Concurrently with the submission of reserved matters required by condition 2, in accordance with the submitted Flood Risk Assessment “ASD Consultants Flood Risk and Drainage Strategy REF: 1264/NMT/FRA/07-16 dated July 2016” and drawing ASD Engineering Drg No. 1264/DRA/001, detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning 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 depth and location of the proposed infiltration/attenuation basins, as depicted in the Drainage Strategy.
- Surface water runoff rates from the site will be attenuated to the corresponding Greenfield rate in the 1 in 1 and 1 in 100 year event based on QBAR Greenfield rates of 0.453 l/s for the Retail site and 2.92l/s for the residential site as confirmed in the ASD letter ASD Engineering Letter (Reference 1264/261016/001) dated 26th October 2016.

Should the “Long Term Storage” (Difference between the predicted development runoff volume and the estimated Greenfield runoff volume for the 100 year event) not be disposed via infiltration then a runoff rate of 2 l/s/ per hectare shall be applicable in all events up until the 1 in 100year plus climate change event.

- ii) Provision of surface water infiltration and/or 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 drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
- iv) The design of any attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period. This will include surface water which may enter the sites from elsewhere.
- 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 (CIRCA C 697, 2007), or the updated The SuDS Manual (CIRCA C 753, 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 all the surface water drainage features for the lifetime of the development.

- (35) Prior to the first occupation of the supermarket details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.
- (36) Prior to the commencement of development, a programme for the capture of grass snakes shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- (37) Concurrently with the submission of reserved matters required by condition 2, details of ecological enhancements in accordance with paragraph 9.2 of the submitted Biodiversity and European Protected Species Survey shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved detail.

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (3-4) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (5) To reflect the scope of the application in accordance with the specified approved plans and documents.
- (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 of the Development Management DPD 2015.
- (7-8) To ensure the development incorporates sufficient energy efficiency measures in accordance with policy 3 of the JCS.

- (9-10) To safeguard the amenities of the residential properties in accordance with the criteria specified in Policies GC4 and EN4 of the Development Management DPD 2015.
- (11) To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with policy GC4 of the DM DPD
- (12) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with policy GC4 of the DM DPD.
- (13) To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway in accordance with policy GC4 of the DM DPD.
- (14) To ensure satisfactory development of the site in accordance with policy GC4 of the DM DPD.
- (15-16) In the interests of highway safety in accordance with policy TS3 of the DM DPD.
- (17) To ensure adequate off-street parking during construction in the interests of highway safety in accordance with policy TS3 of the DM DPD.
- (18) To prevent extraneous material being deposited on the highway in the interests of highway safety in accordance with policy TS3 of the DM DPD.
- (19-20) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with GC4 and TS3 of the DM DPD.
- (21) In the interests of highway safety in accordance with policy TS3 of the DM DPD.
- (22) To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with policy TS2 of the DM DPD.
- (23) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with policy GC4 of the DM DPD.

- (24) In the interests of the safety of persons using the access and users of the highway in accordance with TS3 of the DM DPD.
- (25) To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened in accordance with TS3 of the DM DPD.
- (26) In the interests of highway safety and traffic movement in accordance with TS3 of the DM DPD.
- (27) In the interests of highway safety in accordance with TS3 of the DM DPD.
- (28) To ensure adequate off-street parking during construction in the interests of highway safety in accordance with TS3 of the DM DPD.
- (29) To prevent extraneous material being deposited on the highway in the interests of highway safety in accordance with TS3 of the DM DPD.
- (30) To ensure the A47 trunk road continues as a strategic route through Norfolk and local traffic uses the local road network to ensure the trunk road avoids congestion at the Cucumber Lane roundabout in accordance with policy GC4 and TS3 of the DM DPD.
- (31) To enable the archaeological value of the site to be properly recorded before development commences in accordance with Policy EN2 of the DM DPD.
- (32) To prevent environmental and amenity problems arising from flooding in accordance with GC4 of the DM DPD.
- (33) To ensure adequate provision of fire hydrants in accordance with policy BC4 of the DM DPD.
- (34) To prevent the risk of flooding on site or elsewhere by ensuring the satisfactory management of local sources of flooding in accordance with policy GC4 and CSU5 of the DM DPD.
- (35) To ensure the proper development of the site without prejudice to the amenities of the area, and in accordance with Policy GC4 of the Development Management DPD 2015.
- (36-37) To ensure the satisfactory development of the site in accordance with Policy EN1 of the Development Management DPD 2015.

Informatives:

- (1) It is an offence to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

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

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

- (2) Street lighting is a concurrent power of the County, District and Parish Councils. However, it is the County Council after consultation with the Local Lighting Authority (District or Parish Council) who decides whether street lighting is required on proposed public highways. Norfolk County Council will challenge any automatic assumption that street lighting needs to be provided on part or all of the new development.
- (3) The applicant is advised that to discharge condition SHC 00 that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
- (4) This development involves a Travel Plan to be implemented 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 Town and Country Planning Act 1990 or 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. Please contact (insert appropriate contact details).

Commuted Sum for Travel Plans

The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority also requires a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge are secured by a Section 106 Legal Agreement. This is in addition to the sum payable for Planning Obligations covering infrastructure, services and amenities requirements.

For residential development, Norfolk County Council offers a fully inclusive package covering the writing, implementation, on-going management and annual monitoring of a Travel Plan for 5 years post completion of the development. Up to date costs can be obtained by contacting (insert appropriate contact details). Developers are expected to enter into a Section 106 Agreement to secure the necessary funding before planning permission is granted.

- (5) The details of layout for the supermarket site required by condition 2 shall include details of the location of the National Grid Intermediate pressure pipeline relative to the position of any proposed building. This should be determined by trial hole to confirm exact location no ensure no encroachment issues.
- (6) The Construction of the supermarket shall be carried out in accordance with the requirements of T/SP/SSW/22 'Working in the vicinity of Gas Pipelines'.
- (7) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this in to account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under section 185 of the Water Industry Act 1991. Or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- (8) An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian water recommends that petrol / oil interceptors be fitted in all car parking facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under Section 111 of the water Industry Act 1991.

- (9) Any vegetation clearance associated with the development shall be undertaken outside the bird nesting season (late March through to early September).
- (10) The site is subject to a related agreement under Section 106 of the Town And Country Planning Act 1990.
- (11) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (12) 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.

78 APPLICATION NUMBER 20171686 – BLOFIELD NURSERIES, HALL ROAD, BLOFIELD

The Committee considered an outline application for nine bungalows with associated parking and gardens at Blofield Nurseries, Hall Road, Blofield. All matters were reserved for later approval. As part of the proposal, a new footpath would be provided from the site along the southern side of Hall Road continuing to and along Woodbastwick Road heading towards Blofield Heath where it would link up with the footway which had been provided as part of another planning permission (ref: 20170846).

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

The Committee received the verbal views of Mark Thompson of Small Fish (the agent) at the meeting.

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 the site was actually closer to Blofield Heath than Blofield and 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 it was accepted that Blofield Heath was a generally sustainable location for some new development, the Committee noted that the site was not adjacent to the village and was approximately 500m from a group of dwellings on the edge of the village on Woodbastwick Road which were currently being constructed. It was considered that the provision of a footpath as proposed in the application allowed the site to become more sustainable by encouraging walking as a realistic alternative to access the services and facilities in Blofield Heath. Therefore, the proposal was considered to comply with Policy 1 of the JCS insofar as it related to promoting sustainability. However, the Committee wanted to ensure that the footpath would be delivered as part of the scheme and was mindful that the applicant could subsequently submit an application to remove the condition if the scheme became unviable. The Head of Planning advised the Committee that it could include the provision of the footpath as an additional Head of Term within the Section 106 Agreement and this was considered to be an appropriate course of action.

In terms of the objection received from the Highway Authority, the Committee noted the submission from the applicant's consultant regarding visibility and concurred with the officers that a set-back of 2.4m would be more appropriate. The indicative drawings suggested that adequate visibility splays could be provided at the junction of the site access with Hall Road. The Committee acknowledged that the majority of the 275m length of Hall Road between the proposed access and the junction was single carriageway. However, based on the data submitted with the application regarding accidents, vehicle movements and speeds, together with the passing places being proposed, the Committee considered that the application would not result in a significant adverse impact on the satisfactory functioning or safety of the highway network and, therefore, it complied with Policy TS3 of the DM DPD.

As the scheme was proposing fewer than ten units, there was no requirement to provide affordable housing or tariff style contributions (in accordance with the Ministerial Statement of November 2014). However, the Committee noted that the applicant was proposing two units of affordable housing, both of which would be built to Part M Level 3 wheelchair user standards and the provision of the units could be secured through a Section 106 Agreement.

In respect of open space, the Committee noted that on-site provision was unlikely to be meaningful and therefore, the Council would seek the payment of commuted sums to help reduce the deficit of equipped children's play areas and informal open space within the parish of Blofield.

The Committee acknowledged that the development would require the removal of the hedgerow along the front of the site to accommodate the vehicular access, passing place and footpath, together with the remainder of the hedge to the east to accommodate the remainder of the footpath along Hall Road and, whilst these hedges were considered to be of low value, their removal would expose the site to a greater degree than currently and the installation of the footpath would erode the verdant character of Hall Road. However, this provided an opportunity to plant a hedgerow which, once established, would have a greater value than the existing mixture of hedges. Furthermore, the site was relatively contained within the wider landscape and the bungalows would not be visible from long distance or wider views.

Given the outline nature of the application, the Committee noted that a detailed assessment of the acceptability of the layout, size and appearance could not be made at this stage but agreed that the indicative layout suggested that nine dwellings of the type proposed could be accommodated within the site and therefore, the proposal would comply with Policy HOU1 of the Neighbourhood Plan. Similarly, the impact on residential amenity could also not be assessed at this stage but given the relatively flat profile of the site and the fact that bungalows were being proposed, the Committee considered that it was likely the impact on residential amenity would be neutral. Accordingly, the proposal was considered to comply with Policy GC4 (iii) and (iv) of the DM DPD.

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 generally 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 20171686 subject to the satisfactory completion of a Section 106 Agreement relating to the following Heads of Terms and subject to the following conditions:

Heads of Terms:

- (1) Affordable housing (2 units)
- (2) Off-site commuted sums in respect of equipped play space (Policy RL1) and informal open space (Policy EN3) (including maintenance arrangements and provision).
- (3) New section of footway linking from site to existing footway facilities on Woodbastwick Road

Conditions:

- (1) Details of the access, appearance, landscaping, layout, 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 reserved matters shall be made to the local planning authority not later than two years from the date of this permission.
- (3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- (4) The development hereby permitted shall not be carried out otherwise than in accordance with the Location Plan as Existing received on 22 September 2017.
- (5) As part of the reserved matters application, an Arboricultural Impact Assessment that includes an Arboricultural Method Statement and Tree Protection Plan shall be submitted to the local planning authority for its written approval. The development shall then proceed in accordance with the approval details.
- (6) Prior to the first occupation of the development hereby permitted, visibility splays as detailed on Drawing No. 03/002 Rev. E (entitled Potential Highway Improvements) received on 30 October 2017 shall be provided at the junction of Hall Lane with Woodbastwick Road and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

- (7) Notwithstanding the details indicated on the submitted drawings, no works shall commence on site until a detailed scheme for the highway improvement works comprising vehicular passing bays on Hall Lane) has been submitted to and approved in writing by the Local Planning Authority. The off-site highway improvement works shall then be completed to the written satisfaction of the Local Planning Authority prior to the first occupation of the development.
- (8) The dwellings shall be of single storey construction and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order with or without modification, no dormer windows or other openings to the roof space shall be provided.

Reasons:

- (1) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (2) 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.
- (3) 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.
- (4) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (5) To ensure the continuity of amenity afforded by existing trees in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014.
- (6) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (7) To ensure that the highway improvement works are designed to an appropriate standard and to ensure that the highway network is

adequate to cater for the development in the 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.

- (8) To ensure a satisfactory form of development that is appropriate to the area in accordance with Policy 2 of the Joint Core Strategy for Broadland Norwich and South Norfolk 2011/2014 and Policies GC4 and EN2 of the Development Management DPD 2015.

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of 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 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
- (3) The applicants need 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) Based on information provided with this application it has become apparent that asbestos containing material may be present within the existing building structure. The removal of asbestos materials must be carried out in accordance with appropriate guidance and legislation including compliance with waste management requirements. Accordingly any works should be managed to avoid damage to any asbestos containing material such as to prevent the release or spreading of asbestos within the site or on to any neighbouring land. Failure to comply with this may result in the matter being investigated by the Health and Safety enforcing authority and the development not being fit for the proposed use. In addition the developer may incur further costs and a time delay while ensuring the matter is correctly resolved.

- (5) 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 Norfolk 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.

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

The Committee adjourned at 10:57am and reconvened at 11.10am when all of the Members listed above were present for the remainder of the meeting with the exception of Mr Ward who left after Minute no: 79.

79 APPLICATION NUMBER 20171942 – PLOT 15, CROWN MEADOW, REEPHAM

The Committee considered an application for the removal of condition 4 of planning permission 20150375 relating to the provision of a 2.5m wide access at Plot 15, Crown Meadow, Reepham. The condition stated:

"The dwelling hereby approved shall not be occupied until a 2.5m wide access is provided in accordance with the details shown on drawing number SL02 Rev.A received on 6 March 2015. The access shall thereafter be retained for its purpose."

In support of the application, the agent explained that safe access and egress could be gained to the property without the need for the access to be 2.5m wide and that a 2m wide access could be used. Furthermore, the condition was preventing the agent the property being let.

The application was reported to committee as it related to a matter previously considered by the Planning Committee.

The Committee noted the comments of Mr Willmott in support of calling-in the application to committee and the receipt of a further letter from Mr McCann of 29 Crown Road, both as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Mr McCann of 29 Crown

Meadow objecting to the application and Mr Futter, the agent. Mr Peck and Mr Willmott both spoke in opposition of the application.

The condition had been imposed by the Committee in making its decision on application 20150375 which was for a revised house type, revision of site layout and boundary at Plot 15 and the demolition of the conservatory and part of the garage serving no: 19 (which was also under the applicant's ownership) (Minute no: 4 of the meeting held on 3 June 2015 referred).

The Head of Planning reminded the Committee that, when being imposed, planning conditions must meet certain tests which included: was the condition necessary and was it enforceable and these were particularly relevant to the current application.

In determining the application, the Committee acknowledged that disagreement between property owners on the position of boundaries and / or rights of access were for those parties to address separate to the planning application and that the granting of planning permission did not legally confirm the positions of boundaries or rights of way.

However, it was considered that the removal of the condition would result in an unacceptable impact on the amenity of neighbouring properties. It was noted that vehicles exceeding 2m in width would be unable to access the property, resulting in them parking permanently in the hammerhead which was not designed for permanent parking.

In conclusion it was considered that the proposed access of only 2m would result in an unacceptable form of development and, therefore, notwithstanding the officer recommendation and advice, it was

RESOLVED:

to refuse application number 20171942 for the following reasons:

This application has been considered against the Development Plan for the area, this being the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amendments adopted 2014) and the Development Management DPD 2015. The National Planning Policy Framework and the Planning Practice Guidance are also material considerations.

The application seeks consent to remove a planning condition that requires a dwelling to be provided with a 2.5 metre wide access. It is considered that failure to provide an access of this width will result in vehicular parking and manoeuvring that will have an adverse impact on the residential amenity of neighbouring properties. The application is therefore refused as it does not comply with Policy GC4(iv) of the Development Management DPD.

The Local Planning Authority will, where appropriate, discuss amendments to applications to secure an acceptable and sustainable form of development. However, in this instance it is not considered that the scheme could be amended to overcome the 'in principle' concerns of the authority. The Authority has therefore acted accordingly to refuse this inappropriate development.

80 APPLICATION NUMBER 20171766 – 8 ROUNDTREE CLOSE, SPROWSTON

The Committee considered a retrospective application for the change of use from B1 to gymnasium (Use Class D2) at 8 Roundtree Close, Sprowston. No external works had been, or were required, to the building. Hours of opening would be 0630 to 2000 from Monday to Friday and 0800 to 1400 on Saturdays. There would be a maximum of 15 people using the facility at any one time.

The application was reported to committee as the recommendation was contrary to the provisions of the Development Plan.

The Committee received the verbal views of Dominic Hills (the applicant) at the meeting.

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

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

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

RESOLVED:

to approve application number 20171766 subject to the following condition:

The premises shall be used as a gymnasium and for no other purpose including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification. Upon the gymnasium ceasing to operate or the premises being vacated, the premises shall revert back to its previous use.

Reason:

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

Informative:

The local planning authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.

81 APPLICATION NUMBER 20171718 – AGRICULTURAL BUILDING, MILL ROAD, REEPHAM

The Committee considered an application for the conversion of an agricultural building to a residential dwelling and the change of use of agricultural land to residential curtilage at Mill Road in Reepham. The proposal followed an application which granted prior approval in December 2016 for the conversion of the barn into a five bedroom residential dwelling and this current application sought to alter the design of the proposed dwelling including the provision of a first floor balcony on the front elevation and the retention of an existing lean-to structure on the south west side elevation. The area to be included in the residential curtilage had increased from the previously approved 740m² to 2,968m².

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

The Committee noted that a revised Arboricultural Report (referred to in paragraph 9.10 of the report) was outstanding and consequently required amendments to condition 8; and noted the receipt of two amended plans all as reported in the Supplementary Schedule.

The site was located outside of the settlement limit where new development would not normally be permitted unless it complied with a specific policy and / or allocation of the development plan and would not have a significant adverse harm. Policy GC3 of the DM DPD was relevant in this case. Members acknowledged that the barn already had permission to be converted to a residential dwelling and, therefore, the principle of conversion had been established. Notwithstanding this, it was considered that the application met the requirements of Policy GC3 of the DM DPD in that the building was capable of conversion without substantial alteration and the conversion would lead to an enhancement of the immediate setting.

This new application sought to convert the barn in much the same way as was approved under application 20161763, with the main changes being an increase to the residential curtilage and changes to the design of the barn.

The change of use of agricultural land to residential curtilage was the element of the application which was contrary to the development plan. Members noted that the applicant was seeking to extend the residential curtilage to provide a more appropriately sized garden as, under the prior approval application, much of the area was taken up by the parking and manoeuvring area. It was considered that the increased size of the residential curtilage would result in better living conditions and an improved form of development which followed the existing plot boundaries. In addition, the site was well screened from the south and east and, in part, by the barn when viewed from the street scene. Accordingly, it was considered that the extension of the curtilage would not cause unacceptable harm to the general character and appearance of the surrounding area.

In terms of the dwelling, the footprint of the barn was not increasing from the previously approved plans and Members noted the design changes as detailed in the report. It was considered that the design and choice of materials were acceptable and the proposal complied with Policy 2 of the JCS and Policies GC3 and GC4 of the DM DPD. Regarding residential amenity, it was considered that the proposal would not cause any harm to the general character and appearance of the area in accordance with Policies GC4 and ENV2 of the DM DPD. It was noted there were no neighbouring dwellings within close proximity to the barn and consequently there would be no issues of overlooking.

In conclusion it was considered that the appearance of the barn and its immediate setting would be enhanced and the development would have a neutral impact on the character and appearance of the area and on residential amenity. However, Members considered that the removal of Permitted Development Rights should be extended to the means of enclosure for the residential curtilage and accordingly, condition 3 would need to be amended. Accordingly, it was

RESOLVED:

to approve application number 20171718 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 Plan - Location and Existing, Dwg No: 16-050 101, received 6 October 2017

Site Plan, Dwg No: 16-050 102, received 6 October 2017

Proposed North West and South East Elevations, Dwg No: 16-050 124, received 6 October 2017

Proposed Ground Floor Plan, Dwg No: 16-050 121, received 6 October 2017

Proposed First Floor Plan, Dwg No: 16-050 122, received 6 October 2017

Proposed Plant Room/Store, Dwg No: 16-050 /216 A, received 6 October 2017

Drainage and External Works, Dwg No: 500, received 6 October 2017

Proposed South West and North East Elevations (Amended), Dwg No: 16-050 123A received 5 December 2017

Isometric of Balconies Dwg No: 16-0505K09A received 5 December 2017

- (3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other order revoking, and re-enacting or modifying that Order), no development permitted by Classes A, B, C, D or E of Part 1 or Class A of Part 2 of Schedule 2 of that Order shall be carried out without the prior consent of the Local Planning Authority.
- (4) Prior to the first occupation of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification (Dwg. No. TRAD 5) attached. Arrangement shall be

made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

- (5) Vehicular access to and egress from the adjoining highway shall be limited to the access shown on drawing only. Any other access(es) or egresses shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.
- (6) Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- (7) Prior to the first occupation of the development hereby permitted the proposed on-site car parking and manoeuvring area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- (8) Prior to the commencement of any work on the site an Arboricultural Impact Assessment to comply with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations Section 5.4 detailing the extent of the direct and indirect impacts of the development proposals on existing trees on or adjoining the site, this will include details of Root Protection Areas (RPA's), Construction Exclusion Zones (CEZ's) and Tree Protection shall be submitted to and approved by the Local Planning Authority

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

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

Reasons:

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

- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure the satisfactory appearance of the building and satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (5) In the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (6) In the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (7) To ensure the permanent availability of the parking and manoeuvring area, in the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (8) 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 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) This development involves works within the Public Highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

It is an offence to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Control Group. Please contact (insert appropriate contact details).

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

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

- (4) The buildings/site to which this permission relates contains suitable habitat for bats, barn owls or reptiles which are protected by the Wildlife and Countryside Act 1981 (as amended). In this respect the applicant is advised to consult Natural England, Dragonfly House, 2 Gilders House, Norwich, NR3 1UB or enquiries.east@naturalengland.org.uk and follow any requirements in this respect.
- (5) There is a possibility that asbestos containing material may be present within the existing building structure. The removal of asbestos materials must be carried out in accordance with appropriate guidance and legislation including compliance with waste management requirements. Accordingly any works should be managed to avoid damage to any asbestos containing material such as to prevent the release or spreading of asbestos within the site or on to any neighbouring land. Failure to comply with this may result in the matter being investigated by the Health and Safety enforcing authority and the development not being fit for the proposed use. In addition the developer may incur further costs and a time delay while ensuring the matter is correctly resolved.

The meeting closed at 12:50pm

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

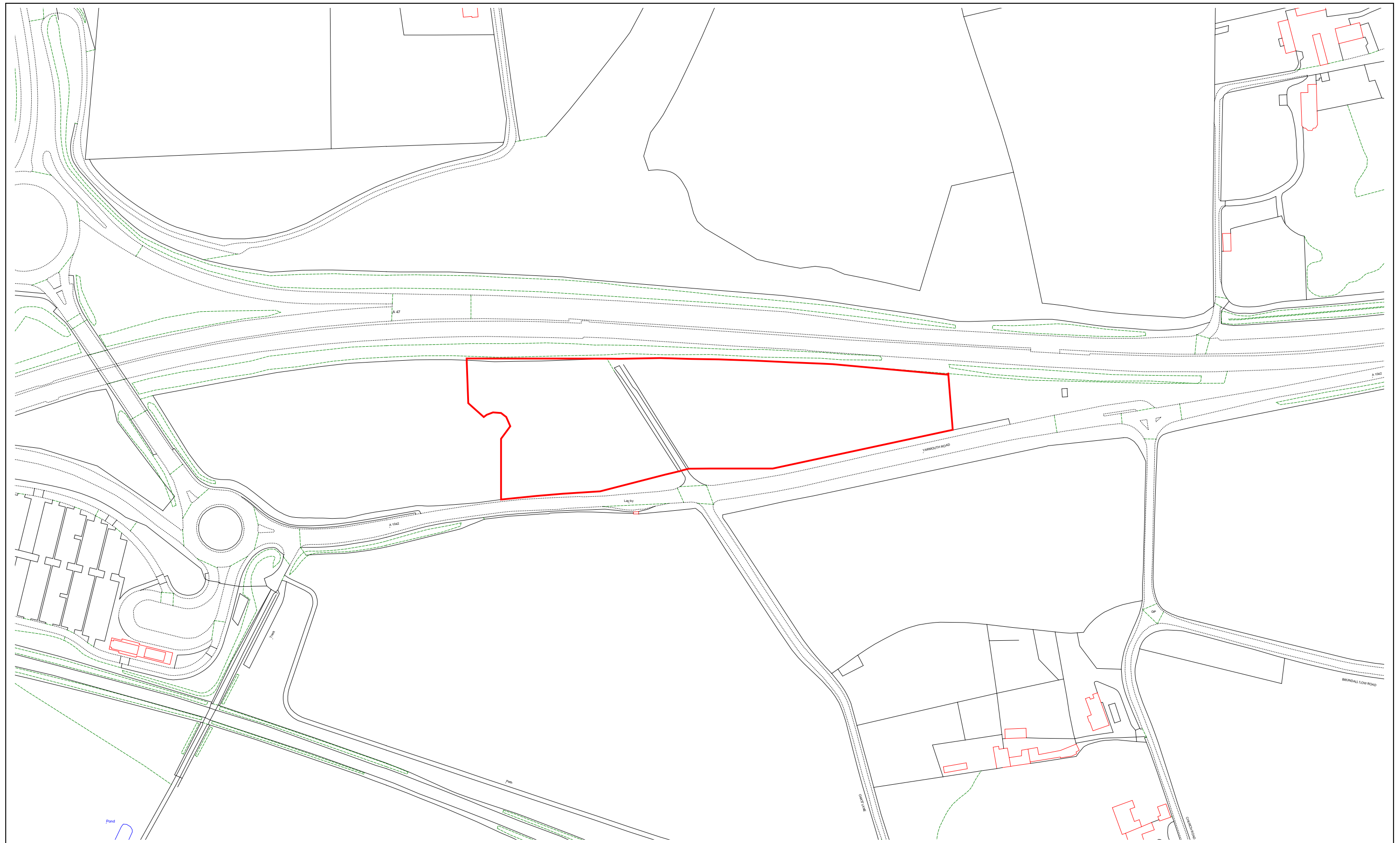
Plan No	App'n No	Location	Contact Officer	Officer Recommendation	Page Nos
1	20170095	Land South of Broadland Gate, Postwick	CR	APPROVE subject to conditions	36 – 82
2	20170212	Land off Drayton High Road, Drayton	MR	Delegate authority to the HoP to APPROVE subject to conditions and the satisfactory completion of a S106 agreement relating to the Heads of Terms	83 – 129
3	20171782	Taverham Garden Centre, Fir Covert Road, Taverham	AB	APPROVE subject to conditions	130 – 157
4	20172032	Land at Dawsons Lane, Blofield	CP	Delegate authority to the HoP to APPROVE subject to conditions and the satisfactory completion of a S106 Agreement relating to the Heads of Terms	158 – 178
5	20171008	Land at Little Plumstead Hospital West, Hospital Road, Gt & Lt Plumstead	NH	Delegate authority to the HoP to APPROVE subject to conditions, the satisfactory resolution of surface water drainage, no new material issues being raised during the re-consultation period and a Section 106 Agreement / Deed of Variation	170 – 200
6	20172017	Land adjacent to 2 Hurn Road, Drayton	CR	APPROVE subject to conditions	201 – 216

Planning Committee

7	20171945	Land rear of Church Cottage, 2 Norwich Road, Strumpshaw	EY	APPROVE subject to conditions	217 – 231
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HoP = Head of Planning

Key	Contact Officer	Direct Dial No:
CR	Christopher Rickman	01603 430548
MR	Matthew Rooke	01603 430571
AB	Adam Banham	01603 430491
CP	Cheryl Peel	01603 430550
NH	Nigel Harriss	01603 430529
EY	Ellie Yarham	01603 430136



Application No: 20170095
Land South of Broadland Gate, Adjacent to Postwick Interchange, Postwick, NR13 5NP

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Scale:
1:2500
Date:
22-Jan-18



AREA East

PARISH Postwick

1

APPLICATION NO: [20170095](#) **TG REF:** 629208 / 308473

LOCATION OF SITE Land South of Broadland Gate, adjacent to Postwick Interchange, Postwick, NR13 5NP

DESCRIPTION OF DEVELOPMENT Full planning application for the proposed development of 1 no: petrol filling station, 2 no: drive-through restaurants and 24 space HGV parking, together with various infrastructure and landscaping works

APPLICANT Monte Blackburn Ltd & Pigeon Investments Ltd, c/o Agent

AGENT PWA Planning, FAO: Emily Robinson, Ribble Saw Mill, Paley Road, Preston, PR1 8LT

Date Received: 18 January 2017
13 Week Expiry Date: 20 April 2017

Reason at Committee: (1) At the request of Councillor Proctor for the reasons stated in paragraph 3.6 and (2) as the proposal is contrary to policies set out in the Development Management DPD.

Recommendation (summary): **APPROVE** subject to conditions.

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the proposed development of a petrol filling station, two drive-through restaurants and a 24 space HGV parking area on a vacant parcel of land to the south of Broadland Gate and the A47 trunk road and adjacent to the Postwick Interchange.
- 1.2 The proposal seeks permission for a 6-pump petrol filling station which also includes two electric charging points, an ancillary retail shop element and a small food-to-go counter. The petrol filling station is comprised of a rectangular kiosk building measuring 689m² with four main pumps located to the front (west) of the kiosk building and two further pumps to the east of the building which are to serve large HGV vehicles. Thirty three car parking spaces are to be provided to serve the petrol filling station whilst 24 HGV parking spaces are proposed to the west of the site.

- 1.3 The drive-through restaurants will have an A3/A5 use and will provide a hot food drive-through (KFC) and a coffee shop drive-through (Starbucks). Both buildings are predominantly rectangular in shape and each measure 245m² in floor area. A total of 86 car parking spaces are proposed to be provided for the two drive-through restaurants.
- 1.4 Vehicular access to the site will be from an existing point off the A1042 from the south, via a recently constructed roundabout.
- 1.5 The proposal incorporates various infrastructure works including a new internal spine road leading from the access. The proposal will also include landscaping works which are predominantly located along the site's boundaries.

2 KEY CONSIDERATIONS

- Location and planning policy
- Economic growth
- The impact of the development upon nearby town centres
- The design, landscaping and impact of the development on the character and appearance of the area
- The impact of the development upon the amenity of nearby residents
- The impact of the development upon the safe functioning of the highway network
- Drainage and flood risk
- Contamination and pollution prevention
- Proximity of development to gas pipeline
- Other matters

3 CONSULTATIONS (Summarised)

3.1 Blofield Parish Council:

The Council would like to raise three concerns about this proposal:

- Concerns about the capacity of the existing Postwick Hub interchange due to queuing traffic at peak times and the added congestion the attraction of a Petrol Filling Station and two drive-through outlets.

- Concerns about the Oaks Lane roundabout being able to handle HGVs approaching the development from the A47 slip road due to the camber of the roundabout and on-going traffic flows to the Postwick Hub, especially as the Petrol Filling Station is being promoted as a lorry park for up to 24 HGVs.
- Concerns about the proposed footpath connections from the Park & Ride site to the development. What pedestrian friendly measures would be put in place either at the development or at the interchange to enable safe pedestrian access?

3.2 Brundall Parish Council:

Brundall Parish Council voted to support this application as it is felt that the general area lacks provision for HGVs to refuel and to park up and have amenities to properly stop to rest.

3.3 Norwich City Council:

In terms of impacts on Norwich City Centre, regard is had to the particular drive-thru nature of the proposed restaurants and the justification that is provided within the Sequential Assessment in terms of type of development and the target catchment area. On the assumption that the information in terms of a lack of alternative sites is correct, I would not wish to raise an objection on the grounds of impact on the City Centre.

In addition I note the proposal is a sufficient distance away to not cause amenity impacts on residents within the City Council area.

The Council's transport officer has provided the following comments which might be considered in your assessment:

- Opportunities to carry out bus stop enhancement and walking routes to and from nearby bus stops would be encouraged.
- Cycle / motorcycle parking for staff is encouraged for all the business premises.
- The provision of a HGV layover area is particularly welcome as there is under-provision for such a facility in the Greater Norwich area.

On the basis of the above assessment it is concluded that no objections are raised in term of the impacts of the City Council authority area.

3.4 Postwick with Witton Parish Council:

Postwick with Witton Parish Council objects on the following grounds:

- (1) The site is outside the permitted development area per the Local Plan. There hardly seems a need for further fast-food outlets, given the proximity of others on Broadland Business Park. The same applies to the petrol filling station, given the proximity of other sites at Brundall, Sainsbury's and Thickthorn roundabout.

Note: This has been addressed in paragraph 9.34.

- (2) The Northern Distributor Road (NDR) is due for completion at the end of this year and it is not clear how the Postwick junction will cope with the very significant increase in traffic. The junction has already been altered once at considerable cost, which is an admission that the design was unsuitable for the volume of traffic. This application is therefore at the very least premature and should not be considered until the NDR has been operating for a period.

Note: This has been addressed in paragraph 9.34.

- (3) We have serious concerns about the effect on traffic flows around the Postwick junction, particularly in peak times.
 - (a) The estimated traffic number quoted in the traffic assessment will cause problems at the Postwick junction. At times, traffic already backs up eastward on the A1042 towards the A47. This is very dangerous given the speed of traffic on the A47 dual carriageway.
 - (b) To enter the site, traffic from the west on the A47 will join traffic from the NDR at the roundabout on the northern side of the A47. Combined traffic will use the signalled junction at the Park & Ride. Again this is likely to cause backing up and delays.

Note: These points have been addressed in paragraphs 9.15 to 9.20.

- (4) The screening on the southern boundary of the site, adjacent to the A1042, is insufficient. There appears to be much more screening provided on the northern side for some reason. The lorry park should be completely screened from the road and the village using much taller trees and shrubs etc, the hedging along the remainder of that boundary should be higher than is provided in the plan. We suggest that solid fencing should be used sited behind the tree and shrubs, along the southern boundary.

Note: This has been addressed in paragraph 9.34.

- (5) We are concerned that light pollution will be significant, given that the very brief lighting report indicates more than 50 lights on the site. The lighting generally, but particularly at the petrol filling station and lorry park, should be at a low level luminosity. Restrictions should be in place at night on that part of the site which is not in use.

Note: This has been addressed in paragraph 9.13.

- (6) We are concerned that proposals for the surface water drainage are vague and the testing on site will be required later. There is already flooding in the A1042 near the Park and Ride. This larger surfaced area will result in significant run-off and should be properly dealt with at the planning stage, not, to be left until later.

Note: This has been addressed in paragraphs 9.21 and 9.22.

- (7) There will be significant pollution with both fumes and noise from the 24 lorries on the HGV lorry park, given the engines will be running all night, for refrigerated lorries. This parking place is close to the edge of the village and therefore residents are seriously concerned about this situation. The village is already suffering significant pollution from the type of engines used on the railway, the proximity of the A1042 and the Postwick Junction.

Note: This has been addressed in paragraph 9.34.

- (8) Clearly significant noise will be generated by traffic using the site, both off the road and on the site. Please ensure that this is looked at very carefully and dealt with appropriately.

Note: This has been addressed in paragraphs 9.13 and 9.14.

- (9) Given the experience with the other fast food outlets nearby, we are seriously concerned about litter produced and there must be a condition that this will be dealt with properly by the various operators of the units, otherwise there will be problems of litter being carried by the wind onto the road system, fields and village.

Note: This has been addressed in paragraph 9.35.

3.5 Thorpe St Andrew Town Council:

Resolved to submit the following comments:

- That a more comprehensive proposal for retention and replacement of landscaping and screening was needed which would help to reduce the visual impact of the proposal.
- There is concern about the potential for pollution from contaminated surface water draining into the existing nearby lagoon and that this needs to be contained within the site.
- The existing access arrangements were not adequate to service the proposal.

3.6 Councillor Andrew Proctor:

In the event that this application would be proposed for approval I would like the decision to be made by the Planning Committee.

The key reason, whatever may be said by Norfolk County Council and Highways England, is the impact on and the adequacy of the local road network to cope with a significant increase in traffic in particular moving on to and away from a small roundabout. In addition, there is no policy justification for such a proposal.

3.7 Anglian Water :

The development is within an Environment Agency Source Protection Zone 1 (SPZ1) for an Anglian Water public water supply source. SPZ1s are designated to inform the planning process as to where constraints and measures would be required to provide the highest level of protection to groundwater quality. It is essential to protect the public water supply sources from contamination from any activities that might cause pollution, both during construction and when operational.

Anglian Water considers that the risk posed by the development of the proposed petrol filling station, with associated underground fuel storage tanks and pipework, within the SPZ1 of the Postwick abstraction is unacceptable.

Based upon all previous correspondence and information to date Anglian Water strongly objects to the proposed development on the grounds of potential implications for public health and the local economy. There is a lack of up-front design, control and monitoring information, the submitted documentation does not provide the sufficient level of detail needed to ensure that the proposal can be delivered without causing a detrimental impact on water quality, which could lead to restrictions to the public water supply, implications on public health and the local economy.

Note: This objection is considered within paragraphs 9.23 to 9.28 of this report.

Note: To view all of Anglian Water's comments on the application please see the working application file.

3.8 The Broads Authority:

The Broads Authority does not object to the proposal but would like the following comments to be taken into consideration in the determination of the application.

Landscape – The site sits adjacent to the Broads Authority boundary area Landscape Character Area – Yare Valley Cary's Meadow, Thorpe Island and Marshes, Postwick Grove and Whitlingham Marshes, with arable areas outside the Broads Character Areas between the Broads Authority area and the site.

Site levels drop towards the south, which means development will potentially be visible from the Broads Authority area and the train line, however as single storey buildings are proposed it is unlikely that development will be prominent. Due to existing vegetation, tree cover and topography in the wider setting it is unlikely that the development would be visible from the River Yare.

Planting proposed along the south and west boundaries will assist in partially screening the development from the wider setting. The use of a more generous buffer of native mix planting and additional trees around the south and west boundaries could help to better integrate the proposals into the setting. Impacts of the development on the Broads Authority area will be in the context of recent development and changes to land uses and topography, which are visually intrusive and detract from the amenity value of the area.

Ecology – The Protected Species Survey submitted in support of the planning application confirms that the site has low biodiversity value in terms of habitat provision. It also recommends appropriate avoidance, mitigation and compensation measures which would ensure that the proposals would be unlikely to result in significant harm to biodiversity. The Broads Authority supports the mitigation and compensation measures proposed which would help to enhance the biodiversity of the site.

3.9 Conservation Officer (Arboriculture & Landscape):

Having studied the Preliminary Arboriculture Survey I have the following comments:

- The survey has produced a Tree Constraints Plan (TCP) following the guidance within BS5837; which illustrated the existing trees Root Protection Areas (RPA'S) and associated category ratings.
- I have no objections to the proposals as long as the majority of the category 'A' & 'B' trees are retained.
- The younger highway plantings G1 & G3; adjacent to the A47 have been grade as category 'C' trees; whilst this category is not necessarily retained, I think they have value acting as an established landscape buffer to the trunk road and should be incorporated within the proposed layout.
- As highlighted within the report conclusions, as Arboriculture Impact Assessment (AIA) will be required, once the proposed layout has been agreed, this should include a Tree Protection Plan (TPP) and also an Arboriculture Method Statement (AMS).
- Although the proposed layout requires the removal of two Category 'B' trees within the centre of the site, the replacement planting schedule is extensive; with one hundred and 52 new trees, and would mitigate the loss of the seven trees shown for removal, on Landscape Layout drawing No. CL Chkd CP.
- The six planting pits shown within the parking area are an important element of the landscape design, as they will soften the hardstanding and provide an element of shade and cooling within the car park area.
- It will be important to ensure that the planting pits are design to provide sufficient rooting areas for tree to thrive and mature, as too often planting within this hostile type of environment, thrives with the first few years of planting and then declines as the resources within the tree pit become insufficient to maintain the growing tree.
- If there is insufficient square meterage of rooting volume with the individual pit design it would be possible to design the pits using a modular soil cell system, such as RootSpace which link the planting pits together or to include a SUDS crate system, such as Arborflow to incorporate drainage into the tree pit design.
- It appears from the Landscape Layout drawing that the existing highway planting adjacent to the A47 will be retained, and additional native shrub planting is proposed to strengthen the landscape buffering to the north, which is welcomed.
- If additional instant screening is considered necessary to the southern boundary, the use of larger specimens for the individuals tree planting

should be considered, such as 20-25cm girth which would give a tree height of approximately of 6m.

- An AIA, TPP & AMS will be required.

3.10 Economic Development Officer:

I can confirm that I have no objections to the proposal which will provide a range of employment opportunities on the eastern edge of the city, beneficial to both the eastern suburbs and to the surrounding villages that fall within the District. The site also benefits from easy access from the A47 and from its proximity to the southern end of the NDR, providing a wider choice of facilities and services in this particular location.

3.11 Environment Agency:

We have inspected the Fuel Storage Feasibility Assessment and Drainage Strategy reports. We consider that our previous objection may be removed and planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. *(All 5 conditions suggested by Environment Agency are proposed to be added as suggested.)* Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would maintain our objecting to the application.

We ask to be consulted on the detailed submitted for approval to your Authority to discharge these conditions and on any subsequent amendments / alterations.

Note: To view all of the Environment Agency's comments on the application please see the working application file.

3.12 Environmental Contracts Officer:

Given the commercial nature of this development, I have no specific comments to give.

3.13 Environmental Health Officer:

Concerns raised with regards to the underground fuel tanks and their impact upon public safety, drainage at the site and the possibility of contamination of Anglian Water drinking borehole.

Note: These concerns are considered within paragraphs 9.21 to 9.28 of this report.

3.14 Environmental Health Officer (Nuisance):

Due to the distances away from the nearest residential properties, I do not foresee any nuisance problems arising from this site. I therefore have no comments to make on this.

3.15 Health and Safety Executive (HSE):

Advise against. The assessment indicates that the risk of harm to people at the proposed development site is such that HSE's advice is that there are sufficient reasons on safety grounds for advising against the granting of planning permission in this case.

Major hazard sites / pipelines are subject to the requirements of the Health and Safety at Work etc Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation.

3.16 The Highway Authority:

The overall site plan (1404/5) appears to demonstrate that a number of HGVs have to overrun the adjacent verge in order to access the site. A drawing needs to be provided which shows that all vehicles can access the site whilst remaining within the confines of the carriageway. Please could such a drawing be provided?

Comments following further consultation:

The Highway Authority has been in discussion with the applicants' transport consultants and as well as a revised drawing showing access into the development for HGVs, there will now also be a crossing facility and a footway / cycleway link from the site to the Postwick junction which will tie in with existing pedestrian/cycle facilities. The Highway Authority is now in a position to recommend no objection subject to a number of conditions.

3.17 Highways England:

Offer no objection.

3.18 Historic Environment Service:

The proposed development site lies within a landscape in which cropmarks of multi-period trackways, enclosures and funerary monuments have previously

been recorded through archaeological excavation and as cropmarks through aerial photography. Cropmarks of features of unknown date, but of probable archaeological origin, have previously been recorded within the eastern part of the proposed development area. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with the National Planning Policy Framework paragraph 141. We suggest that the following conditions are imposed. (*Conditions are proposed to be added as suggested.*)

In this case the programme of archaeological mitigatory work will commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (eg an archaeological excavation or monitoring of groundworks during construction). A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service.

We note that the western part of the application site has recently been used as a construction site compound. In view of this trial trenching would initially be confined to the eastern (undisturbed) part of the site. However, if significant heritage assets are identified in the eastern area of the site, and it is considered likely that they continue further west, requirement for trenching (and subsequent phases of mitigation works) may be extended into the western area.

3.19 The Lead Local Flood Authority (LLFA) (Latest comments):

The information received includes evidence to show that Anglian Water is willing to accept both surface and foul water at a combined rate of 11 l/s. The revised information also includes a revised strategy whereby clean roof water for two of the three buildings will infiltrate via individual soakaways, in line with the SuDS discharge location hierarchy. An exceedance flow route plan and maintenance schedule have also been supplied.

Discharge to a foul water network is the lowest option on the SuDS discharge hierarchy, however we note that the proposal has the support of Anglian Water, that infiltration has not been deemed suitable across the site due to the future designation of the area as a Source Protection Zone (Zone 1), and that there is no mapped watercourse to discharge to.

We appreciate that the applicants propose to discharge clean roof water to soakaways. While ground conditions in the exact locations of the proposed features have not been investigated, testing elsewhere on the site has shown

favourable infiltration rates. Should on-site infiltration testing in the locations of these soakaways show that the ground conditions are not favourable, this could be resolved by incorporating this impermeable area within the proposed off-site connection to the Anglian Water system. Therefore we consider that this can be resolved at a later date using appropriate conditions.

We also note that the applicants have increased the proposed surface water discharge rate from 7.2 l/s to 8.5 l/s to utilise the rate of 11 l/s agreed by Anglian Water. It remains our preference that offsite discharge is restricted to as close to greenfield runoff rates as is possible.

We remove our objection subject to conditions being attached to any consent if this application is approved (LLFA Condition to be added to as requested).

Note: To view all of the Lead Local Flood Authority's comments on the application please see the working application file.

3.20 National Grid:

National Grid has no objection to the above proposal which is in close proximity to a high-pressure gas pipeline.

No works shall commence within the area identified within the yellow area on drawing no:12a until a scheme for the construction of the HGV parking area has been submitted to and approved in writing by the Local Planning Authority in consultation with National Grid.

Note: To view all of National Grid's comments on the application please see the working application file.

3.21 Natural England:

- Statutory nature conservation sites – no objection. Natural England has assessed this application using the Impact Risk Zones data (IRZs). Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Broadlands Special Protection Area (SPA) and Ramsar and The Broads Special Area of Conservation (SAC) have been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the sites' conservation objectives.
- In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the

Yare Broads and Marshes SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

- Protected landscapes – The proposed development is for a site within or close to a national designated landscape namely The Broads National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the ‘landscape and scenic beauty’ of AONBs and national Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy you should also apply landscape policies set out in your Development Plan, or appropriate saved policies.

The landscape advisor / planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with aims and objectives of the Park’s management plan, will be a valuable contribution to the planning decisions. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty of public bodies to ‘have regard’ for those statutory purposes in carrying out their functions (section 11 A (2) of the national parks and access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

- Protected species – We have not assessed this applications and associate documents for impacts on protected species. Natural England has published [Standing Advice](#) on protected species. You should apply Standing Advice to this application as it is a material consideration in the determination of application in the same way as any individual response received from Natural England following consultation.

- Local sites – If the proposal site is on or adjacent to a local site, eg Local Wildlife Site, Regionally Important Geological / Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impacts of the proposal on the local site before it determines the application.
- Site of Special Scientific Interest Impact Risk Zones – The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “development in or likely to affect a Site of Special Scientific Interest” (schedule 4, W). Our SSSI impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI.

3.22 Norfolk Fire & Rescue Service:

I confirm as the Enforcing Authority for Petroleum, in principle that we have no objections subject to the installation complying with the APEA guidance, design, construction, modification, maintenance and decommissioning of filling stations.

The Environment Agency and its implementation of storing and dispensing of petrol fuel in high risk areas such as SPZI areas, where water extractions takes place, or where the fuel are situated in groundwater, would prefer above ground storage tanks. We believe there are genuine and overriding reasons why the storage tanks should be below ground.

We support a groundwater policy and the reasons for such a policy have been brought about by the history of problems in the industry over many years from leaking single wall and unprotected steel pipes, much of the pollution was caught by unregulated tanks such as diesel storage where there was no control and petroleum officers had no input.

3.23 Pollution Control Officer:

I note from the Phase 1 Desk Study that the consultants have carried out the risk assessment based on the site being in a Zone 3 source protection zone (SPZ) for the potable water abstractions. I think that this need to be rechecked as there is a new potable water abstraction close to the site which may cause the site to be within the Zone 1 SPZ. If this is the case I feel that they need to review the risk assessment. In addition the consultants have stated that there was a large tank on the site that may be for water.

Having been to the site I can see a number of water pipes across the site. It is possible that mains water was present on the site and I would therefore be

grateful if they can determine if there was mains water onto the site and what the tank was used for.

As you know I am keen to ensure that the Postwick hub and any associated development does not become a source of contamination for the Anglian Water (AW) public water supply borehole situated close by. The surface water drainage scheme for the road system relies on a series of settlement ponds and it appears that this proposed work relies on soakaways. I have attached an email trail between myself and Rachel Storr from the Environment Agency (EA). This gives some background. You will see that Rachel Stated:

“We are currently unable to model any new source protection zones, however this site should have been given a default SPZ1 around the abstraction point of 750m. This won’t take into account any local hydrogeology, but will cover the area most at risk. I will follow up as to why the default zone is not showing up on the mapping system, in the meantime I attach a copy of the map showing the radius.”

It would seem that the default SPZ1 has still not been uploaded on the EA mapping systems but I am assuming it is still AW’s intention to abstract from the boreholes on the site opposite the new water treatment works?

The presence of a car and HGV access together with a petrol station adds to the potential risk to the AW borehole and I should welcome confirmation that both Anglian Water and the Environment Agency will be consulted. The application seems silent about the presence of the abstraction point and does not include any details of the extent of risk and whether mitigation is envisaged. Any modelling risk assessment should take account of the Mott MacDonald, Postwick Hub groundwater risk assessment and its recommendations for validation.

Comments following further consultation:

No objections.

3.24 Senior Green Infrastructure Officer:

The planning application is supported by an ecological report. The report is fit for purpose. It states that the site generally offers limited opportunities for protected species and no evidence of any such species was recorded during the survey work. It further concludes that the majority of habitats on site were of negligible to low ecological value.

We broadly accept these conclusions. Our one minor concern is the sunken track which bisects the site in a north-south direction and which has an

adjacent hedgerow on one side for most of its length, together with the remnants of a former hedge on the other side which appears to be developing into scrub. This track/road appears on the First Edition OS map and the Tithe map and was still used by traffic until the stopping up of the road when the A47 was constructed in 1992. Given its age, it has both historical value and ecological value, albeit somewhat reduced by the truncation by the A47. The Ecological Appraisal describes this feature as having 'slightly elevated ecological value' (paragraph 7.3). Our view is that may downplay the potential ecological value of this historic feature.

Mitigation: We would assume that proper consideration has been given to the retention of this track and associated habitat features within the proposed development. However, assuming retention is not possible we would expect mitigation for the loss of this ecological feature. The Ecological Appraisal indicates that landscaping included in the proposal will off-set the loss of the track / hedgerow/scrub feature although, in my opinion, this is at the limit of what could be considered realistic. Any landscaping plan should include the proposed native planting and wildflower grassland creation which is described in the Ecological Appraisal (section 6.2).

Enhancements: The Ecological Appraisal recommends several enhancements for biodiversity in section 6.2 and we would support these. We agree that the provision of swift boxes should be conditioned. An appropriate number would be 8, with the location to be approved in writing by the Broadland Council. A similar number of either tree-mounted or building-mounted bat boxes could also be provided.

4 PUBLICITY

4.1 Site Notice:

Date displayed: 31 January 2017

Expiry date: 21 February 2017

4.2 Press Notice:

Date displayed: 7 February 2017

Expiry date: 28 February 2017

4.3 Neighbour Notification:

Letters sent: 27 January 2017

Expiry date: 19 February 2017

5 REPRESENTATIONS

5.1 When the application was submitted 189 consultation letters were sent to neighbouring residents. The consultation resulted in 17 letters of representation being received. The objections are summarised as follows:

- The proposal will cause an endless amount of litter.
- The summary of traffic report gives an unfair conclusion to the data previously quoted in that report. The summary suggests that increase traffic movement could be 2/3 per hour. In the body of the report it suggests that increased traffic movement will be 2/3 per minute. Assuming this to be more accurate, attempting to exit from Oaks Lane will be more difficult. Oaks Lane is the main exit from Postwick to the road network.
- The A1042 running down to the Oaks Lane roundabout is already very congested at peak times. At these times traffic backs up on this roundabout and up the A1042 towards the slip road. With further traffic encouraged to come off the A47 in order to use the filling station, it is in danger of backing all the way up on to the A47 itself. With cars and HGVs, in particular, also choosing to use the A1042, with the intention of re-joining the A47, this problem will only be exacerbated.
- Local residents will have even more difficulty than they already have in getting into the city or onto the A47. At peak times this is already an issue and a considerable frustration since there is no possible alternative route.
- There is already an issue with flooding beyond the Oaks Lane roundabout on the A1042. With greatly increased hardstanding, the problem of flooding will only be increased.
- The construction of a 24/7 development on this site will impact severely on the wildlife in the area. This area was a popular hunting ground for barn owls and it was promised that the site would be returned to farmland after the construction of the Postwick Hub. Other wildlife in the area will also suffer.
- The creation of a filling station and parking area for heavy good vehicles will mean a considerable increase in both noise and air pollution in the area, with vehicles stopping and starting, revving and pulling away etc. This is the very edge of the Broads National Park.

- This development is expected to provide work for only 20 full-time employees and 60 part-time.
 - There are serious traffic issues to be considered, especially in the main light of this appalling designed junction which I have witnessed many accidents and an equal number of 'near misses'. Additional traffic movements entering and leaving the site will only serve to compound the danger and confusion of what I understand has now become nationally known as yet another example of dreadful traffic planning and design.
 - One would have hoped that Broadland District Council had some form of Planning Policy concerning air quality and pollution caused by traffic fumes?
 - The Council must be aware that these vehicles run their engines all night to provide heating and to power all manner of electrical devices for the drivers' comfort. Have the applicants provided detailed figures to indicate the amount of pollution that this will generate? It does not appear from the submitted application that they have; I suggest that this application should not be determined without this information.
 - I believe that it was always understood, following completion of these endless roadworks that local residents have been forced to tolerate for years, that this site would be landscaped and as such help to ameliorate the traffic noises and pollution by the insertion of a 'green lung' into this atrocious piece of 1960s road planning.
 - Although we understand this site may be used for some building, we feel the proposed build is really excessive for this site.
 - The main access in and out of Postwick would certainly be badly affected, as would the whole country feel, the views of the surrounding area, the safety, wildlife, environment, etc.
 - Are there other sites possible, further away from village life?
 - Postwick is a medieval farming community with a medieval infrastructure. It has suffered enormous upheaval with the introduction of The Broadland Business Park, the Hub alternations and the start of the NDR.
 - If the planning application was minded to be approved, conditions should be applied for the wellbeing and benefit of the residents.
- (1) There should be adequate landscaping and screening between Postwick residents and the development to minimise the noise

pollution. Postwick Parish Council should be involved in and approve any scheme before implementation.

- (2) Any planning gain in funds (particularly by local authorities) should be applied to improving the road infrastructure in Postwick, and the blind bends. Medieval single lane roads are being used by 21st century farm machinery and HGVs. There are no kerbs or pavement in Postwick and as a result the verges are eroded, mud falls on the road when it rains, the roads are filthy they flood and are badly eroded.
 - (3) There should be safe pedestrian and cycle access from Postwick to the development via Oaks Lane.
 - (4) The new footpath to the P&R should be lit during the hours of darkness this is potentially dangerous. I cannot imagine any woman using it.
- Whilst the flood risk assessment indicates that the risk is low this not presently apparent by the constant presence of a flooded area to the park and ride extension site and also by the flooding of the A47 west lane following only moderate rainfall. With the proposed site being sloped and opposite the sloped access road to Postwick village I am concerned that the development will not have adequate provisions for surface water drainage and run off.
 - As the site will bring additional traffic to the area, increased signage is required to stop traffic accidentally entering the village as is the case at present, the entry to the Park and Ride site seems to cause confusion with cars often entering Postwick and then turning at the junction of Leeder Hill and Oaks Lane.
 - The applicants may argue economic benefit for large retail chains, but there is little social and environmental benefit as required by the NPPF.
 - It was certainly not part of or implied by the original planning consent for the Broadland Gate Business Park and indeed directly challenges aspects of the viability of that possible development.
 - It will generate multiple, increased distraction, advertising signs along the highways. Drive by food and coffee add to driver safety distraction risks.
 - The Postwick Hub slip road itself is already struggling with the peak traffic flows at the traffic light controlled junction and that is before the NNDR opens. This impact has already been noted with increased vehicle movements through the Plumstead Parish and Salhouse Roads as traffic

diverts to avoid the Hub. To encourage further vehicle movements into the area, including multiple HGV parking facilities, appears unsound.

- How does this impact upon further carbon emissions and climate change? The application does not discuss accurately anticipated customer numbers and vehicle movements, but this must be part of the business plans for the companies. Why are anticipated figures not provided? This absence is again contrary the GTAAP policy.
- Environmentally, there appears to be no plan to deal with surface water contamination to the yare aquifer in the event of a large vehicle chemical spillage of petrol / diesel problems. The whole design requires emergency interceptors and not as proposed direct soakaway links from parking areas and building via the gravel to the Yare Valley. The service station with below ground tank fuel storage is a further risk.
- The area was not designed as being development land but under the DMDPD was, and still is, protected for transport improvements namely the Postwick Hub scheme
- The sequential test submitted is misleading as it does not take into account identified commercial land to the north of Postwick Hub which also provided direct access to and from NDR.
- The roundabout mentioned above is already too small to accommodate articulated HGVs getting round without (a) taking up all vehicles lanes and (b) mounting the roundabout edges itself – as can be seen by the tyre marks. This is with the majority of articulated vehicles going ‘straight through’ let alone trying to get to the proposed entry / exit of the development which would require them to take a wider sweep.
- Until the NDR / Postwick Hub were built development seemed to be restricted by Broadland Planners to the north of the A47, protecting Postwick and other southern rural villages. Why is this now being totally disregarded when there are plenty of development areas north of the A47?
- The users of takeaway fast food / coffee outlets will seek to find a place away from the sire to consume the food in peace with a vista and drive into Postwick and the surrounding areas. An example of this can be seen around the drive through food facility that was introduced at the Brundall roundabout. This not only creates littler problems, potential issues with farm animals that graze the adjacent fields, but the vehicles would block the passing places in Oaks Lane creating more road verge damage and blocking access to and from Postwick village itself.

- The land has no utilities infrastructure which means more roadworks and traffic disruption to install sewerage, surface drainage, electricity etc.
- It would be sensible to leave this parcel of land until the effectiveness of the Postwick Hub interfacing with the NDR is seen to actually work before losing what could be a key parcel of land that may be required to overcome any road enhancements needed in the future and keep it as identified in the DMDPD.
- Postwick Lane is not built for such vehicles so if there is a genuine need for a large lorry park could it not be located on an industrial estate with better access?
- The development will cause substantial additional light pollution.
- The additional traffic encouraged by the proposed scheme will add to the carbon dioxide and NOX emissions in the area in conflict with climate change commitments.
- The proposed development will have noise and light impact in the Broads National Park.
- There is already a petrol station on the A47 at Brundall approximately one mile away so an additional petrol station cannot be justified on the grounds of need. In addition in close proximity there are filling stations at the A140 junction on the A47 and at the Hethersett services at the A11 junction. The country is littered with closed filling stations so an additional one in this location seems difficult to understand in particular as fuel efficiency, self-driving and electric cars will diminish requirements for petrol / diesel rapidly over the next few years.
- There is already a drive through coffee facility, Costa Coffee, at Broadland Business Park a few hundred yards away along with a series of similar coffee and eating facilities at the Premier Inn, Brewers Fayre, Hungry House and Ritazza coffee shop all at the same location. In addition there is a drive through McDonalds' restaurant (which also serves coffee) at the Brundall roundabout about 1 mile away, so additional coffee / restaurant facilities cannot be justified on the grounds of need.
- Whilst lorry traffic may need parking facilities it is counter intuitive for such facilities to be located on the west bound slip road at Postwick. Lorries travelling west on the A47 can only have come from Great Yarmouth or its environs some 19 miles away. Surely any lorry embarking on a journey from Great Yarmouth should do so in circumstance where the driver does not need to make an overnight stop a mere 19 miles later? Great Yarmouth already has lorry parking facilities. Lorries travelling east

should continue to their final destination rather than stopping a few miles short of it.

- Sainsbury's already have a supermarket little more than a mile away.
- The routes to the site off the A47 are unacceptable. Traffic from the west to join the north roundabout, which is where the NDR links with the new bridge and on to the Park and Ride junction. To continue to the east the reverse route will have to be followed. Traffic from the east will have to leave the A47 onto the A1042 to the site and onward will access the A47 via the Park and Ride junction. This route already causes confusion, is circuitous, incorporates a small roundabout and adds greatly to distance.
- There are many other applications to be completed that will add substantial to the traffic congestion. The volume of traffic from the NDR is unknown and cannot be accurately estimated because it is a new route. The adjacent Broadland Gate Business Park is still to be developed with access onto the North Roundabout. The Broadland Business Park is still not yet fully let. Several hundred houses are still to be built at Green Lane North, in and around Blofield and in and around Brundall Village, the pastures site is being extended and the Broome Boats application behind the McDonalds site for housing and supermarket. The Park and Ride extension is also due to be substantially increased in the future.
- There is inadequate landscaping and screening.
- The proposal site sits outside any local development boundary on land that is "open country side". It does not fall within land earmarked for development under the Joint Core Strategy DPD, it is outside the Growth Trainable AAP adopted only last year, it is outside the Postwick Hub Scheme Land, it is outside land designated as the protected corridor for the proposed NNDR.
- The site sits opposite land that has been designated for development under the Growth Triangle AAP, sites GT10 Employment Use and GT11 Mixed Use which could accommodate the proposed use and provide a suitable site for this proposal.
- Given that no retail impact assessment has been undertaken, how can the argument be made that the proposed use is sustainable.
- Signage will be unsightly.
- Surely if any scheme was to go ahead it makes far more sense for the entire development to be located on the left side – which is an almost 'ready to build on' state rather than leave it half empty as your drawing

indicates? And so be able to leave the natural shrubland in place and untouched.

- Anglian Water has recently built a fresh water processing plant on Brundall Low Road. Surely a petrol filling station should not be built in such close proximity to fresh water being sucked up from the ground?

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012:

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration and should be read as a whole but paragraphs 14, 17, 18, 19, 24, 26, 27, 29, 32, 34, 35, 56, 61, 109, 115, 120, 121, 122, 123, 125, 186, 187 are particularly relevant to the determination of this application.

National Planning Practice Guidance (NPPG):

- 6.2 This guidance is relevant to the determination of this application, specifically the sections relating to the Community Infrastructure Levy, Design, Ensuring the Vitality of Town Centres, Flood Risk, Landscape, Transport Assessments and Use of Planning Conditions.

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

- 6.3 The Joint Core Strategy, adopted in 2011, is the development plan for the Greater Norwich Development Partnership (GNDP) area including Broadland, Norwich and South Norfolk. As discussed below, parts of the JCS have been remitted following a legal challenge and revised policies to replace the remitted parts were recently subject to examination in public. The remainder of the JCS, including general policies such as those on design and water efficiency remain adopted and apply to Broadland, as does the settlement hierarchy which indicates the general role of particular settlements in the overall strategy.

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

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

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

6.5 Policy 2: Promoting good design

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

6.6 Policy 3: Energy and water

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

6.7 Policy 5: The economy

Sets out the Policy for developing the local economy and facilitating job growth. It states that the local economy will be developed in a sustainable way to support jobs and economic growth both in urban and rural locations.

6.8 Policy 6: Access and transportation

Relates to access and transportation. Particularly it seeks to ensure that the transport system will be enhanced to develop the role of Norwich as a Regional Transport Node, particularly through the implementation of the Norwich Area Transport Strategy (NATS).

6.9 Policy 21: Implementation of proposals in the Broadland part of the Norwich Policy Area:

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

Development Management Development Plan DPD (2015) relevant policies:

- 6.10 The policies set out within the Development Management DPD do not repeat but seek to further the aims and objectives set out within the National Planning Policy Framework and the Joint Core Strategy. It therefore includes more detailed local policies for the management of development.

6.11 Policy GC1: Presumption in favour of sustainable development

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

6.12 Policy GC2: Location of new development

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

6.13 Policy GC4: Design

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

6.14 Policy EN1: Biodiversity and habitats

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

6.15 Policy EN2: Landscape

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

6.16 Policy EN4: Pollution

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

6.17 Policy TS1: Protection of land for transport improvements

States that land required for the improvement of the transport network will be safeguarded.

6.18 Policy TS2: Travel plans and transport assessments

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

6.19 Policy TS3 – Highway safety

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

6.20 Policy TS4 – Parking guidelines

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

6.21 Policy CSU5 – Surface water drainage

Mitigation measures to deal with water arising from development proposals should be incorporated to minimise the risk.

Growth Triangle Area Action Plan 2016:

- 6.22 The site is not within but is adjacent to the Growth Triangle Area Action Plan. Therefore there are no specific relevant policies within this plan.

Broadland Landscape Character Assessment SPD 2013:

6.23 F3: Reedham to Thorpe

The following Landscape Planning Guidelines apply to Reedham to Thorpe Marshes Fringe Landscape Character Area:

- Seek to conserve the diverse and interesting landscape pattern and character.
- Seek to conserve the wildlife habitats characteristic of the Marshes Fringe and adjacent Broadlands landscape including watercourses and broads, fens, carr woodland and grazing marshes.
- Seek to conserve distinctive, historic architectural and landscape features including historic halls and their setting, which contribute to the area's rich historic character and strong sense of place.

- Ensure that any new development responds to historic settlement pattern and is well integrated into the surrounding landscape.
- Seek to ensure the sensitive location of development involving further tall structures (such as factories, steel pylons and telecommunication masts) in relation to prominent skyline locations both within the character area and within adjacent character areas.
- Seek to ensure that potential new small-scale development within villages is consistent with the existing settlement pattern, density and traditional built form.
- Conserve the landscape setting of small villages (such as Limpenhoe).
- Seek to conserve the landscape setting of market towns and villages, and seek to screen (where possible) harsh settlement edges and existing visual detractors.
- Seek to conserve the landscape setting of historic houses, halls and churches.
- Seek to promote use of local vernacular buildings materials, including red brick and pantiles.
- Seek to ensure new development does not reduce the vertical significance of important historical and architectural features within the landscape, such as church towers.
- Seek to conserve small pits and extraction sites.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site is located approximately 6 km to the east of Norwich and is a short distance to the north of the village of Postwick. The site is adjacent to the recently constructed Postwick Interchange road network and sits to the south of Broadland Gate and immediately to the south of the A47 trunk road.
- 7.2 The site measures approximately 2 ha in size and is formed of two fields separated by a linear group of trees and one native species hedgerow. The western side of the site is comprised of hardstanding and was used as a compound for construction vehicles until the end of November 2016 but is currently vacant. The eastern side of the site comprises of unmaintained grassland with dense scrub around its borders. The site is also currently bounded by some mature trees to the north of the site and a mixture of fencing to the southern boundary.

- 7.3 The site is bounded by the A1042 road to the south and the A47 to the north. There is a small area of undeveloped grassland to the east of the site and immediately to the west of the application site is a parcel of vacant land which is also under the ownership of the applicants.
- 7.4 Vehicular access to the site is currently taken from an existing point off the A1042 from the south, via a recently constructed roundabout.
- 7.5 There is a general fall in levels across the site from north to south and west to east.

8 PLANNING HISTORY

- 8.1 There have been a number of applications in recent years for highway improvement works within close proximity to the site however there is no specific relevant planning history on the site.

9 APPRAISAL

Location and planning policy:

- 9.1 The application site is located within the Norwich Policy Area (NPA) but lies outside of a defined settlement boundary. Policy GC2 of the Development Management Development Plan Document (DM DPD) states that new development will be accommodated within the settlement limits defined on the policies map. It goes on to state that outside of these limits, development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and / or policy of the development plan. The only land use allocation that relates to the site is the protection of land for transport improvements, specifically the Postwick Hub, under Policy TS1 of the DM DPD. The application therefore is contrary to the development plan in regards to the location of new development.
- 9.2 It should be noted, however, that much of the works associated with the Postwick Hub Scheme have now taken place which would leave this vacant site with no specific future allocation. Furthermore due to the nature of the application, the proposal, which includes three road-side uses, clearly requires a road side location such as the application site in order to successfully operate. The site has easy access to the local highway network whilst several highway improvement works have been approved in recent years including the NNDR, which is due to be completed in spring 2018.

Economic growth:

- 9.3 Policy GC1 of the DM DPD and paragraph 14 of the National Planning Policy Framework (NPPF) both detail sustainable development principles. Policy GC1 seeks to secure development that improves the economic, social and environmental conditions in the area. Policy 5 of the Joint Core Strategy (JCS) focuses on the desire to boost employment-generating uses across a range of sectors, whilst Policy 9 of the JCS sets out a strategy for securing economic growth within the NPA.
- 9.4 Whilst the proposals are not for traditional employment generating uses, as outlined in Policies 5 and 9 of the JCS, it is estimated that the development would employ around 80 people, of which 15-20 would be employed on a full-time basis. Together with the jobs that would be created during the construction phase this is considered to be a significant material social and economic benefit and is consistent with the aims of Policies 5 and 9 of the JCS.
- 9.5 Taking the above policies as a whole, whilst the application site does not fall within the defined settlement limit, the proposals are located within an area designated for substantial road improvement works. The site is well connected to the highway network, is respectful to the environment and will serve as a significant boost to the local economy and the application is therefore considered to constitute a sustainable form of development.

The impact of the development upon nearby town centres:

- 9.6 Policy R1 of the DM DPD along with paragraph 23 of the NPPF seek to ensure the vitality of existing town centres. The application proposes a drive-through restaurant, a drive-through coffee shop and a retail element (within the kiosk building at the petrol filling station), which are all described as town centre uses but the proposal would see these sited in an out-of-centre location. With regards to the retail element the scale of the development falls below the threshold required to require a Retail Impact Assessment. As in line with paragraph 24 of the NPPF a sequential test has however been submitted with the application. The sequential test found that there were no alternative sites suitable, available and viable either within or on the edge of the town centres which were capable of accommodating the proposed development.
- 9.7 Concerns have been raised regarding the overall scale of the A1 retail use and its potential impact upon identified district, local and village centres. It is acknowledged that there is some potential for the retail use to have an effect on existing convenience offerings in the local catchment area however it should be stressed that the retail element proposed is ancillary to the petrol filling station use. Overall it is considered that the proposal will result in a very modest diversion of trade from existing retailers within local town centres

(namely Thorpe St Andrew) and would not give rise to any significant adverse 'town centre' impacts.

- 9.8 Paragraph 27 of the NPPF states that “where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused”. Whilst the retail element is considered to be large in terms of its footprint it is not considered that the proposal will give rise to significant adverse impacts and therefore it is considered that the proposal should not be refused for retailing reasons. Furthermore, none of Norwich City Council, Blofield Parish Council, Brundall Parish Council and Thorpe St Andrew Town Council, who represent the four main retail centres within close proximity to the site, has raised any objection to the application with regards to its impact upon their own centres.

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

- 9.9 Policy 2 of the JCS promotes the highest possible design standards through seeking to ensure that development proposals respect local distinctiveness through a number of key measures. Policy GC4 of the DM DPD reiterates that development will be expected to achieve a high standard of design and goes on to state that proposals should pay adequate regard to the environment, character and appearance of the area. The site is located adjacent to the Broads Authority area, which is a nationally designated landscape. The application site sits on lower ground than both the Broads Authority area and the village of Postwick which means that the development is likely to be visible from these areas.
- 9.10 The scale, massing and siting of the development is considered to be appropriate when compared to other developments in the area. All of the buildings on the site are single storey and are considered to be of an acceptable size and scale which should ensure that the built development is not overly prominent. The materials proposed on the buildings are also considered to be acceptable.
- 9.11 Policy EN2 of the DM DPD states that in order to protect the character of the area, development proposals should have regard to the Landscape Character Assessment SPD and therefore section F3 of the Landscape Character Assessment SPD is relevant. A detailed Landscape Scheme has been submitted with the application which proposes landscaping measures which will help to ensure compliance with both Policy EN2 and section F3 of the Landscape Character Assessment SPD. Planting has been proposed along the south and west boundaries of the site to soften the impact of the development. Furthermore during the course of the application further planting has been added to these boundaries, by request, which will assist in partially screening the development from the wider setting.

- 9.12 Overall the proposal is not considered to represent an incursion into the countryside and the scale of the development will not be to a degree that would cause harm to the general character and appearance of the surrounding area, including Postwick village or The Broads. Whilst the development will be visible in places, the impact on the character and appearance of the area is not considered to be significant or sufficient to warrant objection to the development on landscape grounds. The proposal therefore complies with Policies GC4 and EN2 of the DM DPD, Policy 2 of the JCS and section F3 of the Landscape Character Assessment SPD.

The impact of the development upon the amenity of nearby residents:

- 9.13 Policy GC4 of the DM DPD states that proposals should pay adequate regard to considering the impact upon the amenity of existing properties. There is a good degree of separation between the site and any neighbouring residential properties, with the closest residential dwellings located to the south of the site, along Oaks Lane in Postwick. Given the distance that these properties are from the site and the fact that the A1042 road runs between the site and the village of Postwick it is not considered that the development will appear dominant or result in any significant noise pollution. The proposal will also not result in any overlooking issues. No detailed information has been provided with regards to the external lighting proposed on the site, however a condition is proposed to be added which will require such details to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.
- 9.14 The Council's Environmental Health Officer has not objected to the application and concluded that due to the distances of the nearest residential properties he doesn't foresee any nuisance problems arising from the site with regards to noise. Overall it is not considered that the proposed development would result in any significant adverse impact to the amenity of any adjacent residents given the degree of separation from the majority of properties and application is considered to therefore accord with Policy GC4 of the DM DPD.

The impact of the development upon the safe functioning of the highway network:

- 9.15 One of the major concerns raised by local residents in their representations has been the impact that the development will have on the highway network. Policy 6 of the JCS and Policies TS3 and TS4 of the DM DPD all set out the Council's requirements that new developments are expected to adhere to with regards to traffic and transportation.
- 9.16 The site will be accessed off a recently built roundabout at the A1042 / Oaks Lane junction. Significant concerns have been raised by Postwick Parish Council, local residents and elected representatives regarding the impact that the development will have on the traffic flows around the Postwick junction.

Specifically there are concerns that the development will lead to traffic congestion and backing up on to the A47. A Transport Assessment has been submitted in support of the application which states that junction capacity modelling has been undertaken on the Oaks Lane roundabout adjacent to the site. The assessment concludes that the results clearly indicate that the site access will have suitable spare capacity to accommodate the development traffic in an efficient manner.

- 9.17 Concerns have also been raised with regards to the HGV vehicles accessing the site via the recently built roundabout. A swept path analysis has been undertaken to ensure that vehicles can access / egress the site and also manoeuvre safely within the site and the Transport Assessment demonstrates that the HGV vehicles can be accommodated safely.
- 9.18 The Transport Assessment looked into the accessibility of the site by walking, cycling, public transport and car. The site is located within close proximity to the surrounding highway network and the adjacent Postwick Park and Ride facility. Notwithstanding the primary function of the development elements, walking and cycling trips are considered to be achievable. Furthermore during the course of the application a crossing facility and a footway / cycleway link from the site to the Postwick junction has been proposed which will tie in with existing pedestrian / cycle facilities.
- 9.19 Policy TS4 of the DM DPD states that within new developments appropriate parking and manoeuvring space should be provided to reflect the use and location as well as its accessibility by non-car modes. A total of 119 car parking spaces, 24 HGV spaces and 6 cycle spaces are proposed within the development and it is considered that the scheme provides sufficient parking for the development consistent with the aims of Policy TS4.
- 9.20 Both Highways England and The Highway Authority were consulted on the application and neither have raised objection. The Highway Authority has raised no objection subject to the addition of a number of conditions which are all to be added. In light of the above information it is considered that the proposal accords with the relevant policies with regards to traffic and transport.

Drainage and flood risk

- 9.21 The NPPF sets out the Government's national policies on different aspects of land use planning in England in relation to flood risk. The Planning Practice Guidance encourages development to be located in areas of lower flood risk where possible, and stresses the importance of preventing increases in flood risk off site to the wider catchment area. A Flood Risk Assessment has been submitted with the application. Within the assessment it details that the site is entirely within Flood Zone 1 (low probability) of the Flood Zone Map, prepared

by the Environment Agency. Flood Zone 1 is defined as land assessed as having less than a 0.1% annual probability of flooding.

- 9.22 The Lead Local Flood Authority (LLFA) originally objected to the application however during the course of the application they have removed their objection subject to conditions being attached to any consent notice. If approved condition 15, as set out in the conditions section below, will be added as suggested by the LLFA. This condition requires information to be submitted prior to the commencement of development and for the Local Planning Authority to agree it in consultation with the Lead Local Flood Authority.

Contamination and pollution prevention:

- 9.23 The site lies within close proximity to a public water supply groundwater abstraction. The site is also in an EU Water Framework Directive Drinking Water Protected Area. The environmental sensitivity at the site is therefore considered to be very high. The application proposes below ground fuel tanks for the petrol filling station, which is something that is supported within the consultation response received from Norfolk Fire and Rescue Service (paragraph 3.22). The below ground fuel tanks were, however, something that the Environment Agency (EA) originally objected to on pollution protection grounds due to the sites proximity to the nearby public water supply groundwater abstraction.
- 9.24 During the course of the application an amended Drainage Strategy, a Percolation Test Report and a Fuel Storage Feasibility Assessment were all submitted. The EA has since removed its previous objection and has stated that planning permission could be granted subject to certain conditions being added (which are all proposed to be appended to any decision notice. See conditions 10 – 14 in conditions section below).
- 9.25 Anglian Water has objected to the application as it considers that insufficient information has been provided to demonstrate that this development would not have an adverse effect on the existing borehole for potable water. The applicants and their agents have been in detailed discussions with Anglian Water in a bid to overcome their objections however Anglian Water has maintained its objection to the application.
- 9.26 It should be noted however that as stated above, despite initial concerns and after much consideration the EA, which is the statutory consultee on this application, is not objecting. It is considered that the five detailed conditions which would be added to the decision notice, at the request of the EA, would ensure the prevention of any contamination or pollution arising from the development.

- 9.27 For example, Anglian Water has stated that there is a lack of up-front design, control and monitoring information and have commented that the submitted documentation does not provide the sufficient level of detail needed to ensure that the proposal can be delivered without causing a detrimental impact on water quality. One of the conditions requested by the EA, which is proposed to be appended to any decision notice issued, states:

'The development hereby permitted shall not be commenced until such time as a scheme to install, monitor and maintain the underground tanks has been submitted to, and approved in writing by, the local planning authority.'

The scheme shall include the full structural details of the installation, including details of excavation, the tank(s), tank surround, tertiary containment, associated pipework, monitoring system and maintenance, monitoring & sampling schedule. The scheme shall be fully implemented and the tanks and associated infrastructure subsequently maintained and monitored, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.'

- 9.28 This condition is therefore considered to require the submission and approval of all of the main issues which Anglian Water has requested to be submitted at an up-front stage. It is considered that the applicants have gone above and beyond in their efforts to supply the required information in order to overcome Anglian Water's objections during the course of the application. The EA is still clearly stating that they also wish for this information to be submitted and approved prior to the commencement of the development, but by way of conditions rather than requesting the information at an up-front stage. The Local Planning Authority are content that this information can be dealt with by conditions, as ultimately if the information submitted at a later stage is considered unacceptable then the development will not be able to commence.

Proximity of development to gas pipeline:

- 9.29 There is a high-pressure gas pipeline and easement which runs underneath the site. The pipeline sits to the west of the site underneath a section of the area designated for the proposed HGV parking.
- 9.30 National Grid originally placed a holding objection on the application, since when however the applicants and their agents have been in discussions with National Grid in a bid to overcome their concerns. National Grid suggested that it was not the principle of the proposed HGV parking over the pipeline which was the issue, but rather how the car park could be constructed and what measures would be in place to prevent large vehicles putting pressure onto the pipeline as they cross and park over it.

- 9.31 Following these discussions and as can be seen in paragraph 3.20 of this report National Grid has now removed its objection subject to a suitably worded condition being added to the decision notice. The condition will state that no works shall commence within the HGV parking area until a scheme for the construction of the HGV parking area has been submitted to and approved in writing by the Local Planning Authority in consultation with National Grid. National Grid will need to be fully satisfied with the scheme for construction before any development can take place within close proximity to the gas pipeline.
- 9.32 The Health and Safety Executive (HSE) has stated within its consultation response that the risk of harm to people at the proposed development site is such that there is sufficient reason on safety grounds, for advising against the granting of planning permission in this case. The HSE advice states that: 'Major hazard sites / pipelines are subject to the requirements of the Health and Safety at Work etc Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity'. They have stated that 'although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation'.
- 9.33 It should be stressed that the response provided by the HSE is an automated response and therefore there is no opportunity to provide any additional information or negotiate in a bid to overcome their objection in any way. It is also considered that the condition which has been requested by National Grid should also address the 'advise against' response that was received from the HSE. Furthermore it should also be noted that if planning permission was to be granted against the advice provided by HSE then the Local Planning Authority would need to advise the HSE and allow them 21 days to consider whether to request that the Secretary of State for Communities and Local Government, call-in the application for their own determination.

Other matters:

- 9.34 Postwick Parish Council has raised a number of objections to the proposed development as set out in paragraph 3.4 of the report. Amongst their concerns they have questioned the need for the proposed development and have suggested that the application should only be considered once the NNDR has been operating for a period of time. In response to both of these points the Local Planning Authority is only able to assess the proposal that has been set out within the application and at the time of the submission. Furthermore, as has been stated in paragraphs 9.3 to 9.5 the proposals on the site will serve as a significant boost to the local economy so there is clear merit in the development which is being proposed on the site. With regards to the impact that the NNDR may have on the development, the Transport Assessment has made reference to the NNDR and as stated in paragraph

9.20 neither Highways England nor the Highway Authority have objected to the application. Concerns were also raised regarding the lack of screening on the southern side of the site. During the course of the application additional planting has been added, by request, to both the southern and western boundaries of the site and overall it is considered that a good amount of screening is proposed. Postwick Parish Council also raised concerns that the development would result in significant pollution, particularly with regards to fumes and noise. Given the degree of separation from the nearest dwellings it has been considered in paragraphs 9.13 and 9.14 that there should not be any detrimental impact with regards to noise pollution. Whilst the development is likely to result in some additional traffic in the area it is not considered that it will result in any significant adverse impact in terms of pollution and it should be noted that neither the Council's Pollution Control Officer nor the Environmental Health Officer have raised any objection to the application in this regard. The other points raised by Postwick Parish Council are all considered to have been addressed elsewhere within this appraisal section as identified in paragraph 3.4 of the report.

- 9.35 Several concerns have been raised that the proposed development will result in an increase in the amount of litter which is left in and around the site. During the course of the application the plans have been amended to show the position of ample refuse bins around the site. It is considered that this will help to ensure that the proposal does not result in a large amount of litter being dropped in the area.
- 9.36 With regards to the impact of the development on the biodiversity on the site an Ecological Appraisal was submitted with the application. The report states that the site generally offers limited opportunities for protected species and no evidence of any such species was recorded during the survey work. The report also concluded that the majority of habitats on site were of a negligible to low ecological value. These conclusions were accepted by the Senior Green Infrastructure Officer at Norfolk County Council, subject to the addition of relevantly worded ecological conditions. The application is therefore not considered to have any significant detrimental impact upon biodiversity on the site and is therefore considered to be in accordance with Policy EN1 of the DM DPD.
- 9.37 Although the application proposes to remove seven trees, including two category 'B' trees within the centre of the site, the replacement planting schedule is extensive, with one hundred and fifty two new trees proposed to be planted. This is considered to mitigate the loss of the seven trees and the proposal is considered to be acceptable from an arboricultural and landscape perspective subject to the acceptable submission of an Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), which are proposed to be conditioned.
- 9.38 The Historic Environment Service has stated that there is potential that heritage assets with archaeological interest will be present at the site and that

their significance will be adversely affected by the proposed development. They have therefore asked for conditions to be added to ensure that a programme of archaeological mitigatory work is carried out prior to the commencement of development. (The conditions suggested by the Historic Environment Service are proposed to be added.)

- 9.39 Broadland District Council implemented the Community Infrastructure Levy (CIL) on 1 July 2013. Therefore should this development be approved it will be considered as being CIL liable. The development would attract a CIL contribution of £40,758.82 (this figure will need to be finally confirmed before issuing a CIL liability notice).

Conclusion:

- 9.40 In conclusion, whilst there is a degree of conflict with the Development Plan with the site being outside of the settlement limit, any harm is considered to be outweighed by the benefits that the development will bring. Namely the redevelopment of a strategically located, disused site into a sustainable development which will bring significant benefits to the local economy is considered to justify approval of the application. There are clearly contentions around the development of this site, most notably the perceived impact on the highways and traffic congestion, the impact upon the character of the area and the impact of the development on the nearby gas pipeline and borehole for potable water. These matters are considered in detail in this report and on balance it is considered that they are not matters that would warrant the refusal of this application. It is therefore recommended that the application is approved subject to conditions.

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

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the approved plans and documents.
- (3) 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) 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 (e.g. 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.
- (l) The details of the proposed planting pit soil structure system to be used for the trees proposed within the hardsurfaced areas (such as GreenBlue Urbans 'Rootspace' system).

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.

- (4) Prior to the commencement of the 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 (1944AK-SK001) and retained thereafter available for that specific use.
- (5) Development shall not commence until a scheme detailing provision for on-site 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.
- (6) 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.
- (7) 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 6.
- (8) Notwithstanding the details indicated on the submitted drawings no works shall commence on site, unless otherwise agreed in writing, until a detailed scheme for the off-site highway improvement works as indicated on drawing number 19944AK-SK002 have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (9) 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.

- (10) The development hereby permitted shall not be commenced until such time as a scheme to install, monitor and maintain the underground tanks has been submitted to, and approved in writing by, the local planning authority.

The scheme shall include the full structural details of the installation, including details of excavation, the tank(s), tank surround, tertiary containment, associated pipework, monitoring system and maintenance, monitoring & sampling schedule. The scheme shall be fully implemented and the tanks and associated infrastructure subsequently maintained and monitored, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

- (11) The development hereby permitted shall not be occupied until such time as a validation report has been completed, which includes evidence that the tanks and associated infrastructure have been completed in accordance with the scheme approved under condition 10. The validation report should be submitted to, and approved in writing by, the local planning authority.
- (12) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- (13) Notwithstanding the approved plans and documents full details of the surface water drainage shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The development shall then be carried out in accordance with these approved details.
- (14) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. <http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>
- (15) Prior to commencement of development, in accordance with the submitted drainage strategy (drawing 16325, C-55 Rev B), 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 representative of the location and depth of the proposed soakaways.
 - II. Combined surface and foul water runoff rates will be attenuated to no more than 11 l/s, as approved by Anglian Water.
 - III. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event.
 - IV. 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.
 - 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 all the surface water drainage features for the lifetime of the development.
- (16) Notwithstanding the approved development, no works shall commence within the area identified within the yellow area on drawing no:12a until a scheme for the construction of the HGV parking area has been submitted to and approved in writing by the Local Planning Authority in consultation with National Grid.
- (17) Prior to the first occupation of the site a scheme detailing the provision of fire hydrants within the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with Norfolk Fire and Rescue Service.

- (18) (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.
- (B) No development shall take place other than in accordance with the written scheme of investigation approved under part (A).
- (C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under part (A) of the condition and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- (19) Prior to the first occupation of the development a detailed scheme showing all of the outdoor lighting for the development shall be submitted to and approved in writing by the Local Planning Authority.
- (20) Prior to the first occupation of the development details shall be submitted to and approved in writing for the provision and location of bird boxes and bat boxes to be erected within the application site.

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 that the trees to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of visual amenity and to conserve the contribution of trees to the character of the area in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (4) To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety and in accordance with policy TS3 of the Development Management DPD 2015.
- (5) To ensure adequate off-street parking during construction in the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (6) To prevent extraneous material being deposited on the highway in accordance with policies GC4 and TS3 of the Development Management DPD 2015.
- (7) To prevent extraneous material being deposited on the highway in accordance with policies GC4 and TS3 of the Development Management DPD 2015.
- (8) To ensure that the highway improvement works are designed to an appropriate standard in the interests of highway safety and to protect the environment of the local highway corridor in accordance with policy TS3 of the Development Management DPD 2015.
- (9) To ensure that the highway network is adequate to cater for the development proposed in the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (10) To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) and Principal aquifers, Source Protection Zone 3 and future Source Protection Zone 1, nearby water features and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in accordance with paragraphs 109, 120 and 121 of the National Planning Policy Framework and Policy EN4 of the Development Management DPD 2015.
- (11) To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) and Principal aquifers, Source Protection Zone 3 and future Source Protection Zone 1, nearby water features and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants

associated with current and previous land uses in accordance with paragraphs 109, 120 and 121 of the National Planning Policy Framework and Policy EN4 of the Development Management DPD 2015.

- (12) To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) and Principal aquifers, Source Protection Zone 3 and future Source Protection Zone 1, nearby water features and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in accordance with paragraphs 109 and 121 of the National Planning Policy Framework and Policy EN4 of the Development Management DPD 2015.
- (13) To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) and Principal aquifers, Source Protection Zone 3 and future Source Protection Zone 1, nearby water features and EU Water Framework Directive Drinking Water Protected Area) in accordance with paragraphs 109 and 121 of the National Planning Policy Framework and Policy EN4 of the Development Management DPD 2015.
- (14) To ensure the process does not cause, or create preferential pathways for, the movement of contamination into the underlying aquifer, or impacting surface water quality in accordance with Policy EN4 of the Development Management DPD 2015.
- (15) To prevent flooding by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development. This is in accordance with National Planning Policy Framework paragraph 103 and 109, Policy 1 of the Joint Core Strategy and Policy CSU5 of the Development Management DPD 2015.
- (16) To ensure the satisfactory construction of the HGV parking area and to ensure that there is no harm caused to the gas pipeline in accordance with Policies GC4 and EN4 of the Development Management DPD 2015.
- (17) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire and to ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (18) To enable the County Archaeologist to keep a watching brief on the site in accordance with Policy EN2 of the Development Management DPD 2015 and paragraph 141 of the National Planning Policy Framework.

- (19) To prevent any light pollution and to ensure the satisfactory development of the site in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (20) To enhance the biodiversity within the site in accordance with Policy EN1 of the Development Management DPD 2015.

Informatives:

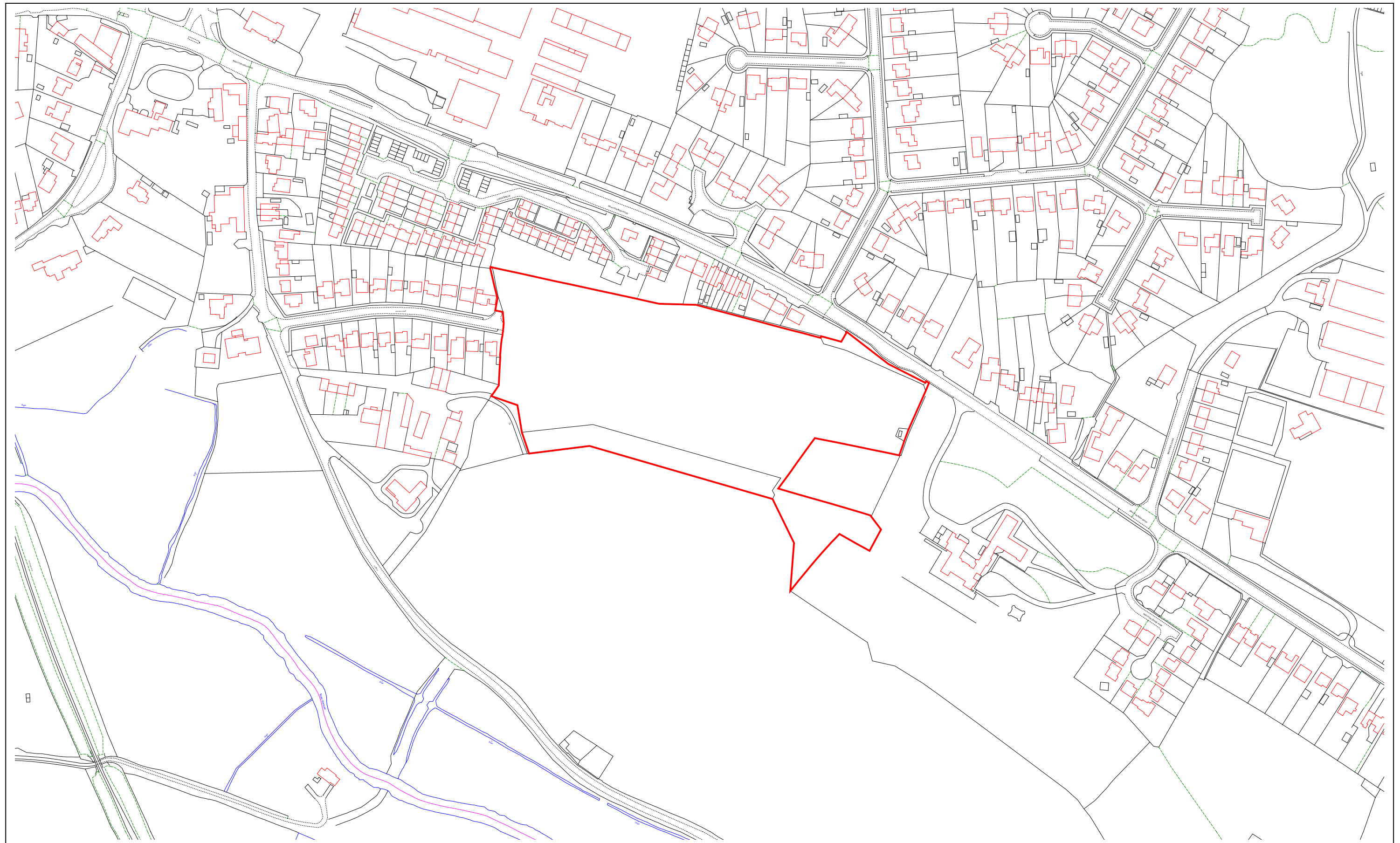
- (1) The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (3) It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a legal agreement between the applicants and the County Council. Please note that it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Control Group based at County Hall in Norwich. Please contact (Liz Poole on 01603 638009).

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 applicants' own expense.

- (4) 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.

- (5) With reference to Condition 17, the developer will be expected to meet the costs of supplying and installing the fire hydrant.
- (6) The applicants need to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (7) The programme of archaeological mitigatory work as required by condition 18 should commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (eg an archaeological excavation or monitoring of groundworks during construction). A brief for the archaeological work can be obtained from The Historic Environment Service, Norfolk County Council, Union House, Gressenhall, Dereham, Norfolk, NR20 4DR, who can be contacted on 01362 860528.
- (8) Further guidance on the information required by the Lead Local Flood Authority in condition 15 can be found at <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-water-management/information-for-developers>.
- (9) National Grid has a Deed of Easement for each pipeline which prevents change to existing ground levels and storage of materials. It also prevents the erection of permanent / temporary buildings, or structures. If necessary National Grid will take action to legally enforce the terms of the easement. No demolition shall be allowed within 150 metres of a pipeline without an assessment of the vibration levels at the pipeline. Expert advice may need to be sought which can be arranged through the National Grid. The applicants' attention should be drawn to the advice notes within National Grid's comments dated 20/07/2017.
- (10) The Drainage Strategy which has been submitted states that a Septic Tank may be required. The Environment Agency (EA) have stated that this is not a preferred option and will require an environmental permit, which has no guarantees of being granted based on the risk of the site. The applicants' attention should be drawn to the EA website where further details can be found: <https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-the-ground#rules-for-discharges-in-a-groundwater-source-protection-zone-1-spz1>.



Application No: 20170212
Land off Drayton High Road, Drayton

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Scale:
1:2500
Date:
22-Jan-18



AREA West
PARISH Drayton

2

APPLICATION NO: [20170212](#) TG REF: 618329/313346

LOCATION OF SITE Land off Drayton High Road, Drayton

DESCRIPTION OF DEVELOPMENT Erection of 71 dwellings with garages, open space, vehicular access and ancillary works

APPLICANT Norfolk Land Ltd & Norfolk Homes Ltd, c/o Norfolk Homes Ltd, Weybourne Road, Sheringham, Norfolk NR26 8WB

AGENT Mr Simon Wheatman, Wheatman Planning Ltd. Beacon Innovation Centre, Beacon Park, Gorleston NR31 7RA

Date Received: 14 February 2017
13 Week Expiry Date: 16 May 2017

Reason at Committee: (1) Call in by Councillor Foulger and (2) the recommendation to approve is contrary to the Development Plan.

Recommendation (summary): Delegate authority to the Head of Planning to **APPROVE** subject to the completion of S106 Agreement and conditions.

1 THE PROPOSAL

- 1.1 The application seeks full approval for 71 dwellings; the proposed vehicular access will be created from Drayton High Road (A1067) to the north east corner of the site in the position of the current bus layby. The bus stop is to be re-located approximately 50m to the east in a position where the footpath is to be widened. There will also be cycle and footpath access from the site linked to the existing footpaths on Fairview Close and to Lodge Breck.
- 1.2 In addition to the proposed housing elements, the site layout includes the retention of a 15 metre wide tree belt along the southern boundary of the site which is to accommodate a green infrastructure pathway that provides a footpath link from the site to the land beyond to the south east. The tree belt comprises 3,008m². In addition there are three separate areas of public open space within the development; these are to the north west of the site adjoining the existing area of open space to the rear of Lodge Breck which includes a public path to connect into Lodge Breck (1,266 m²); to the south of the site adjacent to the tree belt (1,314m²) and in the south east of the site a triangular piece of land to the south of the neighbouring walled garden (2,246m²), these

are to be areas of grass and non-equipped. The total on-site open space / green infrastructure proposals amount to 7,834m².

- 1.3 The dwellings are designed in Edwardian and Victorian suburban styles and the external materials proposed will help to deliver a distinct yet vernacular style.
- 1.4 The original submission has been amended as 3 dwellings have been removed to provide more space within the development; the affordable housing provision has also been reduced by 1 to 23 units with one of the 3 bedroomed ART units being re-arranged from a 5 to 6 person house, as set out below. The layout of the development and some house types have been revised and further information provided in respect of proposed site and finished floor levels of the dwellings / garages, landscaping, open space proposals, drainage and bin collection proposals.
- 1.5 The revised proposals are for 23 affordable housing units with a tenure split of 12 units for affordable rent tenure (ART) comprising 7 x 1 bedroom (2 person) houses; 3 x 2 bedroom (4 person) houses and 2 x 3 bedroom (1 x 6 person and 1 x 5 person) houses, and eleven intermediate tenure units comprising 1 x 1 bedroom apartment, 4 x 1 bedroom houses, 5 x 2 bedroom houses and 1 x 3 bedroom house. The intermediate tenures will be delivered as 80% shared equity on a shared ownership lease by a registered provider. All of the ART plots are located in the north-western corner of the site, as will one of the intermediate tenure plots. The remaining intermediate tenure plots are located in the south-eastern corner of the site.
- 1.6 Following consultation on the amended plans, further amended plans have been submitted to revise the position, design, floor level and heights of plots 29-32 and the boundary screening to the neighbouring properties on Drayton High Road and no: 19 Fairview Close has been increased from 1.8m to 2.4m in height. In addition it is proposed to re-locate the position of the existing Norwich bound bus shelter to the front of no: 67 Drayton High Road to be provided as a bus shelter, an adjustment to the position of the existing pedestrian refuge on Drayton High Road with a narrowing of the carriageway and widening of the footways on the south side of the carriageway. Details of the proposed works to improve the pedestrian crossing on Taverham Road, close to its junction with Fakenham Road have also been submitted.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the development plan including the Minerals and Waste Core Strategy, the Drayton Neighbourhood Plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance.

- The lack of a five-year housing land supply in the Norwich Policy Area (NPA).
- Whether the proposed development results in a significant detrimental impact upon the character and appearance of the surrounding area, residential amenities, highways issues, ecology and biodiversity, trees, drainage and mineral resources.

3 CONSULTATIONS (in summarised form)

3.1 Drayton Parish Council:

Objects on the following grounds:

- Highways access on to A1067 is not considered to be safe, the access road has very limited visual splay and is on a steep slope. The adjacent access road to Drayton Old Lodge was closed over 25 years ago due to safety concerns.
- The proposed access road onto Drayton High Road means the existing bus stop needs to be moved further down the road, albeit without a layby or refuge. This would create an unacceptable danger. The layby and refuge was introduced by Norfolk County Council following several serious accidents including one fatality.
- The impact on the existing properties along Drayton High Road is not acceptable owing to the significant drop in land levels. There is a 25m gradient over the site and the proposed housing would create significant overlooking issues. There is no indication of any screening in the proposals.
- There is no safe passage onto Low Road at the bottom of Fairview Close. Footpath widths and positions means that pedestrians have to walk on the road, therefore foot and cycle access through Fairview Close is not acceptable.
- There is considerable sewage and surface water problems in this part of Drayton and the proposed development would add to the problems.
- The proposals would increase the rat running through Carter Road (which already has restricted access) to access the NDR, local schools and GP surgery.

Should this application be approved, the Parish Council reiterates its position that it doesn't require footway lighting on this development, nor would it

manage, maintain or pay the energy costs should footway lighting be provided by another party.

The Parish Council believes this site is undesirable and unacceptable for housing development and that pressure needs to be applied to those landowners, within the Parish, that already have planning permission granted, to start construction, to help ease the burden of the new homes target imposed by central government.

Comments on revised submission:

Vigorously opposed on the same grounds as previously set out.

Comments on further revised submission:

The Parish Council notes the amendments to the application, however none of the major concerns raised are being addressed. In particular concerns about surface water flooding, pressure on existing sewage infrastructure, poor visibility access onto A1067 as well as unacceptable overlooking and shadowing of properties numbered 58 to 80 Drayton High Road.

3.2 County Council – Highway Authority:

Numerous revisions required.

Comments on revised submission:

In respect of the amended layout plan (rev C) further revisions to the internal layout are requested. In addition a revised plan should be submitted to identify requested improvements to the pedestrian crossing at Taverham Road, close to its junction with Fakenham Road as this is part of the pedestrian route to the secondary school (Taverham High School).

Comments on further revised submission:

No further comment to make regarding the internal layout of the development. With regard to other matters the developer has recently amended the design of the off-site highway works to provide improvements to the crossing provision at Taverham Road, the relocated bus shelter for the Norwich bound service, together with the revised position of the pedestrian refuge.

No objection subject to the imposition of conditions.

3.3 County Council – Lead Local Flood Authority:

Object in absence of an acceptable Flood Risk Assessment (FRA) & Drainage Strategy.

Comments on amended details:

Following a revised FRA & Drainage Strategy; no objection subject to a condition being applied to prevent the risk of flooding in accordance with National Planning Policy Framework paragraphs 103 and 109.

Comments on further revised submission:

No additional comments to further amended plans.

3.4 County Council – Ecologist:

Recommend that the woodland and southern boundary tree belt is retained within a masterplan. Any masterplan should ensure that bats can continue to use this habitat for feeding i.e. retain some buffer between the edge and houses together with a sensitive lighting plan.

The site is within 2 km from the River Wensum SAC – special area of conservation and given that there is no public access to the river banks at this location we can be reasonably confident that there will be no impacts from increased recreational use as a result of this development.

3.5 County Council – Minerals & Waste Team:

Object, no assessment of the mineral safeguarding requirements has been undertaken. The site is partially underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Norfolk Minerals & Waste Core Strategy – Policy CS16 is therefore relevant. A duty is placed upon the LPA to ensure that mineral resources are not needlessly sterilised as indicated in the NPPF paragraph 143. The applicant should carry out investigations / assessment across the site including particle size distribution testing to confirm the viability of the resource for mineral extraction and if the mineral resource is proved to be viable the applicant should consider whether it could be extracted economically prior to development taking place.

Further comment following confirmation that the applicant is prepared to accept a suitably worded condition:

No objection subject to the imposition of a suitably worded condition in respect of the submission of a Mineral Materials Management Plan.

3.6 County Council – Historic Environment Service:

An archaeological trial trench evaluation has been carried out and the results submitted with the planning application. Although archaeological features were identified during the evaluation these were not of sufficient significance to merit further investigation and no further archaeological work will be required at the site. In view of this we do not wish to make any recommendations for conditions for a programme of archaeological mitigatory work if permission is granted.

3.7 County Council – Planning Obligations:

Funding for the following should be provided through CIL:

Education: Mitigation required for the early education sector, Drayton Community Infant School, Drayton CE VC Junior School & Taverham High School.

Library: Mitigation required at Hellesdon Library to develop self-service system for local area.

Green Infrastructure (GI): Connections to the local GI network and public rights of way and ecological features should be considered. Further details required in respect of the applicant's proposals in these respects.

Fire Hydrant/s: 1 hydrant per 50 dwellings at a cost of £816 per hydrant should be imposed as a condition.

District Council Consultees:

3.8 Conservation officer (Arboriculture & Landscape):

Would like to raise the following comments:

- The submitted Arboricultural Impact Assessment (AIA) has highlighted that the majority of the tree constraints are located within the boundary of the site or off-site within third party ownership.
- The usual process, following the recommendations within BS5837, is to provide a Tree Constraints Plan (TCP) which shows the Root Protection Areas (RPAs) and the shadow patterns of the existing trees, this information is then used to inform the layout of the development, having taken stock of the RPAs and areas of overshadowing, and allowing for the safe retention, of the important trees and taking account of areas of heavy shade within the layout and design of the dwellings.

- Details of the RPAs should be combined with the shadow patterns and provided in the form of a Tree Constraints Plan (TCP), the overshadowing aspect is particularly relevant to the south eastern area of the site, as when I visited, this area was in complete shade and this must be considered as part of the development proposals. Some detail is shown on drawing number 1304/SUR/01, but is not relevant as it is only shown for trees located in areas with no proposed development.
- Group G2 (across the site frontage to Drayton High Road) is listed for removal within the AIA, the removal of this should be carefully considered and the minimum removed to create the required visibility splays.
- The specification for the tree protection barriers shown on drawing no: 1304/SUR/01 should be changed from the specified 'High Vis Plastic Fencing' to 'welded mesh panels' as described as the default specification, within section 6.2.2 of BS5837.
- As mentioned within the AIA a revised tree protection plan and arboricultural method statement will be required once a layout has been agreed.
- A detailed landscaping scheme will be required and should be conditioned.

Comments on revised submission:

The following comments should be considered in addition to my previous comments.

- The additional information provided entitled 'Shade Analysis' shows the shade patterns the existing trees will cast on the proposed dwellings and gardens. Following interpretation of the shade patterns, my initial concerns relating to shade have been confirmed and it has been shown that plots (as re-numbered 64 – 68 and flats 63 and 69) will be significantly overshadowed by the existing trees with the rear elevations and garden areas being effected; with plots (as re-numbered 62, 70 and 71) receiving overshadowing of the rear gardens. My original concerns still remain on the location of these plots and the reduced amount of direct sunlight that will reach the garden areas and rooms to the rear of the dwellings, combined with the additional issues associated with the seasonal nuisance of fallen leaves, seeds, pollen and honeydew, this would have an impact on the quality of life of the people who occupy the affordable housing properties.
- The proposed landscaping at the new site entrance appears to create an attractive street scene, the specific details of the species, specifications of

the plants and associated hard landscaping and maintenance regime should be requested.

- If the application is approved the details within the AIA, Tree Protection Plan (TPP) & Arboricultural Method Statement (AMS) should be conditioned.

Further revised details / plans are required in respect of overshadowing of the off-site trees on part of the site, tree protection and landscaping issues.

Comments on further revised submission:

It is noted that a group of sycamores and two oaks in the neighbouring walled garden of Drayton Old Lodge have been felled and the revised shading plan appears to show that overshadowing of plots 63 – 69 has been reduced to a more acceptable level. The rear gardens of plots 70 and 71 will still be overshadowed however the dwellings are less so and the trees which overshadow will not be in the ownership of the future residents so could not be removed without the consent of the landowner.

The submitted Woodland Management Plan for the works to provide a path through the tree belt shows the removal of two complete rows of trees, this is not considered to be necessary and should be redesigned. In addition the proposed use of wood chip as the surfacing material of the path is considered to have to short a lifespan and will require regular replenishment. The path is noted as a key strategic route and therefore should be surfaced with a more robust material with a no-dig method of construction.

3.9 Design Advisor:

Points that need addressing:

- Layout – Several plots need revisiting to ensure a satisfactory layout.
- House Types – It would be more beneficial visually to maintain the relatively consistent non-classical design treatment throughout the development including the large dwellings to the south in order that the finished scheme has a degree of visual cohesion associated historically with a suburban setting.
- Materials – Blue engineering brick should be omitted and substitute appropriate facing brick. Upvc boarding should be omitted as it is an inferior product visually.
- Site levels – These have not been fully considered and results in an engineered and contrived scheme.

Failure to address these fundamental aspects will result in an unacceptable solution which is unlikely to be supported for approval.

Comments on revised submission:

The latest revised plans address a number of the earlier concerns expressed about the layout of the site particularly in relation to the entrance from Drayton High Road and the way that the levels were proposed to be treated over the site.

The further consideration given to the layout has mitigated the majority of the issues with excessive differing levels between the respective new build plots and the proposals and the neighbouring dwellings. There are still instances where there are some fairly significant changes in level but thought has been given to terracing and cutting and filling over the site to minimise the impact in the main. In the case of the dwellings to the north of the site, backing onto the existing dwellings facing Drayton High Road there is some distance between the two built elements but possibly here and around plots 43 and 44 (for example) additional thought might be given to shallower terraces or gentle slopes rather than the deeper (up to 1.5m) retaining wall option or possibly a combination of the two with further landscaping to obscure the more engineered appearance of the retaining walls.

In addition detailed design changes of some individual house types are suggested. There is a theme regarding some of the classical detailing used in the blocks and on individual house types. The issue is most noticeable on the blocks which have been designed with a mix of classical and more vernacular detailing.

Subject to the above minor detailed design comments there are no objections to the overall design of the scheme which is considered to generally be visually appropriate for its suburban location and to contribute to the street scene at the interface with Drayton High Road. In conclusion I suggest that additional thought is given to the detailed design comments above to enhance the visual consistency throughout the scheme and consideration is given to some of the terracing and the ways that the bigger changes in level are handled across the site.

Recommendation is for approval on design grounds subject to the above comments being satisfactorily addressed.

Comments on further revised submission:

In terms of layout, the design amendments have generally overcome the previous issues with levels over the site and result in a more flowing, less disjointed layout with improved neighbour amenity. I agree with the need for the plots to the western boundary (plots 29-32) to sit on a more natural level

rather than be built up in order to lessen the impact on neighbours' amenity, the staggering of these blocks and terracing down also reduces the impact.

As regards the detailed design, generally the revisions incorporate the previous comments; there are still some examples where previous suggestions about improving the cohesion of the groups has not been followed however on balance the proposals are acceptable in design terms.

3.10 Environmental Contracts Officer:

There are parts of the site which are not accessible for a refuse collection vehicle. There are other issues regarding public footpaths being provided through private drives and concerns about adoption of public open spaces.

Comments on revised submission:

Although it is noted that the revised plans include some positive changes not all the previously stated issues in respect of bin collection points, vehicle tracking and open space have been addressed.

Comments on further revised submission:

Comments awaited.

3.11 Housing Enabling Team:

The proposed 24 affordable units are Policy compliant. The JCS indicates an 85:15 tenure split (ART: Intermediate) whereas the proposal is for a tenure split comprising 13 ART units and 11 Intermediate Tenure units, this was based on the provision of good sized units for ART that can all achieve maximal occupation. It is noted that the 3 bedroomed ART house types only show accommodation for 5 persons rather than 6 persons; this must be revised as all properties must achieve maximal occupation in housing terms.

Comments on revised submission:

Note that the affordable housing proposals have been revised to 23 as the number of units for ART is 12, with 11 units for intermediate tenure, based on the reduced total of 71 dwellings this is the correct number of affordable housing.

It is noted that the revised plan shows that the 3 bed. ART house on plot 37 has been re-arranged to accommodate 6 persons, however it hasn't been possible to achieve this with the house on plot 24 and this will remain as 3 beds. (5 person) ART. Although we are able to accept these proposals in this

case, we request that for future sites we would expect the applicants to demonstrate a 3 bedroom (6 person) house type for ART.

Therefore the revised plans are acceptable in housing enabling terms. As previously discussed the S106 agreement will need to use the Affordable Housing Group standard format and within this up to a third of the units for ART will be for local lettings.

3.12 Section 106 Officer:

Play and formal recreation is to be provided off-site. From a recent discussion with the Parish Council there are two sites that they might like to spend the formal recreation contribution on; King George V Playing Field and Longdale. Due to the connections to other natural areas it looks like some of the open space may count towards their green infrastructure requirements.

Comments on revised submission:

Given the size and position of the proposed on-site open spaces these are not considered to be appropriate to be used for either children's play or formal recreation. The proposed on-site green infrastructure path is considered to be appropriate. Therefore the required open space / recreational provision will need to be secured by commuted sums for off-site children's play, formal recreation and allotments within the village and the payment of a fund for the maintenance of the green infrastructure path. A package of commuted sums to meet the Council's policies has been calculated and totals £164,732.36 to be index linked from Q3 2017, this needs to be secured via a S106 Agreement.

3.13 Pollution Control Officer:

The consultant has not identified any potentially significant sources of contamination and this has been confirmed by the soil and gas monitoring that has been undertaken on-site which has not identified any significant contamination. In view of this there is no reason to require a further assessment.

Other Consultees:

3.14 Norfolk Constabulary – Police Liaison:

Highlighted several areas that may require attention to ensure the development meets the principles of the 'Secured by Design' initiative. These include layout, footpath design, communal areas, dwelling boundaries, parking and lighting.

Comments on revised submission:

Specific issues specified which have the potential for anti-social behaviour eg the proposed path to Lodge Breck which enters via a car parking area and the potential for unwanted access to the rear gardens of Plots 6 and 11 to the side of the garages.

3.15 Campaign for the Protection of Rural England:

Objects particularly as it contravenes various objectives, themes and policies of the Drayton Neighbourhood Plan. These include: Objective 1, Policy 1B, paragraphs 3.2 and 4.18.

The proposal includes very little space for open spaces and does not mitigate for the loss of this valued green field site. Moreover the site faces south west across the Wensum Valley which would be negative on a wider level as well as the negative impact of the loss of this part of the green field itself. The claim in the Design & Access Statement that there is currently a 4.7 year supply of housing rather than 5 years is merely an attempt to exploit a loophole. We would instead urge that attention is paid to the recent White Paper "Fixing our broken housing market" (February 2017) which focuses on a range of solutions to improving housing supply without the need for green field developments such as this application.

3.16 Anglian Water:

There are assets owned by Anglian Water (AW) close to or crossing this site and ask that an informative is added to raise this. In terms of wastewater treatment the foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows. In terms of the foul sewerage network a development impact assessment has been prepared in consultation with AW to determine a feasible mitigation solution and requests a condition be imposed. The proposed surface water disposal is acceptable. Request that a pre-commencement condition is imposed requiring that no hardstanding areas are to be constructed until the works in accordance with the surface water disposal strategy have been carried out.

4 PUBLICITY

4.1 Site Notice:

Expired: 22 March 2017

4.2 Press Notice:

Expired: 28 March 2017

4.3 Neighbour notification:

134 letters sent to addresses on Carter Road, Fairview Close, Lodge Breck & Drayton High Road on the original submission.

Expiry of consultation on the original submission: 22 March 2017

Expiry of consultation on the amended plans: 16 November 2017

Expiry of consultation on the further amended plans: 15 December 2017

5 REPRESENTATIONS

5.1 Twenty one letters of objection received from 20 addresses raising the following points:

- The scale of the proposals are excessive
- There is insufficient space between the buildings and the tree belt
- The tree belt is insufficient
- The proposals will remove a currently beautiful and unspoilt area
- Increased traffic
- The charm of the village will be lost
- Schools are full and don't have enough places for children from the development
- Doctor's surgery won't be able to cope with increased population
- Access to the site from the Drayton High Road is not suitable and would be dangerous
- The proposals will spoil the existing views that are highly valued by local residents
- The site is of historic importance
- There have been instances of flooding previously and the development would make this worse

- The proposed pedestrian and cycle path runs through Fairview Close and exits onto Low Road, this is dangerous as Low Road at this point has no continuous footpath and pedestrians have to walk in the road and around parked cars. This stretch of road can be challenging at the best of times. Are there plans to improve the footpath on Low Road between Fairview Close & Fakenham Road? The likely increase of pedestrians using this area needs to be considered.
- The proposed dwellings will have a negative impact on the privacy of the existing residents.
- There is the potential danger of land collapsing into residents' gardens on Drayton High Road.
- Parking is already very difficult in the village; another development will only make this worse.

5.2 Sixteen letters of objection to the amended plans received raising the following points:

- It appears that the plans have made only minimal adjustments and there has been no consideration given to the privacy and screening (of neighbours living on Drayton High Road and at the end of Fairview Close). Significant objections to the proposals on the basis of overshadowing and the extent of overlooking into our properties and 'private rear' gardens that will result and the resulting loss of privacy. As the proposals stand the new dwellings will be able to view straight into our first floor bedrooms (on Drayton High Road) from their ground and first floors. Previous comments, from the public event, for the relocation of the public open space along the north side of the site have been ignored.
- More effective substantial screening is needed along the boundaries of the site to reduce the overlooking issues. The proposed planting should continue across the entire rear boundary of no: 58a Drayton High Road as the existing boundary hedge has sizeable gaps and is made up of 'off-shoots of Dutch Elm trees which die at a short height'.
- The proposed two storey dwellings will have a devastating effect on the surrounding area and in particular the skyline from the houses at a lower level than the site. The proposed houses would block out sun and light from residents in Fairview Close (especially proposed Plots 29 – 35 and 39) and for those that back onto the field from Drayton High Road. The staggered arrangement of nos: 29 – 32 emphasises the impact on no: 19 Fairview Close as this encourages overlooking into the main bedrooms and the private part of the rear garden. The proposed terrace layout of these properties will grossly impact the visual amenities of this neighbour as a result of the overshadowing and overlooking. They have a private

rear access immediately adjacent to the neighbour which has the potential to cause noise and disturbance, detrimental to residential amenities.

- The proposed dwellings at the end of Fairview Close create the effect of a high density, overdevelopment and are out of keeping with the established character of the surrounding properties and the remainder of the proposed development. It will also encourage people to park at the end of the Close to access the development which will block accesses to existing properties on the Close and prevent turning on the only suitable turning head for the Close.
- There are soakaways shown close to the boundary of the properties to Drayton High Road but no consideration appears to have been given to the impact these will have as they are higher than the adjacent land. Who will be responsible if these cause the neighbours to flood?
- The proposals to develop housing so close to the boundary with the houses on Drayton High Road will increase the potential for the bank to subside, which happened to the rear of nos: 76 and 80 Drayton High Road.
- The proposed cycle path / pedestrian footway to Fairview Close is such a dangerous idea. There is no continuous footway along Low Road to the village and pedestrians will be forced to walk in the road which is very dangerous and is an accident waiting to happen. The cycle / pedestrian path serving the development at the end of the Close should be closed and an alternative route found. Users of the path will generate additional noise and disturbance to the residents of the Close where there is none at the moment.
- The proposed houses will spoil the lovely green space to the rear of Lodge Breck which will be an eyesore and will result in noise and more traffic; we are considering selling our house because of this.
- Houses are already being built in many locations in the area and we are a small village with enough schools, doctors and other resources but this is going to change everything.
- Traffic on Drayton High Road is horrendous now and this will make it worse together with the School Lane development, it is already becoming a very dangerous place to cross roads yet alone drive. The extra traffic will bring more noise and pollution. New development should improve the situation with the roads not make things worse.

- The loss of the bus lay-by will result in a serious danger on Drayton High Road for pedestrians and vehicles. It was installed as a result of a fatality in 1981, since then the level of traffic has increased.
- This will have a negative effect on the ability to get appointments at the village doctors and dentist and the local schools will not be able to cope with the additional children.
- There will be more drainage issues given that this site is at a higher level and it's a fact that the village already frequently is flooded and the local pumping station cannot cope. Any further development will only increase the frequency of such problems.
- The steep site gradients don't lend the site to being developed.
- The proposals will have a devastating impact on the local wildlife in the area as the area has barn owls, deer etc.
- There is already planning permission for a significant number of new houses in Drayton without this development and those developers with permission should be pushed to make a start rather than further planning permission be given for new sites.
- Although it is noted that the government has set a target for new house building but any new development should be in the right location, rather than just to make up the numbers.

5.3 Eight letters of objection received from 6 addresses in respect of the further revised plans raising the following points:

- The proposals still impact on privacy as people will be able to look into my bedroom windows.
- The screen fencing at 2.4m high on the top of a 3m high embankment will affect the daylight all day to the gardens and properties of all the existing houses. Any planting and vegetables / greenhouses will be in the shade most of the day. No sun patterns have been submitted to show this.
- There should be a wider border incorporated to allow much higher foliage to grow, anything else will be totally ineffective.
- The proposals have done nothing to improve public safety; there should be no access onto Drayton High Road as this should be via Low Road.
- Concerned that the proposed soakaways in the gardens close to the embankment to neighbouring properties will increase the flooding

potential of the neighbours at a lower level. Broadland will be held responsible.

- No assessment has been submitted on the pollution from the garages / drives next to neighbouring properties.
- The village is already congested with traffic and the doctors and schools are struggling to cope with the present numbers, more housing will make it unbearable for present villagers.

5.4 Cllr Foulger:

There are a number of issues in respect of this application. They range from highways, the slope of the site, potential overlooking and the gradient for access and egress. If you are minded to approve I would like it called in for consideration by the Planning Committee. If you are minded to refuse I am content for it to be dealt with by an officer decision under delegated powers.

Comments on revised submission:

Given the residents' interest and the view of Drayton Parish Council I feel this application should be considered by Planning Committee. As already advised there are a number of issues which need to be addressed.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012 and Planning Practice Guidance (PPG) 2014 web based guidance:

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

Core Strategy and Minerals and Waste Development Management Policies DPD 2011:

- 6.2 Policy CS16: Safeguarding minerals and waste sites and in particular mineral resources

The County Council will safeguard existing, permitted and allocated mineral extraction and associated development and waste management facilities within certain categories.

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

6.3 Policy 1: Addressing climate change and protecting environmental assets

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

6.4 Policy 2: Promoting good design

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

6.5 Policy 3: Energy and water

Development will where possible aim to minimise reliance on non-renewable high-carbon energy sources and maximise the use of decentralised and renewable or low-carbon energy sources and sustainable construction technologies.

To help achieve this all development proposals of a minimum of 10 dwellings or 1,000m² of non-residential floorspace will be required to include sources of decentralised and renewable or low carbon energy to secure at least 10% of their energy requirement, unless demonstrated through the Design and Access Statement that this is not viable or practicable.

6.6 Policy 4: Housing delivery

Allocations will be made to ensure at least 36,820 new homes can be delivered between 2008 and 2026, of which approximately 33,000 will be within the NPA, distributed in accordance with Policies for Places.

On sites of 16 dwellings or more or over 0.6 hectares, 33% of the dwellings will be provided for affordable housing.

6.7 Policy 6: Access and transportation

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

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

Throughout the urban area and the fringe parishes (including Drayton) opportunities will be sought to identify amongst other things, land to contribute towards the smaller sites housing allowance in Policy 9. Green infrastructure and links between currently fragmented habitats and to the rural fringe will be protected, maintained and enhanced through a range of measures.

6.9 Policy 21: Implementation of proposals in the Broadland part of the NPA

When considering development proposals in their part of the NPA, Broadland District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant planning permission unless material considerations indicate otherwise.

Broadland Development Management DPD 2015 – (DM DPD):

6.10 Policy GC1: Presumption in favour of sustainable development

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

6.11 Policy GC2: Location of new development

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

6.12 Policy GC4: Design

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

6.13 Policy EN1: Biodiversity and habitats

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

6.14 Policy EN2: Landscape

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

6.15 Policy EN3: Green infrastructure

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

6.16 Policy EN4: Pollution

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

6.17 Policy RL1: Provision of formal recreational space

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

6.18 Policy TS3: Highway safety

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

6.19 Policy TS4: Parking guidelines

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

6.20 Policy CSU5: Surface water drainage

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

Site Allocations DPD – (SA DPD):

6.21 The site is not allocated.

Landscape Character Assessment SPD:

- 6.22 Identifies the application site as falling within the urban landscape character area.

Recreational Provision in Residential Development SPD:

- 6.23 Provides guidance on the provision of formal and informal recreation space and green infrastructure.

Community Infrastructure Levy (CIL) Regulations 2010:

- 6.24 A Section 106 obligation can only be a reason for granting permission for the development if the obligation is: necessary to make the development acceptable in planning terms; and directly related to the development; and fairly and reasonably related in scale and kind to the development.

Drayton Neighbourhood Plan 2016 – (DNP):

- 6.25 Objectives 1 – 6: (relevant ones summarised)
- 1 Preserving the character of the settlement, including the spatial balance between the rural and built environment, historical assets and character whilst improving design, based on local vernacular style.
 - 2 Protecting and enhancing resources available for sports, leisure, community and educational activities.
 - 4 Improving the management and possibly increasing the provision of public green spaces of different kinds.
 - 6 Improving access and use of route-ways through urban and countryside for pedestrians and cyclists.

- 6.26 Policy 1A – Design:

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

- 6.27 Policy 1B – Housing and employment:

Proposals for new housing development must have regard to the desirability of providing opportunities for local employment to help reduce the need for

travel to work. Development which would provide a mix of housing and employment-related uses will be supported.

6.28 Policy 1C – Natural environment:

Development which would have an impact on the natural environment will not be permitted unless it can be shown that the natural environment would not be harmed.

6.29 Policy 1E – Traffic congestion:

Proposals for development which would help alleviate traffic congestion in the village centre will be supported, provided that the development would comply with other policies of the plan.

6.30 Policy 2A – Building materials:

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

6.30 Policy 5 – Flooding:

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

6.31 Policy 7 – Improved walking and cycling routes:

Development which would provide or help to provide improvements to the network of footpaths or cycling routes in Drayton will be supported.

6.32 Policy 8 – Nature conservation:

Development which would undermine the integrity of the river Wensum Special Area of Conservation and SSSI, or the Marriott's Way green infrastructure corridor will not be permitted. Development which would enhance the nature conservation interests of these areas will be supported.

6.33 Policy 9 – King George V Playing Field:

Proposals for development which would provide new or improved facilities likely to increase the use of the King George V Playing Field will be supported.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site is located between Drayton High Road (A1067) to the north and Low Road to the south to the south east of the village centre of Drayton. The site has a gated entrance from Fairview Close to the west. The site is roughly rectangular in shape and comprises a total area of 3 hectares (7.4 acres).
- 7.2 The site is an agricultural grazed field with mixed, broken hedgerows to the northern and western boundaries and a deciduous semi-mature tree belt measuring 15m wide x 150m long along part of the southern boundary. Residential back gardens lay adjacent to the west (Fairview Close) and part of the northern boundaries (Drayton High Road). To the north west of the site is an area of grassed open space to the rear of the Lodge Breck which also includes a small car parking area. To the east and the south east the site is separated from Drayton Old Lodge by a small mature woodland area and a walled garden containing semi-mature trees. Beyond the tree belt to the south is agricultural land and the River Wensum lies approximately 200m to the south of the site.
- 7.3 The site levels vary considerably across the site with a high point of 26m in the south eastern corner of the site which fall steeply towards the western and northern boundaries, the lowest part of the site at 13.5m is in the north western corner of the site (a total fall of 12.5m).

8 PLANNING HISTORY

- 8.1 [820630](#): Two houses and 40 Flats. Refused 6 June 1982.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the Development Plan including the Drayton Neighbourhood Plan and the Norfolk Minerals and Waste Core Strategy, the NPPF and Planning Practice Guidance are also material considerations. Further issues are whether the proposed development will result in a significant detrimental impact upon the character and appearance of the surrounding area, highways issues, residential amenity, trees, flood risk / drainage and ecology and biodiversity. Other matters to consider are whether the application contributes towards achieving sustainable development and whether it, in addition to existing residential permissions/applications in Drayton, would prejudice the spatial strategy and settlement hierarchy of the JCS.

Policy Framework:

- 9.2 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. This point is reinforced by the NPPF and the Planning Practice Guidance. The parts of the Development Plan that are relevant to this application are the JCS, DM DPD, SA DPD, the Landscape Character Assessment SPD, the Recreational Provision in Residential Development SPD, the Drayton Neighbourhood Plan and the Norfolk Minerals and Waste Core Strategy.
- 9.3 Policy GC2 of the DM DPD states that new development will be accommodated within defined settlement limits, outside of these limits, development that does not result in any significant adverse impact will be permitted where it accords with a specific allocation and / or policy of the Development Plan. The site has not been allocated for housing and is outside but adjacent to the settlement limit that has been defined for Drayton. The northern and western boundaries of the site adjoin the defined settlement limit for Drayton. The application therefore conflicts with Policy GC2 of the DM DPD.
- 9.4 Drayton is within the defined Norwich Policy Area (NPA) and the JCS states that approximately 33,000 new homes will be built within the NPA by 2026. Policy 12 of the JCS states that the smaller sites allowance as set out in Policy 9 of the JCS, within the Broadland part of the NPA outside of the Growth Triangle, must contribute 2,000 dwellings towards this target and allocations to deliver these sites will be made in accordance with the settlement hierarchy and local environment and servicing considerations. Drayton is located within the group of Norwich fringe parishes under Policy 9 of the JCS.
- 9.5 It was intended that land for housing development to meet the targets in the JCS would be identified through the SA DPD. The application site has not been allocated but the site at Hall Lane / School Road has been allocated for housing and outline planning permission has been granted for 200 houses under ref: [20130885](#), subsequently Planning Committee has resolved to approve ref: [20161066](#) for 250 houses on this site and the S106 is being negotiated. There is a mixed use allocation on land to the north of Barclays Bank under Policy DRA2 for a commercial / residential scheme which is indicated could accommodate approximately 20 dwellings. No planning application has been submitted for that site. In addition, an outline planning application for 29 dwellings on the site of the former David Rice Hospital, Drayton High Road, Drayton ref: [20170196](#) was considered by Planning Committee in October 2017 when it resolved to approve the application subject to the satisfactory completion of a S106 legal agreement, this is being negotiated.

- 9.6 However, consideration must be given to the supply of land for housing in the NPA. The most recent Greater Norwich statement on five-year housing land supply was published as Appendix A of the Annual Monitoring Report 2015-16 for the JCS in January 2016. This statement shows that there is only a 4.7 year housing land supply within the NPA. Given that there is not a five year housing land supply in the NPA; paragraph 49 of the NPPF is engaged. It states that “relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”. Paragraph 14 of the NPPF is also relevant and states that, where a development plan is absent, silent or out-of-date, planning permission should be granted “unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted”. This approach is reinforced by Policy 21 of the JCS relating to the implementation of proposals in the Broadland part of the NPA.
- 9.7 Drayton has a good level of local services and facilities; it has a doctors’ surgery, dentist, infant school, junior school, Post Office, two pharmacies, various food / retail units, a supermarket, two Public Houses / restaurants, village hall, sports centre, public recreational facilities, hair salon, a petrol filling station, commercial units, places of worship, residential care homes and access to public transport. The majority of these services are located within the centre of Drayton or within a short walk of the centre. The catchment school for secondary education is Taverham High School, which is approximately 3.5 km (2.17 miles) to the north west of the site. The close proximity of the site to these local services and facilities comply with Policy 6 of the JCS.
- 9.8 Therefore in having regard to the deficit in the supply of land for housing within the NPA and the planning policy approach that should be taken in such instances, it is considered that Drayton is a sustainable location for new residential development of the scale proposed by this application and that the site is closely located to many of the local services and facilities. However it is necessary to consider whether the details of the proposals result in any adverse impacts which would significantly and demonstrably outweigh the presumption of approving the application.
- 9.9 It is noted that Drayton has a Neighbourhood Plan (DNP) which was adopted in July 2016 and forms part of the Development Plan. The contents of the plan therefore are a material consideration in the determination of the application. The plan contains visions and objectives for the village as well as specific policies to guide development. The vision for the parish is ‘for the community of Drayton to maintain the quality of life in their parish by preserving the balance between the built and green environment, improving negative elements of the built environment and infrastructure whilst developing and strengthening opportunities for the people of the parish,

encouraging increased prosperity and building up the facilities available to residents and those that work here’.

- 9.10 There are 6 objectives of the DNP which are intended to address specific issues raised by the community and provide a basis for the policies of the plan, which if fulfilled, will ensure the vision for the village is achieved. The objectives relevant to this proposal are summarised in paragraph 6.25 of this report. It is considered that the proposals fulfil objectives 1, 2, 4 and 6 as the design and scale of the proposals are considered to be acceptable, the commuted sum arising from the development will be paid to the Parish Council for them to enhance the sports, leisure, community and educational activities within the parish and increase the provision of public green spaces through the provision of the on-site green infrastructure path which connects to the adjoining site/landowner to the east and these are the relevant objectives in this case.
- 9.11 In turning to the policies of the DNP, Policy 1A requires that proposals for development must show how the development would achieve a high standard of design, sustainability and innovation. Development which reflects the historic character of Drayton will be supported. The design, scale and external materials of the development have been designed in an Edwardian suburban style which is considered to reflect elements of the historic character of Drayton. The Council’s Design Officer has stated that on balance the proposals are acceptable in design terms.
- 9.12 Policy 1B is not considered to be relevant as the proposals do not include any employment elements; Policy 1C is a relevant policy as it requires that development which would have an impact on the natural environment will not be permitted unless it can be shown that the natural environment would not be harmed. In this case the County Ecologist is on balance, content with the proposals subject to the imposition of a condition requiring an ecological management plan, which it is suggested is imposed.
- 9.13 Policy 2A states that proposals for development which would use traditional building materials found in Drayton will be supported. The proposed development indicates that the traditional building materials will be used; a condition is to be imposed in this respect.
- 9.14 Policy 5 states that development proposals which are likely to increase the risk of surface water flooding will not be permitted. Applications for planning permission for development within the Drayton Critical Drainage Area as defined in the Norwich Surface Water Management Plan must be accompanied by a flood risk assessment which considers surface water flooding. In respect of the proposals a flood risk assessment and drainage strategy has been submitted and the revised version has been considered by the Lead Local Flood Authority (LLFA) who has no objection subject to the imposition of a condition being applied to prevent the risk of flooding.

- 9.15 Policy 7 states that development which would provide or help to provide improvements to the network of footpaths or cycling routes in Drayton will be supported. The proposals include the provision of one of the neighbourhood plans identified 'missing links in the network' of cycle and footpaths, this is recognised as a key benefit of the proposals and will be covered by the S106 to ensure provision and maintenance.
- 9.16 Policy 8 requires that development which would undermine the integrity of the river Wensum Special Area of Conservation and SSSI, or the Marriott's Way green infrastructure corridor will not be permitted. Development which would enhance the nature conservation interests of these areas will be supported. The proposals are not considered to have any detrimental impact on the stated conservation designations and as stated in paragraph 9.12 the County Ecologist is on balance, content with the proposals subject to the imposition of a condition.
- 9.17 Finally, Policy 9 states that proposals for development which would provide new or improved facilities likely to increase the use of the King George V Playing Field will be supported. Through a commuted sum to be paid to the Parish Council, the development will provide funds for improved facilities within the Parish, potentially to include the nearby King George V Playing Field.
- 9.18 It is therefore considered that the proposals meet objectives 1, 2, 4 & 6 and the stated policies of the adopted DNP as detailed above. It is recognised that the proposals don't comply with Policy 1E as it does not directly alleviate traffic congestion in the village centre, but it is not close enough to directly address this.
- 9.19 It is therefore considered that the above assessment of the proposals against the DNP responds to the objection of the CPRE at paragraph 3.15.
- 9.20 In terms of the Norfolk Minerals and Waste Core Strategy, it is noted that the County's Minerals & Waste Team confirmed that the site is partially underlain by sand and gravel which is safeguarded as part of the adopted Core Strategy. This places a duty upon the LPA to ensure that mineral resources are not needlessly sterilised as indicated in the NPPF paragraph 143. The applicant has confirmed that they are prepared to accept a suitably worded condition to investigate the existence of mineral resources as part of their development proposals. On this basis the Minerals & Waste Team have no objection subject to the imposition of a condition in respect of the submission of a Mineral Materials Management Plan. This is considered to comply with the Norfolk Minerals and Waste Core Strategy.

Site Specific Matters:

- 9.21 It is noted that one of the key reasons for objection to the proposals from both local residents and Drayton Parish Council is the highways proposals which include the formation of a new vehicular access onto Drayton High Road to serve the development at a point where a bus stop within a lay-by exists. This necessitates the re-location of the Taverham bound bus stop to the east of the proposed access on a widened footpath, so that the bus will stop within the carriageway. During the course of the application various revisions have been made to the proposed internal site layout to address specific issues. In addition the position of the Norwich bound bus stop, which is currently close to the proposed vehicular access, is to be re-located within the footway to the front of no: 67 Drayton High Road formed by a bus shelter, associated minor revisions to the existing pedestrian refuge, a reduction in the width of the carriageway and a widening of the footway on the south side of Drayton High Road are also proposed together with improvements to the existing pedestrian crossing at Taverham Road, all of which will be funded by the applicant. The Highway Authority has no objection to the proposals in their further revised form as set out in paragraph 3.2 above subject to the imposition of a series of conditions to deal with the on-site and off-site works, these conditions are considered to be reasonable and will be imposed. It is considered therefore that although the objections in respect of the highways aspects are noted the highway proposals are considered to be acceptable and meet the requirements of Policy 6 of the JCS and Policies TS3 and TS4 of the DM DPD.
- 9.22 Section 5 of the report sets out the representations that have been received to the original, revised and further revised proposals, from this it can be seen that the original submission attracted 21 objections from residents of Fairview Close, Drayton High Road, Lodge Breck and Hall Lane, Drayton; 17 objections on the revised plans and the further revised proposals attracted 8 objections from 6 residents on Drayton High Road and Fairview Close. The reasons for objection are wide ranging but can be categorised as highways / pedestrian safety issues, neighbour impact issues, drainage / flooding issues and impacts on Drayton, each of these are assessed below.
- 9.23 The broad highways issues are assessed in paragraph 9.21 above, but an additional reason for objection by neighbours and the Parish Council is in respect of the proposed pedestrian / cycle connection from the site to the footway on the south side of Fairview Close as any pedestrians / cyclists using this route to access Drayton will have to use Low Road, part of which does not have a pedestrian footway, meaning that users have to walk within the carriageway for a distance of approximately 63m. It is recognised that this is not an ideal situation; however there is insufficient highway land available to form a footway along this part of Low Road. It is for this reason that an alternative pedestrian / cycle path is shown on the proposals to connect to the boundary of the site with the area of open space at Lodge Breck, enabling pedestrians / cyclists to gain access to the centre of Drayton via the network

of paths in Lodge Breck and then onto the footway alongside Drayton High Road, this is considered to be a more suitable and safe route whilst the connection between the site and Fairview Close will allow residents from Fairview Close and beyond to gain access to the site, the green infrastructure path and the bus stops on Drayton High Road close to the site's vehicular access and achieve a level of non-car permeability into and out of the site. On balance, although the shortcomings are noted it is not considered to be appropriate to close the connecting cycle / pedestrian path to Fairview Close.

- 9.24 Neighbours have also raised objections to the loss of privacy and the overbearing impact of the proposed dwellings in proximity to nos: 58a - 80 Drayton High Road and nos: 19 and 20 Fairview Close. It should be noted that the neighbouring properties are set at a lower level than the site level and in the case of the Drayton High Road by approximately 2.5 – 2.8m and the distances to the rear boundaries reduce as the neighbour's property numbers increase. The proposed dwellings in proximity to these neighbours are a detached house at Plot 11 and two storey houses arranged in terraces of either 3 (Plots 17-19) or 5 (Plots 12-16) houses with their rear gardens towards the boundary with the neighbours. The proposals have been revised from the original submission to omit a two storey house on the boundary to no: 78, re-site a double garage to the rear of nos: 64-66 and the 1.8m fence that is proposed to be installed along the length of the neighbour's boundary is now proposed at 2.4m high. The distances between the existing and proposed dwellings range from 32m (at the nearest point) between plot 18 and no: 58a to 18m between Plot 11 and no: 78 and the terraced houses each have a bedroom and bathroom window to the rear. It is recognised that if a new dwelling is visible from a neighbour's property this is not a reason on its own to refuse an application. The relevant consideration is whether the proposals have an unacceptable overbearing effect or result in unacceptable levels of overlooking being experienced. Revised proposed site levels, finished floor levels and cross-section drawings have been submitted to show the relationship between the proposals and the neighbours which indicate that with a 2.4m high boundary fence it will 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. It is recognised that mutual overlooking from respective first floor window will be possible, however given the distances involved it is considered that in their further revised form the proposals pay adequate regard to the amenities of the existing properties on Drayton High Road to the north of the site.
- 9.25 In addition the proposals have been revised so that the finished floor level, the eaves and ridge height of Plots 29-32 have been reduced, the position of the dwellings have been moved 4.65m further away from the boundary to the neighbour at 19 Fairview Close and the first floor windows have been omitted and replaced with rooflights. Also the boundary fence to be installed on the boundary with no: 19 has been increased from 1.8m high to 2.4m high. It is considered that these revisions now provide an acceptable relationship with the neighbour at 19 Fairview Close.

- 9.26 The neighbours objections in respect of the implications for the drainage of the site and flooding issues are assessed at para 9.29 below. The neighbour's objections in respect of the impacts of the development on Drayton are assessed at paragraph 9.34 below.
- 9.27 In considering the character and appearance of the area, the site itself is an undeveloped grassed field used to graze livestock. The site boundaries are marked with mixed hedgerows, post and wire fencing, low panel fencing with off-site mature trees at Drayton Old Lodge and a tree belt to part of the southern boundary. The levels of the site are a strong characteristic as these fall from a high point in the south eastern corner of the site towards the north, north west and the west. The site is bounded by residential properties along the northern and western boundaries and the roadside margin to Drayton High Road contains a mixture of deciduous trees and hedgerow species. In the context of the Landscape Character Assessment SPD the site lies within the defined urban landscape character area. The development of the site will inevitably change the character and appearance of the area as a result of the proposals; the roadside margin will be removed to allow the formation of the access although landscaping proposals have been submitted to show that the margin between the houses and the new footpath will be heavily planted, this will be secured by a landscaping condition. It is noted that part of the site is visible from longer distance views within parts the village which are also elevated eg School Road and Fakenham Road, however in practice once developed it will be parts of the rooftops of the housing which will be visible against a backdrop of the retained mature trees on the neighbouring site. A further consideration is whether the proposals have an impact on the visual amenities of the Wensum Valley to the south. It is considered that as the tree belt is to be retained which is at a higher site level than the valley floor, combined with the position of the proposed houses principally set on the opposite side of the open space then it is considered that there will be limited impact on the visual amenities of the Wensum Valley. On balance is not considered that the proposals will have a significant detrimental impact on the character and appearance of the area.
- 9.28 It is noted that trees and landscaping are a key element of the proposal given the retention of the tree belt along part of the southern boundary, the off-site trees adjacent to the site and the need to provide replacement planting for the species to be removed from the site frontage. The Council's Conservation Officer (Arboriculture & Landscape) comments are set out at paragraph 3.8 above. Originally he was concerned about overshadowing from the off-site trees within the walled garden however with the agreement of the owner many of the sycamores and two oaks were felled and further details submitted to identify that the neighbouring Plots 63-69 will not be adversely affected; the garden areas of Plots 70 and 71 will still be overshadowed, however the dwellings will be less so. He has requested the imposition of conditions to require the submission of a landscaping scheme and the details as set out within the submitted AIA, Tree Protection Plan (TPP) & Arboricultural Method Statement (AMS), these will be imposed. In respect of the green infrastructure pathway through the retained tree belt he has agreed the

principle of this route but further details are required in respect of the surfacing of the path and the works to the trees to facilitate the path, the request for these details will be set out in the S106. It is considered that the proposals in their further revised form meet the requirements of Policies EN1 and EN2 of the DM DPD.

- 9.29 In respect of flood risk and drainage, the site is identified as being within Flood Zone 1 where the risk of flooding is considered to be at its lowest. However because of the site area a Flood Risk Assessment (FRA) was submitted with the application. Norfolk County Council (as Lead Local Flood Authority) considered this and originally objected to the proposals as the submitted FRA had not adequately demonstrated that the site will be able to drain via infiltration. A revised FRA with a drainage strategy has been submitted which includes the following elements: crated soakaways provided in specific garden areas, permeable paving on private roadways, driveways and shared parking areas, oversized pipes and attenuation tanks will allow water to be stored within the site, out-falling at a controlled discharge rate to the Anglian Water pumping station in Low Road. The area of open space within the site adjacent to the existing Lodge Breck open space will include a swale whereby surface water will directed and naturally drain away this is combined with a 39m³ underground surface water attenuation tank which is proposed beneath the proposed area of open space. It is noted that Anglian Water has plans to increase the capacity and effectiveness of the pumping station on Low Road to the west of the site where a new underground storage tank has been proposed to accommodate increased flows. The Lead Local Flood Authority has confirmed that it has no objection to the revised proposals subject to the imposition of a condition being imposed which requires more detailed analysis of the proposals to prevent the risk of flooding. It is considered that the further details comply with the requirements of Policy CSU5 of the DM DPD and the relevant parts of the NPPF.
- 9.30 A Phase 1 Habitat Survey and Protected Species Scoping Survey dated August 2016 has been submitted to identify whether the site has any potential for protected species to be present, to assess the potential impact on them as a result of the development and make recommendations for further work in these respects. The Phase 1 survey identifies that the site provides suitable foraging habitat for bats, that nesting and foraging opportunities exist for birds, further reptile surveys are to be undertaken and assessed, but no further surveys are required in respect of amphibians, invertebrates, dormice, hedgehogs and badgers. The results and recommendations of a Reptile survey dated October 2016 have also been submitted which identify that no reptile species were recorded. Both reports have been considered by the County ecologist who has recommended that the woodland and southern boundary tree belt be retained as part of an ecological masterplan to be imposed as a condition. The masterplan should ensure that bats can continue to use this habitat for feeding together with a sensitive lighting plan. He has also recognised that the site is within 2km of the River Wensum SAC (special area of conservation), but given that there is no public access to the river banks at this location we can be reasonably confident that there will be

no impacts from increased recreational use as a result of this development. The proposals are therefore considered to comply with Policy EN1 of the DM DPD.

- 9.31 The Council's Contracts Officer has considered the revised proposals, which omitted a long private drive, altered the positions of the bin collection points (bcp's) so that all household refuse can now be collected from the adoptable highway and identified the position of the public and contractors access to the open space next to the tree belt. The Contracts Officer still raised concerns about specific elements of the proposals including the adoption of the on-site amenity areas. It is considered that the fundamental elements have been addressed and the revised refuse proposals are now acceptable. Details have been requested in respect of the vehicle tracking of the refuse vehicle to ensure that it can safely manoeuvre around the development. The further comments of the Contracts Officer will be reported. The applicant's agent has confirmed that the amenity areas will be offered for adoption to the Parish or District Council, if neither are willing to take on the ownership and future maintenance (with commuted payments from the applicant) a management company will be formed under the control of the property owners.
- 9.32 The Historic Environment Service has considered the proposals and concludes that although the archaeological trial trench evaluation identified archaeological features they were not of sufficient significance to merit further investigation. In view of this no further archaeological work will be required at the site.
- 9.33 The site has no records of ground contamination and the consultant has not identified any potentially significant sources of contamination, this has been confirmed by the soil and gas monitoring that has been undertaken which has not identified any significant contamination. In view of this the Council's Pollution Control officer sees no reason to require a further assessment.
- 9.34 Concern has been expressed about the ability of the local infrastructure to cope with the amount of development being proposed and approved in Drayton, in terms of schools and the doctor's surgery. Whilst these concerns are recognised, the Community Infrastructure Levy will be used to fund strategic infrastructure such as school places. In respect of medical services, the responsibility for health provision remains with the health providers, primarily with NHS England who provide funding for doctors based on the population / number of patients in an area. The residents in new developments will contribute to this national funding through taxes in the same way as existing residents. Consequently, in general terms the impact of a new residential development on existing medical facilities is managed by health providers.
- 9.35 To take account of the request from the County Council's Infrastructure & S106 team in respect of the provision on-site of fire hydrants for firefighting purposes a condition is proposed to incorporate this request which on the

basis of one fire hydrant per 50 dwellings will necessitate two fire hydrants being installed across the development.

- 9.36 As the development is for more than ten houses and to meet the requirements of Policy 3 of the Joint Core Strategy it is considered appropriate to impose a condition which requires the development to specify 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.

Planning Obligations

- 9.37 If Members resolve to grant consent, the permission will need to be accompanied by a Section 106 agreement to secure planning obligations in connection with the development. This would need to cover the following:

- Affordable housing
- Provision of a commuted sum for off-site children's play, formal sports facilities and allotments, together with the on-site provision of green infrastructure including a maintenance sum paid by commuted payment.

- 9.38 The Community Infrastructure Levy (CIL) Regulations 2010 require that planning benefits secured through Section 106 agreements must meet the three tests set out at Regulation 122 if they are to be a reason for granting planning permission. These tests are that the benefits must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and,
- Fairly and reasonably related in scale and kind to the development.

- 9.39 In developments of 16 or more dwellings, Policy 4 of the JCS sets the target that 33% of the units will be provided for affordable housing. The Housing Enabler's comments at paragraph 3.11 above, note that the provision has been reduced to 23 units comprising 12 ART: 11 Intermediate tenure (as per the proposal section) as the total housing proposal was reduced by 3. This equates to a 32.4% affordable housing provision with the tenure mix and house sizes specified which is considered to be acceptable and meets the Council's requirements and comply with Policy 4 of the JCS. These requirements will be included in a S106 agreement to ensure delivery of the affordable housing element.

- 9.40 In respect of open space, Policy RL1 of the DM DPD aims to provide formal recreation while Policy EN3 seeks to provide informal open space to offset the

potential impact on European sites. In respect of formal recreation which includes children's play and sports facilities there are no proposals for any on-site children's play space or formal sports facilities. The applicant proposes to meet these requirements through a commuted sum, which could be spent at the Parish Council's existing play areas at the Florence Carter Play Area, Longdale or the King George V Playing Field. Payment of a commuted sum via a Section 106 agreement would ensure compliance with Policy RL1 of the DM DPD.

- 9.41 Policy EN3 of the DM DPD requires the applicant to provide informal open space in order to meet the recreational needs of existing and future residents and to mitigate the potential impacts of visitor pressure on sensitive internationally designated sites. It is noted that the proposals include three areas of public open space but due to their size these are considered as amenity areas and the need to provide useable open spaces remain. The proposals include a publicly accessible path through the tree belt on the southern boundary and beyond to the south east of the site which is intended to provide a green infrastructure connection to the neighbouring site as part of a wider strategy to link Drayton with the open space at the David Rice site which is identified in the Drayton Neighbourhood Plan as 'a missing link'. This is considered to represent a significant benefit of the proposal and the applicant has indicated that it is prepared to pay a commuted sum for the maintenance of the pathway. As there are no proposals for the provision of allotments on site, a commuted sum will be paid via a S106 agreement to meet this element of the policy. The requirements of Policy EN3 of the DM DPD are therefore complied with.
- 9.42 It is considered that the matters relating to affordable housing, open space / recreational requirements, maintenance of the green infrastructure and allotments meet the policy requirements in each case and also meet the tests set out within the CIL Regulations. These benefits can therefore be taken into account in determining the planning application.

Planning Balance

- 9.43 The planning balance should consider whether the details of the proposals result in any adverse impacts which would significantly and demonstrably outweigh the presumption of approving the application, as the Council is unable to demonstrate a 5 year supply of deliverable housing land. From the consultation replies it is noted that the Parish Council and neighbours which bound the site on Drayton High Road and Fairview Close remain opposed to the proposals, however the report has assessed the reasons for objection and in each case it is considered that the further revised proposals have satisfactorily addressed the stated concerns or conditions can be imposed to address the stated issues.

- 9.44 Although it is noted that the site is located outside but adjacent to the defined settlement limit for Drayton and is not allocated for any purpose, Drayton is located within the Norwich Policy Area where the Council is unable to demonstrate a 5 year supply of housing land and this development will contribute towards the shortfall in supply while also providing affordable housing and a sizeable commuted sum for the Parish Council to spend on formal recreation and informal open space provisions to meet stated development plan policies. Drayton is considered to be a sustainable location for new development given the level of services and facilities which it offers and the location of the site in close proximity to these is an important benefit of the site. Other benefits of the proposals are considered to be the provision of an important green infrastructure pathway which will be the first section of the Neighbourhood Plan's 'missing link' from Drayton to the adjoining land to the east, which is intended to eventually connect to the open space at the David Rice site which will significantly improve the network of footpaths or cycling routes in the village; the enlargement of the area of open space to the rear of Lodge Breck, by locating open space within the development immediately next to it; the ecological enhancements arising from the ecological management plan to be imposed as a condition and the proposals also include off-site highway proposals for the re-location of the bus stops on Drayton High Road, widening of the footway along part of Drayton High Road and an improved pedestrian crossing at Taverham Road. It should also be noted that the proposed development will generate a significant CIL payment of which the Parish Council will receive 25% for them to spend on local initiatives.
- 9.45 On balance, the benefits of the proposals in their further revised form are considered to outweigh any adverse impacts of the proposals and therefore represent an acceptable form of development subject to the completion of a S106 and relevant planning conditions.
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RECOMMENDATION: Delegate authority to the Head of Planning to grant **APPROVAL** subject to 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) (SHCO1 v) No works shall commence on the site 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) (SHC02 v) 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) (SHC03A v) 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) (SHC19 v) 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) (SHC29A v) 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) (SHC29B v) 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) (SHC39A v) 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) (SHC39B v) 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) (SHC39C v) 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) (SHC39D v) 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) Prior to the commencement of the development, 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) No development shall commence 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) Prior to the commencement of development an Ecological Management Plan (EMP) should be 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. C – Site location plan received 30 October 2017

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. D – Refuse plan received 2 January 2018
- 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:

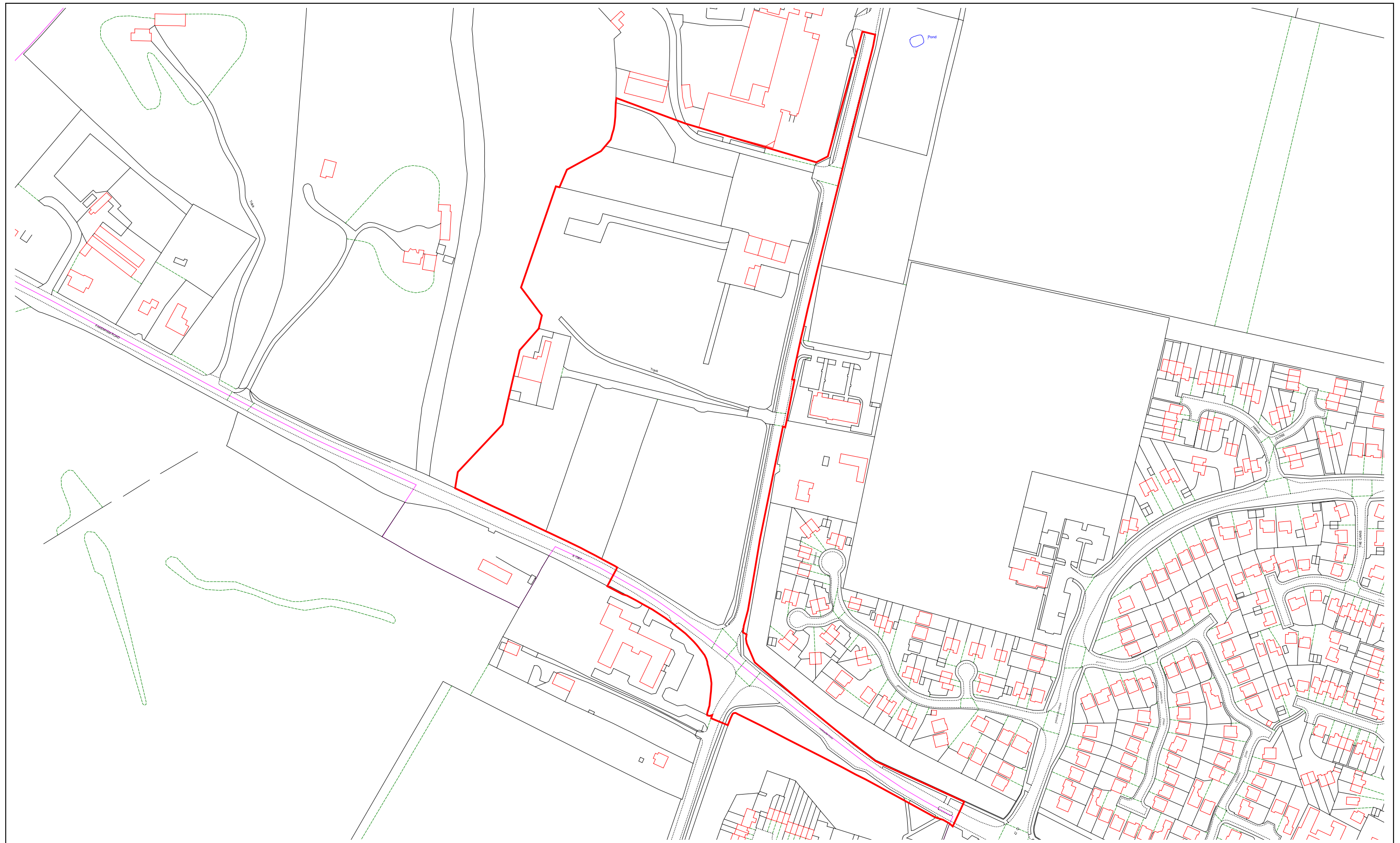
- (1) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (2) It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work 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



Application No: 20171782

Taverham Garden Centre, Fir Covert Road, Taverham, NR8 6HT

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Date:
22-Jan-18



AREA West
PARISH Taverham

3

APPLICATION NO: [20171782](#) **TG REF:** 615728 / 315228

LOCATION OF SITE Taverham Garden Centre, Fir Covert Road, Taverham, NR8 6HT

DESCRIPTION OF DEVELOPMENT Hybrid planning application: (1) Full planning permission for the construction of a supermarket (Class A1), together with associated access, car parking and landscaping. The supermarket will comprise a total of 2,206m², gross external footprint, and will be served by a total of 129 car parking spaces (of which 7 would be disabled spaces and 8 parent and child spaces). (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.

APPLICANT/ AGENT Scott Properties and Lidl UK GmbH

Date Received: 6 October 2017
13 Week Expiry Date: 15 January 2018

Reason at Committee: Recommendation is contrary to the provisions of the Development Plan.

Recommendation (Summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application is a hybrid application seeking full planning permission for the construction of a supermarket (Class A1), along with associated access, car parking and landscaping which would be constructed and occupied by Lidl. The second part of the hybrid application seeks outline permission for the remaining part of the site; this comprises 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. All matters other than access will be reserved. The supermarket in the detailed part of the application will be 2,206m² and will provide 129 car parking spaces (114 general, 7 disabled & 8 parent and child spaces) along with 32 spaces for cycle parking. The access is proposed off Fir Covert Road in the form of a T-junction, as well as utilising existing access points that serve the Garden Centre currently. Other highways works include 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.

2 KEY CONSIDERATIONS

- The impact of the development on the character and appearance of the area, residential amenity, highway safety and trees.
- The allocation of the site in the Site Allocations DPD
- Whether the proposal complies with the Development Plan and whether there are material considerations to justify a departure.

3 CONSULTATIONS

3.1 Taverham Parish Council:

No objection but the new road layout improvements on Fakenham Road, Beech Avenue and Fir Covert Road should be completed prior to the opening of Lidl.

3.2 Highway Authority:

The proposed development is located close to residential areas, with access to a bus service. With good quality walking and cycling infrastructure the development will be easily accessible by all modes of transport. The development will provide traffic signals (and pedestrian crossing) at the junction of Fakenham Road / Fir Covert Road and Beech Avenue, and a continuous footway and cycleway from Fir Covert Road to Kingswood Avenue. The agreed signalised junction will be fully designed and constructed by the Highway Authority. Previous concerns have been addressed and no objection is made by the Highway Authority subject to conditions. These conditions relate to the positioning of access gates / bollards, the extent of the visibility splay for the access, provision of the parking arrangements prior to the supermarket opening, and that the detailed design of the highways scheme is agreed prior to works commencing on-site.

3.3 Lead Local Flood Authority:

Further information has been provided by the applicant about the Sustainable Urban Drainage System (SUDs) proposed, and it has been confirmed that the LLFA has removed its objection, subject to the inclusion of a condition.

3.4 Environmental Health Officer – Pollution Control:

Recommends that a site assessment is undertaken, including ground gas monitoring, and as a consequence a standard condition should be added if the permission is granted.

3.5 Conservation Officer – Arboriculture and Landscape:

Eleven individual trees including three groups and one hedgerow has been identified for removal within the Arboricultural Impact Assessment (AIA). An additional two trees are compromised by the road layout alterations along Fakenham Road. The list of trees to be lost is two Category A T6 Turkey Oak and T42 Beech; five Category B T1 Oak, T2 Beech, T8 Oak, T40 White Poplar, T41 White Poplar, five category C T3 Oak, T4 Goat Willow, T5 Oak, T7 Goat Willow, T9 Goat Willow and Groups G1 a-d, G7, G8 and hedgerow H1. Additional below ground root constraints have been highlighted in relation to the various hard surfacing proposals which would have an impact on T1, T3, T5, T6, T8, T42 and T24. Along the southern boundary, the proposed tree removals would create an open space which would leave the side elevation of the proposed supermarket exposed and spoiling the rural feel of the location. It will be essential to check with the Highway Authority that the locations of new tree planting do not bring objection from the Highway Authority and that the required visibility splays can be maintained when the trees mature. Across the site, the trees shown adjacent to any hardstanding should be in planting pits. Details must be shown on drawings and within Landscaping Plans.

3.6 Environmental Health Officer – Acoustics:

Suggests that the recommendations made in the Noise Impact Assessment are followed.

3.7 Historic Environment Service – Archaeology:

Due to new evidence from investigation associated with the Northern Distributor Road there is potential for heritage assets to be present within the proposed development area. A programme of archaeological mitigatory work will commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required. Recommended certain conditions imposed should the application be approved.

3.8 Planning Policy:

The site is outside the defined Settlement Limit but largely conforms to policy TAV1 of the Site Allocations DPD. Provided the requirements for a sequential test under paragraph 24 of the NPPF are met for the additional 1,715m² Class A1 retail unit, there is no policy objection to the proposal in principle.

3.9 Norwich City Council:

It is observed that the current proposal reduces the size of the food store to 2,206m², replaces the petrol station with a fast-food restaurant, and creates a new standalone A1 retail unit of 1,715m². An objection is made to the application, but subject to the imposition of conditions the City Council is willing to withdraw their objection to the application. As per the 2014 permission it is requested that conditions 6, 7 and 8 are re-imposed to this new scheme. These three conditions deal with the percentage of floorspace in the lifestyle leisure unit, the goods that can be sold in the lifestyle leisure unit, and that individual units within the lifestyle leisure unit shall not exceed 200m².

It is suggested a condition also be added to limit the amount of comparison retailing in the Lidl store. As to the standalone retail unit, it is commented that the use for convenience or comparison goods is unclear. However, if the standalone A1 unit was for convenience retailing with a cap on comparison goods to in the region of 25% of total net floorspace the City Council would withdraw its objection. Neither would the City Council object to a bulky goods retail operation in this location:

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 goods, toiletries and perfumes
- e) Book, magazines and stationery
- f) Toys and games
- g) Electrical goods
- h) Travel goods and luggage

In being in accordance with the TAV1 allocation and permission [20131175](#), the City Council states that reducing the size of the convenience store and creating a new standalone retail unit represents a material departure. In respect to applying a sequential test to new retailing, and being in accordance with policies in the Joint Core Strategy for the settlement hierarchy, the City Council consider that the newly created unrestricted A1 retail unit is

inconsistent. The argument that the standalone A1 unit cannot come forward individually is challenged on the basis that it is speculative and the end-user is unknown. Similarly, asserting that the standalone retail unit will differ from places like Anglia Square is also challenged on the basis that the end-user is unknown.

In conclusion the City Council considers that this application departs from the 2014 consent. However, the objection would be withdrawn if the standalone unit was dropped from the proposals, or alternatively restricted to either predominately convenience retail or bulky goods retail via the imposition of suggested conditions.

3.10 Anglian Water:

No comments received

3.11 Norfolk Wildlife Trust:

No comments received

4 PUBLICITY

4.1 Site Notice

Expiry date: 20 November 2017

4.2 Press Advert (Eastern Daily Press):

Expiry date: 21 November 2017

4.3 Neighbour notification:

Expiry date: 11 November 2017

5 REPRESENTATIONS

Seventeen letters have been received: 5 are objections, 11 are no objections if the Beech Avenue, Fakenham Road and Fir Covert Road junction is improved, and one letter of comment.

5.1 27 Maple Drive, Taverham:

Another supermarket and fast food outlet is not needed. Concerns over the impact of increased traffic on the junctions of Fir Covert Road / Fakenham Road and Beech Avenue. Does not expect that traffic lights will make a difference. Raised the question as to what would happen if Lidl pulls out leaving a half built complex.

5.2 12 Limetree Court, Taverham:

Broadly welcomes the proposed development, which will be good for Taverham and Thorpe Marriott. However has concerns over the junction onto Fakenham Road and would like to see a roundabout installed or failing that, traffic lights.

5.3 12 The Street, Taverham:

Disappointed to note that no roundabout will be on the junction of Fakenham Road / Fir Covert Road. For people turning right out of Beech Avenue it is increasingly busy, particularly with the High School, and with the added traffic due to the proposed development the T-junction will not be sufficient.

5.4 28 Lloyd Road, Taverham:

Main concern is the traffic impact on the junction of Fir Covert Road and Fakenham Road which is very busy without the new development. There has to be a roundabout or traffic lights installed to make it easier and safer for motorists and pedestrians.

5.5 17 Gardyn Croft, Taverham

No objection to the proposed structures but has concerns about the effects on traffic using Fir Covert Road, A1067, Beech Avenue and Kingswood Avenue junctions. Access will worsen with increased traffic accessing the proposed development. The developers should be made to alter the junctions prior to any building work being started. Additional pedestrian crossings close to the development should be provided.

5.6 2 Limetree Court, Taverham:

Safety at the junction of Beech Avenue, Fakenham Road and Fir Covert Road needs to be addressed prior to development of the site as it is already dangerous and additional traffic will worsen the situation.

5.7 6 Woodlands, Taverham:

The junction between the A1067, Beech Avenue and Fir Covert Road is already a death trap with queues in the mornings up to 15 minutes. The proposed development will only add further traffic making the situation worse.

5.8 256 Kingswood Avenue, Taverham:

The road junction of Fir Covert Road / Fakenham Road / Beech Avenue is dangerous and there is often queuing traffic. Improvements are needed, as crossing the road as a pedestrian is also dangerous. There should be a footpath running the length of Fir Covert Road to encourage people to walk rather than drive.

5.9 261 Kingswood Avenue, Taverham:

Would like to see improvements at the junction of Fir Covert Road and Beech Avenue, as it is hard to get out at present and the NDR will only increase traffic at this junction.

5.10 31 Firethorn Close, Taverham:

Requested that the junction with Beech Avenue is either a roundabout or controlled by traffic lights to prevent build up of traffic.

5.11 27 Firethorn Close, Taverham:

Supportive of the application provided there are traffic lights at the junction of Fir Covert Road, Taverham Road and Beech Avenue. They are already needed and the extra traffic will make the situation worse.

5.12 Charles House, Beech Avenue, Taverham:

No objection to the building construction but feels there needs to be changes at the junction of Fir Covert Road and Fakenham Road due to the increased traffic caused by the development. If there are to be traffic lights then no objection is raised.

5.13 Longacre, Fir Covert Road, Taverham:

No objection to the principle of development but would like the position of the proposed site entrance to be repositioned so that it is not directly opposite his property. Concerns are raised over vehicle headlights shining into his property when leaving the site, the additional noise generated by the vehicles

coming and going, and the disturbance caused by traffic that may affect access to his premises.

5.14 23 Maple Drive, Taverham:

There is no need for an additional supermarket, pub or fast food restaurant as there is already sufficient choice. The development will encourage more traffic to the area.

5.15 8 Barberry Close, Taverham:

The development would cause an increase in vehicle pollution as well as HGV deliveries at unsociable hours. Feels the development would cause light pollution in a rural location. The development is not required in Taverham.

5.16 49 Broadgate, Taverham:

Objects to the application for the following reasons:

- Undermines the principle of the NDR
- Wrong amenities for the area and road infrastructure
- Lack of interest and need for such development
- Proposed site is a 'Woodland Priority Habitat' – 'High Spatial Priority'
- Biodiversity – many mature trees to be felled
- Sequential test not enthusiastically applied
- Significant increase in noise and light pollution

5.17 9 Broadgate, Taverham:

Strongly objects as he feels that a Lidl and fast food restaurant will not be viable, will result in empty property, and that having a fast food restaurant close to the high school is inappropriate.

5.18 Cllr C Bannock, 78 Sandy Lane, Taverham:

Requested that a condition be imposed that the offsite highway scheme was completed prior to construction commencing on site.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012:

- 6.1 This document sets out the Government's planning policies for England and how these are expected to be applied. The NPPF sets out a clear presumption in favour of sustainable development. Paragraph 23 states that local authorities should recognise town centres as the heart of the community and support their vitality and viability. In relation to the proposal Paragraph 24 requires a sequential test to be applied for main town centre uses not in an existing centre and not in accordance with an up-to-date plan. It states that when considering edge of centre and out of centre proposals preference should be given to accessible sites that are well connected to the town centre. Paragraph 26 sets out the requirement to submit an impact assessment for proposals over 2,500m² in floorspace. Paragraph 27 states that where an application fails to satisfy the sequential test it should be refused.

Planning Practice Guidance:

- 6.2 Is an online repository of Government guidance that supplements what is set out in the NPPF.

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

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

Amongst other items, this policy sets out that development will be located to minimise flood risk (mitigating any such risk through design and implementing sustainable drainage), that environmental assets of the area will be protected maintained, restored and enhanced.

- 6.4 Policy 2: Promoting Good Design:

All development will be designed to the highest possible standards creating a strong sense of place.

- 6.5 Policy 3: Energy and Water

Development in the area will, where possible, aim to minimise reliance on non-renewable, high-carbon energy sources and maximise the use decentralised and renewable or low-carbon energy sources and sustainable construction technologies.

6.6 Policy 5: The economy

Supports the sustainable growth of the local economy to support jobs and economic growth.

6.7 Policy 6: Access and Transportation

Seeks to concentrate development close to essential services and facilities to encourage walking and cycling as the primary means of travel.

6.8 Policy 11: Norwich City Centre

Deals with the City Centre as being the main regional focus for retail, leisure and office development.

6.9 Policy 19: The hierarchy of centres

Sets out how new retail, services, offices and other town centre uses will be dealt with, on a hierarchical approach at a scale appropriate to the form and function of the defined centre.

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

6.10 Policy GC1: Presumption in Favour of Sustainable Development

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

6.11 Policy GC2: Location of New Development

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

6.12 Policy GC4: Design

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

6.13 Policy EN1: Biodiversity and Habitats

Development proposals will be expected to protect and enhance the biodiversity of the District.

6.14 Policy EN2: Landscape

Development proposals should have regard to the Landscape Character Assessment SPD, as well as seek to protect and enhance the character of the area where appropriate.

6.15 Policy TS3: Highway Safety

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

6.16 Policy TS4: Parking

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

Landscape Character SPD:

- 6.17 Identifies the application site as falling within the Rackheath and Salhouse Wooded Estate lands landscape character area.

Site Allocations Development Plan Document (DMDPD) (2016):

- 6.18 The site is allocated under policy TAV1:

Specific Policy – Land at Fir Covert Road, Taverham (approximately 5.6 ha) is to be developed in accordance with planning permission [20131175](#). This will include a supermarket (Class A1), car parking with a petrol filling station, public house/ restaurant (Class A3/A4), and a commercial unit (a mixture of Classes A1/A3/B1/D1).

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site extends to approximately 4.4 ha in size and is located immediately north west of Taverham. It adjoins Taverham Garden Centre and Nursery to the north and is bordered by Fir Covert Road to the east and Fakenham Road, A1067, to the south.

- 7.2 The site is flat with a dense hedge and tree border to the west. Mature trees also exist along part of the south boundary. It has predominantly been used for the grazing of horses as well as for storage of building materials.
- 7.3 Humpty Dumpty's Kindergarden occupies a small area on part of the western boundary of the site but does not form part of the hybrid application, although provision has been made within the outline application for an improved access.

8 PLANNING HISTORY

- 8.1 [20111401](#): Screening opinion – development of land for food store, public house, mixed use and car parking. Not EIA Development 19 October 2011.
- 8.2 [20131175](#): Hybrid planning application for (1) Full planning permission for the construction of a supermarket (class A1) and car parking with petrol filling station and landscaping. (2) Outline planning permission for erection of a class A3/A4 public house / restaurant and a class A1/A3/B1 lifestyle leisure unit. Approved 12 June 2014 and for which consent expired on 12 June 2017.
- 8.3 [20171001](#): EIA Screening opinion – hybrid planning application for (1) Full planning permission for the construction of a supermarket (class A1) together with associated access, car parking and landscaping. (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. Not EIA development 28 July 2017.

9 APPRAISAL

- 9.1 The application is a hybrid application seeking full planning for the construction of a supermarket (Class A1), along with associated access, car parking and landscaping which would be constructed and occupied by Lidl. The second part of the hybrid application seeks outline permission for the remaining part of the site. This comprises 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. All matters other than access will be reserved. The main issues to be taken into consideration in the determination of this application are whether the development complies with the Development Plan; and where it does not, whether there are significant impacts that would justify a refusal of planning permission.
- 9.2 The principle of development on this site is agreed, as is much of the detail. The most relevant policy is TAV1 of the Site Allocations DPD that was set in accordance with the 20131175 permission for a supermarket, petrol filling station, a public house, and an A1/A3/B1 'Lifestyle Leisure Unit'. This current

application in its majority is the same as the now lapsed 20131175 permission, but does differ in some ways. These differences, which are the focus of this appraisal, are in the composition of the retail uses and the highways scheme along Fir Covert Road.

- 9.3 Whilst the four-way traffic light controlled junction at Fakenham Road / Beech Avenue is unaltered from that previously permitted, there are some changes to the highways scheme. A first phase, associated with the Lidl store is a T-junction onto Fir Covert Road. A second access is to the north, which serves the existing Garden Centre, will also serve the part of the site proposed in outline. The Highway Authority has raised no objection to the scheme, noting that the right-turn filter lane into the site provides enough capacity to avoid the disruption of traffic travelling south along Fir Covert Road.
- 9.4 The main change in the current application from the scheme approved is in the mix of retail uses. The petrol filling station has been replaced with a fast food restaurant. Furthermore, an additional Class A1 retail unit with a floorspace of 1,715m² is proposed from the previously permitted supermarket floorspace that has not been taken up by Lidl. The type of retailer for the standalone Class A1 unit is unknown and consequently an objection is raised about whether the sequential test for retailing locations has been followed. To resolve these matters conditions are proposed: that the additional Class A1 unit is restricted to either convenience retailing or for the sale of bulky goods. Similarly in respect of the Lidl supermarket, the amount of comparison retailing in the Class A1 unit is limited to 25% of the net floorspace.
- 9.5 Particular attention has been given to the proposed landscaping along the southern boundary of the site and that the new planting alongside the Fakenham Road can be fully implemented with the highways scheme. It is proposed that new Acer and Quercus species will be planted to compensate for the loss of several mature trees that have to be removed to implement the highways alterations. The loss of 13 trees is regrettable but is necessary to implementing the highways improvements needed. The new landscaping will provide some mitigation to screening the back of the Lidl, but at the corner of Fakenham Road / Fir Covert Road the supermarket will be visible from the road. Given the need to maintain visibility at the Fir Covert Road junction it is considered that the correct balance is struck between landscaping and highways considerations.
- 9.6 The comments received as a result of the consultation with local residents are summarised in section 5 above, it can be seen that specific objections have been received in respect of the relationship between individual neighbours and the proposed development, these concerns were considered under the previous application but it was considered that they didn't warrant refusal of the application. A clear comment that has been received from local residents is the need to address the current issues with the staggered cross roads at Fakenham Road / Fir Covert Road/Beech Avenue, included in the proposals are an improved junction arrangement controlled by traffic lights which has

been considered and agreed by the Highway Authority. It is therefore considered that the proposals do not have an unacceptable impact on residential neighbour amenities.

- 9.7 To conclude, this application is very similar to the application previously permitted, and allocated under Policy TAV1. Where there are differences with the previous scheme the changes are considered to be acceptable subject to imposing conditions. These conditions restrict the type of retailing from the site and a new condition is to be imposed which relates to archaeological investigations. Otherwise, the conditions from the scheme permitted in 2014 are carried forward and updated. Finally, it is worth noting that this application does not include signage for which advertisement consent will be required separately.
- 9.8 On balance it is considered that the proposals represent an acceptable form of development subject to the stated conditions and that further consideration will be given under the reserved matters application for the development referred to in part 2 of the description of development.
-

RECOMMENDATIONS: APPROVE subject to the following conditions:

Outline permission conditions:

- (1) A3 – 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) A5 – 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) E3 – The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below. **(R15)**
- (4) 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)**
- (5) 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)**

- (6) 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 etc.)
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)

- (7) No individual A1 unit within the 'lifestyle leisure unit' shall exceed 200m² in gross floor area. **(R13)**
- (8) 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)**
- (9) T01 – 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)**

- (10) 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)**
- (11) 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)**
- (12) 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)
- (13) (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)**

- (14) K2 – 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)**

Full permission conditions:

- (15) A1 – 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)**
- (16) E3 – The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below. **(R15)**
- (17) E4 – 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

- (18) 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)

- (19) TO4 –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

- (20) 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)**
- (21) 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)**
- (22) SHC 13 – 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)**

- (23) SHC 20 – 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)**

- (24) SHC 24 – 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)**

- (25) SHC 27 – 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)**

- (26) SHC 28 – 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)**

- (27) SHC 30A – 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)**

- (28) SHC 30B – 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)**

- (29) SHC 39A – 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)**

- (30) SHC 39B – 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

- (31) The net internal floorspace for comparison retailing in the Lidl store shall not exceed 25%. **(R13)**
- (32) 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)**
- (33) 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)**
- (34) 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)**
- (35) 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

- (36) 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)**
- (37) 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

- (38) 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)**
- (39) E11 – 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)**

- (40) 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)**

- (41) (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)**

- (42) K2 – 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.



Application No: 20172032

Land at Dawson's Lane, Blofield, NR13 4SB

**Scale:
1:1250**

**Date:
22-Jan-18**



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AREA East

PARISH Blofield

4

APPLICATION NO: [20172032](#)

TG REF: 632139 / 311318

LOCATION OF SITE Land at Dawsons Lane, Blofield, NR13 4SB

DESCRIPTION OF DEVELOPMENT Residential development of 8 no: dwelling houses (outline)

APPLICANT PPAP Investments c/o Agent

AGENT Fusion 13, FAO Cheryl Ward, Unit 1B Park Farm Courtyard,
Easthorpe, Malton, York, YO17 6QX

Date Received: 20 November 2017
8 Week Expiry Date: 16 January 2018

Reason at Committee: (1) The site is outside of the settlement limit and is therefore contrary to policy and (2) called in by one of the Ward Members (see 5.3).

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

1 THE PROPOSAL

- 1.1 The application seeks outline planning permission for the erection of eight detached dwelling with garages and an access road from Dawsons Lane which leads off Blofield Corner Road.
- 1.2 The application is in outline form with all matters reserved for later determination. An illustrative layout is provided which shows four single storey properties and four two-storey dwellings served by a vehicular access onto Dawsons Lane.
- 1.3 The application also includes 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.

2 KEY CONSIDERATIONS

- Development outside of settlement limit

- The absence of a five year supply of land for housing in the NPA
- Impact of the proposal on the character and appearance of the area
- Impact of the development on residential amenity
- Impact of the development on the functioning of the local highway network
- Surface water drainage

3 CONSULTATIONS

3.1 Blofield Parish Council:

Objects.

Blofield Parish Council has now had an opportunity to consider the above planning application and wishes to raise **strong** objections on the following grounds:

- The Design & Access Statement is full of inaccuracies.
- Dawsons Lane is located in Blofield Heath, not Blofield and this mistake is repeated numerous times, neither does the A47 pass through the village of Blofield Heath.
- No information has been provided about the number of bedrooms each dwelling would have.
- The current Dawsons Lane is a private lane, characterised with potholes and loose materials – only wide enough for one car. The lane provides access to 3 further dwellings and stables. The Council cannot see how the lane can be made wider to accommodate two cars and doubt the land required to do so is in the applicant's possession, judging by the hedging and brick walls on the neighbouring properties.
- The applicant also seeks to install a footpath from Dawsons Lane to link up with the one at Skedge Way, which although is commendable and welcomed, there are questions if the land required is in Highways ownership to facilitate this as numerous vehicles are currently parked on the verge of what I assume is land belonging to the homeowners?
- The application site is outside the settlement boundary of Blofield Heath.
- There is a need for an archaeological survey on the land due to its history.

- The supplied plans imply that the enhanced road will also accommodate a footpath. I cannot see how the applicant can achieve this without encroaching on the neighbouring properties boundary walls.

Taking into account the Neighbourhood Plan for Blofield the Parish Council would also strongly object to this planning application on the following neighbourhood planning policies:

NP HOU 1 – Lacking inclusion of affordable or social housing therefore means this policy has not been met. There is insufficient detail in the Design & Access Statement to see what other elements may / may not be supported.

NP HOU2 – There is no detail so cannot comment – assume not.

NP HOU 4 – Current dwellings in the immediate are bungalows. With only 1 two storey dwelling located to the North of the application, I do not feel this is in keeping with the surrounding area.

NP HOU 5 – No information provided – therefore would have to assume that this application doesn't conform.

NP ENV 2 – No details provided – plans make no mention of hedging etc so assume non compliance.

NP ENV 3 – No details provided about how surface water and sewage is to be treated, therefore assume non compliance. Also have concerns as to the extent of possible flooding issues with the properties to the south of the site due to run off etc from the proposed development.

NP ENV 4 – Current land use is agricultural usage – therefore this is a big red flag.

NP ENV 5 – No mention of streetlights on the development.

NP SER 1 – Another 8 houses, possibly aimed at families combined with the Bennetts development of 36 dwellings and the ongoing Jenkinsons debate can only add pressure to the issue of Primary School places in the area.

NP SER 3 – Another 8 houses, possibly aimed at families combined with the Bennetts development of 36 dwellings and the ongoing Jenkinsons debate can only add pressure to the issue of patient places in the area.

NP TRA 1 – I cannot see how the applicant owns the land required to upgrade Dawsons Lane to a two carriageway road plus footpath without encroachment onto the neighbouring properties boundaries.

NP TRA 3 – Although the addition of a footpath is welcomed, I am unsure of land ownership for the proposed route of the footpath and would require further information / confirmation from Highways if the land is in their ownership to facilitate making the footpath a reality.

As a further note to this the Parish Council has been receiving strong objections and views from its parishioners and we have encouraged them to write to you with their views.

3.2 Highways:

Dawsons Lane is a narrow unsurfaced private track that presently serves four dwellings. The proposed residential development of eight dwellings will take the number of dwellings served by this track in excess of the eight dwellings normally considered acceptable to be served from such an unadopted access.

However, the proposal is located immediately adjacent to existing residential development and proposes a footway extension to the existing footway located some 85m to the east, this then linking to village services.

Although the present width of Dawsons Lane is unsatisfactory for two vehicles to pass the proposal indicates that this can be widened together with junction improvements from land under the applicant's control.

Considering the above positive points I feel that any highway objection would be very difficult to substantiate.

Subject to conditions: SHC10 (variation), SHC39A, SHC39B, SHC05 and Informative 1.

3.3 Spatial Planning:

There is a policy objection in principle, being contrary to the Development Plan as discussed above. The current lack of a 5 year housing land supply is a significant material consideration that should be taken into account. However, this does not automatically outweigh the development plan. Consequently, although the site is located outside the settlement limit, the lack of a 5 year supply could be judged a significant enough consideration to outweigh the Development Plan in principle.

3.4 Environmental Health Officer (Contamination):

No comments to make.

3.5 Architectural Liaison & Crime Reduction Officer:

No objections.

3.6 Lead Local Flood Authority:

Having reviewed the application as submitted, it appears that this development would be classed as minor development.

3.7 Anglian Water:

No response.

3.8 Norfolk Fire & Rescue Service:

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

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

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

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

4 PUBLICITY

4.1 Site Notice: 24 November 2017

Expiry date: 17 December 2017

4.2 Press Notice: 28 November 2017

Expiry date: 21 December 2017

4.3 Neighbour Notification

44 properties on Blofield corner Road and Skedge Way.

Expired: 14 December 2017

5 REPRESENTATIONS

5.1 Letters of objection have been received from 17 households on Blofield Corner Road and Skedge Way.

5.2 Summary of concerns:

- The access road is private and there are questions over the ownership of the road.
- The road is totally inappropriate for a development of such a size.
- Concerns about the safety of the access onto Blofield Corner Road.
- Concerns for the remaining agricultural land. Can this be accessed?
- Loss of agricultural land.
- Impact on local ecology.
- Loss of amenity for existing properties including noise and overlooking.
- Facilities in Blofield Heath are limited and the public transport network is poor.
- Drainage concerns due to existing surface water issues.
- Drainage concerns due to the existing system being overloaded and lack of mains drainage.
- Blofield Heath has already exceeded the housing allocation set in the Local Plan.
- The proposal is not sustainable development.
- There is already permission for 35+ properties along Blofield Corner Road and I do not consider that in Blofield there is a need for further development.
- Concerns the doctors surgery and local schools cannot cater for the increase in houses.
- The site is outside the development boundary for the village.
- Erosion of the village landscape. Concerns regarding oil storage.

5.3 Cllr O' Neill:

In the absence of any proposal to deal with surface water drainage I invite you and the Planning Committee to agree that the present proposal is not sustainable and premature. When (if) the applicant is able to demonstrate how it will deal with surface water I trust you will agree that will be the appropriate time to reapply.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) March 2012:

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2 The NPPF is a material consideration and paragraphs 1, 2, 6, 7, 11, 14, 17, 29, 35, 47, 49, 50, 55, 56, 57, 95, 186, 187, 196, 197, 203, and 204 are relevant.

National Planning Practice Guidance:

- 6.3 Web based national guidance formalised 6 March 2014.
- 6.4 This document gives guidance on a number of issues. It states that new development should look to respond appropriately to the existing layout of buildings, streets and spaces to ensure that adjacent buildings relate to each other, streets are connected and spaces complement one another.

Joint Core Strategy for Broadland, Norwich and South Norfolk March 2011, amendments adopted January 2014:

6.5 Policy 1:

The environmental assets of the area will be protected, maintained, restored and enhanced.

6.6 Policy 2:

All development will be designed to the highest possible standards creating a strong sense of place.

6.7 Policy 4: Housing delivery

Allocations will be made to ensure at least 36,820 new homes can be delivered between 2008 and 2026, of which approximately 33,000 will be within the NPA, distributed in accordance with Policies for Places.

Of relevance to this application, states that on sites for 5 to 9 dwelling, the target proportion of affordable housing to be provided will be 20%.

6.8 Policy 9: Strategy for growth in the NPA

Sets out that the NPA is the focus for major growth and development and that smaller sites in the Broadland part of the NPA will contribute 2,000 dwellings towards achieving the minimum target of 21,000 dwellings in the NPA.

6.9 Policy 15: Service Villages

Identifies Blofield Heath as a Service Village capable of accommodating small scale housing growth (within the range of 10 to 20 dwellings) to meet a range of local needs including affordable housing. Settlements in this Policy that are also within the NPA may be considered for additional development, if necessary, to help deliver the smaller sites in the NPA allowance set out in Policy 9.

6.10 Policy 17: Smaller rural communities and the countryside

Amongst other things, sets out that in the countryside, affordable housing for which a specific local need can be shown will be permitted in locations adjacent to villages as an exception to general policy. Other development will be permitted in the countryside where it can clearly be demonstrated that to further the objectives of the JCS.

6.11 Policy 21: Implementation of proposals in the Broadland part of the NPA

When considering development proposals in their part of the NPA, Broadland District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant planning permission unless material considerations indicate otherwise.

Development Management (DPD) Proposed Submission 2014

6.12 Policy GC1:

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

6.13 Policy GC2:

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

6.14 Policy GC4:

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

6.15 Policy EN1: Biodiversity and habitats

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

6.16 Policy EN2: Landscape

In order to protect the landscape of the area, development proposals should have regard to the Landscape Character Assessment Supplementary Planning Document (SPD).

6.17 Policy EN3: Green infrastructure

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

6.18 Policy EN4: Pollution

Development proposals will be expected to undertake an assessment of the extent of potential pollution.

6.19 Policy RL1: Provision of formal recreational space

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

6.20 Policy TS3: Highway safety

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

6.21 Policy TS4: Parking guidelines

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

6.22 Policy CSU5: Surface water drainage

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

Blofield Parish Neighbourhood Plan 2016

6.23 Policy HOU1: Local housing needs

Given the significant increase in population of the parish, developers should address the specific needs of the population which include housing for older people and the disabled, smaller homes for parishioners to downsize so that they may retain their ability to live in the parish, two bedroom and larger starter homes on planned mixed development for first time buyers, and social housing as part of mixed developments.

6.24 Policy HOU4: Rural image, heights and massing

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

6.25 Policy HOU5: Parking for new developments

Where feasible and practical, car parking should be provided on the basis of two spaces for one and two-bed properties, three spaces for three-bed properties and four spaces for four or more bed properties.

6.26 Policy ENV2: Soft site boundaries and trees

New development site boundary edges should be soft, using trees and native hedgerows where adjacent to the countryside, giving a rural edge.

6.27 Policy ENV3: Drainage

All development should take advantage of modern drainage methods to alleviate localised flooding. Future development should not cause or contribute to the problem of flooding or drainage issues or pollution.

6.28 Policy ENV4: Agricultural land

High quality agricultural land is of particular importance locally in terms of its contribution to the economy and the rural character.

6.29 Policy TRA1: Local traffic generation

The assessment of traffic generation needs to be addressed in accordance with its potential impact. Major development of over 100 dwellings need to consider total travel demand, patterns of public transport in the area, how development impacts upon them, and if required, how infrastructure or services could be improved to mitigate such impacts.

Particular regard should be made to road safety, the needs of pedestrians and cyclists, parking provision and mitigating congestion.

6.30 Policy TRA3: Walking and cycling

Developments should contribute to an enhanced and joined-up network of high quality footpaths / rights of way to improve access to village amenities and the countryside.

Landscape Character Assessment SPD

6.31 Identifies the application site as falling within the Blofield Tributary Farmland landscape character area.

Recreational Provision in Residential Development SPD

- 6.32 Provides guidance on the provision of formal and informal recreation space and green infrastructure.

Written Ministerial Statement of 28 November 2014

- 6.33 Sets out that affordable housing contributions and tariff style contributions should not be sought for sites of 10 units or less and which have a maximum combined gross floor space of 1,000 square metres.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is located to the west of Blofield Heath and on the north side of Blofield Corner Road. The site is accessed via Dawsons Lane, a spur of Blofield Corner road that runs perpendicular to it towards the north.
- 7.2 The site itself is part of an agricultural field that spans from Dawsons Lane on the east to Laundry Lane to the west. There are single storey dwellings to the south (that front Blofield Corner Road), single storey properties to the west (within Skedge Way) and the remainder of the agricultural land to the west and north. Dawsons Lane, has four residential properties to the north which are two storey.

8 PLANNING HISTORY

- 8.1 None.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are: an assessment of the proposal against Development Plan policies and national planning guidance. In particular, whether the site constitutes a sustainable location and the impact of the proposal on the character and appearance of the area, highway safety, neighbour amenity and drainage.

Policy Framework

- 9.2 Policy GC2 of the DM DPD states that new development will be accommodated within defined settlement limits. Outside of these limits, development that does not result in any significant adverse impact will be permitted where it accords with a specific allocation and / or policy of the Development Plan. The site has not been allocated for housing and is outside

of the settlement limit that has been defined for Blofield Heath. The application therefore conflicts with Policy GC2 of the DM DPD.

- 9.3 Blofield Heath is in the NPA and the JCS states that approximately 33,000 new homes will be built within the NPA by 2026. Policy 9 of the JCS states that smaller sites within the Broadland part of the NPA outside of the Growth Triangle must contribute 2,000 dwellings towards this target and allocations to deliver these sites will be made in accordance with the settlement hierarchy and local environment and servicing considerations. Policy 15 of the JCS identifies Blofield Heath as a Service Village and states that land will be allocated for residential development within the range of 10-20 dwellings. However, as Blofield Heath is in the NPA, it may also be considered for additional development, if necessary, to help deliver the smaller sites allowance of 2,000 dwellings in the Broadland part of the NPA.
- 9.4 Consideration must also be given to the supply of land for housing in the NPA. The most recent Greater Norwich statement on five-year housing land supply was published as Appendix A of the Annual Monitoring Report (AMR) 2015-2016 for the Joint Core Strategy, January 2017. This statement shows that there is only a 4.7 year housing land supply within the NPA. Given that there is not a five year housing land supply this application must be considered in the context of paragraph 49 of the NPPF, specifically that *“relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*. Therefore paragraph 14 of the NPPF is relevant and states that, where a development plan is absent, silent or out-of-date, planning permission should be granted *“unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or specific policies in this Framework indicate development should be restricted”*.
- 9.5 Policy 15 of the Joint Core Strategy identifies Blofield Heath as a Service Village. Although the site is located outside of the defined settlement limit, the site lies less approximately half a mile from the village shop / Post Office, Primary School and Heathlands Community and Social Club. Although the site is located outside of the defined settlement limit, the new properties are located adjacent to other residential dwellings in accordance with Paragraph 55 of the NPPF and are therefore considered to be sustainable development.
- 9.6 Therefore, and with regard to the deficit in the supply of land for housing within the NPA, Policy GC2 of the DM DPD is out of date and although it remains as a consideration of reduced weight, the specific benefits of this proposal (as examined below) are considered to weigh in its favour notwithstanding being located outside a settlement limit.

Site Specific Considerations

- 9.7 The Highway Authority has advised that they do not object to the proposal as the site is located immediately adjacent to existing residential development and proposes a footway extension to the existing footway located some 85m to the east, thus linking the site to the village services. The footpath is deliverable upon highway land. They have advised that the proposal indicates that Dawsons Lane can be widened to enable two cars to pass each other together with the junction improvements from land within the applicant's control. Although comments from neighbours have questioned this, there has been no evidence submitted to challenge this assertion. The issue of parking would be dealt with under the Reserved Matters. The proposal does not therefore result in an adverse impact on highway safety.
- 9.8 The Lead Local Flood Authority has advised that the proposal falls below the threshold for their comments in relation to surface water drainage. Although this has been raised as an issue by local residents, the site is not located within an area at risk of surface water flooding nor is it on a surface water floodplain. However, there is a flood path to the south of the site at a lower level. It is therefore felt that similar to the recent approval to the east along Blofield Corner Road, it is possible to condition the submission of a sustainable drainage scheme as part of the Reserved Matters application. The condition will require that the surface water drainage can be discharged within the site and will not lead to surface water flooding off site.
- 9.9 In a response to the representations made, the agent has confirmed that arrangements for the collection of surface water would also be brought forward at the Reserved Matters stage. They state that they will ensure that flood risk from surface water is not increased or directed elsewhere and they will take account of existing ground conditions and soil structure. They also confirm that the applicant has the right to drain over the land to an adjacent outfall pipe and should this not be satisfactory, surface water will be directed to a catchment storage area on the land. Whichever method is chosen, the correct infrastructure will be put into place to deal with the modest increase in surface water output.
- 9.10 The application is not seeking approval of matters relating to layout, scale and the appearance of the site and consequently, it is difficult to provide any meaningful assessment on the impact of the development on residential amenity. Most properties that border the site from Blofield Corner to the south and Skedge Way to the east are bungalows. However it is not considered appropriate to subject a prospective planning permission to a condition requiring the construction of bungalows throughout the site as it is considered that further consideration can be given to this particular issue at detailed stage when the layout (internal and external) of the site is known and regard can be given to the advice set out in the Broadland Design Guide on suggested distances between first floor windows serving habitable rooms and private spaces (such as patio areas and habitable rooms) at neighbouring properties.

The indicative layout does show that the recommended 24m back to back distance between dwellings can be achieved.

- 9.11 The majority of the concerns raised by members of the local community have been addressed above. However, in terms of the impact on existing services in the parish, no evidence has been provided that demonstrate that this development (along with others that benefit from consent) will result in significant and demonstrable harm. Blofield is served by two GP surgeries (in Brundall and Blofield) and payment of CIL will contribute towards education provision.

Planning obligations

- 9.12 When taking account of Policy 4 of the JCS and Policies EN3 and RL1 of the DM DPD, the number of dwellings being proposed triggers contributions to be made towards affordable housing, equipped children's play space, formal recreational space and informal open space. However, the Ministerial Statement of 28 November 2014 states that affordable housing contributions and tariff style contributions should not be sought for sites of 10 units or less and which have a maximum combined gross floor space of 1,000m².
- 9.13 In respect of open space, the Council would not seek the provision of open space on site as it is unlikely to be meaningful. Instead, it would seek the payment of commuted sums. There is a deficit in equipped children's play areas and informal open space within the parish of Blofield and contributions would be sought towards these items.

Planning Balance

- 9.14 The planning balance should weigh up the relevant factors that this application raises. By building dwellings on a section of agricultural land, the character and appearance of the site will undoubtedly change. However, the site is featureless to the extent that it does not make a significant contribution to the character of the wider area. A more meaningful assessment of the impact of the scale, appearance and layout of the development on residential amenity can be made in subsequent detailed applications and despite concerns raised by local residents, no objections have been raised by the Highway Authority on matters relating to highway safety subject to the use of appropriate planning conditions and the LLFA consider the proposal to be minor development outside of their remit in relation to surface water flooding.
- 9.15 Blofield Heath is a reasonably sustainable location for some new development, there is not a five year supply of land for housing in the NPA and this development will contribute towards the shortfall in supply without undermining the settlement hierarchy. The addition of a public footpath further along Blofield Corner Road will also result in a benefit.

- 9.16 In having regard to paragraphs 14 and 49 of the NPPF and those adopted and development plan policies that are up to date, it is considered that any adverse impacts resulting from this application will not significantly and demonstrably outweigh the benefits and the officer recommendation reflects this
- 9.17 In summary, officers consider that the application proposes an acceptable use in a relatively sustainable location (in transport terms) without causing harm to residential amenity, the character and appearance of the surrounding area or highway safety and will not undermine the aims and objections of the development plan.
-

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

Heads of Terms:

- (1) 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) **SHC 10 (Variation)** 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) **SHC 39A** 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) **SHC 39B** 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) **SHC 05** 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.

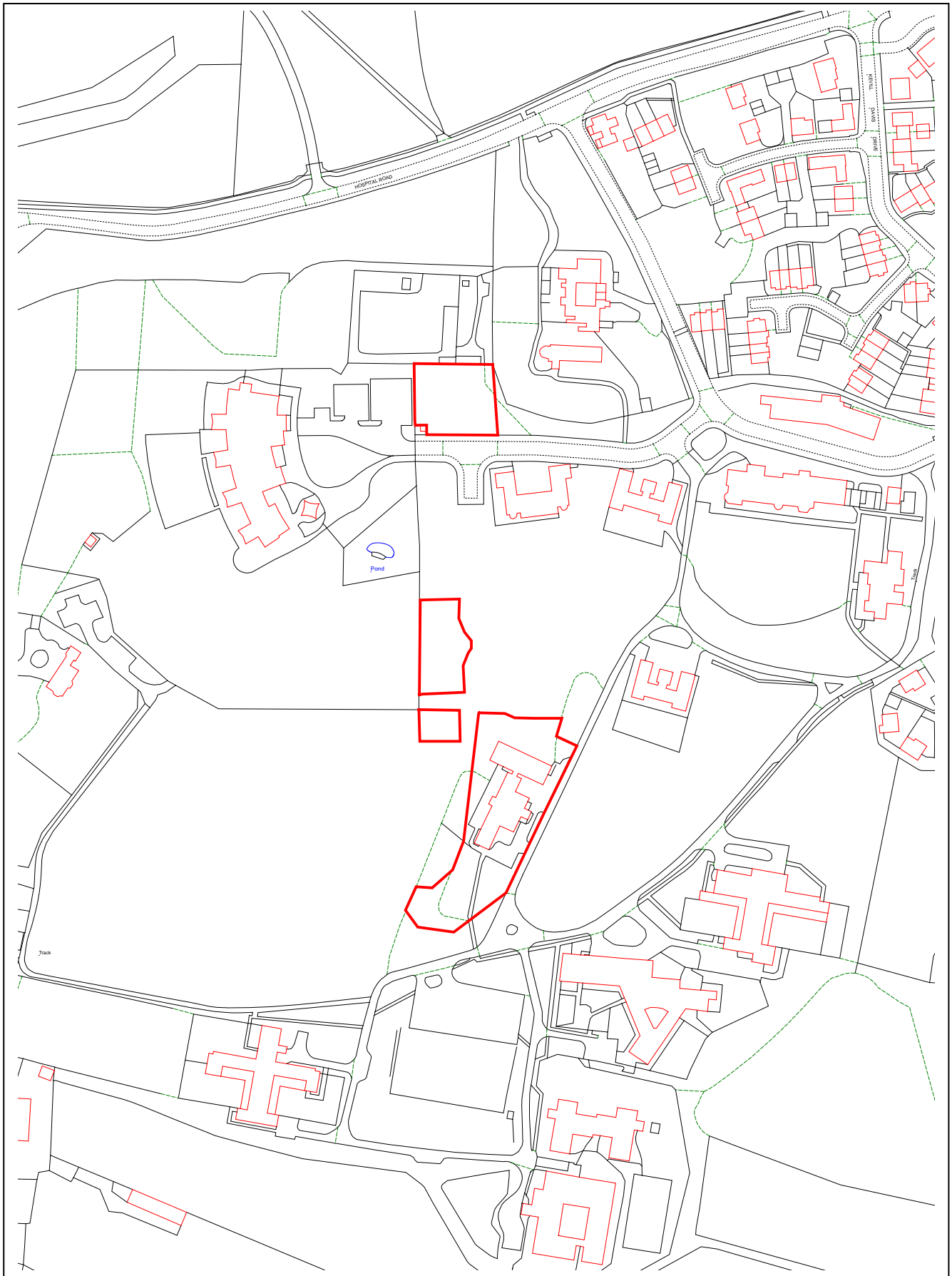
- (7) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.
- (8) In the interests of highway safety and to ensure the provision of adequate off-road parking spaces in the interests of highway 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.



Application No: 20171008

Land at Little Plumstead Hospital West, Hospital Road, Great Little Plumstead, NR13 5EW

**Scale:
1:2500**

**Date:
22-Jan-18**



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AREA East

PARISH Great & Little Plumstead

5

APPLICATION NO: [20171008](#) **TG REF:** 630750/310958

LOCATION OF SITE Land at Little Plumstead Hospital West, Hospital Road, Great Little Plumstead, NR13 5EW

DESCRIPTION OF DEVELOPMENT Erection of 20 two-storey dwellings, expansion of car parking for school and car parking and access road to walled garden

APPLICANT Cripps Developments Ltd, Dencora House, Blyburgate. Beccles, NR34 9TY

AGENT Chaplin Farrant Ltd, 51 Yarmouth Road, Thorpe St Andrew, NR7 0ET

Date Received: 9 June 2017
13 Week Expiry Date: 11 September 2017

Reason at Committee: Recommendation is contrary to the provisions of the Development Plan

Recommendation (summary): To delegate authority to the Head of Planning to **APPROVE** subject to conditions and the satisfactory completion of a Section 106 Agreement / Deed of Variation

1 THE PROPOSAL

- 1.1 The application in its revised form seeks full planning permission for 20 dwellings, of which 4 are to be affordable housing (20%) and includes provision for a land swap for expansion of school car parking and car parking and access road to walled garden for transfer to a nominated body.
- 1.2 The dwellings (semi-detached houses with one detached house) comprise:
- 4 x 2 bed 4 person affordable units (3 Affordable Rent Tenure and 1 Shared Equity)
 - 6 x 3 bed 6 person open market units
 - 6 x 3 bed 4 person open market units
 - 3 x 3 bed 5 person open market units

- 1 x 4 bed 7 person open market unit
- 1.3 Four of the houses will be accessed from Hospital Road via the new estate road, named Old Hall Road with the other 16 houses accessed from Water Lane via the new estate road, named Penrice Road. Note: Penrice Road was a benefit of part of the existing residential development being undertaken by the applicant and secured and delivered on the Parish Council's stance on development as identified in the Plumsteads Neighbourhood Plan – Theme 7 Site 2: new access road old hospital site.
- 1.4 Building forms and materials are to match the existing dwellings under construction as part of a larger estate development of 88 dwellings (Approval of Reserved Matters [20160808](#)).
- 1.5 The proposal also seeks to provide for 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; and to provide for a serviced access road and additional land to the walled garden and to transfer the walled garden to the Parish Council for community purposes.

2 KEY CONSIDERATIONS

- Whether the development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance
- The absence of a five year supply of land for housing in the NPA
- The impact of the proposed development on the character and appearance of the surrounding area, residential amenity, highway safety, trees and flood risk
- Material considerations in the form of the proposed land swap with Norfolk County Council; provision of serviced access road to walled garden; and transfer of walled garden ahead of trigger in existing S106 Agreement.

3 CONSULTATIONS

3.1 Great & Little Plumstead Parish Council:

The council regrets that the walled garden is not included in the application but supports the parking provision and access to the garden. Object to the lack of play-space and on the grounds that there is no community benefit to cover the extra dwellings proposed.

Consultation on revised plans:

Comments awaited.

3.2 Norfolk County Council (as Highway Authority):

Some changes requested to residential parking to ensure adequate provision and minimise on street parking.

The walled garden car park should include 1 disable space and should provide cycle parking.

Requested a plan of the existing school car park in order to compare with new proposal and suggest that additional cycle parking is provided.

Consultation on revised plans:

Comments awaited.

3.3 Norfolk County Council (as Lead Local Flood Authority):

Object to the application in the absence of an acceptable Drainage Strategy.

Will consider reviewing this objection if the applicant submits a surface water drainage strategy detailing how the development will ensure that surface water and flood risk from the development will be managed in accordance with National Planning Policy Framework paragraphs 103 and 109.

Further comments awaited on Drainage Strategy as part of the wider development

3.4 Anglian Water:

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

Development will lead to an unacceptable risk of flooding downstream. A foul water drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. Request a condition requiring this to be agreed with Anglian Water prior to commencement of development.

3.5 Norfolk County Council (Planning Obligations):

The following infrastructure will need to be funded through CIL:

Education: Additional places required at Early Education, Primary, High School and Sixth Form levels at schools set out below.

Library: Mitigation required at Blofield library to develop self-service system for local area

Education: Children generated from this development

Early Education age: 2	High School age: 5
Primary school age: 3	Sixth form age: 0

Current situation at the local schools:

School	Capacity	Numbers on roll (Sep 2016)	Spare capacity no of places
Early Education (2-4)	26	221	+5
Little Plumstead CE VA Primary (4-11)	210	208	+2
Thorpe St Andrew School and Sixth Form (11-18)	1726 (excluding mobiles)	1847	-121

Library: A development of 20 dwellings would place increased pressure on Blofield Library and mitigation is required to increase capacity.

Fire: This development will require 1 fire hydrant per 50 dwellings at a cost of £815 per hydrant, which should be dealt with through condition.

Green Infrastructure – Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. Direct mitigation and GI provision should therefore be included within the site proposal.

Consultation on revised plans:

Comments awaited.

3.6 BDC Pollution Control Officer:

No comments.

3.7 BDC Section 106 Officer:

Off-site contributions for play and sport, approximate figures:

- Play £5,500
- Sport £26,750
- Allotments £1,200
- Green Infrastructure £41,500

3.8 BDC Housing Enabling Officer:

Thank you for clarifying the delivery of community and other facilities and on this basis I can confirm that based on the planning application for an additional 20 units we can support the proposed Affordable Housing numbers and mix as this constitutes 20% Affordable Housing.

The proposal is for x 4 affordable units (75:25 tenure split):

- 3 x 2 bedroom (4 person) house types for ART
- 1 x 2 bedroom house for Intermediate tenure (shared equity at presumably 75% equity as per the properties on the first Phase – as 80% OMV will be liable for CIL).

4 PUBLICITY

4.1 Site Notice:

Expired: 25 July 2017

Revised Site Notice:

Expiry date: 2 February 2018

4.2 Press Notice:

Expired: 18 July 2017

4.3 Neighbour Notification:

41 Letters sent to addresses on Lakeland Close, Hospital Road, Water Lane, Macmillan Way & Kevill Davis Drive

Expired: 14 July 2017

14 day re-consultation on revised plans 16 January 2018:

Comments awaited

5 REPRESENTATIONS

5.1 A total of 45 letters have been received; 23 general comments, 10 support and 12 object.

5.2 The points raised in the letters of general comment were:

- Sufficient access to the walled garden is required, both vehicular and pedestrian.
- There will need to be sufficient parking, including disabled parking.
- The community will really benefit from the community shop/café.

5.3 The points raised in support were:

- Vital to have a shop within walking distance for local residents as there are currently none.
- In support of vehicle access and parking so as many people as possible can benefit.

5.4 The points raised in objection were:

- The overall development of the site will exceed the permitted ground floor area specified in the approved application [20130906](#).
- Proposed access to walled garden not good enough.
- If garden is not used it would become a magnet for trouble and vandalism.
- Needs adequate parking.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012:

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

- 6.2 Planning Practice Guidance (web based national guidance formalised on 6 March 2014) <http://planningguidance.planningportal.gov.uk/blog/policy/>

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

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

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

- 6.4 Policy 2: Promoting good design

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

- 6.5 Policy 3: Energy and water

Development will where possible aim to minimise reliance on non-renewable high-carbon energy sources and maximise the use of decentralised and renewable or low-carbon energy sources and sustainable construction technologies.

To help achieve this all development proposals of a minimum of 10 dwellings or 1,000m² of non-residential floorspace will be required to include sources of decentralised and renewable or low carbon energy to secure at least 10% of their energy requirement, unless demonstrated through the Design and Access Statement that this is not viable or practicable.

- 6.6 Policy 4: Housing delivery

Allocations will be made to ensure at least 36,820 new homes can be delivered between 2008 and 2026, of which approximately 33,000 will be within the NPA, distributed in accordance with Policies for Places.

On sites of 16 dwellings or more or over 0.6 hectares, 33% of the dwellings will be provided for affordable housing.

6.7 Policy 5: The Economy

The local economy will be developed in a sustainable way to support jobs and economic growth both in urban and rural areas; this will provide for a rising population and develop its role as an engine of the wider community.

6.8 Policy 6: Access and transportation

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

6.9 Policy 7: Supporting communities

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

6.10 Policy 15: Service Villages

Land will be allocated for small-scale housing development subject to form and character considerations. Great & Little Plumstead is highlighted as a settlement that may be considered for additional development, if necessary, to help deliver the smaller sites in the NPA allowance set out in Policy 9.

6.11 Policy 21: Implementation of proposals in the Broadland part of the NPA

When considering development proposals in their part of the NPA, Broadland District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant planning permission unless material considerations indicate otherwise.

Broadland Development Management DPD 2015 – (DM DPD):

6.12 Policy GC1: Presumption in favour of sustainable development

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

6.13 Policy GC2: Location of new development

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

6.14 Policy GC4: Design

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

6.15 Policy EN1: Biodiversity and habitats

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

6.16 Policy EN2: Landscape

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

6.17 Policy EN3: Green infrastructure

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

6.18 Policy EN4: Pollution

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

6.19 Policy RL1: Provision of formal recreational space

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

6.20 Policy TS3: Highway safety

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

6.21 Policy TS4: Parking guidelines

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

6.22 Policy CSU1: Additional community facilities

Proposals which improve the range of community facilities and local services available within the district will be encouraged where no significant adverse impact would arise. Such proposals may be permitted outside settlement limits where it has been adequately demonstrated that a clearly defined need exists.

6.23 Policy CSU5: Surface water drainage

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

Site Allocations DPD – (SA DPD):

- 6.24 The site is not allocated but is adjacent to the settlement limit.

Landscape Character Assessment SPD:

- 6.25 Identifies the application site as falling within the Blofield Tributary Farmland area.

Recreational Provision in Residential Development SPD:

- 6.26 Provides guidance on the provision of formal and informal recreation space and green infrastructure.

Community Infrastructure Levy (CIL) Regulations 2010:

- 6.27 A Section 106 obligation can only be a reason for granting permission for the development if the obligation is: necessary to make the development

acceptable in planning terms; and directly related to the development; and fairly and reasonably related in scale and kind to the development.

Great & Little Plumstead Neighbourhood Plan 2015:

6.28 The aims of the Plumsteads' Neighbourhood Plan, are:

- Promote positive change that will benefit the whole community.
- Positively influence development to enhance better design for our existing and future communities.
- Deliver additional community benefits.

6.29 Objectives 1 – 6 (relevant ones summarised):

- 1 – Promote appropriate, thoughtful and well-designed development.
- 5 – Develop and improve local community facilities; such as medical, educational, leisure and recreational.
- 6 – Enhance the provision of, and protect, the existing small business, retail and farming activities in and around our villages.

6.30 Policy 1 – Growth:

New development will respect and retain the integrity of Great Plumstead, Little Plumstead and Thorpe End Garden Village as distinct settlements.

6.31 Policy 2 – Design:

New development should deliver high quality design and should respect local communities and character, provide a mix of housing types to meet local needs and meet requirements for highways and parking.

6.32 Policy 3 – Transport:

All new development should maximise opportunities to walk and cycle.

6.33 Policy 6 – Green Infrastructure:

Community feedback on the emerging Neighbourhood Plan saw 100% agreement for refurbishment of the former hospital walled garden.

6.34 Policy 7 – The Local Economy:

Small scale employment uses appropriate to a rural area will be encouraged, especially those that contribute to the social fabric of the village, provided they do not negatively impact on the character of the area or the amenity of residents.

Planning (Listed Buildings and Conservation Areas) Act 1990:

- 6.35 Section 66(1) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is located on the remaining part of the former hospital which in total has provided over 300 dwellings as redevelopment with a further 88 dwellings now under construction by the current applicant – Reserved Matters [RM] Approval ref: [20160808](#).
- 7.2 The application site area is split into four parts with a total area of approximately 0.58ha, of which 0.47ha falls within the approved residential development parameter area granted under Outline Planning Permission [OPP] ref: [20130906](#).
- 7.3 The parts comprising the site area adjoin (from north to south): (1) the current school car park; walled garden; and Churchyard to St Gervase's and St Protase Church; (2) & (3) school playing field to the west; and (4) approved housing development currently under construction and the access road leading to the retained health care facility to the south and east.

8 PLANNING HISTORY

Relevant to the school; walled garden and the housing area:

- 8.1 [20121360](#): New stand-alone 3 classbase building and ancillary facilities; extension to existing school to create 1 new classbase, together with ancillary facilities; new retaining wall and additional car parking provision. Observations (no objections) 11 October 2012.
- 8.2 [20130906](#): Outline planning permission for demolition of existing hospital buildings and re-development to provide residential dwellings; retention and conversion of The Old Hall for residential use; provision of enlarged primary

school site; landscaping; open space; community uses and means of access from Hospital Road and Water Lane. All matters reserved except points of access – outline approval 14 January 2016. Subject to related S106 Agreement.

- The S106 reserved land for school expansion (playing field extension to the south and car parking to the east) – see Parameters Plan.
- In respect of the walled garden the S106 states the following (which does not relate to the space in front (south) of the walled garden):

WALLED GARDEN LAND

Not to Occupy or allow Occupation of 75% of the Dwellings comprised in the Development unless and until:

The Walled Garden Land has been transferred to a Nominated Body in accordance with the reasonable requirements of the Council (which for the avoidance of doubt includes a requirement for the Walled Garden Land to be transferred free from all encumbrances restrictions or easements which might affect the use as a community use or result in additional cost or liability to the Nominated Body not normally associated with the use of the Walled Garden Land) in consultation with the Nominated Body for a sum not exceeding £1 (one pound) and subject to a restriction on the future use of the Walled Garden Land for community purposes by the general public

- 8.3 [20160808](#): Application for approval of Reserved Matters for access, appearance, landscaping, layout and scale for 88 dwellings following Outline Planning Approval 20130906. Reserved Matters Approval 24 October 2016.

9 APPRAISAL

- 9.1 This application seeks full planning permission for 20 dwellings. The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the development plan, the NPPF and Planning Practice Guidance; whether the application adequately demonstrates that the proposed development will not result in a detrimental impact upon the character and appearance of the surrounding area, the setting of the listed building, highway safety and flood risk. Other matters to consider include the proposed land swap with the County Council and the early transfer of the walled garden as well as constructing a serviced road up to this.

Policy Framework

- 9.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This point is reinforced by the NPPF, which is a material consideration as is the Planning Practice Guidance. The parts of the Development Plan that are relevant to this application are the JCS, DM DPD, SA DPD, the Landscape Character Assessment SPD, the Recreational Provision in Residential Development SPD and the Great & Little Plumstead Neighbourhood Plan.
- 9.3 Policy GC2 of the DM DPD states that new development will be accommodated within defined settlement limits. Outside of these limits, development that does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan. The site has not been allocated for housing and is outside but adjacent to the settlement limit that has been defined for Great & Little Plumstead. The application therefore conflicts with Policy GC2 of the DM DPD.
- 9.4 However, consideration must be given to the supply of land for housing in the NPA. The most recent Greater Norwich statement on five-year housing land supply was published as Appendix A of the Annual Monitoring Report 2015-16 for the JCS in January 2016. This statement shows that there is only a 4.7 year housing land supply within the NPA. Given that there is not a five year housing land supply in the NPA; paragraph 49 of the NPPF is engaged. It states that “relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”. Paragraph 14 of the NPPF is also relevant and states that, where a development plan is absent, silent or out-of-date, planning permission should be granted “unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted”. This approach is reinforced by Policy 21 of the JCS relating to the implementation of proposals in the Broadland part of the NPA.
- 9.5 It is to be noted that the dwellings proposed are located within the larger site area currently being developed as part of the RM Approval ref: [20160808](#). By way of background to this RM application, it promoted 104 dwellings within the ‘Proposed Development Area’ shown on the approved parameter plan. However, the footprint of all dwellings and garages proposed exceeded the new build development footprint constraint of the parent OPP ref [20130906](#) – condition 4; which stated ‘*New build residential development shall only take place within the area indicated as ‘Proposed Development’ on Drawing No PL-002 Rev B and the total ground floor area of all buildings within the ‘Proposed Development’ area shall not exceed 5,767 sqm*’. The Reason for the condition stated ‘*To ensure the proper development of the site in*

accordance with Policy GC4 of the Development Management DPD. Sixteen dwellings were omitted from the RM application in order that it complied with the sqm footprint requirement of the OPP and approval was subsequently given for 88 dwellings.

- 9.6 The current application, seeks approval for the 16 dwellings omitted from the RM application, plus a further 4 dwellings on land identified in the current S106 as land for school expansion. In terms of the 16 dwellings, their location within an existing residential development currently under construction means they have no significant or demonstrable harm and in policy terms with regard to the deficit in the supply of land for housing they are of specific benefit. In terms of the four dwellings, whilst there would be harm associated with building on land earmarked for school expansion, the proposed mitigation for this as examined in paragraphs 9.7 and 9.8 below is considered to be a material consideration of benefit.

Site Specific Considerations:

- 9.7 Discussions have commenced regarding expansion of Little Plumstead VA Primary School in order to accommodate need arising from housing growth in the locality, with the school potentially growing in size from 210 to a 420 place primary school. During these discussions, it has become apparent that some of the land currently secured for school expansion in the existing S106 Agreement related to OPP [20130906](#) [identified for car parking] would not enable the best possible outcome to be achieved for the expanded school in terms of outdoor learning space; access; and vehicle parking.
- 9.8 In light of the concerns expressed in 9.7 above, a land swap has been proposed as part of the current planning application which would enable a parcel of land in front of the walled garden to be utilised for school expansion and which is much better suited to the needs of NCC Children's Services, with the current retained parcel of land for school expansion being given up and which is proposed to have two pairs of houses (4 dwellings) constructed upon it. This will require a legal agreement between the County Council; Cripps Developments; and Broadland DC regarding the land swap but the principle of this is considered acceptable and of material benefit to the overall development of the site and educational facilities. The following is particularly relevant in this regard, Objective 5 of the Plumsteads' Neighbourhood Plan is relevant to this and states; *'To allow people to develop to their full potential by providing educational facilities to support the needs of a growing population'*. It should be noted that the school expansion plans will require planning permission from Norfolk County Council as the relevant planning authority.
- 9.9 A further obligation of the existing S106 Agreement related to OPP 20130906 is the walled garden land as specified in paragraph 8.2 above. The obligation allows for up to 66 dwellings to be occupied before the walled garden [currently owned by the applicants] has to be transferred to a nominated body. This trigger point is unlikely to be reached for several years and in response

to this current planning application, there has been a move by the local community to bring the transfer forward in order that the walled garden can be developed as a community facility. Objective 4 of the Plumsteads' Neighbourhood Plan is relevant to this and states; '*To promote regeneration & reduce deprivation*'. Supporting text to this objective state: '*Enhancing local facilities will be a key outcome for the Plumsteads from any new development both for the existing and new communities. The ongoing regeneration of the old hospital site will continue to bring benefit to the local area and create a safe, healthy and sustainable community*'.

- 9.10 As part of the discussions referred to in 9.7 above there has also been much focus on the walled garden. A particular opportunity identified by the Parish Council has been to secure a serviced access road up to the walled garden and some land for car parking in order to enhance its potential community use (there have been draft plans produced for a community building within the walled garden including café / shop etc). Provision of the land and serviced road is not a requirement of the existing S106 Agreement but the applicant has responded positively to this request and is willing to provide this. The cost of provision of this will be met by a reduction in the affordable housing provision from 6 down to 4 affordable housing units (representing 20% on site provision) as referred to in 3.8. Whilst the reduction in affordable housing provision is regrettable, the community benefit that will be derived from this off-setting is a significant material consideration. The development will be policy compliant in respect of S106 contributions required by DMDPD Policies RL1 and EN3 (formal and informal open space) and will be CIL Liable.
- 9.11 The application drawings have recently been revised in order to include the substitute land required for the school expansion and the walled garden access road and re-consultation, including revised site notices has taken place regarding this. This consultation does not expire until after the date of Planning Committee and Members will be updated on any representations received.
- 9.12 In terms of the impact on heritage assets, the application site adjoins the graveyard for Church of St Gervase's and St Protase (Grade II* Listed Building) and the walled garden, which constitutes an undesignated heritage asset. The development will thus affect the setting of these to some degree. In considering whether to grant planning permission for a development which affects a listed building or its setting, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that the local planning authority shall have a special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The impact on the setting of the listed building is considered acceptable and the development creates the opportunity to regenerate the walled garden as a community asset thereby supported by the Plumsteads' Neighbourhood Plan and Policy CSU1 of the DMDPD.

- 9.13 In terms of design of the dwellings, these represent a form and appearance already being constructed on the wider site area and using a similar palette of materials. Matters of drainage are close to being resolved as the proposed development and serviced access road will drain into the system provided for the RM development which is waiting formal adoption agreements with statutory undertakers. In terms of highways, the potential school park and serviced access road to walled garden will be served off the existing adopted estate road and the new dwellings will be served by roads / footways and cycleways put in as part of the existing residential development currently under construction which will be adopted by the County Council. Other matters, including relationship with trees, can be adequately dealt with by conditions.
- 9.14 To take account of the request from the County Council's Infrastructure & S106 Team that a fire hydrant is installed on site for firefighting purposes a condition is proposed.
- 9.15 The planning balance should consider whether the benefits associated with the development outweigh the harm. Although the site is located outside of the settlement limit and is not allocated for any purpose, the parish of Great & Little Plumstead is located within the Norwich Policy Area where the Council is unable to demonstrate a 5 year supply of housing land and this development will contribute towards the shortfall in supply while also providing affordable housing and open space proposals to meet council policy. There are also significant material considerations identified in the paragraphs above relating to the potential expansion of the primary school and bringing forward the early transfer of the walled garden as well as provision of related infrastructure, all of which is not provided for as part of the existing obligations of development.
- 9.16 It is considered that all of these material considerations are sufficient to justify approving the application and that any adverse impacts do not significantly and demonstrably outweigh the benefits. Given the suggested Heads of Terms for a Section 106 Agreement / Deed of Variation and the planning conditions suggested it is considered that on balance, the proposals represent an acceptable form of development.

RECOMMENDATION: Delegate authority to the Head of Planning to **APPROVE** 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 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

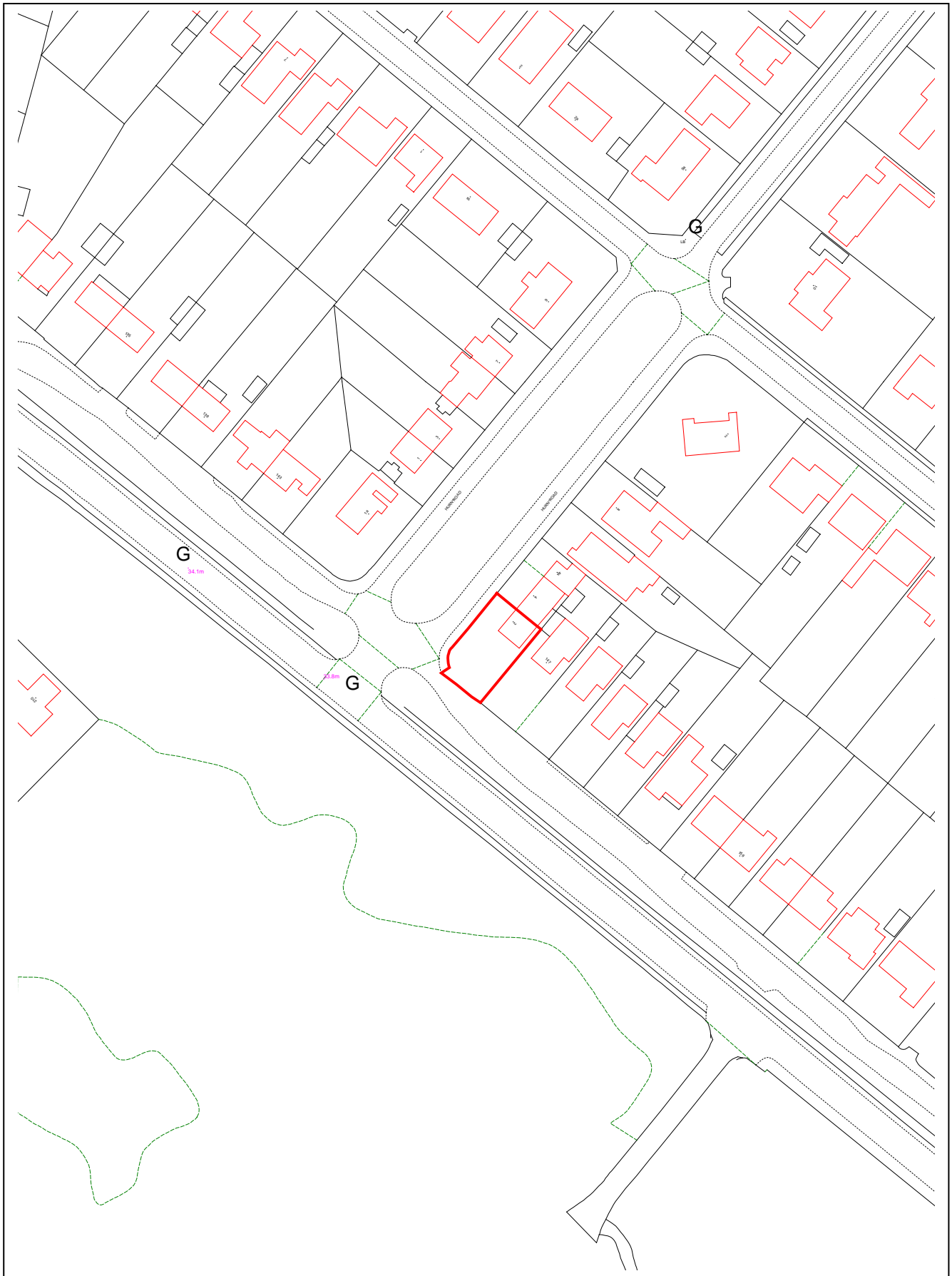
Reasons:

- (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



Application No: 20172017

Land Adjacent 2 Hurn Road, Drayton, NR8 6BP

**Scale:
1:1250**

**Date:
22-Jan-18**



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AREA West
PARISH Drayton

6

APPLICATION NO: [20172017](#) TG REF: 619193 / 312942
LOCATION OF SITE Land adjacent to 2 Hurn Road, Drayton, Norwich, NR8 6BP
DESCRIPTION OF DEVELOPMENT Erection of single storey shop unit adjacent to existing shop at no: 2 Hurn Road
APPLICANT Hurn Capital Ltd, Mr James Ewles, 30 Cattle Market Street, Norwich, NR1 3DY
AGENT GS Designs, Mr Graham Sibley, 30 Springwood, Taverham, NR8 6HZ

Date Received: 17 November 2017
8 Week Expiry Date: 12 January 2018

Reason at Committee: At the request of Councillor Roger Foulger for the reasons set out in paragraph 5.8 of this report.

Recommendation (summary): Approve subject to conditions.

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey shop unit (Use Class A1) which would join a terrace of three other shops on Hurn Road in Drayton.
- 1.2 The application site is currently used as a parking area for the hairdressers which occupies the adjacent unit at no: 2 Hurn Road.
- 1.3 The shop would measure approximately 8.5m in width by 6.5m in depth and would provide a gross internal floor area of 49m². The proposal would continue the existing ridge height of the adjacent unit at no: 2 and measure 4.2m in height. The shop would mostly be an open sales area but would also have a small tea area and WC. At this stage no details have been provided with regards to the future occupier of the proposed unit.
- 1.4 Vehicular parking is provided to the front of the proposed unit for three vehicles, adjacent to which is parking associated with the neighbouring three

units. There is also room for a single parking space to the side of the shop, meaning a total of 4 car parking spaces will be provided for the unit.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance.
- The level of parking provision provided and the impact of the proposal on highway safety
- The impact of the proposal on neighbour amenity and the character of the area

3 CONSULTATIONS

3.1 Drayton Parish Council:

The proposals have generated much interest in the parish. The Parish Council wishes to object to the application. The council has concerns that the neighbouring property on Drayton High Road will be overlooked, car parking is inadequate for the proposals, as the existing car park is being built on, producing an unacceptable loss of car parking. In addition, as Hurn Road is a one way system and this road is the only road into the estate, the consequences of on road parking and the temptation to park on the green traffic island is both undesirable and dangerous. It was noted that most cars presently ignore the one way system to park in front of the existing shops. In addition, most vehicles also back out on to the road from the car park.

The application is not clear in respect of the existing parking arrangements and the number of spaces being lost is more than the applicant is indicating. The Parish Council would also like to see more information concerning the new unit and would expect a restriction on opening hours to be placed on the unit as it is proposing to be within the A1 class. This would prevent undesirable late night opening of usage in a residential area.

3.2 Conservation Officer (Arboriculture & Landscape):

There are no tree constraints on the site and therefore no objection to the application.

3.3 Economic Development Officer:

I can confirm that I would fully support the provision of this small shop unit in this location as it would provide potential local employment opportunities and diversification to the local economy.

3.4 Health and Safety Executive:

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

3.5 Norfolk County Council (as Highway Authority):

A desktop study of the proposal indicates that, although some existing on-site parking will be lost with a further commercial unit created, it would be difficult to state that any significant detriment to highway safety would result at this particular location. I therefore have no objection to the granting of permission.

Should your Authority be minded to approve the application I would be grateful for the inclusion of the following condition on any consent notice issued:

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. (*Condition relating to the on-site car parking area to be added to any approval as suggested.*)

3.6 Pollution Control Officer:

No comment.

4 PUBLICITY

4.1 Site Notice:

Date displayed: 23 November 2017

Expiry date: 14 December 2017

4.2 Neighbour notifications:

1A, 2 & 4 Hurn Road, Drayton and 147 Drayton High Road, Drayton

Letters sent: 21 November 2017

Expired: 14 December 2017

5 REPRESENTATIONS (in summarised form)

5.1 Mr & Mrs Hales of 1 Hurn Road, Drayton:

We wish to strongly object to the planning application. There is no specified use for the new unit in the application which suggests this is development for the sake of development. We also feel that the pressure of an additional unit along with the consequential loss of a large amount of the current parking facility for the existing units is likely to cause significant and unacceptable congestion and traffic issues.

The proposed unit is located immediately adjacent to the only entrance to the Hurn Road estate. The roads entering and departing the estate are single carriageway and not suitable for large quantities of on road parking. On road parking in this location would cause considerable congestion and also be a hazard to emergency vehicles entering the estate.

The new unit is to be built on the car park of the current hair salon. As a direct result, the number of car park spaces for the existing salon will drop from 9 to 3. This salon currently has 3 chairs and a beauty treatment area and therefore already generates a parking requirement of up to 8 cars at any time (4 staff and 4 customers). In addition to this we have been led to believe that the new owner may be looking to increase the number of chairs from 3 to 6+ and run the salon on a rent a chair basis. If this happens, it is likely that parking could then be required for considerably more than 8 cars at any one time. In addition to this, parking would also be required for staff and visitors using the new unit.

The application states that the car parking capacity is currently 8 and notes that this will become 7 once the unit is built. We question the accuracy of these figures as the new unit is being built on the existing car park and the new unit is clearly larger than one car park space. The application also fails to mention that the 'before build figure' of 8 spaces served just the current hair salon whereas the post build figure of 7 spaces will need to serve the salon and the new unit. In addition one of the proposed 7 spaces (to the side of the unit) is clearly not wide enough for a vehicle, as it protrudes on to the access road serving the properties on the adjacent road. If the unit is allowed then it is clear there will be insufficient parking for the salon let alone the new unit.

It is therefore extremely likely that customers visiting the units will end up double parking along the front of the shops or parking along the roads adjacent to the shops. This would cause unacceptable congestion in the area

and significant inconvenience for residents entering and leaving the estate. There is also concern that customers will be tempted to park on the grassed area in front of the shops. The grassed area is a traffic island so parking is prohibited plus a high pressure gas mains pipe runs along the length of the grassed area, which deems regular vehicle use completely unsuitable and dangerous.

The applicant has also not specified any opening times. Hurn Road is an extremely quiet residential area. There are opening hour restrictions on neighbouring units and we trust that permission would not be considered for additional unit without similar restrictions.

The proposed building also protrudes way beyond the building line of the properties along the adjacent road and would completely overlook them and hem in the bungalows behind.

To conclude we strongly oppose this application, it is unnecessary, has no purpose and is completely inappropriate for the site and the location.

5.2 Mrs Anne Pratt of 1A Hurn Road, Drayton:

I am concerned about what plans have been made regarding parking if the new unit is built. At the moment there is adequate parking for existing staff and visitors to the three units which are already there. The width of the road around the traffic island is only wide enough for single line traffic and so parking on the roadside is not viable, this will then encourage parking on the pavement which will cause obstruction to the pedestrians.

Hurn Road only has one entrance and exit onto the estate and traffic is extremely busy so parking on the road will be a hindrance. The unmade road behind the fir trees is for residents only and for general parking. With regard to the grass traffic island in the middle of Hurn Road there is a major gas pipeline running through the middle which has to be left unobstructed and if vehicles parked on there the grass would be decimated.

5.3 Mr Greg Prowting of 5 Hurn Road, Drayton:

We have been residents on Hurn Road for 9 years and recognise the importance of parking spaces at the units in the application. A reduction of parking spaces causes concern as people will park on or around the green adjacent which will directly affect residents who have guests or cause damage to the green and adversely affect the feel of Hurn Road. There are two conflicting schools of thought within the application with numbers ranging from 4 to 7 spaces. With a little sports car added on a corner to increase the spaces available.

It appears the applicant is a businessman within the financial sector and while it sounds like a quiet and pleasant office space, the plans show an extension with no link to the original hairdressers. Is there going to be more than one business being run from the two units (1 unit applied for within this application). There seems to be a lack of information around the hours of business and clarification of what exactly is to take place within the two units. There had been rumour of several businessmen jointly owning the units and using them for distribution. This sounds like possibly a worst case scenario with vans and goods vehicles frequenting Hurn Road. If there are only two full time workers to be employed at this office, how many part time or zero contract? This could all affect parking.

So with the information on the application and answers needed to the questions above with regards to who is going to work there; parking problems, noise concerns and goods vehicles etc please accept this letter as a challenge to the application.

Hurn Road is a very peaceful area where the current businesses offer no cause for concern to us as residents. Anything that could adversely affect the peaceful nature of the road, does cause enough concern to ask for more clarity.

5.4 Mr Maurice Houldsworth of 8 Hurn Road, Drayton:

I am concerned about any additional parking on such a narrow stretch of road that will result from any further extension to the business. Unless this problem can be overcome, I would like to object to the planning application

5.5 Mr Gary Hackett of 147 Drayton High Road, Drayton:

I strongly object to this application for the following reasons:

- The applicant didn't approach me and ask for my input or comments prior to me seeing their application on a nearby lamppost.
- The proposed development would ruin my outlook from the front room of my property.
- The development would decrease the amount of sunlight seen in my front garden.
- The development would devalue my property.
- The development would significantly increase the problem currently seen of overflow parking whereby visitors to the current businesses already park in front of my property blocking my entry and exit.

- We also already have business vehicles parking at the entrance of our road either loading or offloading and even taking breaks. The proposal will only add to that congestion as well as the amount of litter deposited.
- There are two windows and a door to the rear of the proposed unit. This would greatly increase my lack of privacy from people overlooking my front garden. It's bad enough at the moment with one of the existing windows looking directly into my kitchen but the proposed unit would allow the occupants to look directly into my lounge as well.
- The building would exceed the building line of the existing neighbouring properties (my property) by such a huge amount. If I were to apply for permission to extend the front of my property by 20 feet I'm absolutely certain that it would be rejected on those exact grounds.
- There is a Tree Preservation Order in place for the trees bordering the road as well as some very rare Stilt Puffball fungus in the wildlife bank area.

5.6 Mrs Janice Hall of 149 Drayton High Road, Drayton:

I strongly object to this development as the proposed shop unit will cause increased traffic and more importantly there will be insufficient car parking particularly if the existing hairdressers increase their business facilities. I also note that there is no indication as to what the proposed shop unit will be used for, which gives us cause for concern.

5.7 Mrs Joy Ramsey of 151 Drayton High Road, Drayton:

I am writing to object to the above planning application. The proposed development land is currently a car park and there are frequently considerable parking problems in the area. Should the new building go ahead, there is no overflow parking whatsoever. The oval traffic island, which is owned by the County Council, has a high pressure gas main running under it, so this cannot be utilised. The private road is just that, 'private', with little space for visiting vehicles and residents are required to maintain its surface.

I have noted that on "Gumtree", the new owners are advertising 4 "chairs" in the existing Scissor Sisters shop. That would be 4 customers, 4 stylists and then additional cars when subsequent clients arrive on site, so obviously not enough parking for this shop unit, let alone the new build.

What is the purpose of the new building? What are the opening hours? Very important questions in a residential area. What conditions would be imposed to ensure the applicant could not knock the 2 buildings into one? This would create a large commercial floor area.

In Drayton Wood Road, a premises called Bodyworks (beauty salon), where its customers come from a wide area, causes parking all over the large green in front of the salon. A similar situation could not be accommodated in the area in question. The proposed new building line extends way beyond the Drayton High Road building line. Are there any other examples of such an unusual and unwanted design layout?

On the application form at question 13a regarding protected and priority species, the applicant has answered no, although the long row of Scots pines are indeed protected by TPO 2001 no: 2. Also at 13b there is a roadside nature reserve not declared. Again at question 15, the applicant has answered no to the question “are there trees or hedges on land adjacent to the proposed development that might be important as part of the local landscape character”. The row of Scots pines are a significant feature and are part of Drayton’s identity. It appears that the applicant has done little research into the surrounding area and the actual area of land owned. I therefore conclude that this application is totally unnecessary and unwarranted, especially as it is not have a specific purpose.

5.8 Councillor Roger Foulger:

This application was discussed at Drayton Parish Council and a number of concerns remain. There is no indication regarding the type of the unit proposed. Parking is a concern particularly as immediate surrounding areas are private roads. In addition the surrounding green has a gas pipe underneath it making it unsuitable for parking. Another aspect is that a part of the development is considered to be intrusive to the property at 147 Drayton High Road. For the reasons quoted if you are minded to approve I wish it to be considered at the Planning Committee.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012 and Planning Practice Guidance (SPG) 2014:

- 6.1 Sets out the overarching planning policies on the delivery of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.

Planning Practice Guidance (NPPG):

- 6.2 Web based national guidance formalised in March 2014.
- 6.3 Paragraph 8 in section ‘Determining a Planning Application’ states a material planning consideration is one which is relevant to making the planning

decision in question (eg whether to grant or refuse an application for planning permission).

Drayton Neighbourhood Plan (2016):

- 6.4 Policy 1A: Proposals for development must show how the development would achieve high standard of design sustainability and innovation. Development which reflects the historic character of Drayton will be supported.
- 6.5 Policy 1D: Development which would involve the creation of new retail floorspace will not be permitted unless it can be shown that the development would not adversely affect the existing retailing function of the village centre. Development likely to enhance the retailing function of the village centre will be supported.

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

- 6.6 Policy 2: Promoting good design

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

- 6.7 Policy 5: The economy

The economy will be developed in a sustainable way to support jobs and economic growth in both urban and rural locations.

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

- 6.8 Policy GC1: Presumption in favour of sustainable development

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

- 6.9 Policy GC2: Location of new development

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

6.10 Policy GC4: Design

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

6.11 Policy TS3: Highway safety

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

6.12 Policy TS4: Parking guidelines

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

6.13 Policy CSU1: Additional community facilities

Proposals which improve the range of community facilities and local services available within the district will be encouraged where no significant adverse impact would arise.

Other considerations:

6.14 Parking Standards Supplementary Planning Document (SPD) (2007).

7 LOCATION AND DESCRIPTION OF SITE

7.1 The application site is a parcel of land to the south west of a terrace of three single storey retail units located within the settlement limit of Drayton.

7.2 To south of the application site is a private single track road which serves residential dwellings on Drayton High Road. To the west of the site is Hurn Road which is a one way, single carriageway road and beyond this road there is a grassed traffic island. To the north east of the site are the other three retail units. The nearest neighbouring residential dwelling is a detached bungalow (no: 147 Drayton High Road) which is to the east of the site.

7.3 The proposed new unit would be immediately adjacent to no: 2 Hurn Road which is currently occupied as a hairdressers (Scissor Sisters). Norwich Windows currently occupies the middle unit (no: 4 Hurn Road) and the end unit furthest from the application site (no: 4a Hurn Road) is, at present,

occupied by Exquisite Boutique. No: 4a is a flat roof extension to the side of no: 4.

- 7.4 The only boundary treatment on the site is a close boarded fence on the south east boundary, between the site and no: 147 Drayton High Road, which is approximately 1.5m in height.
- 7.5 There are no trees on the site but there some established trees to the south west of the site, adjacent to Drayton High Road which are protected by a Tree Preservation Order. The proposal would be approximately 10m from these trees.
- 7.6 The site exhibits no significant changes in ground levels.

8 PLANNING HISTORY

- 8.1 [20071480](#): Extension to Hairdressing Salon, 2 Hurn Road, Drayton. Approved 29 November 2007.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against Development Plan policies and national planning guidance. In particular the level of parking provided and the impact of the proposal on highway safety, residential amenity and the character of the area.
- 9.2 Policy GC2 of the Development Management DPD states that new development will be accommodated within the settlement limits defined on the policies map. The site lies within the settlement limits of Drayton and therefore the principle of development in this location is considered to be acceptable.
- 9.3 Policy 1D of the Drayton Neighbourhood Plan states that development which would involve the creation of new retail floorspace will not be permitted unless it can be shown that the development would not adversely affect the existing retailing function of the village centre. Given the modest size and scale of the shop unit being proposed it is considered that the application would not result in any harm to the existing retailing function of the village centre.
- 9.4 Although the unit is modest in size the proposal would create two full-time jobs which is likely to be beneficial both economically and socially. In supporting the application the Council's Economic Development Team has stated that the proposal would provide potential local employment opportunities and diversification to the local economy. The application is

therefore considered to represent a sustainable development which would help to support the local economy as in accordance with Policy 5 of the Joint Core Strategy.

- 9.5 One of the main concerns raised with regards to the application is the impact that the proposal will have on the parking associated with both the existing unit at no: 2 Hurn Road and the proposed new unit. At present the hairdressers at no: 2 Hurn Road benefits from ample off road parking as there is space to both the front and the side of the unit. No: 2 currently has approximately 8 parking spaces or potentially more if cars were to be double parked. The proposal would result in the parking being reduced at no: 2 to three parking spaces at the front of the unit whilst the proposed new unit would have three spaces to the front and a further space to the side of the unit. This arrangement however would be the similar to that in place at the adjacent units 4 and 4a Hurn Road which are similar sized units that both have three parking spaces at the front of the unit. Furthermore the car parking standards for a A1 shop use, as set out in the Broadland District Council Parking Standards SPD, states 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 new unit is to have a floor area of approximately 49m² and therefore the four spaces being provided for the new unit is considered to actually be more than the number which is recommended. It is also worth noting that although the existing unit at no: 2 Hurn Road is slightly larger in size (approximately 55m²) the three spaces associated with this unit also meets the above mentioned guidelines.
- 9.6 It is also considered that if there is any off-site parking as a result of the development then this is likely to be tantamount to inconvenience rather than any detriment to highway safety. Furthermore there are bus stops nearby and a cycle rack is proposed as part of the application which will help to encourage alternative modes of transport. It should also be noted that the site is located within a residential area where customers and staff could walk to the new unit.
- 9.7 The Highway Authority has acknowledged that although some existing on-site parking will be lost with a further commercial unit created; it would be difficult to state that any significant detriment to highway safety would result at this particular location. The Highway Authority has concluded that they have no objection to the application subject to the addition of a condition which is suggested to be imposed. Overall it is considered that the proposal will not have any detrimental impact upon highway safety and it is therefore considered to comply with Policies TS3 and TS4 of the DM DPD.
- 9.8 Concerns have also been raised by the neighbouring resident at no: 147 Drayton High Road in terms of the impact the proposal will have on their neighbour amenity. Although the proposal will extend well beyond the front of the properties on Drayton High Road to the south east, it is considered that the application site responds more to Hurn Road rather than being seen

against the properties on Dayton High Road. Given the single storey nature of the proposal it is not considered to appear overbearing and will not result in any significant loss of light for no: 147. There are two small windows and a door proposed to the rear elevation of the proposed unit, one of which serves a WC. These are however only at ground floor level and will only look towards the front driveway and garden at no: 147. Nonetheless a condition is proposed to be added to any approval to ensure that all of these openings are permanently formed with obscure glass to ensure that the proposal does not result in any overlooking issues.

- 9.9 Furthermore a condition is proposed to be added to the decision notice to limit the hours of operation to between 08:00 to 18:00 on Monday to Saturday and 10:00 until 16:00 on Sundays. This is to limit the amount of noise and disturbance to between peak working hours. Overall the application is not considered to have any significant detrimental impact upon the amenities of any neighbouring residential properties or the neighbouring commercial units.
- 9.10 The scale and design of the proposal is in sympathy with the character of the area, whilst the plans indicate a sensitive design with all new materials matching the existing adjacent commercial unit. Although clearly visible in the street scene, neither the proposed building or associated parking are considered to cause any harm to the general character and appearance of the area.
- 9.11 One neighbour has raised a concern with regards to the impact of the proposal on the group of established trees located to the south of the site which are protected by a Tree Preservation Order. There is however a good degree of separation between the proposal and these trees and the Council's Conservation Officer (Arboriculture & Landscape) has confirmed that there are no tree constraints on the site and that he has no objection to the application.
- 9.12 In conclusion, it is considered that the application would represent a sustainable development which would help to support the local economy. The parking arrangement is considered to be acceptable and the development is not considered to have any detrimental impact upon highway safety or neighbour amenity or cause any harm to the general character and appearance of the area. Taking account of these elements, it is considered that the benefits associated with the development decisively outweigh any perceived harm. With that in mind, the officer recommendation is that the application is approved.
-

RECOMMENDATION: APPROVE subject to the following conditions:

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

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

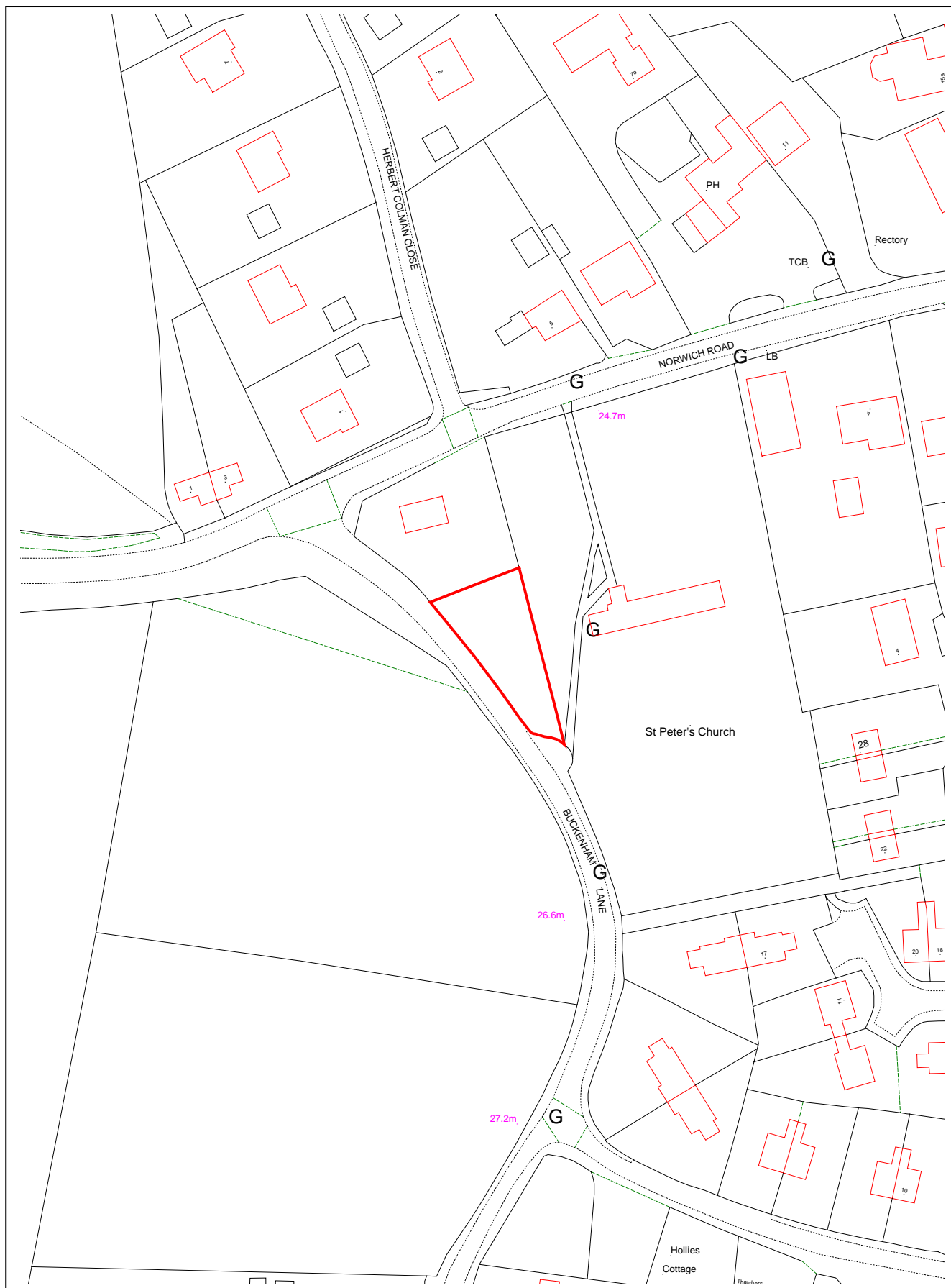
Reasons:

- (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



Application No: 20171945

Land Rear of Church Cottage, 2 Norwich Road, Strumpshaw, NR13 4NT

**Scale:
1:1250**

**Date:
22-Jan-18**



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AREA East

PARISH Strumpshaw

7

APPLICATION NO: [20171945](#)

TG REF: 634867 / 307742

LOCATION OF SITE Land Rear of Church Cottage, 2 Norwich Road,
Strumpshaw, NR13 4NT

DESCRIPTION OF DEVELOPMENT Change of use from agricultural land to residential curtilage in association with 2 Norwich Road, Strumpshaw and erection of garage

APPLICANT Mr Bob Hunt, Church Cottage, 2 Norwich Road,
Strumpshaw, NR13 4NT

AGENT N/A

Date Received: 6 November 2017
8 Week Expiry Date: 3 January 2017

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

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 This application seeks full planning permission for the change of use of agricultural land to residential curtilage to be used in association with Church Cottage, 2 Norwich Road, Strumpshaw, and the erection of a garage on this parcel of land.
- 1.2 There are two existing vehicular access points on Buckenham Road. One on the western boundary and one to the south. The access on the western boundary will serve as access to the proposed garage.
- 1.3 The proposed garage will be approximately 4.4m in height, 4.9m in width and 8.5m in length with a dual pitch roof with gable ends. The garage will be constructed using Audley Antique brick plinth which is red / brown in appearance, and feathered edge boarding which will be stained black. The roof will use Sandtoft Old Hollow 451 (Victorian) pantiles which are red / brown in appearance and these pantiles have an authentic weathered look.

- 1.4 The original proposal has been altered since first submission in the form of the siting of the garage. This has been moved further south, by approximately 1m, to allow for an adequate vehicle turning area within the site. The proposed window materials have also been altered to reflect the Design Advisor's comments; these will be constructed of natural timber to match the external feathered edge boarding cladding which will be stained black.
- 1.5 The additional residential curtilage will be linked to the existing dwelling by a new pedestrian link in the form of a gravelled path.

2 KEY CONSIDERATIONS

- The impact of the proposal on the character and appearance of the area.
- The impact of the proposal on the setting of the adjacent Grade I Listed Church.
- Consideration of the planning history of the site.

3 CONSULTATIONS

3.1 Pollution Control Officer:

No comment.

3.2 Historic Environment Officer:

The use of the site as a domestic garden is considered to be much more acceptable than the development of the site for a residential unit as previously proposed. A garage is being proposed but it is relatively small in size, will use predominantly vernacular materials and is situated on lower ground within on the site. It will therefore not obscure views from / of the adjacent Grade I Listed Church of St Peter and will sit unobtrusively on the site. Its impact on the setting of the heritage asset will therefore be very limited and the proposal for the building and change of use of the land is considered acceptable.

3.3 Design Advisor:

There is history on this site with a previous application for a separate dwelling being refused. The building now proposed whilst still introducing development onto previously undeveloped land is at a scale more appropriate to the site and the setting of the Church. A more defined physical and visual link between the proposal and the host dwelling might be desirable possibly by means of a path way or the driveway or turning area.

Generally no objection to the principle of development on the site for a use ancillary to no: 2 Norwich Road.

The building design is simple and traditional in form and detailing. The materials are considered appropriate to the location excepting the oak coloured Upvc windows which would be better in natural timber matching the remainder of the external cladding of the building. This would also be more appropriate in the context of the Grade I Listed Church.

In conclusion no objection to the proposed garage and store, which can be recommended for approval on design grounds subject to the above comments.

3.4 Strumpshaw Parish Council:

The site is outside the settlement area for the village. The councillors therefore request that, if you approve the application, you add a condition preventing the building of a dwelling on the site.

Concerns were raised about the height of the proposed garage and its impact on the view of the nearby Church. I understand that you are also consulting with the relevant bodies who will consider the impact on the Listed Church Building.

Subject to the comments you receive on the above, and the condition mentioned above, the councillors do not have any objections to the plans.

3.5 Historic England:

This application proposes the development of a garage and change of use to domestic curtilage of land adjacent to the Grade I Listed Church of St Peter. St Peter's Church is a Grade I Listed Building of 13th and early 14th century origins with a prominent tower dating from c 1500. It sits at the centre of the churchyard, with open ground and trees around it. The village itself is marked by considerable amounts of modern development, but this is largely found to the north of the Church, along the Norwich Road and to the south and east. It is evident from the recent date of much of this development that the Church has until quite recently been set away from the rest of Strumpshaw, with views to open countryside on three sides. The application site borders the churchyard and appears to historically have been part of the curtilage of the house on Norwich Road, to the north of the plot. The open aspect of the Church's setting on its western side contributes to its historic significance by illustrating how it was formerly set away from the village in open fields. This is both suggestive of the status of the village's premier historic building and allows the Church to still be seen as a prominent landscape feature.

Proposals to develop this site with a new dwelling have been submitted before and Historic England have raised concerns about how this would diminish this aspect of the Church's setting and so harm historic significance. The current application proposes a much smaller building which will consequently have a reduced visual impact but which still raises the principle of new building to the west of the Church. The visual impact might be reduced if this small garage were placed further north in the site so it appears closer to the existing dwelling.

The National Planning Policy Framework (NPPF) paragraphs 6, 7 and 14 establish a presumption in favour of sustainable development and that protection and enhancement of the historic environment constitutes an important element of sustainable development. Furthermore paragraph 17 names the conservation of heritage assets (in this case the Parish Church of St Peter) as a core principle of the planning system. The significance of Listed Buildings can be harmed or lost by alteration to them or development in their setting and any such harm should require 'clear and convincing justification' (paragraph 132). We have considered the current proposals in light of this government policy and relevant English Heritage guidance on the Setting of Heritage Assets and while we would not object to the construction of the small garage in principle the appearance of development to the west of the Church could be improved if it were moved closer to the existing dwelling.

Recommendation:

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 6, 7, 14, 17, 132, 134 and 137 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

3.6 Norfolk County Council as Highways Authority:

Given that this piece of land has previous permission for a single residential dwelling and that no new access point to highway is intended or likelihood of significantly increased number of vehicular movements to, and from, the site I have no objection to the proposal.

4 PUBLICITY

4.1 Site Notice:

Date Displayed: 10 November 2017

Expiry Date: 1 December 2017

4.2 Press Notice:

Date Displayed: 14 November 2017

Expiry Date: 5 December 2017

4.3 Neighbour Notifications:

Whitebeams, 1 Norwich Road, Strumpshaw; 16 Buckenham Road, Strumpshaw; The Old Post Office, 3 Norwich Road, Strumpshaw; Church of St Peter, Norwich Road, Strumpshaw

Letters sent: 9 November 2017

Expiry Date: 2 December 2017

5 REPRESENTATIONS

5.1 Mrs S Ashford of Ivanhoe, 22 Norwich Road, Strumpshaw:

Whilst sympathising with the applicant wanting to have a garage my concerns are the following: (1) This is designated agricultural land; (2) The access point is unauthorised; (3) Buckenham Road is narrow and an additional access onto it close to Norwich Road would add to the hazards; and (4) The proposal bears little relation to Church Cottage.

5.2 Mr D Varley, Church Warden of Mallyan House, Hemblington Road, Strumpshaw:

I write as Church Warden for St Peter's Church next to and east of the above site. Part of my job is to protect the Church and its environs from this kind of development that would affect the setting of its Grade 1 status. I understand that this site is outside the built area of the Neighbourhood Plan for Strumpshaw and should not therefore be built on. The proposal is for a building far in excess of what is required for a garage, takes no account of

road safety on Buckenham Road and the proposed height would severely compromise the view of the Church from the west.

- 5.3 A further email was received from Mr D Varley – Church Warden – Mallyan House, Hemblington Road, Strumpshaw:

I am not surprised to see this application. I believe it was the intention of the applicant from the start, despite the applicant being the main objector to the previous planning application for a house. That application was refused unanimously by Broadland's Planning Committee last year with one member saying any building on the site would be "cultural vandalism" (also reported in the press). The objectors at that meeting, including the current applicant, argued that vehicle access to Buckenham Road would be dangerous; any building would spoil the setting of a Grade I Listed Building, and block the view of the east window of the Church. One of the three complainants said he was representing 18 other parishioners with the same opinions.

Having bought the site the owner has erected gates to two openings without any vision splays to Buckenham Road, carried out excavations next to a Listed Building without any archaeological work, used the site to store a caravan and trailer, planted a garden with flowers and a lawn with a gazebo in the summer months.

The Council should remember that this site is outside of the residential area defined by the Neighbourhood Plan and a number of similar requests in the Parish have been turned down. If this gets planning how can the Parish Council or Broadland object to further applications? The proposal is for a building of substantial size at least twice that of a normal garage and will make nonsense of the Neighbourhood Plan. I object in the strongest terms.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012 and Planning Practice Guidance (SPG) 2014:

- 6.1 Sets out the overarching planning policies on the delivery of sustainable development for rural communities through the planning system. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.
- 6.2 Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that as heritage assets

are irreplaceable, any harm or loss should require clear and convincing justification.

- 6.3 Paragraph 134 of the NPPF states where development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Planning (Listed Buildings and Conservation Areas) Act 1990:

- 6.4 Section 66(1) states that in considering whether to grant planning permission for a development which affects a Listed Building or its setting, the local planning authority shall have special regard to the desirability of preserving the buildings or its setting or any features of special architectural or historic interest which it possesses.

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

- 6.5 Policy 2: Promoting good design

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

Broadland Development Management DPD 2015:

- 6.6 Policy GC1: Presumption in favour of sustainable development

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

- 6.7 Policy GC2: Location of new development

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

- 6.8 Policy GC4: Design

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

6.9 Policy TS3: Highway safety

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

Strumpshaw Parish Council Neighbourhood Plan, adopted 2014:

6.10 Policy 1:

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

6.11 Policy 2:

The attractive countryside in the Parish will be protected from intrusive development, with particular consideration given to the more sensitive areas such as those related to the Broads area, and gaps between settlements (ie between the built up core of Strumpshaw and those parts of Strumpshaw adjacent to Lingwood and Brundall).

6.12 Policy 3:

The settlement limits will be maintained as they are in 2013. The exception to this Policy is a specific proposal as outlined in Policy 4, which can only be achieved on a site outside the development boundary.

6.13 Policy 5:

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

6.14 Policy 7:

Development will be expected to ensure that there is no detriment to highway safety and, where possible, help to reduce existing risks.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site is a triangular shaped parcel of land which is located to the south of Church Cottage, 2 Norwich Road, Strumpshaw and to the west of

the Grade I Listed Church of St Peter. The site is located outside of the defined settlement limit of Strumpshaw and is approximately 38m from the nearest part of the settlement limit to the north and approximately 45m from the nearest part of the settlement limit to the south.

- 7.2 The site measures approximately 45m in length along the western boundary with Buckenham Road; approximately 42m in length along the eastern boundary with St Peter's Church; and 22m in length along the northern boundary which adjoins the applicant's current residential curtilage.
- 7.3 The site is mainly grassed with some vegetable patches and for the keeping of chickens with some hardstanding to the south and west of the site. The site has two existing vehicular access points to Buckenham Road, one on the western boundary and one to the south. The site slightly declines in levels towards the north of the site where the host dwelling is sited.
- 7.4 Around the site, there is mainly hedging on the western boundary with Buckenham Road, with five bar gates for the access points, along the eastern boundary with the Church of St Peter, there is a two bar fence along the entirety of this boundary. On the other side of this fence, within the Church's boundary, a relatively new hedgerow has been planted, also along the entirety of this boundary. When this grows, this will act as screening between the two sites.

8 PLANNING HISTORY

- 8.1 [870285](#): House. Refused 29 April 1987 on the grounds of the dwelling constituting overdevelopment of the site, it being detrimental to visual amenity and setting of the Church, it being detrimental to the amenities of the property at Church Cottage and the accessing from Buckenham Road being unsatisfactory.
- 8.2 [871245](#): House. Refused 9 July 1987 for the same reasons as above.
- 8.3 [890762](#): Dwelling. Refused 6 June 1989 for the same reasons as above. Appeal dismissed 2 February 1990.
- 8.4 [20111076](#): Dwelling (outline). Refused 14 December 2011 on the grounds of there being no evidence provided to demonstrate that there is a defined functional need for a dwelling at the site, the development representing an unacceptable consolidation of development in the countryside that would be detrimental to the character and appearance of the area, and the dwelling detracting from the setting of the adjacent Grade I Listed Church.
- 8.5 [20121684](#): Erection of dwelling. Approved by Planning Committee on 30 January 2013 (contrary to officer recommendation).

- 8.6 [20151842](#): Erection of 1 no: dwelling. Refused by Planning Committee on 8 June 2016 (contrary to officer recommendation) on the grounds of not being sustainable development, causing long term detrimental harm to setting of the Listed Church of St Peter, and unacceptable consolidation of development to the detriment of the character and appearance of the area.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the Development Plan, the National Planning Policy Framework (NPPF), the Planning Practice Guidance, and the Strumpshaw Neighbourhood Plan. Also key considerations are the recent planning history of the site, the proposal's impact upon the character of the area and the adjacent Grade I Listed Building.
- 9.2 The site lies outside of the defined settlement limit; however the site is within close proximity as the settlement boundary stops at the top of Buckenham Road which is approximately 38m from the site.
- 9.3 The applicant purchased the site, following the recent refusal of planning permission, earlier this year in hope to use it as part of their residential garden at Church Cottage, 2 Norwich Road, Strumpshaw which borders the site on the northern boundary.
- 9.4 With the slight decline in levels to the north of the site, it means that the Church of St Peter is on slightly higher ground than the host dwelling. The position that the proposed garage will be sited will be dug down to the rear of the garage to enable the garage to be level and sit as low as possible to have minimal impact on the Church views from Buckenham Road. The garage will also be sited behind a boundary hedge. Views to the Church of St Peter will still be retained at both access points as well as over the garage and hedge.
- 9.5 The closest residential properties to the site are no: 1 Herbert Colman Close and no: 3 Norwich Road to the north of the site and no: 16 Buckenham Road to the south of the site. No objections have been received from the occupants of these dwellings and it is not considered that the proposed development would result in any significant adverse impact to the amenity of any adjacent residents given the degree of separation from the majority of properties and the scale of development being proposed.
- 9.6 The Parish Council has raised no objections; however, concerns were raised over the height of the proposed garage and its impact on the view to the Church of St Peter. The Parish Council also requested that a condition be added to the decision, if approved, to restrict the building of a dwelling on the site, although it should be noted that this would require a separate grant of planning permission in any event.

Impact on the character and appearance of the area:

- 9.7 The impact on the surrounding area will be minimal due to the hedge on the western boundary with Buckenham Road which will be retained.
- 9.8 The site marginally declines in levels towards the north, the position that the garage will be sited will be dug down slightly to the rear of the garage so the garage will be constructed on a level surface; this also means that the garage will be situated as low as possible and will have less of an impact on the character and appearance of the surrounding area.
- 9.9 Although the garage roof will be visible from the Buckenham Road, it will not look out of character as the garage has been designed to a high standard as well as using weathered look materials to ensure that the garage has an authentic weathered feel which will be sympathetic on the character and appearance of the surrounding area.
- 9.10 It is considered that the extension of curtilage will not be unduly excessive and will not represent a significant incursion into the countryside or be to a degree that would cause harm to the general character and appearance of the surrounding area.

Impact on the setting of the adjacent Grade I Listed Church:

- 9.11 The proposed garage is to be positioned towards the western side of the site and is approximately 22m away from the Grade I Listed Church of St Peter.
- 9.12 With the use of Audley Antique bricks, Sandtoft Old Hollow 451 (Victorian) pantiles, feathered edge boarding cladding which will be stained black, and natural timber windows which will match the appearance of the external cladding, this will have a weathered look rather than a newly built garage and therefore will not look out of character next to the Grade I Listed Church of St Peter.
- 9.13 Due to the garage being approximately 4.4m in height, views of the Church from Buckenham Road will not be obscured. Views will be fully visible through the five-bar gated access from Buckenham Road.
- 9.14 Discussions have taken place with the Council's Historic Environment Officer who states that 'the garage is situated on lower ground within the site, it will therefore not obscure views from / of the Church and will sit unobtrusively on the site' and 'the impact of the proposal on the setting of the heritage asset will be very limited and the proposal is considered acceptable'. Therefore, the change of use of agricultural land to residential curtilage and erection of a garage on this site will not have any significant harm to the Grade I Listed Church of St Peter or the asset's conservation.

Planning history of the site:

- 9.15 Over the past 30 years, five applications have been refused planning permission for 1 no: dwelling on this site. The main reasons for this being: the impact on the surrounding area and the Grade I Listed Church, overdevelopment for this site, and is outside the settlement limit for Strumpshaw.
- 9.16 One application was approved by Planning Committee in January 2013, contrary to officer recommendation, and was subject to conditions. However, this permission has not been commenced and has since expired.
- 9.17 The most recent application, which was refused by Planning Committee June 2016, was faced with a number of objections from local residents. The proposal to incorporate this parcel of land into the residential curtilage of Church Cottage, 2 Norwich Road, Strumpshaw, is a more acceptable use than the erection of a separate dwelling.
- 9.18 Given the site history and to restrict any further buildings on this site, it is considered necessary to remove permitted development rights for the erection of any further outbuildings, any further hardstanding, no further gates, fences, walls etc, and no further domestic paraphernalia. It is also considered necessary to restrict the garage to be used as 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.
- 9.19 In conclusion, whilst the extension of the residential curtilage is contrary to Policy GC2 of the DM DPD, it is considered that the development does not cause significant harm in terms of its impact on the character and appearance of the area. Furthermore, there is no other harm associated with approving this development. Therefore, whilst there is a degree of conflict with the Development Plan with the site being outside of the settlement limit, the lack of harm is considered a material consideration to justifying approval of the application.
- 9.20 The proposal for a change of use to residential curtilage in association with Church Cottage, 2 Norwich Road, Strumpshaw, and the erection of a garage will not be overbearing or out of character for the area; the development will not lead to substantial harm to the significance of the Church of St Peter; and will not affect the setting of the surrounding area or the Listed Building. The proposed garage will be a considerably smaller footprint as well as height, than the proposed dwellings which have previously been applied for. Therefore, the development as detailed above is an acceptable form of development.
-

RECOMMENDATION: APPROVE subject to the following conditions:

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

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. (D3 Amended)
- (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. (D3 Amended)
- (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. (C4 amended)

Reasons:

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

- (3) To ensure development appropriate to the site in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015. (R11 Amended)
- (4) To ensure development appropriate to the site in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015. (R11 Amended)
- (5) To ensure development appropriate for the area in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015. (R11)

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 (INF27)
- (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. (INF40)

**APPLICATION NO: [20170764](#) – RESIDENTIAL DEVELOPMENT
(OUTLINE) AT THE EQUESTRIAN CENTRE, LOWER STREET,
SALHOUSE, NR13 6RH**

1 BACKGROUND

- 1.1 At its meeting on 4 October 2017 (Minute no: 50 refers) Planning Committee resolved to defer the application for a period of two months to negotiate a safe and suitable access to both the site and Jubilee Hall for all people.
- 1.2 At its meeting on 1 November 2017 (Minute no: 59 refers) Members were advised by The Area Planning Manager (East) that, as part of the exploratory work into the possible accesses into the site, a number of issues had arisen such as the potential impact on a heritage asset, surface water drainage, trees etc therefore it would not be possible to bring the application back before Committee within the two months as previously agreed as this would not allow sufficient time for consultation responses to be received on the various options. Therefore, officers were seeking to extend the period to four months. The Committee concurred this would be acceptable and resolved to extend the period for negotiating the access to four months (commencing from 4 October 2017).

2 UPDATE

- 2.1 Since the Committee's resolution to defer the application for four months (deferment period to expire 4 February 2018), matters remain unresolved in respect of the options for access although it is understood that a meeting has been arranged with representatives of the Village Hall Committee on Friday 26 January in order to progress matters. The Agent has added that unfortunately, his client has been out of the country and therefore difficult to contact and together with the Christmas break has meant that there has not been as much progress on this matter as they would have hoped.
- 2.2 Furthermore, their Drainage Consultant is currently revising the Flood Risk Assessment in order to overcome the holding objection raised by the Lead Local Flood Authority (LLFA).

3 CONCLUSION

- 3.1 Members have previously considered that the application site is capable of accommodating the proposed development without significantly compromising the character and appearance of the area and that other matters (apart from those referred to in section 1 above) can be dealt with through the imposition of appropriate conditions.

- 3.2 In the circumstances that the principle of residential development on the site is considered acceptable (paragraph 2.1 above) coupled with the absence of a 5 year land supply in the NPA within which Salhouse is located, it is recommended that the time period for seeking to resolve these matters be extended – with the application to be reported for determination at Planning Committee by 25 April 2018 (at the latest).

4 RECOMMENDATION

- 4.1 The Committee is **RECOMMENDED:**

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

Phil Courtier
Head of Planning

Background Papers

Planning application [20170764](#)

For further information on this report call Nigel Harriss 01603 430529 or email nigel.harriss@broadland.gov.uk



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PLANNING COMMITTEE

31 JANUARY 2018

FINAL PAPERS

Page Nos

[Supplementary Schedule](#)

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

DEMOCRATIC SERVICES

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SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
1	20170095	Land South of Broadland Gate, Postwick	<p>Further comments from Mr D Eley of 18 Church Road, Postwick: Mr Eley's previous comments were summarised in paragraph 5.1 of the report. Additional comments as below:</p> <p>I propose that any approval should include two conditions:</p> <ol style="list-style-type: none"> 1 That any HGV with motorised refrigeration should not be allowed to be operated overnight. The noise generated would be intrusive and unneighbourly to adjoining residents in Postwick. 2 There should be a safe direct pedestrian link to the site for the use of Postwick residents. <p>Officer comment: Given the degree of separation between the site and any neighbouring dwellings it is not considered to be necessary to add a condition requiring that no motorised refrigeration should be allowed overnight.</p> <p>With regards to a condition requiring a pedestrian link between the site and Postwick it is noted that there was no requirement from the Highway Authority for such a condition, whilst a pedestrian link has been proposed between the site and the Postwick Park and Ride site. Overall it is considered unreasonable to request a further pedestrian link between the site and Postwick.</p>	36 - 82

2	20170212	Land off Drayton High Road, Drayton	<p>Response received from the District's Contracts Officer: The revised tracking details that have been submitted (rev. E) don't match the size of the refuse collection vehicles in the refuse contractor's fleet and further details are required to ensure that the refuse vehicle can safely manoeuvre around the development.</p> <p>Correction: In paragraph 9.6 on page 107 of the agenda, the date of publication of the five-year housing land supply should be January 2017, not January 2016 as stated.</p> <p>Request from applicant: The applicant has requested revisions to the 'triggers' that apply to conditions 4, 14 & 20 which are reported as pre-commencement conditions but are requested to be re-worded to: 'Development shall not proceed beyond the formation of the 10th floor slab until such time as'</p> <p>Officer comment: Willing to accept the suggested revisions to the stated conditions which will allow the initial stages of the development to come forward whilst the necessary documents are being prepared and considered. The other pre-commencement conditions that are required to be dealt with at the earliest opportunity remain as reported.</p> <p>As the submitted details do not meet the requirements of the District's Contracts officer and further negotiation is required, the recommendation shall be revised to:</p> <p>"Delegate authority to the Head of Planning to grant APPROVAL subject to no adverse comments in respect of the outstanding issue, the</p>	83 - 129
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			satisfactory completion of a S106 Agreement with the following Heads of Terms and the following conditions:"	
4	20172032	Land at Dawsons Lane, Blofield Heath	<p>Norfolk County Council Historic Environment Service:</p> <p>The application was reviewed directly from the planning list and we do not consider that the proposed development will have any significant impact on the historic environment. Therefore we do not wish to make any recommendations for archaeological work.</p> <p>Two additional comments received:</p> <p>Cllr David Ward – The access road is a private road and is not suitable for two-way traffic. The site is agricultural land outside of the settlement limit.</p> <p>Mr G Coghlan, Bella Vista, Blofield Corner Road – We bought our property as it adjoined agricultural land and we love the wildlife. Dawsons Lane is not suitable for more properties or traffic. We would be concerned if the farmer cannot access the remainder of the agricultural land from Dawsons Lane as access from Laundry Lane would not suitable.</p>	158 - 178
5	20171008	Land at Little Plumstead Hospital West, Hospital Road, Great and Little Plumstead	<p>Correction:</p> <p>In paragraph 9.4 on page 192 of the agenda, the date of publication of the five-year housing land supply should be January 2017 not January 2016 as stated.</p> <p>Comment from Mr Adrian Nagle - The Walled Garden Community Shop and Café</p> <p>As the community group that propose to fund raise, build and run the</p>	170 - 200

			<p>shop and cafe within the Walled Garden we are delighted that it has been possible to accommodate the school's expanding car park needs whilst leaving car parking and a vehicle access road to the Walled Garden.</p> <p>We are in agreement with the amended plan but do hope that the eastern-most red line can be moved eastwards along the line of the church wall boundary by approx 6 mts to encompass this small piece of frontage in respect of land for transfer to the Parish Council. This will enable us to fully utilise the maximum car parking potential for the walled garden, sharing a single point of vehicle access with the schools car parking. We have undertaken a site visit with Mark Symonds, conservation officer, to ensure our hopes would be possible with regard to tree TPO's.</p>	
6	20172017	Land Adjacent to 2 Hurn Road, Drayton	<p>Amended plans: The applicant's agent has submitted amended 'Proposed Site Plan' and 'Existing and Proposed Floorplans and Elevations', Dwg No: 01 B. Both plans received 17 January 2018.</p> <p>The plans show the addition of two cycle stands located to the side of the proposed new unit as indicated would be included in paragraph 9.6 of the report. The plans also show all of the openings on the rear elevation of the unit as being obscure glazed. As stated in paragraph 9.8 of the report a condition is also proposed to be added to ensure that these openings shall be permanently formed with obscure glass unless the prior consent of the Local Planning Authority has been obtained.</p>	201- 216