

Planning Committee

Agenda

Date

Wednesday 25 April 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
Mrs L H Hempsall	Mr J M Ward vacancy

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

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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

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

A G E N D A

Page No

- | | | |
|---|--|----------|
| 1 | To receive declarations of interest under Procedural Rule no 8 | |
| 2 | Apologies for absence | |
| 3 | <u>Minutes of meeting held on 28 March 2018</u> | 3 – 40 |
| 4 | Matters arising therefrom (if any) | |
| 5 | Applications for planning permission to be considered by the Committee in the following order: | |
| | <u>Schedule of Applications</u> | 41 – 42 |
| | Planning Applications | 43 – 263 |

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 28 March 2018** at **9.30am** when there were present:

Mr I N Moncur – Chairman

Mr A D Adams
Mr P H Carrick
Mrs L H Hemsall

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

Mr G K Nurden
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:

Minute no: 102 - Mrs Bannock, Mr O'Neill and Mr Ray-Mortlock
Minute no: 105 - Mr O'Neill
Minute no: 106 - Mr Proctor
Minute no: 107 - Mrs Rix
Minute no: 108 - Mr Carrick

Also in attendance were the Head of Planning, Planning Projects & Landscape Manager (for Minute nos: 98 – 101), Area Planning Managers and the Senior Committee Officer. Mr Bizley, Chartered Surveyor, attended for Minute nos: 98 - 101.

98 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mrs Rix	107 (Bure House, The Street, Lamas)	Had openly expressed her views on the application. Spoke as the Ward Member only and did not vote on the application.
Mr Nurden	106 (116 The Street, Brundall)	Brundall Parish Councillor but had not taken any part in the decision making process. Non-disclosable local choice interest.
Mr Carrick	108 (land to the rear of The Cottage, Grange Road, Hainford)	Had openly expressed his views on the application. Spoke as the Ward Member only and did not vote on the application.

99 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Everett, Mr Graham and Miss Lawn.

100 MINUTES

The Minutes of the meeting held on 27 February 2018 were confirmed as a correct record and signed by the Chairman.

101 APPLICATION NUMBER 20170104 – LAND SOUTH OF SALHOUSE ROAD, SPROWSTON

Further to Minute no: 60 of the meeting held on 1 November 2017, the Committee reconsidered the outline application for the erection of up to 380 residential dwellings with new vehicular, cycle and pedestrian access from Salhouse Road and new pedestrian and cycle access from Plumstead Road incorporating an emergency vehicular access; the provision of open space, sustainable urban drainage systems; associated landscaping, infrastructure and earthworks on land south of Salhouse Road, Sprowston.

The application had been deferred on 1 November 2017 as, although agreeing the development to be a sustainable form of development, Members were unable to make a decision without having clarity on the completion of the link road between Salhouse Road and the boundary of the adjoining Council owned site and also details of the buffer between the development and the existing dwellings at Thorpe End.

The Committee noted the content of a letter from CPRE Norfolk attached as an appendix to the Supplementary Schedule. In addition, the Committee received the verbal views of Mr Cawdron of Gt & Lt Plumstead Parish Council and Elliott Barker of 2 South Walk, Thorpe End, both expressing their concerns and Andrew Wilford of Barton Willmore (the agent) at the meeting.

Compliance with Policy GT7 of the GTAAP in relation to connection between Salhouse Road and Plumstead Road

The Committee noted that officer discussions with the promotor had resulted in a positive outcome with the applicant agreeing to show that a road would be taken directly up to the boundary with GT8. Therefore, as the Council owned the site known as GT8, an unencumbered vehicular connection could then be made all the way through from Salhouse Road to Plumstead Road. This would be secured through the S106 Agreement.

Further detail of the buffer between Thorpe End and the proposed development having regard to Policy GT7 and the Gt & Lt Plumstead Neighbourhood Plan

In response to the Committee's concerns, the applicant had provided an amended plan showing the housing removed from the area between Thorpe End and the proposed development. It was considered that this, added to the

proposed recreation space and sustainable drainage pond, would create a significant buffer and accordingly, the policy requirements had been met.

Viability and reduction in affordable housing

The Committee noted that, since it last considered the application in November, the applicant had revisited the viability of the scheme and provided the Council with an updated viability assessment. This new assessment showed that the development was only viable with 10% affordable housing on a 50/50 tenure split between Affordable Rent and Intermediate Tenures. The viability assessment and supporting evidence had been reviewed and considered by an independent viability consultant and he had confirmed that the viability of the scheme was such that this was the highest level of affordable housing that could be achieved. Therefore, reluctantly, the Committee agreed that 10% affordable housing at a 50/50 split was acceptable. It was acknowledged that there was still the possibility that market conditions would improve during the life of the application and therefore, an affordable housing uplift would still be included in the S106 Agreement with a viability appraisal required at the start of each phase of the development (minimum 10%).

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

RESOLVED:

to delegate authority to the Head of Planning to approve application number 20170104 subject to the satisfactory completion of a S106 Legal Agreement and the following conditions:

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

The development hereby permitted must be begun in accordance with the “reserved matters” as approved not later than the expiration of TWO years from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

- (2) Application for the approval of the “reserved matters” for each parcel of land or phase of development shall include plans and descriptions of the:
 - i) details of the layout;
 - ii) scale of each building proposed

- iii) the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction;
- iv) the landscaping of the site.

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

- (3) Prior to the submission of any Reserved Matters applications an Implementation Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority.
- (4) No development shall commence on a phase or parcel until details of the proposed arrangements for future management and maintenance of the proposed streets within that phase or parcel of the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details for that phase or parcel 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).
- (5) Prior to the commencement of each phase or parcel 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 for that phase or parcel:
 - i) Roads, footways, cycleways, foul and on-site water drainage
 - ii) Roads and footway
 - iii) Foul and surface water drainage
 - iv) Visibility splays
 - v) Access arrangements
 - vi) Parking provision in accordance with adopted standard
 - vii) Loading areas
 - viii) Turning areas
 - ix) Driveway length
 - x) Garage sizes
 - xi) Cycle parking
- (6) Development shall not commence on each phase or parcel of development until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period for that phase or parcel has been submitted to and approved in writing by the Local Planning Authority. The scheme for that phase or parcel shall be

implemented throughout the construction period of that phase or parcel of development.

- (7) Prior to the commencement of any works for a phase or parcel a Construction Traffic Management Plan for that phase or parcel shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- (8) For the duration of the construction period for a phase or parcel all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' for that phase or parcel and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.
- (9) No works shall commence on each phase or parcel of the development until the details of wheel cleaning facilities for construction vehicles for that phase or parcel have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (10) For the duration of the construction period for a phase or parcel all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in condition 9.
- (11) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme demonstrating appropriate highway links to adjacent developments to ensure vehicular, pedestrian and cycle permeability have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (12) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on Create Consulting drawing number 00/002 for a 4-arm signalised junction have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (13) Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 12 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

- (14) Prior to the commencement of the construction of the first dwelling on each phase or parcel hereby permitted an Interim Travel Plan for that phase or parcel shall be submitted, approved and signed off by the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with Norfolk County Council document 'Guidance Notes for the Submission of a Travel Plan'.
- (15) No part of the development on each phase or parcel hereby permitted shall be occupied prior to implementation of the Interim Travel Plan referred to in condition 14 for that phase or parcel. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway 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 in consultation with the Highway Authority as part of the annual review.
- (16) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, garage accommodation on the site shall be provided with minimum internal dimensions measuring 3 metres x 7 metres.
- (17) The driveway length in front of the garage(s) shall be at least 6 metres as measured from the garage doors to the highway boundary.
- (18) 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 in consultation with the Highway Authority.
- (19) All footway(s) and cycleway(s) shall be fully surfaced in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority in consultation with the Highway Authority.
- (20) Prior to the commencement of development a detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be implemented as approved.
- (21) Prior to the commencement of development a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall meet the requirements of BS 42020:2013 Biodiversity – Code of

Practice for Planning and Development. The LEMP shall be implemented as approved.

- (22) As part of any reserved matters application, a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the submitted FRA and include:
- I. Further detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the proposed SuDS structures.
 - 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 plus additional storage for a subsequent 1:10 rainfall event. The design should use the lowest infiltration rates and an appropriate freeboard, as standard protection to allow them to contain a subsequent rainfall event that occurs before the first has drained away.
 - 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 and 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 the 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.
 - 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. If the use of infiltration is not possible at these depths, then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to below the existing Greenfield runoff rates in the equivalent 1 in 1 year, 1 in 30 year and 1 in 100 year rainfall events, including climate change as specified in the FRA.
 - VIII. 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.

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.

- (23) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.
- (24) Prior to the commencement of the development, a Materials Management Plan-Minerals (MMP-M) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Mineral Planning Authority:

A Mineral Safeguarding Appraisal will inform a Materials Management Plan-Minerals (MMP-M) in so far as the fact that the site contains a viable mineral resource for prior extraction.

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 testing and assessment.

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

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

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, through the MMP-M. 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.

- (25) Prior to the commencement of any parcel or phase of development a scheme for the provision of fire hydrants as maybe required for said

phase or parcel shall be submitted to and approved in writing by the Local Planning Authority in consultation with Norfolk County Council.

- (26) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development of each phase or parcel. The details as approved shall be completed prior to the first occupation of any part of the development hereby permitted and thereafter shall be maintained.
- (27) A scheme for landscaping and site treatment for each phase or parcel to include grass seeding, planting of new trees and shrubs, specification of materials for fences, walls and hard surfaces, and the proposed maintenance of amenity areas, shall be submitted to and approved prior to the commencement of development of that phase or parcel of development.

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

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

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

- (28) The plans and particulars submitted in accordance with condition 27 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 1.5metres 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.

- (29) Concurrently with the submission of each of the "reserved matters" for a phase or parcel required by Condition 1 above a desk study (A) must be submitted to the Local Planning Authority in line with current good practice guidance. The report must include a conceptual site model and risk assessment to determine whether there is a potentially significant risk of contamination that requires further assessment.

Based on the findings of the desk study a site investigation and detailed risk assessment (B) must be completed to assess the nature and extent of any contamination on the phase or parcel, whether or not it originated on the phase or parcel. The report must include:

- 1) A survey of the extent, scale and nature of contamination
- 2) An assessment of the potential risks to possible receptors identified in the desk study report

The report must also include a revised and updated conceptual site model and risk assessment. There must be an appraisal of the

remedial options, and details of the preferred remedial option(s). This must be conducted in accordance with currently accepted good practice guidance.

- (C) Based on the findings of the site investigation a detailed remediation method statement must be submitted for approval. Remediation must bring the phase or parcel to a condition suitable for the intended use. 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. Remediation work cannot commence until written approval of the proposed scheme is received from the Local planning Authority.
 - (D) Following the completion of the remedial measures identified in the approved remediation method statement a verification report (D) (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.
 - (E) 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 as per Part (B) above, and where remediation is necessary a remediation method statement and post remedial validation testing must be produced and approved in accordance with parts (C) and (D) above.
- (30) Prior to the commencement of development of any parcel or phase of development a geophysical survey of the phase or parcel shall be undertaken in accordance with a recognised methodology and the findings submitted to the Local Planning Authority. Based on the findings of the geophysical survey, a Scope and Programme of Works for appropriate further archaeological site investigations, including inter alia trial trenching, shall be prepared and submitted for written approval by the Local Planning Authority and works carried out in accordance with the approved scope and programme for the relevant phase or parcel.
- (31) No development shall take place on any phase or parcel of development until a Written Scheme of Investigation for a programme of archaeological works for that phase or parcel has been submitted to and approved by the local planning authority in writing. The scheme shall include:
1. An assessment of the significance of heritage assets present

2. The programme and methodology of site investigation and recording
3. The programme for post investigation assessment of recovered material
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

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) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Article 3 of the Town and country Planning (General Development Procedure) Order 1995.
- (3) To ensure an orderly and well designed development in accordance with Policy GT7 of the Growth Triangle Area Action Plan 2016.
- (4) 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 TS3 of the Development Management DPD.
- (5) In the interest of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (6) To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD.
- (7-8) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD.
- (9-10) To prevent extraneous material being deposited on the highway in the interests of maintaining highway safety in accordance with Policy TS3 of the Development Management DPD.

- (11-12) 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.
- (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.
- (14-15) 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 Development Management DPD.
- (16) To minimise the potential for on-street parking and thereby safeguard the interest of safety and convenience of road users in accordance with Policy TS3 of the Development Management DPD.
- (17) To ensure parked vehicles do not overhang the adjoining public highway, thereby adversely affecting highway users Policy TS3 of the Development Management DPD.
- (18) To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway Policy TS3 of the Development Management DPD.
- (19) To ensure satisfactory development of the site Policy TS3 of the Development Management DPD.
- (20) To ensure appropriate ecological mitigation for protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (21) To ensure appropriate ecological mitigation for protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (22) To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local flood risk, 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 To avoid causing future amenity problems.

- (23) To prevent environmental and amenity problems arising from flooding in accordance with National Planning Policy Framework paragraph 103 and 109.
- (24) 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.
- (25) In order to secure a satisfactory form of development in accordance with Policy GC4 of the Development Management DPD 2015.
- (26) To ensure an energy efficient development in accordance with Policy 3 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (amendments adopted 2014).
- (27-28) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policy EN2 of the Development Management DPD 2015.
- (29) To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EN4 of the Development Management DPD 2015.
- (30) To secure appropriate field evaluation and, thereby, mitigation of impact on archaeological and heritage assets in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk.
- (31) To enable the archaeological value of the site to be properly recorded before development commences in accordance with Policy EN2 of the Development Management DPD 2015.

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.

- 2) 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 Applicants' 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.

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. Developers are expected to enter into a Section 106 Agreement to secure the necessary funding before planning permission is granted.

- 3) The applicant is advised that to discharge certain highways conditions 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) The applicant is advised that to discharge condition 4 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.
- 5) The off-site works will be delivered by a Section 278 Agreement and the precise delivery mechanism will be determined as the works are brought forward. The applicant should be aware that there may be additional costs relating to the off-site works which will include a commuted maintenance amount as well as various fees including administration and supervision. The completed works will be subject to a Safety Audit and additional works may be required.
- 6) Please be aware it is the applicant's responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary

may not match the applicant's title plan. Please contact the highway research team at highway.boundaries@norfolk.gov.uk for further details.

- 7) 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 https://www.broadland.gov.uk/info/200153/planning_permission/277/community_infrastructure_levy_cil
- 8) 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.
- 9) This development has been considered through full accordance with Environmental Impact Assessment Regulations 1999 and subsequent amendments.

102 APPLICATION NUMBER 20161066 – LAND ADJACENT HALL LANE / SCHOOL ROAD, DRAYTON

The Committee considered an outline application for the development of up to 250 homes, allotments, access, public open space and associated infrastructure on land adjacent to Hall Lane / School Road, Drayton. At its meeting on 14 September 2016 (Minute no: 50 referred), the Committee had delegated authority to the Head of Planning to approve the application subject to a Section 106 Agreement and conditions. In addition, on 9 August 2017, the Committee had approved a revision to the affordable housing clause of the Section 106 Agreement to allow for a lower percentage of affordable housing to be provided in the event that a future development could demonstrate via a viability assessment that 33% could not be viably delivered (Minute no: 28 referred). However, the details of the S106 Agreement were still being negotiated and to date, the Agreement remained unsigned.

The Committee noted that, on 14 March 2018, the Greater Norwich Growth Board published the Joint Core Strategy draft annual monitoring report, a key element of which was the Central Norfolk Strategic Housing Market Assessment (SHMA), published in June 2017. This identified that, for the Norwich Policy Area, there was an 8.08 year housing land supply. The SHMA was a material consideration in the determination of planning applications – now that there was an abundant housing land supply this should be given weight in the decision making processes. Accordingly, it was necessary for the Planning Committee to reconsider those applications in the NPA which it had previously resolved to approve but no decision had been issued, making

an assessment of the benefits of the scheme and any harm which would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role).

The Committee noted additional comments from Drayton Parish Council; the occupiers of 14 Manor Farm Close, Old Hall Farmhouse, 4 Manor Farm Close, Brickyard Farm, Hall Lane and a resident from Carter Road (all in Drayton), together with the officer's response, all as reported in the Supplementary Schedule and a further letter of objection received from a neighbour to the site reported at the meeting. The Area Planning Manager also reported that the Parish Council had subsequently withdrawn its request for the Council to defer consideration of the application. In addition, the Committee received the verbal views of Jonathan Hall, Clerk to Drayton Parish Council and Michael Carpenter of Code Development Planners Ltd (the agent) at the meeting. Mr Ray-Mortlock and Mrs Bannock spoke against the application requesting the Committee to refuse it and Mr O'Neill expressed his concerns on the application, in particular the additional 50 dwellings which were being proposed.

Economic Role

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

Social Role

It was noted that the development proposed delivery of 83 affordable housing units with a tenure mix and house size in accordance with the Council's Housing Enabler's requirements. In addition, an area of children's play space would be provided, together with allotments on-site; a significant network of footpaths / cycleways; a commuted sum for improvements to public transport in the area and a further commuted sum towards traffic calming measures in the Carter Road / George Drive area of Drayton and land to be set aside for the expansion of the doctors' surgery. Furthermore, the development would be liable for CIL with a commuted payment to the Parish Council for them to improve and maintain a wide range of recreational facilities in the parish. Accordingly, the Committee considered that the proposals met the social dimension to sustainable development as outlined in the NPPF.

Environmental Role

The Committee noted that the only issue in this respect were the proposals

for surface water drainage including the on-site provision of a large attenuation lagoon to take account of the proposed new development and also to improve the existing situation by diverting the overland flows which would have crossed the site and direct them to the lagoon. This would provide betterment in terms of surface water drainage in the area. It was acknowledged that this matter was covered in detail by the proposed conditions. Accordingly, it was considered the proposals reflected the environmental dimension to sustainable development in accordance with the NPPF.

In conclusion it was considered that there were limited adverse impacts associated with the development and there were clear and significant economic, social and environmental benefits and therefore, the resolution of Planning Committee of 14 September 2016 should be maintained. Accordingly, it was

RESOLVED:

to agreed that officers continue to negotiate the S106 as per the agreed Heads of Terms to allow it to be completed and the outline application be approved as agreed by Planning Committee on 14 September 2016 with the addition of the conditions requested by Norwich Airport in respect of the attenuation lagoon (as detailed in the Minutes of the meetings held on 14 September 2016 and 9 August 2017).

The Committee adjourned at 11:20am and reconvened at 11:35am when all of the Members listed above were present.

103 APPLICATION NUMBER 20170196 – FORMER DAVID RICE HOSPITAL, DRAYTON HIGH ROAD, DRAYTON

The Committee considered an outline application for the erection of 29 dwellings (including 10 affordable) and associated access at the former David Rice Hospital, Drayton High Road, Drayton. At its meeting on 4 October 2017 (Minute no: 48 referred), the Committee had delegated authority to the Head of Planning to approve the application subject to a Section 106 Agreement and conditions. However, the details of the S106 Agreement were still being negotiated and to date, the Agreement remained unsigned.

The Committee noted that, on 14 March 2018, the Greater Norwich Growth Board published the Joint Core Strategy draft annual monitoring report, a key element of which was the Central Norfolk Strategic Housing Market Assessment (SHMA), published in June 2017. This identified that, for the Norwich Policy Area, there was an 8.08 year housing land supply. The SHMA was a material consideration in the determination of planning applications –

now that there was an abundant housing land supply this should be given weight in the decision making processes. Accordingly, it was necessary for the Planning Committee to reconsider those applications in the NPA which it had previously resolved to approve but no decision had been issued, making an assessment of the benefits of the scheme and any harm which would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role).

The Committee received the additional summarised comments received from the occupiers of 1 Hurn Road, 5 Delane Road, a resident of Drayton and 10 Isbets Dale, Taverham, all as reported in the Supplementary Schedule. In addition, the Committee received the comments of the occupiers of 151 Drayton High Road and 12 Harlington Avenue (who were unable to attend in person) as read out by the Area Planning Manager and the verbal views of Less Brown (the agent) at the meeting.

Economic Role

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

Social Role

It was noted that the development proposed delivery of 10 affordable housing units which was marginally above the policy requirement and included a tenure mix and house size in accordance with the Council's Housing Enabler's requirements. In addition, the development proposed a significant area of publicly accessible open space associated with the development and the wider green infrastructure linkages to the surrounding area, together with the location of the site next to a main bus route to and from Norwich in a location close to the existing facilities and amenities of Drayton, were considered to support the health, social and well-being of residents and met the social dimension to sustainable development. Furthermore, the development would be liable for CIL with a commuted payment to the Parish Council for them to improve and maintain a wide range of recreational facilities in the parish. Accordingly, the Committee considered that the proposals met the social dimension to sustainable development as outlined in the NPPF.

Environmental Role

The Committee noted that the development included detailed requirements

for landscape and ecological enhancements so the biodiversity interests of the site would be carefully considered and protected and low carbon technologies would be utilised as part of the development. Accordingly, it was considered the proposals reflected the environmental dimension to sustainable development in accordance with the NPPF.

In conclusion it was considered that there were limited adverse impacts associated with the development and there were clear and significant economic, social and environmental benefits and therefore, the resolution of Planning Committee of 4 October 2017 should be maintained. Accordingly, it was

RESOLVED:

to agree that officers complete the S106 Agreement as per the agreed Heads of Term to allow the outline application to be approved as per the conditions agreed by Planning Committee on 4 October 2017.

104 APPLICATION NUMBER 20171008 – LAND AT LITTLE PLUMSTEAD HOSPITAL, HOSPITAL ROAD, LITTLE PLUMSTEAD

The Committee considered an outline application for the erection of 20 two-storey dwellings; expansion of car parking for school and car parking and access road to walled garden on land at Lt Plumstead Hospital West, Hospital Road, Lt Plumstead. At its meeting on 31 January 2018 (Minute no: 89 referred), the Committee had delegated authority to the Head of Planning to approve the application subject to the satisfactory resolution of surface water drainage and completion of a Section 106 Agreement and subject to conditions. However, the details of the S106 Agreement were still being negotiated and to date, the Agreement remained unsigned. In presenting the application, the Area Planning Manager advised the Committee that the S106 Agreement would not need to include reference to library contributions as these would be covered by the required CIL payments.

The Committee noted that, on 14 March 2018, the Greater Norwich Growth Board published the Joint Core Strategy draft annual monitoring report, a key element of which was the Central Norfolk Strategic Housing Market Assessment (SHMA), published in June 2017. This identified that, for the Norwich Policy Area, there was an 8.08 year housing land supply. The SHMA was a material consideration in the determination of planning applications – now that there was an abundant housing land supply this should be given weight in the decision making processes. Accordingly, it was necessary for the Planning Committee to reconsider those applications in the NPA which it had previously resolved to approve but no decision had been issued, making an assessment of the benefits of the scheme and any harm which would be caused in the context of the relevant development plan policies and the

NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role).

Economic Role

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

Social Role

It was noted that the provision of the land and serviced road for the walled garden was not a requirement of the S106 Agreement but the applicant had responded positively to the Parish Council's request and was willing to provide. However, the cost of this provision would be met by a reduction in the affordable housing provision (from 6 down to 4 units). Members considered that, whilst the reduction was regrettable, the community benefit which would be derived from this off-setting was a significant material consideration. Furthermore, the development would be liable for CIL and it was considered there were significant material considerations relating to the proposed expansion of the primary school and bringing forward of the early transfer of the walled garden, as well as provision of related infrastructure, all of which was not provided for as part of the existing obligations of development on this site. Accordingly, the Committee considered that the proposals met the social dimension to sustainable development as outlined in the NPPF.

Environmental Role

The Committee noted that no harms were identified which could not be mitigated through condition and accordingly, it was considered the proposals reflected the environmental dimension to sustainable development in accordance with the NPPF.

In conclusion it was considered that there were limited adverse impacts associated with the development and there were clear and significant economic, social and environmental benefits and therefore, the resolution of Planning Committee of 31 January 2018 should be maintained. Accordingly, it was

RESOLVED:

to agree that officers continue to negotiate the S106 as per the agreed Heads

of Term to allow it to be completed and application number 20171008 be approved as per the conditions agreed by the Planning Committee on 31 January 2018.

105 APPLICATION NUMBER 20172032– LAND AT DAWSONS LAND, BLOFIELD

The Committee considered an outline application for the erection of eight dwellings on land at Dawsons Lane in Blofield. At its meeting on 31 January 2018 (Minute no: 88 referred), the Committee had delegated authority to the Head of Planning to approve the application subject to a Section 106 Agreement and conditions. However, to date, the Agreement remained incomplete and unsigned.

The Committee noted that, on 14 March 2018, the Greater Norwich Growth Board published the Joint Core Strategy draft annual monitoring report, a key element of which was the Central Norfolk Strategic Housing Market Assessment (SHMA), published in June 2017. This identified that, for the Norwich Policy Area, there was an 8.08 year housing land supply. The SHMA was a material consideration in the determination of planning applications – now that there was an abundant housing land supply this should be given weight in the decision making processes. Accordingly, it was necessary for the Planning Committee to reconsider those applications in the NPA which it had previously resolved to approve but no decision had been issued, making an assessment of the benefits of the scheme and any harm which would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role).

The Committee received the additional comments of a neighbour as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Rob Christie of Blofield Parish Council and Mary Moxon of 74 Blofield Corner Road both objecting to the application and Jane Crichton on behalf of the agent, at the meeting. Mr O'Neill expressed his concerns on the application.

Economic Role

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

Social Role

It was noted that the development did not propose the delivery of any affordable housing. Accordingly, the Committee considered that the proposals did not meet the social dimension to sustainable development as outlined in the NPPF. The provision of the public footpath to connect with the existing footway infrastructure, together with the CIL contributions for formal and informal recreation, were not considered sufficient to outweigh the harm associated with the proposed development.

Environmental Role

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

In conclusion it was considered that the adverse impacts associated with the development did not outweigh the economic, social and environmental benefits and the limited increase in housing delivery. Therefore, it represented an unsustainable form of development. Accordingly, notwithstanding the officer recommendation it was

RESOLVED:

to refuse application number 20172032 for the following reasons:

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

Also material is the National Planning Policy Framework (NPPF); the National Planning Practice Guidance (NPPG); and the Landscape Character Assessment SPD adopted 2013.

The policies particularly relevant to the determination of this application are; 1, 2, 4, 15 and 21 of the JCS; policies GC1, GC2, GC4 and EN2 of the DMDPD; and policies HOU1, HOU4 and ENV2 of the BPNP.

The proposal represents development outside of a defined settlement limit and the site has not been allocated for housing. The proposal would significantly impact and encroach on the open rural landscape characteristic of this site and its contribution to the wider area insofar as it would extend beyond the contained linear development that forms the transition between existing housing and the surrounding agricultural land as identified by the Landscape Character Assessment 2013.

In addition, the backland form of development served by an unmade track is out of character with the prevailing pattern of development in this location. It would set a precedent for further unacceptable development in this area and it would erode the quality of place.

The proposal would be contrary to Policies 1, 2 and 15 of the JCS; policies GC2, GC4 and EN2 of the DMDPD; policies HOU4 and ENV2 of the BPNP; and the Landscape Character Assessment (2013).

The proposed development does not represent a sustainable development, having regard to the three tests (social, economic and environmental) set out in the NPPF, by virtue of the environmental harm to the open character of the landscape setting of the village and wider rural landscape. This harm is not outweighed by the modest short-term economic benefit the proposal may bring, especially with the diminished weight that can be applied to the benefits of housing delivery in the context of the Strategic Housing Market Assessment which was revised in 2017. Accordingly the benefits of the scheme are not considered to be an overriding factor which justifies an approval under Policy GC1 of the DMDPD, HOU 1 of the BPNP and Policy 21 of the JCS. For this reason, the scheme is also contrary to Policies GC1 of the DMDPD, Policy HOU1 of the BPNP and Policy 21 of the JCS.

106 APPLICATION NUMBER 20172094 – 116 THE STREET, BRUNDALL

The Committee considered an application for the change of use from an existing optician shop (A1) to a pizza takeaway (A5) and external flue to rear at 116 The Street, Brundall. The proposed opening hours were 1100 to 2100, 7 days a week.

The application was reported to committee at the request of one of the Ward Members in view of the officer recommendation.

The Committee received the verbal views of Tony Tuddenham of Divine Hair Salon on The Street in Brundall and the occupier of flat 2, no: 116 The Street (as read out by the Area Planning Manager) objecting to the application and Mrs Bilgi from ADA Group (the agent) at the meeting. Mr Proctor expressed his concerns on the application.

It was noted that the existing building was divided into two retail units on the

ground floor (the unoccupied opticians and a hairdressers) and three residential flats on the first floor. Whilst there were existing takeaway restaurants in Brundall, some of which were close to residential properties, these were within small commercial areas.

Contrary to the officer opinion, Members considered that the proposal would be detrimental to the character of the area and result in harm to the amenities of properties in the immediate locality through noise and general disturbance associated with customer movements to and fro the site and that of any related deliveries as well as odour nuisance associated with cooking processes.

Therefore, notwithstanding the officer recommendation, it was

RESOLVED:

to refuse application number 20172094 for the following reasons:

The application has been considered against the Development Plan for the area, this being the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk adopted 2011, amendments adopted 2014 and the Development Management DPD adopted 2015. The Policies particularly relevant to the determination of this application are GC4 - Design and EN4 – Pollution of the Development Management DPD 2015. The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) are also material considerations.

In the opinion of the Local Planning Authority the activities associated with the proposed pizza takeaway would be prejudicial to the living conditions of nearby residents and the operating conditions of the adjoining hair salon, by virtue of noise, odour and disturbance caused by the activity and cooking methods on the premises and customers and their vehicles visiting the premises during opening hours. It is considered that the impact of the pizza takeaway cannot be adequately mitigated by the use of planning conditions.

The character of the area in the vicinity of the application site is primarily residential with some shops and as such into the evening there is little activity which would harm the amenities of existing properties near to and adjoining the proposed takeaway. Against this background to introduce an activity which would be damaging to the living conditions of nearby residents and operating conditions of the adjoining retail use would be inconsistent with the particular function of this area and therefore detrimental to its environment and character.

Overall the proposal represents an unacceptable form of development which does not accord with Policies GC4 (criterion i and iv) and EN4 of the Development Management DPD 2015.

The Committee adjourned at 1:25pm and reconvened at 1:35pm when all of the Members listed above were present for the remainder of the meeting with the exception of Mr Knowles.

107 APPLICATION NUMBER 20180022 – BURE HOUSE, THE STREET, LAMAS

The Committee considered an application for the erection of a two storey dwelling and garage within the garden of the existing dwelling house Bure House, The Street, Lamas. Both the proposed and existing dwellings would be accessed via a new vehicular access onto The Street, with the existing access to Bure House permanently stopped up. Approximately 16 metres of the historic boundary wall fronting The Street would have to be demolished and rebuilt set back from the road edge to provide the new access point.

The application was reported to committee at the request of the Ward Member in view of the officer recommendation.

The Committee noted the content of a letter from the agent, together with the officer comments, as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Martin Graver of Bure Cottage, The Street, Lamas and Tim Curtis of Lamas Manor both objecting to the application, at the meeting. Mrs Rix spoke in favour of the application.

The site was located outside of the settlement limit where development proposals would not normally be permitted unless they accorded with another policy of the development plan. It was considered that development on the application site would simply extend development into the open countryside, a considerable distance from the services provided in the central part of the village. Accordingly, the principle of development was considered to be contrary to the DM DPD and JCS.

Members also had regard to the relevant paragraphs of the NPPF relating to housing supply. It was noted that the rural part of the district, in which Buxton was situated, the housing land supply was 14.94 years against the Strategic Housing Market Assessment of the Objectively Assessed Need for housing in the recently published JCS Draft Annual Monitoring Report. Therefore, in accordance with Paragraph 49 of the NPPF the development plan could be considered up to date insofar as it dealt with housing supply. Therefore, the Committee gave full weight to development plan policies GC1 and GC2 which sought to resist development in this location.

The historic character of the immediate area was considered to be important, with several heritage assets in the vicinity, such as the Grade II listed cottages to the south, a crinkly wall to the north, a war memorial to the east and Lammas Manor and Lammas Hall beyond. Immediately to the north was the Grade II* listed St Andrew's Church.

Members noted that regard must also be had to the Planning (Listed Buildings and Conservation Areas) Act 1990, in particular Section 66. It was considered that the proposed building, at nearly 8m in height to the ridge and with the main two storey element being nearly 17m in length, would make it appear very dominant, intruding upon the sense of rural isolation which dominated the setting of the church at present. A substantial amount of the dwelling would be visible from both the church and churchyard. The Committee concurred with the view of the Historic Environment Officer that, due to the scale, massing and positioning of the new dwelling, it would not preserve the setting of the church and would cause less than substantial harm to its significance. Although the proposal would provide some public benefits through the creation of a dwelling, these would be substantially and decisively outweighed by the weight to be attributed to Section 66 of the afore-mentioned Act and by the adverse effects of the development.

In terms of the historic wall, it was considered that the demolition of a large section and rebuilding it on a new alignment would cause harm to the character of the area.

The Committee considered that the erection of a two storey dwelling of the proposed form, design and scale, coupled with the removal of the historic boundary wall, would result in an inappropriate and unsympathetically designed dwelling and ultimately an incongruous and unwarranted intrusion into a rural setting. Furthermore, the proposal would not enhance the existing form and character.

In terms of residential amenity, it was considered that the proposal would not impact significantly upon neighbour amenity in terms of loss of light, privacy or overlooking due to the location of the site, proposed separation distances and existing / proposed boundary treatments.

Finally, the Committee noted that the proposal was for a self-build plot, which weighed in favour of the proposal, but when all of the benefits of the scheme were combined they were significantly and demonstrably outweighed by the harm to the character and visual amenities of the area, including non-designated and designated heritage assets.

Accordingly, it was

RESOLVED:

to refuse application number 2018002 for the following reasons:

The application site is outside of any defined settlement limit and therefore within the 'rural' part of the district outside the 'Norwich Policy Area' (NPA). The NPA is an area defined in the Joint Core Strategy (JCS) where development is focussed and comprises part of Broadland District, Norwich City and part of South Norfolk District. In planning terms it is treated as a separate entity for the supply of housing, as set out in the JCS. This has been accepted by Local Plan and Appeal Inspectors. For outside the NPA is the 'rural' part of Broadland there is considerably more than a 5 year supply of housing land. Therefore, NPPF paragraph 14 and 49 do not apply in this case.

The application site is outside of any defined settlement limit, with the nearest settlement limit being Buxton which is located 1km to the west. There are no standard everyday service facilities within close proximity to the site, the site is not connected to footway links, and public transport facilities are limited. Therefore the application site is not considered to be in a sustainable location and does not represent a sustainable form of development. The proposed development, if permitted, would therefore be contrary to Paragraph 55 of the National Planning Policy Framework and Policies GC1 and GC2 of the Development Management DPD 2015.

Lamas is a largely linear village, distributed along The Street, a meandering and narrow road that runs to the south of the River Bure. The village is predominantly characterised by small scale cottages in vernacular materials positioned close to or hard up against the road, with some more modern homes at its eastern end. The site in question belongs to one of the larger historic properties and the large garden runs in part down to the river.

The historic character of the immediate area is important and there are several heritage assets in the vicinity, such as the Grade II listed cottages to the south (Sunnyside and Appletree Cottage), a crinkle crankle wall to the north and the war memorial to the east and Lammas Manor and Lammas Hall beyond. Immediately to the north of the site is the Grade II* listed St Andrew's Church. Bure House is considered a locally identified heritage asset and is likely to date from around the early 19th century. Its relationship with the other listed buildings is significant and together they form an important group, shaping the character of the area. The flint and brick wall that forms the southern boundary to the plot and sits on the street frontage is characteristic of the area, with many such walls running along the northern edge of The Street, some of which belong to flint cottages which sit on the road frontage. This wall contributes greatly to the character of the area and demolition of a large section (16m) and rebuilding it set in from the road line would cause harm to the character of the area.

The National Planning Policy Framework (NPPF) makes clear within paragraphs 58, 61, 64 and 131 that new development should respond to local character and history, and reflect the identity of local surroundings. The Local Plan also includes policies GC4 and EN2, which also make clear the importance of the landscape character of an area and green spaces.

The Landscape Character Assessment (SPD) identifies the site in question as on the border of Landscape Character Areas D3: Coltishall and A2: Bure River Valley. The landscape planning guidelines for this area include: “seek to conserve the open, rural character of the area”, “seek to conserve the landscape setting of churches and halls” and “resist new development that would result in the diminution of the sparsely settled nature of the area . . .”

The erection of a two storey dwelling of the proposed form, design and scale on the site, coupled with the removal of 16m of the historic boundary wall, would result in an inappropriate and unsympathetically designed dwelling resulting in an incongruous and unwarranted intrusion into this rural setting. The proposal would not enhance the existing form and character, which is characterised by small scale cottages in vernacular materials with brick and flint boundary walls, some of which belong to the flint cottages which sit on the road frontage. As a result the proposed development would cause significant demonstrable harm to the character and visual amenities of the area. The proposal is therefore contrary to Policies GC4 and EN2 of the Development Management DPD 2015, the Landscape Character Assessment (SPD), and paragraphs 9, 17, 28, 58, 61, 64, and 131 of the NPPF.

Immediately to the north of the site is the Grade II* listed St Andrew’s Church, which is set at a low level, in a scenic position adjacent to the River Bure. It is situated a little away from the main village and it is this sense of relative isolation that contributes to its character and significance. There are glimpsed views of houses to the south and east from the church, beyond the water meadows, but these do not have an ‘active’ visual relationship to the church being some distance away behind trees and are generally of small scale and traditional materials so they do not intrude upon the rural scene or the setting of the building. Likewise from The Street there are currently some views of the church tower, largely enabled by the ‘gap’ in the development provided by the walled garden in question.

The proposal would result in a two storey dwelling with a width of 24m and a ridge height of 7.6m within the walled garden to the east of Bure House, with a substantial amount of the proposal being visible from the Grade II* listed St Andrew’s Church and churchyard. The proposed dwelling would appear very prominent, intruding upon the sense of rural isolation that dominates the setting of the church at present. Harm would thus be caused to the setting of the listed building. Whilst this harm would be less than substantial, it would not be outweighed by the public benefits of the proposal, in relation to the provision of housing. As such the proposal is contrary to S66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990, GC4 and EN2 of the Development Management DPD 2015, and paragraphs 132 and 134 of

the National Planning Policy Framework.

108 APPLICATION NUMBER 20180060 – LAND TO REAR OF THE COTTAGE, GRANGE ROAD, HAINFORD

The Committee considered an outline application for the sub-division of the residential plot and erection of a single detached dwelling at The Cottage, Grange Road, Hainford. All matters were reserved for later approval although indicative details were included for the access which was shown to be from an existing, private shared drive off Grange Road which already served two other residential properties.

The application was reported to committee at the request of the Ward Member in view of the recommendation to refuse by the Highway Authority.

The Committee received the verbal views of David Thorpe, the applicant, at the meeting. Mr Carrick expressed his concerns on the ability to achieve the necessary visibility splay.

The site was located within the settlement limit where the principle of development was considered to be acceptable subject to other considerations. It was noted previous applications had been refused due to concerns relating to highway safety and the Highways Authority was maintaining its objection on the current application. However, since the previous applications improvement works had been carried out to the track visibility and this current application included the result of a traffic speed survey and a topographical survey showing available visibility splays from the track onto Grange Road.

Members acknowledged that the Highways Authority had accepted a relaxation in the set-back (normally 2.4m) based on the site being in a lightly trafficked and slow speed situation area, in accordance with government guidance. This resulted in a 36m visibility splay being required in both directions. The Highways Authority had confirmed that visibility to the north could be achieved and, to the south, a 2m x 30m splay could be achieved based on an acceptance that some encroachment had occurred on the highway verge by a hedge at Pond View Cottage. Account was also taken of the fact that the track which would provide access to the proposed new dwelling already served two other dwellings as well as vehicular access to the application site. Therefore, whilst the visibility onto Grange Road fell below the expected standard to the south, it was not considered that the proposal would warrant refusal on highway safety grounds, given the marginal increase in vehicular movements at that junction as a result of this application. In response to comments, the Head of Planning confirmed that it was the responsibility of the Highway Authority to keep highway verges clear of vegetation and ensure visibility was maintained on land within its control.

Although details of the size, scale and design of the dwelling were all unknown at this stage, it was not considered that the principle of the dwelling on this site would result in any detrimental impact upon neighbour amenity. Furthermore, it was not considered that the erection of a single dwelling in this location would be at odds with the prevailing character of the area. The proposed dwelling was unlikely to be clearly visible from the street scene and overall, the proposal would not cause significant harm to the general character and appearance of the area.

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

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

RESOLVED:

to approve application number 20180060 subject to the following conditions:

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

The development hereby permitted must be begun in accordance with the “reserved matters” as approved not later than the expiration of TWO years from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

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

Approval of these “reserved matters” must be obtained from the local planning authority in writing before any development is commenced

and the development shall be carried out in accordance with the details as approved.

- (3) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (4) 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.
- (5) Concurrently with the submission of the reserved matters application an Arboricultural Impact Assessment in line with the British Standard 5837:2012 should be submitted and approved by the Local Planning Authority. This should include, but not be limited to, detail on the installation of the no-dig driveway surface.
- (6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order, revoking, re-enacting or modifying that order), no first floor windows shall be positioned in the south elevation of the dwelling and any roof lights inserted in the south facing elevation shall have a cill height of at least 1.7m above floor level.
- (7) 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 of Schedule 2 of that Order shall be carried out without the prior consent of the Local Planning Authority.

Reasons:

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

- (3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (4) In the interests of highway safety and to ensure adequate parking provision in accordance with policies TS3 and TS4 of the Development Management DPD 2015.
- (5) 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.
- (6) To prevent overlooking to the detriment of the amenities of the adjacent properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (7) To ensure the satisfactory development of the site and to prevent any detrimental impact upon the amenity of adjacent residential 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
- (3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated 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

109 APPLICATION NUMBER 20180117 – THE OLD POST OFFICE, ACLE ROAD, MOULTON ST MARY

The Committee considered an application for the demolition of the existing vacant building (formerly a Post Office) and construction of a proposed dwelling and garage at The Old Post Office, Acle Road, Moulton St Mary. The site currently benefitted from an extant planning approval for extension and conversion into a dwelling (approved in September 2017).

The application was reported to committee as the officer recommendation to approve was contrary to Policy GC2.

The Committee noted the comments of Beighton Parish Council and the receipt of revised plans in terms of the correct vehicular access inside of the red line, together with an amendment to the recommendation to one of delegated authority, all as reported in the Supplementary Schedule.

The site was located outside of a defined settlement limit and therefore, there was a general presumption against development unless it complied with another allocation and / or policy of the development plan. Members noted that there was an extant consent to convert the building into a dwelling and this was a material consideration. Therefore, the principle of development was considered to be acceptable.

It was noted the current proposal sought to replace the existing approved dwelling with a better designed and more energy efficient family home, located amongst other residential properties. The footprint and position of the new dwelling would be significantly the same as the proposed converted building. Due to the orientation of the building, with habitable room windows facing towards the front and rear at first floor level, it was considered there would be no adverse impact on the existing amenity of neighbours.

Members also took into consideration the fact that the site was currently vacant and in a certain state of disrepair: redeveloping it with a dwelling and garage would arguably enhance its appearance and not cause harm to the character and appearance of the surrounding area.

In conclusion it was considered that the benefits associated with the application justified setting aside Policy GC2 of the DM DPD and planning permission should be granted. Accordingly, it was

RESOLVED:

to delegate authority to the Head of Planning to approve application number 20180117 following the expiry of 21 days from the date of the certificate and subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents:

20180117 Dwg No 7889_01 Rev A Site Location Plan.pdf
20180117 Dwg No 7889_02 Rev A Existing Block Plan.pdf
20180117 Dwg No 7889_03 Rev A Proposed Elevations_Floor & Block Plans.pdf
20180117 Dwg No 7889_04 Rev A Proposed Elevations & Floor Plan of Garage.pdf
20180117 Design & Access Statement.pdf
- (3) Prior to the demolition of the existing building the applicant, or their agents or successors in title, will secure the implementation of a programme of historic building recording which has been submitted by the applicant and approved in writing by the local planning authority.
- (4) The materials to be used in the development shall be in accordance with the details contained within the Agent's email dated 9 March 2018 unless otherwise agreed in writing with the Local Planning authority.
- (5) Prior to the first occupation of the development hereby permitted, the vehicular access shall be provided and therefore 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.
- (6) Vehicular access to and egress from the adjoining highway shall be limited to the access shown on the approved plan only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority concurrently with the bringing into use of the new access.
- (7) Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near

edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

- (8) Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.
- (9) Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking and turning area shall be laid out in accordance with the approved plan and retained thereafter for that specific use.
- (10) Notwithstanding the provisions of Schedule 2 Part 1 and Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no buildings, walls, fences or other structures shall be erected within the site curtilage, nor alterations or extensions be made to the dwelling or garage.
- (11) Prior to the first occupation of the dwelling hereby permitted, the existing mobile home (caravan) shown on Dwg No 7889_02 Existing Block Plan date stamped 19 January 2018 shall be removed from the site and the land restored to its former condition.

Reasons:

- (1) This time limit condition is imposed in accordance 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. (R1)
- (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 the satisfactory recording of the heritage asset in accordance with Paragraph 135 of the NPPF.
- (4) To ensure the satisfactory appearance of the site in accordance with Policy GC4 of the DM DPD.

- (5) To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the carriageway.
- (6-7) In the interests of highway safety.
- (8) To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.
- (9) To ensure the permanent availability of the parking/manoeuvring area in the interests of highway safety.
- (10) To ensure the satisfactory appearance of the dwelling in accordance with Policy GC4 of the Development Management DPD 2015.
- (11) In the interests of visual amenity and to enhance the amenity of the locality in accordance with the criteria specified within Policy GC4 of the Development Management DPD.

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 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.
- (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) In respect of Condition 3 above, a brief for the works can be supplied by NCC Historic Environment Service information@norfolk.gov.uk

- (6) 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 Stephen Coleman on 01603 430596.

If required, street furniture will need to be repositioned at the applicant's own expense. Public utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

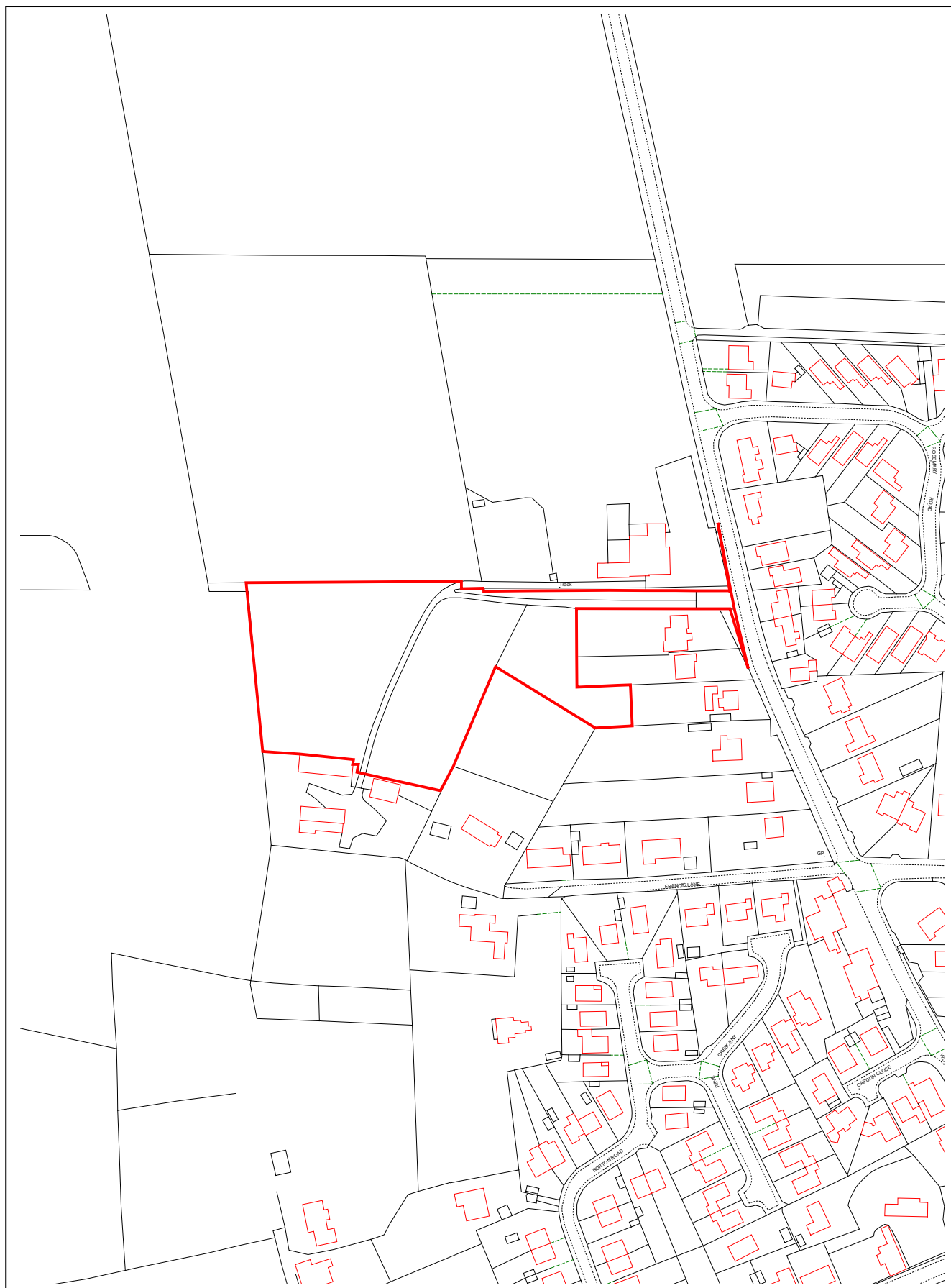
The meeting closed at 2:25pm

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	App'n No	Location	Contact Officer	Officer Recommendation	Page Nos
1	20161588	Land off Woodbastwick Road, Blofield	NH	APPROVE subject to conditions	43 – 82
2	20170764	Equestrian Centre, Land off Lower Street, Salhouse	NH	REFUSE	83 – 131
3	20180224	149 Woodland Road, Hellesdon	CR	APPROVE subject to conditions	132 – 151
4	20180243	76 Gordon Avenue, Thorpe St Andrew	MC	APPROVE subject to conditions	152 – 160
5	20171999	Land off Rosebery Road, Great Plumstead	CR	Delegate authority to the HoP to APPROVE subject to satisfactory completion of a S106 Agreement relating to heads of terms and conditions	161 – 197
6	20172000	Land off Rosebery Road, Great Plumstead	CR	Delegate authority to the HoP to APPROVE subject to dealing with the HSE issues and conditions	198 – 210
7	20180303	1 Hall Cottages, The Street, Halvergate	HB	REFUSE	211 – 222
8	20180073	Site adjacent to 6 Green Lane North, Thorpe St Andrew	HB	APPROVE subject to conditions	223 – 240
9	20180422	Nurse Jenners House, Palmer's Lane, Aylsham	JF	APPROVE subject to conditions	241 – 249
10	20180131	Wood Farm Barn, Brandiston Road, Cawston	CR	APPROVE subject to conditions	250 – 263

HoP = Head of Planning

Key	Contact Officer	Direct Dial No:
NH	Nigel Harriss	01603 430529
CR	Chris Rickman	01603 430548
MC	Martin Clark	01603 430581
HB	Heather Byrne	01603 430628
JF	Julie Fox	01603 430631



Application No: 20161588

Woodbastwick Road, Blofield, NR13 4QH

**Scale:
1:2500**

**Date:
16-Apr-18**



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AREA East

PARISH Blofield

1

APPLICATION NO: [20161588](#) **TG REF:** 632567/311670

LOCATION OF SITE Woodbastwick Road, Blofield, NR13 4QH

DESCRIPTION OF DEVELOPMENT Erection of 4 dwellings and associated works (outline)

APPLICANT Mr Robert Jenkinson, c/o Agent

AGENT David Futter Associates Ltd

Date Received: 16 September 2016
8 Week Expiry Date: 14 November 2016

Reason at Committee: The planning history of the site and given the current position with regard to the 5 year housing land supply

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks outline planning permission including means of access for four dwellings and associated works. Matters of appearance, landscaping, layout are reserved for future consideration. The application is submitted with a Design and Access Statement and Planning Statement, Drainage Strategy Report, Protected Species & Habitat Survey and Arboricultural Impact Assessment dated August 2017 (Amended).
- 1.2 The application proposes a private drive 4.2m wide with a splay arrangement at the junction with Woodbastwick Road. The splay starts 4m back from the channel and widens at the vehicle crossover arrangement to 12.4m wide. The private drive arrangement is proposed (and fewer dwellings as a consequence) as it requires less land for its construction than either a type 3 or type 6 road (see measurements in paragraph 1.4 below).
- 1.3 By way of background, outline planning permission was granted for the demolition of existing buildings and erection of 24 dwellings and associated works under planning reference number [20131655](#). This was a decision made by the Planning Committee and included a Section 106 Legal Agreement relating to matters of affordable housing and both on and off site recreational open space.

- 1.4 Subsequently, an application was made for the variation of conditions 3, 13 and 14 (means of access) of planning permission 20131655 under planning reference number [20151213](#). This proposal sought, essentially to replace the approved Type 3 Access Road with a Type 6 Access Road. The approved road Type 3 is a 7.1m wide kerbed radius access (comprised of 2.8m road, 1.8m footpath and 0.5m service strip) whereas road Type 6 is a 6.3m wide splayed crossover access (comprised of 5.8m access road (shared surface) and 0.5m service strip).
- 1.5 Members resolved that planning permission should be granted subject to the same conditions as those attached to the previous planning permission (20131655). The application to vary conditions 3,13 and 14 of that consent was therefore refused for the following reasons:

The proposal seeks, essentially, to replace the approved Type 3 Access Road with a Type 6 Access Road (conditions 3 and 14) and to remove condition 13 which is a pre-commencement condition that requires it to be demonstrated to the satisfaction of the Local Planning Authority that the approved Type 3 Access Road can be constructed on land either within the control of the developer or which is currently public highway.

The site lies in close proximity to other accesses (a residential dwelling known as Treetops and Heathlands Community Centre) and adjoins the adopted C441 Woodbastwick Road.

It is considered that a Type 6 Access Road (shared surface residential road with lowered footpath cross over) in this location is likely to result in vehicle and pedestrian conflict thereby creating a situation detrimental to the safety of all users of the existing and proposed highways.

With the close proximity of the Heathlands Community Centre and the associated pedestrian movements that will occur with people of all ages accessing the Community Centre and its associated outdoor recreational facilities, it is considered essential in order to achieve a safe access to the site that vehicular and pedestrian priorities are clearly defined. The Type 6 Access Road junction arrangement does not provide sufficient delineation, especially when located immediately adjacent to the Community Centre access. A more traditional Type 3 Access Road would provide clear delineation and would give a clear message to vehicles and pedestrians on priorities.

It is a concern that vehicular speeds have been shown to be generally between 10 to 25% faster than the speed limit through the 30 mph village at this point. The proposed Type 6 Access Road with a vehicle cross over arrangement is likely to result in vehicle movements into the site being slowed down as they cross the lowered footpath arrangement thereby causing disruption to vehicular traffic on Woodbastwick Road.

The Grampian Condition 13 is considered reasonable and necessary in order to ensure that the approved Type 3 Access Road (including visibility splays) can be delivered in the interests of highway safety and traffic movement. The Local Planning Authority is satisfied that the requirements of this are fundamental to the development permitted as otherwise it would have been necessary to refuse the outline planning permission on the basis that a safe and suitable means of access could not be delivered.

In summary, the proposed development is considered to be contrary to Policies GC4 and TS3 of the Development Management DPD 2015 and paragraph 32 of the NPPF.

- 1.6 The applicant subsequently made an appeal against the refusal to grant planning permission for the development of land without complying with conditions subject to which the previous planning permission was granted. The Planning Inspector in his [decision letter](#) summarised the main issue as being ‘*whether the proposal would provide a suitable and safe access to serve the permitted residential development*’.

The plans referred to in condition 14 showed a ‘Type 3’ access road (the approved access), which would be a traditional kerbed radius access road with a dedicated footway. Those plans are also amongst those listed in the permission for the purposes of condition 3, and it follows that the two conditions have effect to require the Type 3 access road to be provided.

The applicant sought to substitute a ‘Type 6’ access road which would have been slightly narrower and be provided with a shared surface and a lowered footway crossover. The Council considered the revised access would be unacceptably less satisfactory than the approved access; this was disputed by the applicant.

The appellant also sought to delete condition 13 which required demonstration, before development begins, that the approved access can be constructed on land which is either in the control of the developer or within the highway. In refusing the application, the Council considered that this condition was reasonable and necessary to secure that the approved access road could be delivered. Whilst commenting that the terms of the condition was unusually prescriptive and did not clearly encompass some possible means by which the applicant might be enabled to provide the access, for example through a specific permission granted by the landowner, the Inspector concluded that ‘*in the circumstances of the appeal site, where the provision of a suitably upgraded access is fundamental to the acceptability of the development, it is obviously important to establish not only the satisfactory functioning of any proposed upgraded access, but also its deliverability.*’ The appeal was dismissed.

- 1.7 Given the time that has passed since the original grant of outline planning permission 20131655 and that no subsequent Reserved Matters application was submitted within the specified two year period from the date of decision (by 31 December 2016), the outline planning permission has subsequently lapsed and therefore there is no current planning permission on the land for residential development.
- 1.8 The delay in bringing this current outline application for four dwellings to Members for consideration is that the Council instructed a highways consultant to undertake an assessment of the proposal in light of representations made to the Council as to the suitability and deliverability of the means of access. The consultant's latest report dated 28 February 2018 can be viewed [here](#).

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the adopted local plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance.
- Whether there are material considerations sufficient to outweigh the presumption of determining the application in accordance with the provisions of the development plan including the position with regard to 5 year housing land supply.
- Whether the application as submitted adequately demonstrates that the proposed development will not result in a detrimental impact upon highway safety; flood risk; the character and appearance of the surrounding area; biodiversity, landscaping and the residential amenity of neighbouring properties.
- The planning history of the site.
- Whether the applicant has satisfactorily demonstrated that the land required to deliver the proposed access would encroach on Heathlands Social Club's land.

3 CONSULTATIONS

3.1 Blofield Parish Council:

Comments received 24 May 2017:

- Concerns around satisfying the Grampian condition as mentioned in the NP law letter which have not been satisfied in this revised access application.
- A Type 3 road has previously been granted but this has now lapsed. A Type 6 Road has already been refused by Broadland District Council.
- It appears the same drawings have been submitted as last year with no changes.
- The Planning Inspectorate supported Heathlands Management Committee regarding access and rejected the previous planning appeal.
- The Parish Council fully supports Heathlands Management Committee and object to this planning application.

Further comments received 13 October 2017:

The access to the drive from Woodbastwick Road must comply with Condition 13 of the attached recent appeal decision by the Planning Inspectorate. The Heathlands Management Committee has provided evidence of their southern boundary and the access must not impinge on their boundary.

If permitted there are the following concerns:

- Concerns with speeding traffic along Woodbastwick Road, therefore would welcome some traffic calming measures implemented at that end of Blofield Heath (possibly crossing table or similar to be clarified with Blofield Parish Council).

Neighbourhood Plan policies that need to be considered include:

- ENV7 – Approaches to Blofield and Blofield Heath – could we expect some sort of enhancement to Blofield Heath at this end of the village.
- Conditions should be applied to ensure hand tools used to start to dig out the driveway – to ensure current tree roots are protected for T43, T44, T41, T42.
- Conditions to ensure only the trees/shrubs mentioned to be felled are felled.
- TRA3 – Walking and Cycling – Would welcome an addition of crossing points to enable safe access to the Primary School on Mill Road. As the Heathlands Community Centre car park is used as a drop-off and pick-up

point by parents of children attending Hemblington School the additional junction and turning traffic will add to the difficulties of crossing Woodbastwick Road at the morning and afternoon peak traffic times. Could the development provide a crossing point to enable safe access to the Primary School on Mill Road.

Further comments received 8 November 2017:

- Contradictory evidence about the highway width which plays a crucial part in determination of the visibility splay with / without Heathlands land being required.
- A type 6 road was previously refused so why should it be granted now and the applicant has allowed the permission previously granted for a type 3 to lapse. As a type 6 has been previously refused then this application for a type 6 ought to be refused too.

Final comments received 29 March 2018:

Blofield Parish Council has now had an opportunity to consider the above planning application and wishes to strongly object to the proposals contained therein based on the following comments:

As the District Council can now show that there is a 5+ year land supply this means that the local planning policies are no longer out of date so due regard should be given to the allocation of houses to the parish of Blofield. The Joint Core Strategy planned for “50 or a few more houses” in Blofield and “25 or a few more houses” in Blofield Heath, totalling about 100 in the parish.

Planning consents for developments are about 250 approved in full and built / on-site and over 200 with outline consent. So in volume terms the parish has seen severe over-development; Broadland's plan wanted a much smaller total and the Planning Inspector who allowed the first appeal in respect of a large development in the parish said that by permitting 175 houses he was setting the limit of development for the foreseeable future. Later appeals in respect of other sites however were successful, on the basis that the absence of a 5-year land supply meant that the local plans were out of date and gave consents on NPPF first principles. But with a 5-year land supply that rationale disappears and the local planning policies should be respected. This is an outline application and the committee should put an end to it now by refusing it on the basis that it is not in accordance with the local plan and the allocation model.

As custodian trustees to Heathlands the Parish Council also fully supports the comments and objections raised by Heathlands Management Committee.

The Highway's Consultants observations are in the context of a private drive serving 4 houses eg paragraphs 4.24 and 4.25. If the Broadland Planning Committee accepts the access proposal it should be made clear that it does so for 4 houses only – and with the conditions that Create mention. The proposed private drive would be unsuitable for a larger development, see comments at 4.25, and the previous objections raised.

3.2 Broadland District Council Pollution Officer:

Following the receipt of a sensitive end use contamination questionnaire comments that based on the information provided he can see no reason to require any further assessment.

3.3 Broadland District Council Conservation (Arboriculture and Landscape):

Following receipt of a revised Arboricultural Impact Assessment dated August 2017, no objections are raised. Conditions that the development is carried out in accordance with the submitted Arboricultural Impact Assessment by Robert Thackray Ltd dated August 2017 and that prior to the commencement of development a landscaping scheme is submitted to and approved in writing by the Local Planning Authority.

3.4 Norfolk County Council Highway Authority:

No objections subject to conditions.

In relation to amended plans:

I note the amended plans remove an area of land from the access point to the highway whose ownership is contended and this results in the access point to the highway being marginally narrower (0.6 m) than originally suggested.

As with my earlier response of the 27 September 2016, I do not consider that any highway objection could be sustained to this proposal. Conditions should be as requested in my earlier response with the approved drawing number altered to reflect the amended details.

3.5 Sport England:

Sport England – Non Statutory Role and Policy

The Government, within the Planning Practice Guidance (Open space, Sports and Recreation Section) advises Local Planning Authorities to consult Sport England on a wide range of applications.

This application falls outside the scope of the above guidance, but it relates to development that could impact on an adjoining sports facility, therefore Sport England have been consulted on this application.

The Proposal and Assessment against Sport England's Objectives and the NPPF

The proposal relates to the construction of four dwellings, including means of access, on land to the south of the existing recreation ground in Blofield. This recreation ground provides outdoor sports pitches, a bowling green and community centre for the local community. The new housing itself does not impact to any great degree on the use of the adjoining recreation ground. However, I understand that there is a dispute over land ownership relating to the need for a visibility splay to serve the access to the development. I note that the applicant has submitted Certificate A indicating that the applicant owns all the land to which the application relates.

However, I understand that the visibility splay to the north may include land belonging to the adjoining recreation ground and is therefore outside the control of the applicant. Sport England considers that the issue of the ownership of land within the application site should be clarified prior to a decision being made on this application and if it includes land within the ownership of the recreation ground, the appropriate notice should be served and Certificate B signed and included within the application. This requirement is to ensure that the continued operation of the recreation ground is not prejudiced at all by a planning consent which includes land forming part of the recreation ground. I understand this issue was addressed at a recent appeal into an earlier application for residential development on this land.

Conclusion

Whilst Sport England has no objection in principle to this land being developed for residential purposes, we are concerned that there is an outstanding issue with regards to land ownership for the required visibility splay, which may impact on the adjoining access to the recreational ground. Sport England therefore Objects until this issue is satisfactorily resolved, as the proposal could have an adverse impact on the operation of the playing fields/sports facilities adjacent to this site.

Sport England reserves the right to make further comments should additional information or revised plans be submitted in relation to this application.

In relation to amended plans:

In the light of further representations from representatives of the Heathlands Community Centre and playing fields, Sport England would wish to maintain an objection to this application. Should a plan be submitted that satisfies the

representatives of Heathlands with regard to the access/visibility splay issue, we would re-consider our position.

In response to further revised plans:

The proposal relates to the construction of four dwellings, including means of access, on land to the south of the existing recreation ground which provides outdoor sports pitches, a bowling green and community centre for the local community. The new housing itself does not impact to any great degree on the use of the adjoining recreation ground.

Sport England has previously raised concerns regarding this application in that there appeared to be a dispute as to whether the application site, specifically the visibility splay to the site access, included land that was outside the control of the applicant.

Sport England therefore remains of the view that the application should only be approved if the local authority is satisfied that the correct land ownership certificate has been signed with regard to the visibility splay. If the proposal includes land that is outside the control of the applicant, then Certificate B would need to be signed. Sport England would not support any application that prejudiced safe access to and from the adjoining recreation ground, or included land within the visibility splay that is not within the control of the applicant.

3.6 Broadland District Council Environmental Contracts Officer:

The properties appear to be served from the highway, by a private shared driveway, which our crews cannot access. Provisions will therefore need to be made for a communal refuse point, at the entry point from Woodbastwick Road which would need to house 2 x 240 litre bins per household (8 x 240 litre bins in total). As a general rule a communal collection point should not be more than 5 metres from the position where the waste collection vehicle will park to empty the bin, it should also be taken into account that each property may have two bins collected on any given day.

Space for loading around the vehicle must be considered in the design of new developments. A minimum working area of 3.5m in width and 4m in length is the minimum space required where emptying of wheeled bin containers takes place. It is not acceptable for containers to be moved down the side of the vehicle to gain access to the loading area so unbroken on street parking should be avoided.

4 PUBLICITY

4.1 Site Notice: 29 September 2016

Expired: 19 June 2016

4.2 Notice in local newspaper: 4 October 2016

Expired: 25 October 2016

4.3 Neighbour Notification (latest): 12 March 2018

Expired: 4 April 2018

5 REPRESENTATIONS:

5.1 Six representations have been received from Treetops and Wayside Cottage, Woodbastwick Road, 32 Blofield Corner Road, Heath Farm, Francis House, Francis Lane and Bird in Hand, Mill Road, Blofield Heath and a representative acting on behalf of Heathlands Management Committee. A summary of the main issues raised are set out below. The fully detailed comments are available to view on the application file.

5.2 Treetops, Woodbastwick Road:

Highway safety with respect to visibility when accessing and egressing from 'Treetops'.

Further comments received in relation to revised plans:

Highway safety concerns reiterated; not informed of proposals when property was purchased; impacts during construction phase access for large lorries and vans etc; access for bin lorries, emergency vehicles and any other large vehicles.

Further comments in relation to Highway Consultants report:

In reply to the amendments and the proposed housing site off Woodbastwick Road, our thoughts and comments have not changed, and we are even more angry and shocked by the latest plans for this site. It seems even more now that we will be restricted outside our front gates, with a proposed road coming right up to our entrance to get out. We cannot get out of our drive as shown by numerous letters and photographs, without pulling out over to the far hedge. Mr Jenkinson knows this. This new road as it is shown would cut our entry and departure from our property down so much we would NOT be able to get in or out, without causing a vehicle hazard as well as certain danger to us and any traffic or pedestrians using this proposed road. We have stated this for years, yet our concerns seem to be ignored. How are we supposed to even use our entrance at all as well as people visiting our property. It seems

ridiculous to even contemplate how this would work. It seems as though our situation is being ignored, until it comes apparent to the authorities.

On many occasions we have asked for any of the authorities to come round to our house to see the difficulties this new road would cause to us and any other people and cars. And even more so now with where the road is supposed to be constructed.

Our entrance would be right on the road outside our gates and yet we have no visibility to our right or left unless we pull out a half a cars length to be able to see. What a terrible hazard to cars and pedestrians outside our gates. And we would not have the swing round to get out and in with a vehicle at all.

Our concerns are very important and as we stated before on numerous occasions, this road was never there and has only been made into a dirt track through taking trees down, and now it seems it has been proposed to build a proper road there. There isn't enough room for large vehicles, construction vehicles etc and what happens to our entrance when a road is being constructed.

Our concerns also concerns Heathlands Social Club and their entrances etc. The traffic in this area and on the main Woodbastwick Road has increased greatly over the past few years and another road in this area would cause a somewhat more danger to traffic and pedestrians.

These plans have been refused so many times, whether there be 4 houses or 24 the entrance road is the dilemma and this hasn't changed for years whatever road they propose to construct, it would be a disaster and a danger.

5.3 Wayside Cottage, Woodbastwick Road, Blofield Heath:

Lack of adherence to the existing 30 mph speed limit; allowing more traffic entering or leaving this road with such poor visibility is atrocious; the planning permission applied for is not even for all the land the applicant owns; surprised highways would not object.

Further representations in relation to revised plans raising similar issues and further issues eg flooding, lack of pavement and lines on Woodbastwick Road.

5.4 32 Blofield Corner Road:

We are led to believe that the creation of a new, unadopted private drive, as proposed would have implications for the collection of refuse from the residences on said drive; a private drive would again, as with the earlier rejected (at appeal also) for a Type 6 access, would have no clear kerb

delineation between pedestrian and vehicular traffic, to the detriment of safety; such a drive would also have access off and exit onto an already very busy Woodbastwick Road, which in a very short section has the immediately adjacent Heathlands Community Centre, a busy Post Office and General Store, Indian Restaurant, Mill Road junction subject to heavy congested school run traffic and a recently relocated school bus stop.

5.5 Heath Farm, Blofield Heath:

The application appears to be in respect of access only but presumably will lead to further applications for multiple houses. As stated in comments regarding previous applications in respect of this site, I consider access from Woodbastwick Road to be extremely dangerous; impacts on infrastructure eg schools, GP provision and the road network in the parish; this site was not considered a preferred option in your June 2013 Site Allocations and your conclusions included; Highways objected to this site because of the road width and safe access to the site. 'Major highway constraint regarding access and road widths'; Anglian Water indicate that the sewerage network is operating close to capacity and will need upgrading; Heritage and archaeological field assessment may be required to investigate the historic environment record; the application is in contravention of BDC Culture and Leisure Strategy; it will not help make public places such as Heathlands safer (page 2), it will reduce the special character of the area (page 3, more traffic through Blofield Heath (as a result of the large increase in housing in Blofield and Brundall) will reduce or discourage active participation in culture and leisure activities such as part of a lifestyle, eg walking and cycling (page 4).

5.6 Francis House, Francis Lane:

Attention is drawn to the decision to refuse planning application reference number 20130292 as follows:

'It is considered that substantial intensification in the use of an access onto C441 Woodbastwick Road in close proximity to two other accesses would cause undue interference with the safe and free flow of traffic on this important traffic route and create a situation detrimental to the safety of all users of the highway'.

The Head of Planning subsequently reversed his view despite there being no changes or improvements to the junction or to the C441 Woodbastwick Road. Traffic on the 'busy' and 'important route' continues to increase as more developments take place in nearby communities, I therefore still consider that any access at this point will always be dangerous.

Notwithstanding the above, I am aware that the applicant already has planning permission for this site which includes a Class 3 access onto Woodbastwick Road (subject to conditions). I am therefore mystified as to

why an application is now being submitted for a 'private road'. I understand that the applicant proposes to use an existing short asphalt track as his access onto Woodbastwick Road and simply widen the existing lowered kerb where it meets Woodbastwick Road. I further understand that the road leading from that asphalt-access back to his development of four dwellings (indicative only) would be an unadopted private road and thus not served by the bin-collection service? If this arrangement somehow avoids the requirement for visibility splays as set out for Type 3 and for Type 6 junctions then it is potentially very dangerous and this application should be rejected. Furthermore, the use of an existing asphalt patch seems to be a very casual and unsatisfactory arrangement for an access to, what appears to be, some quality properties?

Whilst the application is for access (there is some doubt as to what is actually being applied for), the applicant has submitted a design and access and brief planning statement which, amongst other things, states that the site is one mile from Brundall Station where it is in fact 2.88 miles, he also states that the village is served by a daily bus service which is not correct, both facts no doubt intended to show the development in a favourable light. Both these points have been challenged in written objections to previous applications but the applicant has either not read those objections or chooses to repeat incorrect facts.

The essence of all the applications for this site, and the reason for the imposition of particular conditions has been the visibility splay that is available to the applicant. There are grave doubts that safe visibility is possible using only land controlled by the applicant therefore, if permission is granted for this latest application, then the same conditions that were required for application 20131655 need to be applied for this application.

5.7 Agent for Heathlands Management Committee (HMC):

- Access would not be to NCC Highways standards.
- Access only is for consideration, reference to number of dwellings is therefore irrelevant.
- Proposal is for 'backland development' Policy HOU11 states 'backland development will only be allowed if it is served by a suitably designed access road'.
- Shared drive fails to comply with highways requirements set out in Manual for Streets in terms of visibility.
- Waste collection.

- Application site encroaches onto land owned by Heathlands Social Club.
- As a charity Heathlands Social Club have to raise all our own funds to engage the legal help needed to fight these frequent applications, money which could be better spent to the benefit of the community.

In relation to revised plans:

Reiterating previous concerns raised eg nothing has changed with regard to the northern visibility splay which still encroaches over Heathlands land. And the access is neither designed nor constructed in accordance with NCC highways requirements.

Further comments reiterating similar concerns to those above and objecting to the fact that the applicant has been allowed to submit revised plans and commenting that the applicant already has outline planning consent for a Type 3 access at this location with conditions imposed and that an appeal against these conditions was rejected by the Planning Inspector.

Further comments received 24 October 2017 commenting on Create's Report:

The application, in our opinion, is for 'access only' and the proposed number of dwellings is inconsequential and likely to be misleading; the number of dwellings would be significant when determining the class of road that is required to service those dwellings and there needs to be an awareness that the four dwellings is 'indicative only'.

Concerned that Create Consulting has either not had full access to all the documents pertinent to this site or has failed to note important matters that are in those documents, in summary these relate to the width of highway which it is Heathlands' contention is 10m; Create's reference in their report to an overhead gable, it is suggested evidence is available and that Create has not had sight of this.

Concur with Create's comments with respect to waste collection; Council's Waste Contractors have confirmed that they would not be prepared to use the proposed private drive; private drive conflicts with the Manual for streets page 82, Item 7.2, 13 and 7.2.14 as well as Broadland District Council's Guidance for Open Spaces 2nd edition, April 2016, page 12, item 4.5.

Certificate B required as the applicant does not own all the land necessary for his applicant.

With regard to Create's report comments as follows:

Treetops safe access remains unresolved; applicant cannot achieve the north visibility splay without encroaching onto Heathlands land; repeated failure by the applicant to prove otherwise; the applicant has chosen not to engage with Heathlands on any aspect of this; highway safety compromised.

Create's report has been helpful in establishing some facts, the conclusions drawn by Create are incorrect, based on incomplete information and therefore unreliable.

Further comments as follows:

The owners of Tree Tops have no knowledge of 'extract of replies' sent to their solicitors when they purchased the property in 2001 and have received no response to numerous letters regarding hazards that will be caused inevitably by their gates immediately adjacent to the proposed new private drive.

Highway safety concerns reiterated from previous responses. As yet the developer has provided nothing that would contradict the evidence we have provided.

Further comments in relation to Highway Consultants report dated 28 February 2018:

We have reviewed the above report, which is the third report provided by Create, the first being July 2014 and the second September 2017.

We are surprised at the quality of Create's latest report as, in our opinion, this is the 2017 report with a few additional paragraphs. What is surprising is that Create have also repeated several significant inaccuracies and opinions contained in their 2017 report. We see nothing in this latest report which provides any NEW evidence that challenges the many facts that we have repeatedly laid before you. The latest being our response to Ms Owen, 24/10/2017, which you may like to review again. Create continue to reproduce the irrelevant information on types of surveys, access arrangements, street furniture etc, none of which is backed by any HARD evidence and they (Create) made no mention of the significant increase in development in the area, which is a highly contributing factor.

We therefore highlight the significant issues of Create's 2018 report:

Highway width: Create state in item 4.13 that

"we are not aware of any formal written evidence that NCC have confirmed that the highway boundary opposite the wall of Willover is precisely 10m wide".

HMC reiterate that Create ARE indeed aware of such evidence as they actually included a copy of this email as "Appendix C" in their 2014 report. HMC have subsequently spoken to the Highway Boundaries Officer who has confirmed it is in order for us to confirm same. In our opinion it is therefore wrong of Create to declare, as they do, that they are not aware of any formal written declaration by NCC.

This statement by Create is the crux of where Heathlands east boundary is and as our Consultants, Rossi Long show, on their drawing CL-01 Rev P9 dated Aug.14, that when applying NCC Highways' confirmation of 10.000 width "precisely", it is impossible for the applicant to achieve the north visibility splay without crossing Heathlands land. No other evidence has been put forward to contradict this.

May we draw your attention to the first application, 20130292, where the applicant applied for exactly the same Type 6 access and submitted a Certificate B, evidence of the need for this was passed to you from our Solicitors, Birketts, dated 30 June 2015.

Waste Collection: We are pleased to note that Create agree that the intended access is a PRIVATE DRIVE, hence a Type 6 access. As we have demonstrated previously, no refuse contractor will use this private drive and therefore all waste-collection will have to take place at the junction with Woodbastwick Road, which Create concur Create suggest that the design of a suitable location for the number of waste bins is not insurmountable at this junction. HMC contend that this is both unrealistic and will add to the potential road safety hazard. Unrealistic, firstly because this application is for an "indicative" number of four dwellings which, if approved, will likely be increased to 8 or 12. Hence the need will be to find a location for "16 plus" bins and secondly, because residents will be required to drag their bins an unreasonable distance.

The potential safety hazard that HMC foresees to the impediment to traffic on Woodbastwick Road at this access is unsurmountable. The visibility for traffic entering or exiting this site when the refuse vehicle or school bus is standing at the mouth of the private drive, or on the main road will increase this extremely dangerous situation. This impediment to the flow of traffic along Woodbastwick Road will also occur with any vehicles, either accessing or exiting this access, add to this the busy access to Heathlands & the unresolved access to Tree Tops, we would suggest the possibility of an accident must be up graded to = "Highly Likely".

Access to Tree Tops: Create do make reference to this in 4.25 and state this new private drive should be designed in accordance with NCC's Design Guide. However they fail to mention that this current design is also in conflict with "the Manual for Streets. Again we have pointed out that this private drive totally ignores the Manual for Streets, we refer you to 7.2.13 & 7.2.14. We cannot stress enough how this failure to comply with these sections in the

Manual for Streets can ever be considered as acceptable. We also refer you to NCC "Safe Sustainable developments", 2015. HMC cannot believe that this latest report would turn a "blind eye" to the gates to Tree Tops, its implications to this proposed access is nothing short of scandalous.

Planning History: We trust that you are aware of all the decisions your council has made on the applicant's past applications and that there is no need for HMC to continue re-submitting the past evidence. We would however point out that Create, again in their 2014 report, item 6.4, state –

"On this basis the form of access shown on Dwg. no. 5904/SL/03 Rev C is not suitable in this situation".

May we point out that the drawing referred to above was for a Type 6 access. HMC feel therefore that Create are again demonstrating inconsistencies in their different reports. HMC would like to point out that this applicant WAS granted an approval (20131655), which your Planning Committee only agreed to pass on the understanding that the applicants Type 6 access was altered to a Type 3 access. The main reasons behind this were all related to safety. Not only to traffic, the residents of any new development, but also the adjoining Community Centre with children of all ages, elderly people and a busy car park.

Concluding Comments: HMC are conscious that Create have made no mention of the considerable increase in the volume of traffic generated following the recent large developments in both Blofield and Blofield Heath. Statistics provided by the Parish Council show that this increase is 200% in Blofield Heath and 500% of the JCS allocation across the parish. It is also noted that both NCC Highways and Highways England state that the roundabout at Cucumber Lane is at capacity, hence more vehicle movements through Blofield Heath, along Woodbastwick Road. With this significant increase in traffic on Woodbastwick road it should be questioned as to whether it is even now safe to reduce the width of the road to 6.000, an unsighted "kink" in the road could prove catastrophic.

Create's report makes no mention of the following:-

1. A Type 6 access previously refused as being too dangerous (20130292)
2. A Type 3 access was acceptable by your planning committee (20131655)
3. The applicant has chosen to allow the above approval to lapse
4. The applicant refused to accept a suggested layout (by Cllr O'Neil).
5. The applicant refused any dialog with Heathlands (Cllr Proctor).

6. No solution has been put forward to resolve the access to Tree Tops.
7. This access fails to comply with the M.f. S.
8. This access fails to comply with NCC Safe Sustainable Development.
9. This access fails to comply with BDC BM DPD 2015 Policy TS3.
10. The site is outside the settlement limits.
11. These indicative number of dwellings will definitely not be "affordable".
12. The applicant has had many opportunities to determine this access, yet has chosen to ignore them all.

There have been considerable material changes that have occurred since this application was submitted, relating not just to the volume of traffic and the possible 5 year land supply, all of which now makes Create's 2018 report unsound. HMC therefore ask for this application to be refused.

"In all cases Highway safety should not be prejudiced"

(Quotation - NCC Safe, Sustainable Development. Revised November 2015)

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF):

- 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 and should be read as a whole but paragraphs 7, 8, 14, 17, 49, 50, 55, 56, 60, 109, 118, 120, 186, 187, 203, 204 and 205 are particularly relevant to the determination of this application.

National Planning Practice Guidance (NPPG):

- 6.2 Paragraph 031 Reference ID:23b-031-20161116 states there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the

Court of Appeal dated 13 May 2016 which give legal effect to the policy set in the Written Statement of 28 November 2014.

These circumstances are that contributions should not be sought from developments of 10 units or less and which have a maximum combined gross floorspace of no more than 1,000m² (gross internal area).

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

6.3 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.

6.4 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.

6.5 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.

6.6 Policy 4: Housing delivery

States that proposals for housing will be required to contribute to the mix of housing required to provide balanced communities and meet the needs of the area, as set out in the most up to date study of housing need and / or Housing Market Assessment. Furthermore, it sets out appropriate percentages for the delivery and tenure of 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. Seeks also to protect the function of strategic transport routes (corridors of movement).

6.8 Policy 7: Supporting Communities:

Requires development to maintain or enhance the quality of life and the well being of communities and will promote equality and diversity, and protect and strengthen community cohesion.

6.9 Policy 9: Strategy for growth in the Norwich Policy Area

The Norwich Policy Area (NPA) is the focus for major growth and development. Housing need will be addressed by the identification of new allocations to deliver a minimum of 21,000 dwellings distributed across various locations, including; Broadland smaller sites in the NPA: 2,000 dwellings, to be made in accordance with the settlement hierarchy and local environmental and servicing considerations.

6.10 Policy 15: Service villages

Identifies Blofield Heath as a Service Village where land will be allocated for small-scale housing development within the range of 10-20 dwellings subject to form and character considerations. Settlements identified in this policy that are also within the Norwich Policy Area may be considered for additional development, if necessary, to help deliver the 'smaller sites in the NPA' allowance.

6.11 Policy 21: Implementation of Proposals in the Broadland part of Norwich Policy Area (NPA):

Sets out the approach to be adopted when considering development proposals in the Broadland part of the NPA.

6.12 Policy 22: Delivery of housing land in the Broadland part of Norwich Policy Area (NPA):

Sets out the approach to be adopted in the event that a Monitoring Report demonstrates that there is a significant shortfall in the 5 year supply of housing land.

Development Management Development Plan Document (DMDPD) 2015:

6.13 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.

6.14 Policy GC2: Location of new development

New development will be accommodated within the settlement limits defined on the policies 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.

6.15 Policy GC4: Design

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

6.16 Policy EN1: Biodiversity

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

6.17 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).

6.18 Policy EN3: Green Infrastructure

All development will be expected to maximise opportunities for the creation of a well-managed network of wildlife habitats.

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.

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 without increasing flood risk elsewhere.

Site Allocations Development Plan Document (SA DPD):

6.23 The SA DPD has not allocated the application site for development.

Landscape Character Assessment SPD:

6.24 The application site falls within the Blofield Tributary Farmland landscape character area.

Blofield Neighbourhood Plan 2016:

6.25 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 to 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.

6.26 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.

6.27 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.

6.28 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.

6.29 Policy ENV3: Drainage

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

6.30 Policy ENV5: Dark skies

Any new developments should limit impact on dark skies. This includes streetlights and lighting of commercial structures.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site is a substantial area of land (1.49 hectares) behind existing development which fronts Woodbastwick Road at the end of Blofield Heath. Access to the site is from Woodbastwick Road along an existing track between Tree Tops, a detached dwelling and the Heathlands Social Club. The track also provides the pedestrian and vehicular access to Tree Tops; only the initial section of the track is surfaced. The land was formerly in agricultural use and is currently laid to grass.
- 7.2 To the north of the site is Heathlands Community Centre and associated playing fields. To the west and south of the site is agricultural land. To the east and southeast of the site are residential dwellings of varied form and character, some fronting Woodbastwick Road and others served off Francis Lane, a private road that runs east to west with the western most property that ii serves abutting the application site.
- 7.3 The site is bounded by a mixture of trees and mature hedgerows to the north, west and south and hedgerows, close boarded fencing and post and rail fencing to the east.

8 PLANNING HISTORY

- 8.1 [20151213](#): Variation of conditions 3, 13 and 14 (means of access) of planning permission 20131655 – demolition of existing buildings and erection of 24 no: dwellings and associated works (outline). Refused 21 January 2016. Appeal Dismissed 27 June 2016.
- 8.2 [20131810](#): Installation of 150kW ground mounted solar photovoltaic panels to generate renewable energy. Approved 6 February 2014.
- 8.3 [20131655](#): Demolition of existing buildings and erection of 24 dwellings and associated works (outline) (resubmission). Approved 5 March 2014.

- 8.4 [20130292](#): Demolition of existing buildings and erection of 24 new dwellings and associated works (outline). Refused 4 September 2013.

9 APPRAISAL

Whether the development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance:

- 9.1 The site is within the Norwich Policy Area (NPA) and lies outside the defined settlement limit, where Policy GC2 of the Development Management DPD does not permit new development unless the proposal accords with another policy of the Development Plan. Furthermore, the site has not been allocated for development in the Site Allocations DPD although it is to be noted that the site forms part of a larger area of land that has been put forward as part of the Greater Norwich Local Plan Call for Sites (2016).
- 9.2 A key material consideration in regards to housing land supply in the NPA is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence and forms part of the Joint Core Strategy for Broadland, Norwich and South Norfolk: Draft Annual Monitoring Report 2016-17 published 14 March 2018. For the NPA there is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increase housing supply.
- 9.3 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 9.4 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 9.5 In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits where it accords with a specific allocation and/or policy of the development plan and does not result in any significant adverse impact.
- 9.6 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council, in accordance with DM DPD Policy GC1, will grant permission unless material considerations indicate otherwise – taking into account one of two criteria.

- 9.7 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: 'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) 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'. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, 'would significantly and demonstrably outweigh the benefits', when assessed against the policies of the NPPF as a whole.
- 9.8 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined NPA, a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF
- 9.9 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 9.10 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of DM DPD Policy GC1 and NPPF Paragraph 14.
- 9.11 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

- 9.12 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

Economic role

- 9.13 The NPPF confirms the economic role as: *“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.”*
- 9.14 The development would result in some short term economic benefits as part of any construction work and in the longer term by spending from the future occupants of the dwellings which could support local services and facilities. It is therefore considered that the scheme would bring forward a level of economic benefit.

Social role

- 9.15 The NPPF confirms the social role as *“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”*
- 9.16 The site lies outside but adjacent to the defined settlement limit for Blofield Heath and is within very close walking distance of local facilities including primary school; recreational space; community centre; post office and convenience store; and bus stops. The site is therefore considered to be located in a sustainable location with good accessibility to services and facilities.
- 9.17 The Self-build and Custom Housebuilding Act 2015 requires the Council to have regard to the self-build register. In particular, the Act imposes a duty to grant sufficient development permission in respect of serviced plots of land to meet the demand as evidenced by the number of entries on the register in a base period. The draft regulations give a 3 year period from the end of the base period for sufficient permissions to be given.
- 9.18 Applicants are asked which area out of three they would be interested in building within the district. These are the fringe of Norwich, villages nearer Norwich, and rural towns and villages. Blofield Heath falls within the villages nearer Norwich category. The number of people who have currently indicated they would like to build in this area for the period 31 October 2017 - 30 October 2018 is 5 for Part 1 of the register (0 on Part 2) and for the previous

period 31 October 2016 – 30 October 2017 was 16 for Part 1 and 11 for Part 2 of the register.

- 9.19 The site could therefore provide self-build plots which would make a contribution towards meeting the above demand and weighs in favour of the proposal.
- 9.20 Given the scale of development proposed (4 dwellings – indicative total floor area of 998m²), the Ministerial Statement of 28 November 2014 is relevant and which 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. Therefore, no affordable housing in accordance with JCS Policy 4 will be delivered by this scheme.
- 9.21 When taking account of Policies EN3 and RL1 of the Development Management DPD, the number of dwellings being proposed is under the trigger of 5 dwellings or more where contributions are required to be made towards equipped children's play space, formal recreational space and informal open space. Therefore, no financial contributions can be required.
- 9.22 The addition of 4 dwellings in this location would make a contribution to the maintenance of services in the settlement. However, in light of the evidence of the updated SHMA which is a material consideration in determining this application, it is considered that this proposal would bring forward only a modest social benefit on the basis of its contribution to the supply of homes.

Environmental Role

- 9.23 The NPPF confirms the environmental role as *“contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”*

Character and appearance of area

- 9.24 The eastern edge of the site adjoins the gardens of existing residential dwellings that front onto both Woodbastwick Road and Francis Lane. The site is contained and enclosed in the main by mature hedgerows with some close boarded fencing adjacent the existing dwellings curtilages. At the southern end of the site are three agricultural buildings that are within the ownership of the applicant and are shown to be retained as they are outside of the application site.
- 9.25 Important to the consideration of this application for four dwellings is the character and appearance assessment of the previous (now lapsed)

permission for 24 dwellings on a slightly larger site [incorporating the agricultural buildings]. Paragraph 9.15 of the report to 5 March 2014 Planning Committee stated:

‘In landscape terms the proposal would alter the character and appearance of the site given that it was last used for the purposes of agriculture and the proposal would increase the amount of built form on the site. However, it is not considered that the proposal would result in an unacceptable visual intrusion into the countryside given the scale and siting of development and no objections have been received from the Council’s Conservation Officer (Arboriculture and Landscape). The built form and pattern of development in the locality is varied and it is considered that subject to appropriate consideration at reserved matters stage, the visual impact of the proposal would be acceptable. . .’

- 9.26 Members will recall that at last month’s Planning Committee a residential proposal for 8 dwellings off Blofield Corner Road ([20172032](#)) and which was outside of the settlement limit for Blofield Heath and not allocated for housing was refused planning permission ([see Minute no: 105](#)).
- 9.27 Having regard to the material consideration in 9.26 above, it is considered that there are differences between the application that was refused and that now under consideration when taking into account the enclosed nature of the site and the pattern of existing development. If the proposed dwellings were restricted to single storey (three of the four are described on the illustrative layout as bungalows) then it is considered that there would be no adverse impact to the character and appearance of the area and represents sustainable development. The proposal therefore complies with Policy 2 of the JCS and Policies GC4 and EN2 of the DM DPD

Access and Highway Safety

- 9.28 There are essentially two issues which the Inspector’s decision in relation to application reference 20151213 requires the Local Planning Authority to assess as part of the current application, as follows:
- (1) The acceptability of the proposed access in highway safety terms
 - (2) Whether it can be satisfactorily demonstrated that the approved access can be constructed on land which is either in the control of the developer or within the highway.

With regard to (1) Members’ attention is drawn to a letter received from the Planning Inspectorate dated 24 August 2016 (after the appeal was determined) which states as follows:

'It has been drawn to our attention that there is an omission in the decision issued on the 27 June 2016. The Inspector has not reached a view on the proposed access arrangements as he felt there was substantial doubt as to whether the proposal could be delivered. However, we do believe that the Inspector should have considered the adequacy of the proposed revised access. I apologise for this omission and for any concern and inconvenience this may have caused.'

'As you are probably aware, I am not able to add or amend the decision. I can only apologise once again for the omission and assure you this will be brought to the Inspector's attention and considered within the Inspectorate to help to avoid a similar occurrence.'

- 9.29 Notwithstanding the fact that the Appeal Inspector did not decide on the matter of highway safety, Norfolk County Council as the Highway Authority has consistently raised no objection on highway safety grounds to residential development on this site and this is reflected in their comments set out in 3.4 above. In addition, the independent Highways Consultant appointed by this Council to advise on the proposal concluded in paragraph 5.3 of his report dated 28 February 2018 as follows:

'I still consider that an appropriate safe and useable access can be provided for 4 dwellings in this location without the need for third party land and that no objection in Highway terms can be sustained.'

- 9.30 With regard to (2), Broadland District Council instructed Create Consulting Engineers Ltd to provide expert highway consultancy advice in relation to this revised application. The reports can be accessed using the links below:

[Highway Consultancy Advice – dated September 2017](#)

[Highway Consultancy Advice – dated February 2018](#)

- 9.31 The adjoining Heathlands Social Club objected to the proposed application on the basis that they believe some of their land is required to provide adequate visibility at the site access.
- 9.32 The September 2017 report assessed the access proposals as submitted and provided advice on their suitability and potential deliverability. Objections by the adjoining Heathlands Social Club were also reviewed and advice provided in relation to the interaction of the two properties. The report was limited to providing advice in relation to the access design and the position of the highway boundary; all other planning matters were outside the scope of the report.

- 9.33 Create Consulting Engineers Ltd also met with both David Futter Associates Ltd (Agent) and Terry Norton of the Heathlands Management Committee (Objector) to discuss the access proposals.

- 9.34 The September 2017 report concluded as follows:

From reviewing the information provided to Create Consulting in relation to this application, we have looked at the access proposals and detailed supporting information put forward by both the applicant's agent David Futter Associates Ltd and the adjoining property Heathlands in objection to the proposals and advise the following:

In our view a private drive can be provided in this location suitable to serve four dwellings, broadly as outlined in the applicant's proposals. To demonstrate that this is achievable in this location we have looked at each key component and believe that the access as shown on Drawing Number 1339/00/003 can be achieved without third party land. This is based on the topographical survey undertaken by Survey Solutions, Create's evidence based Highway Boundary and the surveyed southern boundary of Heathlands.

Unfortunately, the information which has been submitted by the applicant's agent using their own survey and highway and would suggest that land is required from Heathlands to enable the scheme's delivery. This, however, I believe is due to a number of inaccuracies as outlined in the above report all of which could easily be corrected.

- 9.35 The applicant subsequently provided an amended drawing 5904/SL11 Rev C which corrected the errors identified in Create Consulting Engineers Ltd Report September 2017 and it was considered that the applicant had satisfactorily demonstrated that the access as proposed could be delivered without third party land. This position was however further challenged by Heathlands Management Committee including written submissions and a further meeting was held on site between a representative of HMC and the Councils Highways Consultant. This led to the issuing of another Report February 2018, the conclusions of which are presented below:

'From reviewing the information provided to Create Consulting in relation to this application, we have looked at the access proposals and detailed supporting information put forward by both the applicant's agent, DFAL, and the adjoining property, Heathlands, in objection to the proposals and can advise the following.

In our view a private drive can be provided in this location suitable to serve four dwellings, broadly as outlined in the applicant's proposals. To demonstrate that this is achievable in this location we have looked at each key component and believe that the access as shown on Drawing

Number 1339/00/003 can be achieved without third party land. This is based on the topographical survey undertaken by Survey Solutions, Create's evidence based Highway Boundary and the surveyed southern boundary of Heathlands.

Dfal latest access plan Drawing No 5904 SL 11C shows that an access can be achieved in this location without impacting on Heathlands landownership. This plan adopts the Highway Boundary shown on Creates drawing 1339/00/003. Even if there was a minor discrepancy in the highway boundary as shown on this plan, I still consider that an appropriate safe and useable access can be provided for 4 dwellings in this location without the need for third party land and that no objection in Highway terms can be sustained.'

- 9.36 The Appeal Inspector in his decision letter identified that no evidence had been put before him rebutting the contention of HMC that the proposed access (type 6 road) would encroach on the Club's land and that it had not been demonstrated that the land required to deliver the proposed access was either within the highway or within the ownership or control of the appellant. In light of this and advice in the Government's Planning Practice Guidance, the Inspector considered it appropriate to employ the Grampian condition [condition 13 on 20131655].

- 9.37 However, the Inspector's decision was limited to the evidence before him at that time. The current application now seeks a private drive arrangement that requires less land for its construction compared with a type 6 road and at this Council's expense an independent highways consultant was appointed to assess this situation and has concluded:

'that an appropriate safe and useable access can be provided for 4 dwellings in this location without the need for third party land and that no objection in highway terms can be sustained.'

- 9.38 This is new material evidence and weighs in favour of the proposal. As a consequence it is considered that a Grampian condition requiring demonstration before the development begins that the access can be constructed on land which is either in the control of the developer or highway is not required or justified.

- 9.39 Concerns have been raised regarding access for refuse contractors. The applicant has confirmed that refuse contractors will be able to use the private driveway. A condition could be recommended that prior to any commencement of work full details of the shared private driveways must be submitted to and agreed in writing with the Local Planning Authority and that such details will include a minimum width of 3.7m, structural and horizontal designed, to service a 32 tonne refuse vehicle to each dwelling, a minimum Size 3 turning head and full details of the management of the same for

maintenance and upkeep and that the agreed details are implemented as approved prior to the first occupation of any of the dwellings and retained as such thereafter.

- 9.40 Concerns have also been raised regarding Tree Tops access which itself gains access to and from Woodbastwick Road via the track that would be upgraded as part of the proposed development. The owners / occupiers and others are concerned regarding the ability to maintain safe access / egress to / from Tree Tops in the event that the private drive is constructed. In this respect, the Highways Consultant has considered this matter in section 4.25 of his report:

'It is understood that the applicant intends to completely reconstruct the existing private drive access arrangements, whilst leaving insitu the hardstanding areas outside of this new drive area which are currently used by Treetops. It is important that the requirement for the drive to be constructed in accordance with NCC's Design Guide for Private Drives is secured by condition. The Council may also wish to request that these additional areas of hardstanding are removed so that the access is clearly defined. The access road design also needs to ensure that vehicles exiting Treetops can do this safely, this may require a small verge to be introduced between the edge of the drive and the existing property boundary. Traffic movements along the new drive as long as the development is restricted to 4 dwellings will be relatively small, so I wouldn't expect this to be a major issue.'

[Note – underlining above is officer's emphasis]

Given the above, it is considered that the proposal complies with Policies GC4 and TS3 of the DM DPD.

Amenity

- 9.41 Impact on residential amenity would be considered at the reserved matters stage when full design details would be provided although in respect of the character and appearance of the area it has been suggested that the dwellings should be restricted to single storey height only. It is considered that the indicative layout submitted satisfactorily demonstrates that four dwellings can be accommodated on the site in a manner which would ensure existing residential amenity in relation to neighbouring properties would be satisfactorily preserved and that a satisfactory level of amenity would be provided for the proposed dwellings in accordance with Policy GC4 of the Development Management DPD 2015.

Trees and Landscaping

- 9.42 Landscaping is a reserved matter which would be considered at the reserved matters stage. However, the application has been submitted with an Arboricultural Impact Assessment (AIA) which has been amended to the satisfaction of the Conservation Officer (Arboriculture and Landscape). Conditions are appropriate to ensure the development is carried out in accordance with the submitted Arboricultural Impact Assessment as amended and to ensure that a landscaping scheme is submitted to and approved by the Local Planning Authority to help soften and integrate the development within the locality. The use of native trees and shrubs is considered appropriate which would also contribute to the enhancement of the biodiversity at the site. The proposal therefore complies with Policy 2 of the JCS and Policies GC4 and EN2 of the DM DPD.

Ecology

- 9.43 An ecological assessment of the land the subject of the application has been carried out and the application has been submitted with a protected species and habitat survey report. In summary, it is quite likely that that breeding birds, bat species and hedgehogs are utilising the site area from time to time. Breeding birds, wood pigeon, blackbird, hedge sparrow and robin were observed during the field survey. No evidence of bat species was found during an internal and external inspection of the three agricultural buildings immediately to the south of the site area. The ditch beyond the site to the south was completely dry at the time of survey and is extremely unlikely to be a habitat for great crested newts or water voles, being very shaded, in succession and subject to drying.
- 9.44 It is extremely unlikely that the proposed development would have any impact on protected species and no further surveys or EPSM mitigation measures are required other than those outlined within the report. The proposals, being of small scale, will not have an adverse impact on any of the protected or notable sites within the search radius. No direct mitigation measures are recommended that would require these to be secured by condition, other than landscaping and other matters can be dealt with by informative. The proposal therefore complies with Policy 1 of the JCS and Policies GC4 and EN1 of the DM DPD.

Flood Risk

- 9.45 The site is within flood zone 1, the zone with the lowest probability of flooding from rivers or sea. In terms of flood risk from surface water the site is in the very low risk area. A submitted surface water drainage strategy indicates that infiltration methods are unlikely to be suitable for this site and that the most appropriate form of surface water drainage for this site is sub-surface storage with a controlled discharge to the adjoining watercourse to the south of the

site. With the use of attenuation tanks for each plot with outflow controls leading to combined discharge rate of no more than greenfield run off rate, the proposal is considered acceptable. This can be controlled through condition. The proposal therefore complies with Policy 1 of the JCS and Policy CSU5 of the DM DPD.

- 9.46 Having considered the above, it is considered that this proposal would satisfy the environmental role.

The Community Infrastructure Levy

- 9.47 Broadland District Council implemented the Community Infrastructure Levy (CIL) on 1 July 2013. The proposed development will be liable for CIL unless exemptions are claimed for Self-Build

Conclusion

- 9.48 This matter is considered to be finely balanced having regard to the three dimensions to sustainable development and the benefits of the proposal compared with the lack of any harm as discussed above. Having regard to all matters raised, the proposal is not considered to result in any significant adverse impact and given the presumption in favour of sustainable development the proposal is, on balance, considered acceptable subject to conditions.

RECOMMENDATION: APPROVE subject to the following conditions:

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

The development hereby permitted must be begun in accordance with the 'reserved matters' as approved not later than the expiration of TWO years from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

- (2) Application for the approval of the 'reserved matters' shall include plans and descriptions of the:
- (i) the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction;

(ii) the landscaping of the site

(iii) layout

(iv) scale

Approval of these 'reserved matters' must be obtained from the Local Planning Authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved.

- (3) The details required by conditions 1 and 2 above shall not include provision for more than 4 dwellings
- (4) The details required by conditions 1 and 2 above shall not include provision for more than 1000 sq m of combined development floor space (including any garaging).
- (5) The dwelling(s) shall be of single storey construction and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order, revoking, re-enacting or modifying that order), no dormer windows or other openings to the roof space shall be provided.
- (6) The development hereby permitted shall not be carried out in accordance with the following plans and documents:
- Location Plan 5904/LM/10
Site Plan 5904/SL/10 Rev B
Site Access Plan 5904/SL/11 Rev C
- (7) No development shall commence until a detailed scheme of phasing for the construction of the dwellings and access road has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme of phasing. In addition, prior to the commencement of any works in relation to any phase, the Local Planning Authority shall be notified in writing of the commencement date of that phase.
- (8) As part of the reserved matters application, details of the surface water drainage scheme to serve the dwellings and shared private driveway 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.

- (9) The development shall be carried out in accordance with the submitted Arboricultural Impact Assessment Ref: 13.01.29 AIA (Revision C) dated August 2017 by Robert Thackray Ltd unless otherwise agreed in writing with the Local Planning Authority.
- (10) All hard and soft landscaping works shall be carried out in accordance with the approved details and BS 4428: 1989 Code of practice for general landscape operations. The works shall be carried out within the first planting season following the commencement of work in accordance with the approved scheme of phasing.
- (11) Prior to the commencement of works full details of the construction of the 'shared private driveway' shall be submitted to and agreed in writing with the Local Planning Authority. Such details shall include a minimum width of 3.7m, structural and horizontal designs to serve a 32 tonne refuse vehicle to each dwelling, a minimum size 3 turning head and full details of the management of the same for maintenance and upkeep. The agreed details shall be

implemented as approved prior to the first occupation of any of the dwellings hereby permitted and retained as such thereafter.

- (12) The details required in connection with condition 11 above shall incorporate upgrading/widening works as detailed on drawing 5904/SL/11/Rev C in accordance with the Norfolk County Council residential access construction specification (highway specification No. TRAD 5 attached) for at least the first 5 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.
- (13) Prior to the first occupation of any of the dwellings hereby permitted access visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- (14) Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access (within 25m back from the near channel edge of the adjacent carriageway) unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The application is submitted in outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (3) To ensure the satisfactory development of the site in accordance with Policies GC4 and EN2 of the Development Management DPD (2015) and Policy HOU4 of the Blofield Neighbourhood Plan (2016).
- (4) To ensure satisfactory compliance with Paragraph 031 Reference ID:23b-031-20161116 of National Planning Practice Guidance.
- (5) To ensure the satisfactory development of the site in accordance with Policies GC4 and EN2 of the Development Management DPD (2015) and Policy

HOU4 of the Blofield Neighbourhood Plan (2016).

- (6) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (7) To enable individual commencement dates so that CIL exemptions for self-build properties on a plot by plot basis can be applied for.
- (8) 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), Policy CSU5 of the Development Management DPD (2015) and Policy ENV3 of the Blofield Neighbourhood Plan (2016) .
- (9) To ensure the proper development of the site without prejudice to the amenities of the area, in accordance with Policies GC4 and EN2 of the Development Management DPD (2015) and Policy ENV2 of the Blofield Neighbourhood Plan (2016) .
- (10) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies GC4, EN1, EN2 and EN3 of the Development Management DPD (2015) and Policy ENV2 of the Blofield Neighbourhood Plan (2016).
- (11) In the interests of highway safety and accessibility of the site in accordance with Policies GC4 and TS3 of the Development Management DPD (2015) and Policy TRA1 of the Blofield Neighbourhood Plan (2016).
- (12) In the interests of highway safety and traffic movement in accordance with Policies GC4 and TS3 of the Development Management DPD (2015) and Policy TRA1 of the Blofield Neighbourhood Plan (2016).
- (13) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD (2015) and Policy TRA1 of the Blofield Neighbourhood Plan (2016).
- (14) In the interests of highway safety and traffic movement in accordance with Policies GC4 and TS3 of the Development Management DPD (2015) and Policy TRA1 of the Blofield Neighbourhood Plan (2016).

Informatives:

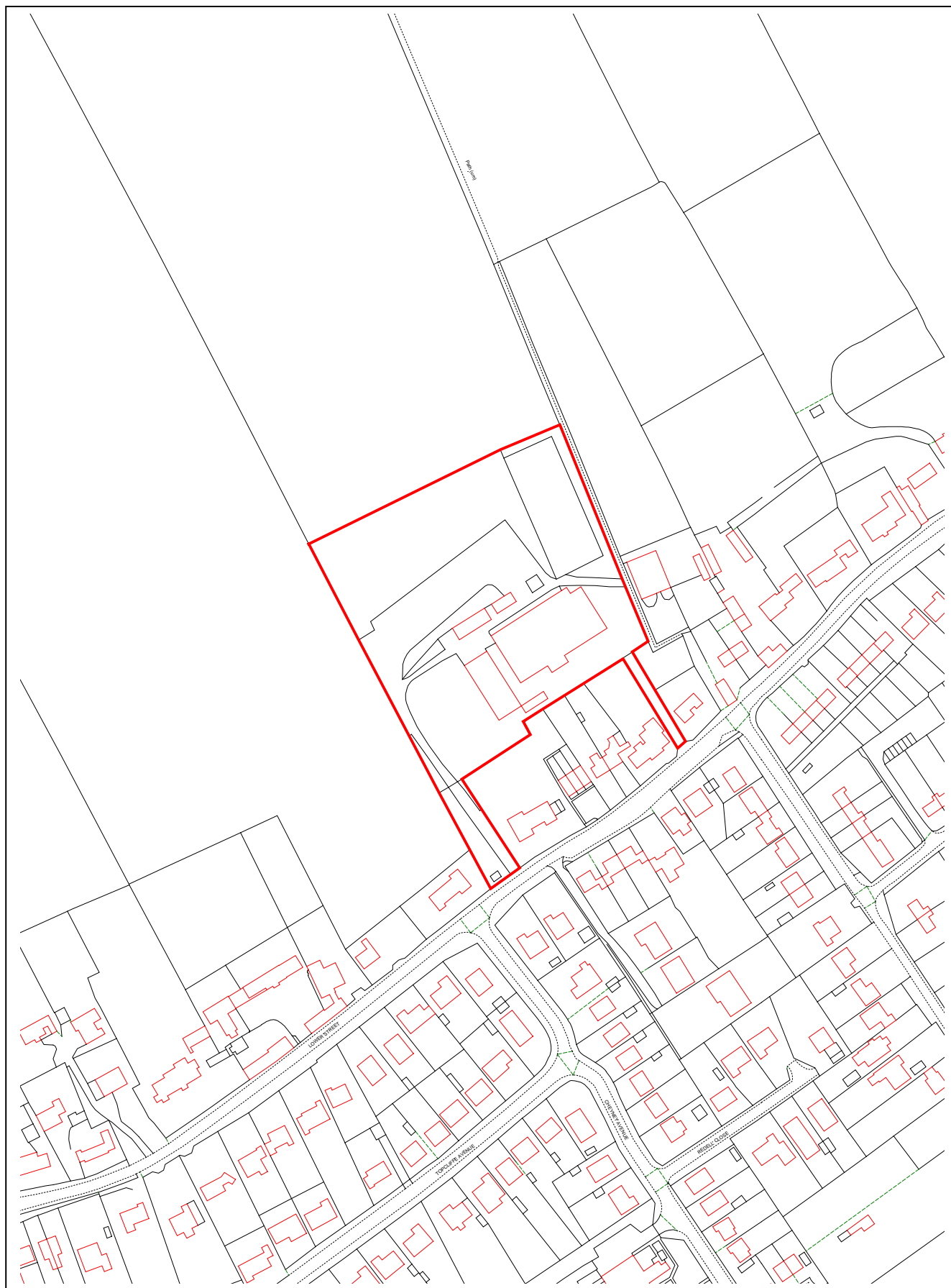
- (1) The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.

- (2) The applicant needs 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
- (3) It is an offence to disturb, harm or kill breeding birds in the UK under the Wildlife and Countryside Act 1981. The removal of the vegetation should take place outside of the breeding season (March – September). In the event that this is not possible, the vegetation to be removed should be inspected by a suitably qualified ornithologist and if any nests are found a 10 metre exclusion zone should be established until such time as the nest has been fledged.
- (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.

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.



Application No: 20170764

Equestrian Centre, Lower Street, Salhouse, NR13 6RH

**Scale:
1:2500**

**Date:
16-Apr-18**



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PLAN NO: 2

APPLICATION NO: [20170764](#) – RESIDENTIAL DEVELOPMENT OF UP TO 16 DWELLINGS (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 consideration of the application for a period of two months to negotiate a safe and suitable access to both the site and the Jubilee Hall. There was also an outstanding objection from the Lead Local Flood Authority [LLFA] on the matter of surface water flood risk.
- 1.2 Since then, Planning Committee resolved at subsequent meetings: on 1 November 2017 to extend the period of deferment to four months (commencing 4 October 2017) and on 31 January 2018 to extend the period for negotiating the access and that the application be brought back to Planning Committee by 25 April 2018.
- 1.3 On 14 March 2018 the Greater Norwich Growth Board published the Joint Core Strategy annual monitoring report. Members are advised that a key material consideration in regards housing land supply in the Norwich Policy Area (NPA) is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence and forms part of the [Joint Core Strategy for Broadland, Norwich and South Norfolk: Draft Annual Monitoring Report 2016-17](#) published on 14 March 2018. For the NPA there is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.

Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.

In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits

where it accords with a specific allocation and / or policy of the development plan and does not result in any significant adverse impact.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council, in accordance with DM DPD Policy GC1, will grant permission unless material considerations indicate otherwise – taking into account one of two criteria.

Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: *'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) 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'*. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, *'would significantly and demonstrably outweigh the benefits'*, when assessed against the policies of the NPPF as a whole.

The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined NPA, a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF.

The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.

The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of DM DPD Policy GC1 and NPPF Paragraph 14.

- 1.4 On 23 March 2018 revised plans were received from the applicant's agent providing details of revised access arrangements serving the application site and Jubilee Hall. It is still intended to access the site via two private drives each serving 8 plots with the eastern access still utilising the existing Jubilee Hall access and car park to serve 8 of the proposed residential plots. Illustrative proposals in support of the Jubilee Hall access indicate, as stated by the agent:
- The site plan has been amended which now allows for 32 properly sized car parking spaces as opposed to the 25 sub-standard parking spaces at the Jubilee Hall site. This provides for an extended car park into our client's site [9 car parking spaces shown].
 - A more detailed drawing indicating the car parking proposals and Disability Discrimination Act [DDA] access to the village hall has been provided with the addition of internal railings and kerb details separating the proposed 4.5m wide access from the car park and pedestrian access which should make for a much safer access than the Village Hall currently enjoys.
 - The above works would be undertaken at our client's expense and arrangements made for the Village Hall to utilise the additional area of land will be the subject of a legal agreement which would be prepared by our client's agents.
 - The illustrative layout has also been revised omitting the houses which were previously within the Flood Zone which should meet the LLFA's concerns.
- 1.5 In addition, the agent has stated the following factors lead them to conclude that the site access via two private drives; retaining the access across the Jubilee Hall site is still the best solution:
- Existing access to the equestrian centre upgraded to an unadopted Type 6 Road serving all 16 dwellings –

This would involve the loss of an oak tree fronting Lower Street, which was not considered to be appropriate by the Parish Council. There was also concern regarding the potential loss of a Second World War ARP structure.
 - Demolition of No.'s 33/35 Lower Street and formation of access -

This would have involved the loss of two very pleasant cottages in the conservation area and a tight access between two properties, visibility splays would have been inadequate.

- Access as now proposed -

Safe access to Lower Street, adequate visibility splays, improvements to village hall parking provision and overall layout.

- 1.6 Re-consultation on the revised plans was carried out on 29 March 2018. Consultation included the following:

- Salhouse Parish Council; both Ward Members; Highways Authority; Jubilee Hall Trustees/Management Committee plus others that made representations on the original application.

Consultation replies are set out in section 3 below.

- 1.7 In light of both the deferment of this item from an earlier meeting and given the updated position with regard to 5 year housing land supply, it is therefore necessary for the Planning Committee to re-consider this application. As the site is within the NPA and given the receipt of amended plans, the following assessment seeks to establish the benefits of the scheme in its revised form and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.
- 1.8 Appended to this report are: the officer's report to Planning Committee on 4 October 2017; relevant pages from the Supplementary Schedule and the Minute from the meeting.

2 THE ISSUES

- 2.1 The site has not been allocated for housing and is outside of the defined settlement limit for Salhouse. Both means of access are located within the Salhouse Conservation Area [SCA] and the area shown illustratively for redevelopment with dwellings is outside of but adjacent to the SCA.
- 2.2 Permission is sought in outline for up to 16 dwellings; in summary the application in its revised form provides the following:

S106 Requirements

- 2.3 The mix and tenure of affordable housing that was suggested by the Housing Enabler and reported to Members in the original committee report is as follows:

Affordable Housing at 33%

- 1 x 1 bedroom 2 person houses
- 2 x 2 bedroom 4 person houses
- 2 x 3 bedroom 6 person houses

This mix would allow for either a 2 or 3 bedroom unit to be for Intermediate (shared ownership or shared equity) with the remainder as Affordable Rent Tenure

Commuted sums

In calculating the commuted sums, the application is in outline form and the following sums are indicative but reflective of 16 dwellings:

Off-site open space contributions for play, sport, green infrastructure and allotments in the region of £68,488.70 (to be index linked); comprised:

- Green Infrastructure £37,608.56
- Formal Recreation (Sport) £24,746.11
- Play £5,008.56
- Allotments £1,125.47

Other benefits

2.4 As set out in paragraph 1.4 above:

The site plan has been amended which now shows the existing Jubilee Hall car park re-configured to create 32 parking spaces and Disability Discrimination Act [DDA] access to the village hall provided with the addition of internal railings and kerb details separating the proposed 4.5m wide access from the car park and pedestrian access to the Jubilee Hall site. This also provides for an extended car park into the application site with 9 additional car parking spaces shown thereby increasing the village hall car parking.

2.5 The above works which would be undertaken at the applicant's / developer's expense and arrangements made for the Village Hall to utilise the additional area of land for car parking would be the subject of a related S106 legal agreement.

3 REPRESENTATIONS RECEIVED – revised plans

3.1 Salhouse Parish Council:

Awaiting comments

3.2 Salhouse Village Hall Management Committee:

Awaiting comments

3.3 NCC Highways:

Awaiting comments

3.4 Other consultees:

2 x letters of objection from occupiers of Brambles, 138 Lower Street:

- The revised plans do nothing to satisfy us that users of the village hall will have safe access. The parking spaces and the reversing areas between the rows are small to begin with. What happens when the car park is full and a car delivering a wheelchair or pram user is unable to unload or park near the disabled access? There will not be enough space between the parked cars to manoeuvre a wheelchair or pram.
- A village hall is used for all kinds of events which may involve quite a few people unloading or loading boxes at the same time. They can't all park and do this near the proposed walkway. They will have to get from other parts of the car park. A parent with a twin buggy and a toddler in tow, or a wheelchair user, parked in the last row, will have to go into the road to gain access. They can't pass between tightly parked cars.
- The road width of 4.5m appears too narrow for safe use by commercial vehicles
- There needs to be a clearly marked path through the parking area to the side path so that people and children have a clear walk without risking walking on the road

4 ASSESSMENT

- 4.1 As stated at paragraph 1.7 it is necessary to assess the benefits of the planning application in its revised form and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions to sustainable development (economic role, social role and environmental role). In this case the key benefits of the planning application are set out in paragraphs 2.3 – 2.5 above.

Economic role

- 4.2 The NPPF confirms the economic role as: *“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure.”*
- 4.3 The development would result in some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants of the dwellings. Furthermore, the proposed increase in parking for the Jubilee Hall could bring forward longer term economic benefits associated with this community facility. It is therefore considered that the scheme would bring forward a level of economic benefit.

Social Role

- 4.4 The NPPF confirms the social role as: *“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”*
- 4.5 The proposed scheme would provide housing in a location where the JCS identifies a shortfall in housing land supply against requirements which would represent a social benefit. However, the significance of this benefit is diminished by the most recent evidence of the updated SHMA which identifies a housing land supply in excess of 8 years and this is a material consideration in determining this application.
- 4.6 The application site is to the northwest of the service village of Salhouse which has local public amenities comprising a craft shop, primary school, village hall, church, sports/playing field and two public houses. A network of public footpaths surround the village, public transport is available in the form of bus and train services although the train station is about 2.5 km walk from the site.
- 4.7 The JCS Policy 15 allocation for small-scale housing for the village (10-20 dwellings per service village) has been completed on land on Norwich Road, now known as Barn Piece and comprises 19 dwellings including affordable housing.
- 4.8 The Salhouse Neighbourhood Plan Policy H1 indicates that new housing development will be within the defined settlement limits for Salhouse unless it is consistent with other development plan or national policies for housing in the countryside. Development proposals will be small in scale and expected to demonstrate a high quality of design which will maintain and contribute to

local distinctiveness by respecting the character of neighbouring development and the village as a whole in terms of height and density.

- 4.9 Members' attention is drawn to the Examiners Report and his explanation of 'small scale' at paragraph 69: 'By relating this to the scale of new development over a long period, I do not accept that this provides an arbitrary restriction on the scale of development as it allows for some flexibility on the scale of individual developments and does not limit individual developments to five dwellings.
- 4.10 The addition of 16 dwellings in this location would clearly make a contribution to the maintenance of services in the settlement. However, in light of the evidence of the updated SHMA which is a material consideration in determining this application, it is considered that this proposal would bring forward only a modest social benefit on the basis of its contribution to the supply of homes.

Environmental Role

- 4.11 The NPPF confirms the environmental role as *"contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."*

Impact on landscape character

- 4.12 This site is located within Landscape Character Type E: Wooded Estatelands as identified in the Broadland Landscape Character Assessment SPD. Key characteristics include linear settlements clustered around a historic core. In this area, any development should seek to ensure that potential new small-scale development is consistent with the existing settlement pattern, density and traditional built form and seek to conserve the setting of the village and to screen (where possible) harsh settlement edges and existing visual detractors.
- 4.13 The site is brownfield ie previously developed land and has an extensive curtilage although the existing building footprint associated with the equestrian use is clustered to the rear of the existing development that fronts onto Lower Street. A significant area of the overall site curtilage is open (or only contains low level features including surfacing for vehicle parking and outdoor exercise area) and extends for approximately 60m beyond the north-western edge of the existing structures and 40m beyond the southwestern edge. Whilst the revised illustrative layout shows that some of the development would be in place of and therefore remove some small scale and some larger buildings, at least 8 of the new dwellings extend into the more open site curtilage beyond the existing building pattern.

- 4.14 The site curtilage is clearly visible from the public footpath that runs in a north south direction along the north eastern edge of the site and the scale of the proposal would extend development into open countryside not reflecting the existing cluster of buildings on site. Whilst the report to Members in October concluded in paragraphs 9.16 and 9.41 that the development would not cause significant harm to the character and appearance of the area, this was against a backdrop of considerable weight associated with delivering new housing in the NPA in the absence of a 5yr housing land supply. The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of DM DPD Policy GC1 and NPPF Paragraph 14.
- 4.15 On this basis, it is considered that there is harm associated with the proposed development, particularly with regard to the scale of the proposal that extends beyond the exiting building footprint and into the more open parts of the site that have an important role in the transition between the buildings and the adjoining open rural landscape. This significantly contributes to key environmental characteristics and sensitivities of the more open parts of the site and related wider rural landscape setting. Therefore, the proposal as a whole would not respect, conserve or enhance the characteristic of the rural landscape character area and as such would be contrary to JCS Policy 2; Policies GC2, GC4 and EN2 of the DM DPD; Policies OE1 and H1 of the Salhouse Neighbourhood Plan; and the Broadland Landscape Character Assessment (Supplementary Planning Document).

Historic Environment

- 4.16 The main site area abuts the outer edge of the Salhouse Conservation Area although both the proposed means of access are within the Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that 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.
- 4.17 The NPPF defines the setting of a heritage asset as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. Paragraph 131 of the NPPF requires LPAs to take account of the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 134 states that where development will lead to less than substantial harm to the significance of the heritage asset, the harm should be

weighed against the public benefits of the proposal including securing its optimum viable use.

- 4.18 Whilst it is acknowledged that removal of the equestrian buildings (some of which include large agricultural shed-type structures) and replacement with well-designed development of appropriate scale and materials is likely to be less visually intrusive, it is considered that this can reasonably only apply to the area of the site that contains buildings.
- 4.19 The development as a whole will impact on the setting of the Conservation Area and views of this from the public footpath to the northeast of the site. This would in effect establish a new settlement edge projecting further into the landscape setting of the conservation area where there is currently an open/low level transition between the site curtilage and the rural landscape to the northwest. Whilst this harm may be less than substantial, it has to be weighed against the public benefits of the residential proposal as a whole and given the diminished weight that would otherwise be attached to the benefits of increased housing delivery, it is considered that the scheme as a whole would adversely affect the setting of the heritage asset that is Salhouse Conservation Area and would be contrary to JCS Policy 2; Policies GC2, GC4 and EN2 of the DM DPD; and Policy OE1 of the Salhouse Neighbourhood Plan.

Flood Risk

- 4.20 Parts of the site are at risk of surface water flooding and this led to an objection being made to the original application by the Lead Local Flood Authority [LLFA]. They objected in the absence of sufficient information relating to the following:
- The submitted FRA has not adequately assessed the risk of surface water ponding, and the indicative layout places dwellings in the area of greatest risk
 - Underground infiltration devices and permeable paving are proposed in the drainage scheme, alternative above-ground attenuation features such as swales and attenuation ponds has not been considered
 - Calculations did not demonstrate that surface water can be adequately managed within the site to accommodate in the 1 in 100 year rainstorm event plus climate change without resulting in an increase in the risk of flooding elsewhere
- 4.21 Whilst a revised illustrative layout has been submitted, this does not deal with all the issues raised by the LLFA. In the absence of such detail to enable the LLFA to comment further, their objection remains and therefore the development as a whole is unacceptable as it has not been demonstrated that there will be a satisfactory method of surface water drainage in place to serve the proposed development neither has the proposal demonstrated that

there will be no increased surface water flood risk. As such, the proposal is contrary to JCS Policy 1 and DMDPD Policy CSU5.

Highways

- 4.22 The application was previously deferred to negotiate a safe and suitable access to both the site and the Jubilee Hall for all people.
- 4.23 For the reasons set out in paragraph 1.5 above, the agent considers that the site access via two private drives; retaining the access route across the Jubilee Hall site is still the best solution (subject to revisions as indicated to the laying out of the hall car park; vehicular access and pedestrian access).
- 4.24 This matter is subject to consultation and comments of the parties consulted are awaited at the time of writing this report. However, as a starting point, the Highway Authority did not raise an objection to the original application. In terms of existing access to the Jubilee Hall, there is a pavement to the front on the north side of Lower Street which allows pedestrian access direct to the front door of the hall through a gated access. To the right hand side of the hall is the existing vehicular access to the car park. Currently, the route for all users to get from the car park at the rear of the hall to the front entrance door of the hall is over the existing vehicular access via a route to the side of the building marked by white lining.
- 4.25 The application in its revised form seeks to provide a segregated pedestrian access to the side of the hall by placing metal rail fencing 1.1m high between the pedestrian access route and the proposed 4.5m wide access which will be the retained access to the car park and the new private drive access serving up to 8 of the proposed dwellings at the rear. In addition to providing a physical barrier separating pedestrian and vehicular traffic it is also proposed to kerb the outer edges of the car parking spaces again physically separating these from the internal access road. It is proposed to relay the white lining within the car park to provide 2.5m x 5m parking spaces with 6m separation between parking spaces to allow for adequate manoeuvring both into and out of the spaces (these space sizes and manoeuvring areas are not achieved within the existing car park layout) and to extend the car park into part of the equestrian centre site to provide up to 32 car parking spaces in total for the hall (an increase on the existing 27 sub-standard spaces). Whilst minor improvements could be made to the suggested car park remodelling: spaces 6 and 7 becoming a single disabled parking space which would then have sufficient space around it also achieving an unobstructed pedestrian route to the side at all times; this detail would have to be agreed as part of the S106 Agreement if the resolution was to approve the application.
- 4.26 It is acknowledged that the remodelling of the car park to facilitate the improvements and works identified above is likely to require the consent of the Salhouse Village Hall Management Committee (the required notice as part of the planning application has been served on them - Certificate B) but

in terms of the key issue which was to negotiate safe and suitable access to both the site to the rear and the Jubilee Hall it is considered that this has been demonstrated and that an objection on this ground alone could not be substantiated.

Conclusion of environmental role

- 4.27 As already outlined in paragraphs 4.14 and 4.18 above, the scheme as a whole would not respect, conserve or enhance the characteristics of the rural landscape character area and the scheme as a whole would adversely affect the setting of the heritage asset that is Salhouse Conservation Area. For the reasons in paragraph 4.20 there remains an unresolved risk related to surface water flooding. Therefore, harm would result and it is considered that the environmental role has not been satisfied and that this harm could not be mitigated through condition.

5 CONCLUSION

- 5.1 Having due regard to the above assessment made in the context of having a 5 year land supply when taking account of the new evidence of the updated SHMA as a material consideration, it is considered that the modest economic and social benefits of providing additional housing would not outweigh the significant and demonstrable environmental harm that would result both to the rural landscape character area and setting of Salhouse Conservation Area and matters of surface water flood risk and when considered as a whole, this scheme does not represent sustainable development.

6 RECOMMENDATION

- 6.1 Accordingly, it is **RECOMMENDED** that the application be **REFUSED** for the following reasons:

There is harm associated with the proposed development, particularly with regard to the scale of the proposal that extends beyond the exiting building footprint and into the more open parts of the site that have an important role in the transition between the existing buildings and the adjoining open rural landscape. Therefore, the proposal as a whole would not respect, conserve or enhance the characteristic of the rural landscape character area and as such would be contrary to JCS Policy 2; Policies GC2, GC4 and EN2 of the DM DPD; Policies OE1 and H1 of the Salhouse Neighbourhood Plan; and the Broadland Landscape Character Assessment (Supplementary Planning Document).

The development as a whole will impact on the setting of the Conservation Area and views of this from the public footpath to the northeast of the site. The scale of development proposed would in effect establish a new

settlement edge projecting further into the landscape setting of the Conservation Area where there is currently an open/low level transition between the site curtilage and the rural landscape to the northwest. Whilst this harm may be less than substantial, it has to be weighed against the public benefits of the residential proposal as a whole and given the diminished weight that would otherwise be attached to the benefits of increased housing delivery when taking account of the new evidence of the updated SHMA as a material consideration, it is considered that the scheme as a whole would adversely affect the setting of the heritage asset that is Salhouse Conservation Area and would be contrary to JCS Policy 2; Policies GC2, GC4 and EN2 of the DM DPD; and Policy OE1 of the Salhouse Neighbourhood Plan.

It has not been demonstrated that there will be a satisfactory method of surface water drainage in place to serve the proposed development neither has it been demonstrated that there will be no increased surface water flood risk. As such, the proposal is contrary to JCS Policy 1 and DMDPD Policy CSU5.

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

AREA East

PARISH Salhouse

3

APPLICATION NO: [20170764](#)

TG REF: 630864 / 314588

LOCATION OF SITE Equestrian Centre, Lower Street, Salhouse, NR13 6RH

DESCRIPTION OF DEVELOPMENT Residential development (outline)

APPLICANT Woodbastwick Estates, c/o Agents

AGENT David Futter Associates Ltd, Arkitech House, 35 Whiffler Road, Norwich, NR3 2AW

Date Received: 2 May 2017
13 Week Expiry Date: 3 August 2017

Reason at Committee: The application lies outside of any settlement boundary and is therefore contrary to policy.

1 THE PROPOSAL

- 1.1 The application seeks outline planning permission including access for 11 open market and 5 affordable dwellings (33%) with associated access, amenity space, parking and garaging. All other matters (appearance, landscaping, layout and scale) are reserved for later determination.
- 1.2 The application has been submitted with a Design and Access Statement, Planning Statement, a Contaminated Land Site Investigation Report, Site Access Safety Assessment and Traffic Survey, Ecological Assessment, Preliminary Arboricultural Impact Assessment and Flood Risk Assessment.
- 1.3 The application is also accompanied by an indicative site layout and a 3D concept image has also been submitted.
- 1.4 Access to the site is via two private drives. Whilst it is noted a single access would be preferable, Norfolk County Council Highways would not support 16 dwellings off a single private drive. To preserve the existing trees an adopted road is not a feasible option.
- 1.5 The applicant is legally able to provide a through route from the Village Hall car park to achieve the second access. The proposal will result in the loss of

parking to the Village Hall, additional spaces within the proposed development are proposed to compensate for this.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the adopted and emerging local plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance.
- Whether there are material considerations sufficient to outweigh the presumption of determining the application in accordance with some of the provisions of the Development Plan.
- Whether the application as submitted adequately demonstrates that the proposed development will not result in a detrimental impact upon highway safety; flood risk; the character and appearance of the surrounding area; biodiversity and landscape, the residential amenity of neighbouring properties and the functioning of the Jubilee Hall.

3 CONSULTATIONS

3.1 Salhouse Parish Council:

Objects to this application on the following grounds:

Non-compliance with policies

In particular, 'smaller villages will have small-scale development appropriate to the scale and needs of the village and its immediate surroundings'; Policy 15 Service Villages, proposed Salhouse Neighbourhood Plan – Housing Policies H1 and H3. In the context of these policies, the scale should reflect the average organic growth of the village, being circa 5 new houses per annum, Policy 20, Policy GC2.

Any requirement for street or footway lighting would not comply with the 'Dark Skies' policy of the Salhouse Neighbourhood Plan (Policy OE3). The Parish Council has recently moved as a matter of policy that pathway lighting on future new developments will not be facilitated by the Parish, therefore any requirement for street or footway lighting would be the responsibility of the developer or residents.

The design of the two accesses serving eight properties each seems to comply with the wording of the Norfolk County Council Policy but it is definitely not in the 'spirit' of it.

Both accesses lie within the Conservation Area but the design and access statement does not take this into consideration.

The status of Salhouse as a Service Village is, in part, dependent on the continued availability of the Jubilee Hall as a public facility.

Sustainability

Highway safety, in particular in relation to the eastern access. Shared use between pedestrians, vehicles and residents and village hall users along this access is unsafe and unsustainable. The proposed eastern access route passes through the access to the car park of the Jubilee Hall and also the access to the Hall itself from the car park. The applicant owns a narrow strip (1.4m) of this access and part of the car park but has established a legal right of access across it. The Hall has 28 car parking spaces, including one disabled, the proposed development will result in the loss of approximately 5 spaces, one disabled. The roadway includes a marked-out pedestrian strip of approximately 1.8m; this must be retained in order to permit safe access to the public entrance of the Hall. Current vehicle use is very light and there is no through traffic at present.

Concerns regarding access for refuse lorries and emergency vehicles.

The developer proposes to substitute the lost parking spaces with 5 alternative spaces within the development site, adjacent to the affordable housing. There is no proposed replacement disabled parking, these substitute spaces are too far from the Hall, their location not obvious to the casual user, and liable to cause conflict with residents who will no doubt appropriate the spaces for their own use. There will need to be positive parking management to deter visitors to the development from using these spaces allocated for Hall use.

Western access – the width of the western access is constrained by the presence of a mature oak tree within the conservation area. The applicant has indicated that the width of access and visibility splay could be improved by 'removal of trees and hedging within applicant's control'. The tree is on the applicant's land but is not within his control. The western access is very close to the heavily used junction of Cheyney Avenue and a large volume of turning vehicles will be detrimental to residents living nearby.

The Salhouse sewage pumping station frequently overflows onto Lower Street due to overloading and an additional 16 houses will exacerbate what is already an unacceptable and unsustainable situation. The development will therefore put further strain on existing infrastructure. Sewage overflow events occur several times a year, and the north side of Lower Street, due to its lower level, is particularly vulnerable, this situation is unsustainable.

There are concerns that the traffic levels on Lower Street will increase to an unsustainable level; the road is already the primary access to much of the village, with particularly heavy flows at school times.

Factual errors and omissions in the application

Errors include conclusions regarding visibility standards; clarity with regard to ownership / control over access; accuracy regarding hazardous substances (likely there is asbestos in the existing buildings), the application states Salhouse is a 'Service Village' however the village lacks several attributes that convey Service Village status, primarily a general shop and Post Office. Absence of photographs of the eastern access and lack of consultation with the Village Hall Management or Parish Council.

Other concerns

The Salhouse Village Hall (Jubilee Hall) was opened in 2002 and was converted from the original village school constructed in 1843, the use of the Village Hall car park as access to this development would increase the safety risk and result in loss of amenity to Hall users and hence potential loss of viability of the Hall itself.

There is concern that the close passage of heavy vehicles close to the walls of Jubilee Hall could result in damage to the foundations of this 170+ year old building which lies within the conservation area, the plans do not allow for any separation between the Hall building and passing traffic.

On 3 August 1941, a Wellington bomber crashed on the eastern boundary of the site adjacent to the footpath, with the loss of two lives. An archaeological survey should therefore be commissioned before any development starts.

3.2 Norfolk County Council Historic Environment Officer:

If planning permission is granted it is requested this is subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework paragraph 141.

3.3 Norfolk County Council Highways:

No objections subject to conditions which are set out in full in the Recommendation

3.4 Council for the Protection of Rural England:

Whilst being in favour of development on brownfield sites, which this largely, is CPRE Norfolk does have some concerns regarding the visual impact of this

development as it lies adjacent to greenfield on the perimeter of the settlement. We are also concerned that the site is outside the settlement boundary and therefore could set a precedent for other such development if permission were granted.

3.5 Broadland District Council Pollution Officer:

Concerns have been raised regarding potential asbestos in the existing buildings. It is therefore considered appropriate to attach an informative regarding this.

The Pollution Officer has been consulted but at the time of writing comments are awaited. Comments will be included within the supplementary schedule.

3.6 Broadland District Council Environmental Contracts Officer:

To allow our refuse vehicles to access over private roads/drives they would need to be built to adoptable standard, essentially to ensure:

- (1) Large enough to allow clear and safe access and
- (2) Robust enough to take the 32 tonnes of manoeuvring vehicle.

We would also need to be protected against any claims for damage caused by our vehicles by a legal agreement.

3.7 Broadland District Council Historic Environment Officer:

No objections. Comments made in relation to design and layout which have been brought to the attention of the applicant's agent and in relation to the existing ARP shelter located at the western access. See paragraph 9.19 of the main report.

3.8 Broadland District Council Conservation Officer (Arboriculture and Landscape):

However, the application has been submitted with a Preliminary Arboricultural Impact Assessment and the Conservation Officer (Arboriculture and Landscape) has been consulted on the proposal. His comments are as below:

Having studied the Preliminary Arboricultural Impact Assessment undertaken by A.T.Coombes Associates Ltd and the Concept Design drawing produced by David Futter Associates Ltd, I have the following comments:

As the AIA is of a preliminary nature no tree removals are specified for development purposes, although two Category 'U' trees are listed as being removed due to their condition, T8 Cherry and T10 dead species not specified. The Concept Design Drawing Ref No.6494 SL01A shows a suggested layout, Plot No.7 appears to require the removal of three Category 'C' trees T19 Ornamental Cherry, T21 Apple and T22 Cherry and one Category 'B' tree T20 Fastigate Hornbeam.

Plots 8 & 9 appear to require the removal of seven individual trees and part of group G1 (15 Western Red Cedar) of the individual trees four are 'B' Category trees, T12 Fastigate Hornbeam, T15 Beech, T16 Tibetan Cherry and T17 Apple, three are category 'C' trees, T13 Norway maple, T14 Sycamore and T18 Japanese Rowan. As the application is in the earlier stages and the site is relatively spacious with large open areas, it would be preferable to reduce the loss of Category 'B' trees by adjusting the layout to allow their retention and integration within the proposed scheme.

The design and construction methods for the areas of access road located within the retained trees Root Protection Areas (RPAs) will require the use of 'No Dig' methods as highlighted within section 5.10.1 of the AIA. As stated within section 9.6 of the Conclusions, a revised AIA, Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) will be required once a layout has been agreed. A landscaping scheme will also be required which could be conditioned.

3.9 Broadland District Council Housing Enabling Officer:

The planning application proposes 16 residential dwellings of which 5 are to be affordable. The Greater Norwich JCS Policy 4 requires that for a proposed scheme of this size at least 33% of the dwellings should be affordable, hence the correct number of affordable units is proposed.

Suggested mix could include 1 x 1 bedroom (2 person) house; 2 x 2 bedroom (4 person) houses; 2 x 3 bedroom (6 person) houses. All these units should be built to level 1 space standards so as to meet the requirements of the JCS and deliver an 80-20 tenure split for ART to intermediate units. The above mix is advised taking into account the predicted delivery of smaller affordable units that is expected from planning applications currently under consideration or recently approved (for Salhouse).

Although the site is outside the current settlement limit for Salhouse this would not be considered as an exception site. Therefore, up to a third of the units for rent would be for local lettings. This would include current residents of the parish of Salhouse, those working in the parish or those with a close family connection in the parish.

Within the indicative site layout I am encouraged to note that the parking is proximal or within the curtilage of the affordable dwellings and that two spaces per dwelling are proposed. However, it may be better arranged if all the parking could be in curtilage. My main reason for commenting on this is to ensure that the visitor / school car parking is kept separate from the affordable parking to prevent future issues / confusion. In addition, it may be that any Registered Provider taking the affordable properties would not wish to take on the maintenance or responsibility for the separate parking proposed, unless clearly included as a separate visitor parking bay.

3.10 Section 106 Monitoring Officer:

It is assumed the open space would be privately managed and it is likely the Parish Council would use off-site contributions to carry out improvement works at Thieves Lane open space.

3.11 Anglian Water:

Comments awaited at the time of writing.

3.12 Norfolk County Council (Rights of Way Officer):

Comments awaited at the time of writing.

3.13 Lead Local Flood Authority:

Comments awaited at the time of writing.

4 PUBLICITY

4.1 Site Notice: 5 June 2017

Expired: 26 June 2017

4.2 Notice in local newspaper: 23 May 2017

Expired: 20 June 2017

4.3 Neighbour Notification: 20 May 2017

Expired: 12 June 2017

5 REPRESENTATIONS:

5.1 39 representations have been received from residents of Bell Lane, Cheyney Avenue (3), Farman Close (1), Heron Close (1), Lower Street (11), Otter Close (1), Redell Close (3), Ron Fielder Close (1), Thieves Lane (2), Station Road (1), Topcliffe Avenue (1) and Wood Green (1) address not known (3) and a further representation has been made by the Chairman and Charity Trustee for Salhouse Village Hall. The following issues have been raised:

- Use of the village hall car park as a means of access to part of the site
- Highway safety, adequacy of visibility splays, access
- Legal ownership of land
- Health and safety arising from means of access through village hall car park
- Car parking spaces will be removed – unsuitable alternative parking
- There is a building of historical interest underneath the oak tree that should be taken into account – a Second World War ARP structure
- There is a large old oak tree (subject to conservation) on the edge of the access
- Impact on trees
- Setting of a Precedent for large scale development in the adjacent fields
- The rural character of the village must be retained
- Timing of deliveries, servicing of the site – impact on residential amenity
- Impact on conservation area
- Impacts on wildlife, flora and fauna
- Overdevelopment
- Light pollution
- Site status
- Flooding
- Asbestos risk
- Stress and disruption

- Land is outside settlement limit of Salhouse
- The number of dwellings exceeds the recommended numbers outlined in the Salhouse Neighbourhood Plan
- Impact on views from the Salhouse Conservation Area towards open fields and Salhouse Church
- Drainage
- Design of the estate does not conform to the principles of 'Secured by Design'
- Suggest consideration be given using only the present access to the stables; there should be no footpath between the estate and the hall access road as this will also increase the risks as stated previously
- The Jubilee Hall has historical significance; impact of use of access on its foundation and construction
- Lack of consultation by the applicant with the Parish Council and Jubilee Hall
- Contrary to Neighbourhood Plan and the Salhouse Site Allocation DPD Map (2016)
- Parking
- Access for emergency vehicles, roads and rights of way
- Waste storage and collection
- Impact on existing infrastructure – drainage

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF):

- 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.
- 6.2 Paragraphs 47-55 of the NPPF set out the Government's view on delivering a wide choice of high quality homes. Paragraph 49 of the NPPF states that

housing applications should be considered in the context of the presumption in favour of sustainable development.

- 6.3 Paragraph 17 under the heading 'Core Planning Principles' provides 'a set of core land-use planning principles which should underpin both plan-making and decision-taking. Bullet point 8 of these core planning principles states *'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'*. A further core principle is set out in bullet point 10 of paragraph 17 *'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'*.
- 6.4 Section 12 Conserving and enhancing the historic environment, paragraphs 126-141 requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Written Ministerial Statement: Planning for Growth (March 2011):

- 6.5 When deciding whether to grant planning permission, Local Planning Authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. In determining planning applications, Local Planning Authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably and that they give clear reasons for their decisions.
- 6.6 Community Infrastructure Levy Regulations 2010 (CIL): CIL is a non-negotiable levy on all new dwellings and all built development of at least 100m² floor area.

Planning Practice Guidance (web based national guidance formalised on 6 March 2014):

- 6.7 Paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

'In the exercise, with respect to any other land in a conservation area, of any of the provisions mentioned in subsection 92), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'

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

6.8 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 on ecosystems of an area.

6.9 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.

6.10 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.

6.11 Policy 4: Housing delivery

States that proposals for housing will be required to contribute to the mix of housing required to provide balanced communities and meet the needs of the area, as set out in the most up to date study of housing need and / or Housing Market Assessment. Furthermore, it sets out appropriate percentages for the delivery and tenure of affordable housing.

6.12 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.

6.13 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. Seeks also to protect the function of strategic transport routes (corridors of movement).

6.14 Policy 7: Supporting Communities:

Requires development to maintain or enhance the quality of life and the well being of communities and will promote equality and diversity, and protect and strengthen community cohesion.

6.15 Policy 9: Strategy for growth in the Norwich Policy Area

The Norwich Policy Area (NPA) is the focus for major growth and development. Housing need will be addressed by the identification of new allocations to deliver a minimum of 21,000 dwellings distributed across various locations, including; Broadland smaller sites in the NPA: 2,000 dwellings, to be made in accordance with the settlement hierarchy and local environmental and servicing considerations.

6.16 Policy 15: Service Villages

Identifies Salhouse as a Service Village where land will be allocated for small-scale housing development within the range of 10-20 dwellings subject to form and character considerations. Settlements identified in this policy that are also within the Norwich Policy Area may be considered for additional development, if necessary, to help deliver the 'smaller sites in the NPA' allowance.

6.17 Policy 20: A co-ordinated approach will be taken to the timely provision and ongoing maintenance of infrastructure, services and facilities to support development.

6.18 Policy 21: Implementation of Proposals in the Broadland part of Norwich Policy Area (NPA):

Sets out the approach to be adopted when considering development proposals in the Broadland part of the NPA.

6.19 Policy 22: Delivery of housing land in the Broadland part of Norwich Policy Area (NPA):

Sets out the approach to be adopted in the event that a Monitoring Report demonstrates that there is a significant shortfall in the 5 year supply of housing land.

Development Management Development Plan Document (DMDPD) 2015:

6.20 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.

6.21 Policy GC2: Location of new development

New development will be accommodated within the settlement limits defined on the policies 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.

6.22 Policy GC4: Design

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

6.23 Policy EN1: Biodiversity

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

6.24 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). The application site is within Landscape Character Type E Wooded Estate Lands, character area E4 Rackheath and Salhouse.

6.25 Policy EN3: Green Infrastructure

Requires the provision of adequate informal open space/green infrastructure and the supporting text at paragraph 3.24 explains that the provision of such green infrastructure 'is of particular importance to address the potential impacts of increased visitor pressure on Natura 2000 sites, as identified in the HRA' and therefore, it will need to be ensured that the type of green infrastructure provided includes attractive, accessible greenspace that gives a credible alternative to visiting those sites'. For smaller sites, such provision can be through an off-site commuted payment.

6.26 Policy RL1: Provision of formal open 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

ha per 1,000 population and the provision of children's play space should equate to at least 0.34 ha per 1,000 population.

6.27 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.

6.28 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.

6.29 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 without increasing flood risk elsewhere.

Site Allocations Development Plan Document:

- 6.30 Paragraph 5.12 explains that Salhouse is a Service Village located within the Norwich Policy Area. The site is directly adjoining the settlement limit of the main village of Salhouse.

Salhouse Neighbourhood Plan 2016-2026 Adopted:

6.31 H1: New Housing Development

New housing development will be within the defined settlement limits for Salhouse unless it is consistent with other development plan or national policies for housing in the countryside. Development proposals will be small in scale and expected to demonstrate a high quality of design which will maintain and contribute to local distinctiveness by respecting the character of neighbouring development and the village as a whole in terms of height and density.

Members' attention is drawn to the Examiners Report and his explanation of 'small scale' at paragraph 69: 'By relating this to the scale of new development over a long period, I do not accept that this provides an arbitrary restriction on the scale of development as it allows for some flexibility on the scale of individual developments and does not limit individual developments to five dwellings.'

6.32 H2: Housing Mix

A mix of house types that suits differing life stages and economic positions will be supported, along with self-build and custom build houses in order to encourage a greater diversity of house types and smaller developments.

6.33 OE1: Development, Natural Heritage and Countryside

Development that avoids significant harm to the landscape or biodiversity, or to green areas which are of value in terms of landscape, wildlife or quiet enjoyment, will be supported. Within the Conservation Area, the Salhouse Conservation Area Character Statement 2003, or any approved successor to it will be used to assess the extent of harm.

6.34 OE2: Enhancement of our Natural Heritage and Countryside

Proposals which have an overall net benefit for the natural environmental heritage, either through increasing the natural heritage resource, improving its condition or its quality, or by making it more accessible for local people, will be supported.

6.35 OE3: Protecting our Dark Night Skies

Development proposals should include provisions for conserving dark skies, which is a highly valued feature within the village. Proposals for street lighting will be avoided unless required by the Highway Authority where the need can be justified, given the value attached to the village's dark skies.

6.36 OE4: Managing Land Use Change

Development which provides additional recreational or environmental assets, including allotments, sports fields, village green or public open space, while also maintaining the quality of the village landscape, will be supported.

7 LOCATION AND DESCRIPTION OF SITE

7.1 The site comprises 1.5 ha of land which lies off Lower Street and was last used as an equestrian centre. The site is currently served by an existing access on the western to the west of the site including relationship with the Jubilee Hall.

7.2 The site currently comprises a range of single storey equestrian buildings including and indoor riding arena, largely timber with corrugated roofs, open outdoor riding arena, paddocks and car parking and hardstanding areas.

- 7.3 It is a brownfield site and lies in close proximity to the settlement limit of Salhouse. The Conservation Area lies to the south-west of the site with the accesses being within the conservation area boundary and part of the eastern boundary also abuts the conservation area. The site is adjoined to the north and west by agricultural fields, with the south and east boundaries being bordered by existing housing and the village hall. There is a public right of way (PROW) – Salhouse FP11 which runs along the site's eastern boundary.

8 PLANNING HISTORY

- 8.1 [000620](#): (1) Change of use, alterations and extension of school to Village Hall (2) Change of use of land to rear as associated car parking. Approved 8 January 2001.
- 8.2 [852234](#): Erect covered storage area. School breeding horses, breaking young stock, equestrian training and events. Approved 23 December 1985.

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 NPPF and Planning Practice Guidance, its impact on highway safety, the character and appearance of the area, layout and scale, residential amenity, ecology, trees and landscaping and the planning history of the site.

National Planning Policy Framework and Sustainability of the Site:

- 9.2 Paragraph 11 of the NPPF refers to planning law which 'requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise' (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70 (2) of the Town and Country Planning Act 1990).
- 9.3 Paragraph 13 explains that the NPPF is a material consideration in determining planning applications. Paragraph 14 refers to 'a presumption in favour of sustainable development' at the heart of the NPPF; and for decision-taking, unless material considerations indicate otherwise, 'approving development proposals that accord with the Development Plan without delay' and
- 'where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:

- any adverse impacts of so doing 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' (with examples given in a footnote, including those policies relating to sites protected under the Birds and Habitats Directives).
- 9.4 Paragraph 17 sets out 12 core land-use planning principles that should underpin plan-making and decision-taking. These include that planning should:
- 'be genuinely plan-led, with local and neighbourhood plans setting out a positive vision for the future of the area' and plans 'should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency'
 - 'proactively drive and support sustainable economic development, and every effort should be made objectively to identify and then meet the housing, business and other development needs of an area'.
- 9.5 Paragraph 47 refers to the supply of housing, including that Local Planning Authorities should 'identify and update annually a supply of specific deliverable sites sufficient to provide 5 year' worth of housing against their housing requirements.'
- 9.6 Paragraph 49 further states that 'Housing applications should be considered in the context of the presumption in favour of sustainable development' and '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'.
- 9.7 The relevant parts of the development plan to this application are the Joint Core Strategy (JCS) (adopted 2011, 2014) and the Development Management DPD (adopted 2015) and the Site Allocations DPD (SADPD) (adopted 2016), Salhouse Neighbourhood Plan and the Town and Country Planning Act 1990).
- 9.8 The site lies outside the defined settlement area for Salhouse and for this reason the proposal conflicts with Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD 2015.
- 9.9 However, the application site lies within the Norwich Policy Area. The most recent Greater Norwich statement on five-year housing supply was published as Appendix A of the Annual Monitoring Report (AMR) 2014-2015 for the Joint Core Strategy, December 2015. This statement shows that a 4.39 year

housing land supply is demonstrable within the NPA. Consequently, this application should 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'*. Also, the relevant implications in relation to paragraph 14 of the NPPF must be considered ie that:

'where a development plan is silent or out-of-date, granting planning permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework then as a whole; or

Specific policies in this Framework indicate development should be restricted'

9.10 In relation to sustainability, Paragraph 7 of the Framework defines sustainable development as having three roles:

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places;
- social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services; and
- environmental, through the protection and enhancement of the natural, built and historic environment.

9.11 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles are required.

9.12 In terms of the economic and social criteria, the proposal would provide 11 open market and 5 affordable dwellings and would therefore make a positive, contribution to the housing supply shortfall and provide some short-term economic benefits through its construction.

9.13 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. The site immediately adjoins the settlement limit of Salhouse which is identified as a Service Village on the basis of having a good level of services and facilities.

9.14 The settlement of Salhouse is considered a sustainable location within a short walk of local amenities including, local store, train station and public house.

There is also a bus service within a short walk which provides a service to Norwich City Centre.

- 9.15 The environmental role of sustainable development seeks to in part contribute towards protecting and enhancing the natural, built and historic environment. Consideration of a proposal's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development.
- 9.16 In this regard, the site has been previously developed and the indicative layout shows a spacious form of development at a low density (10.6 dwellings per hectare) within a spacious setting which is well screened from existing built form. The majority of existing landscaping is proposed to be retained. In summary, it is considered that the application site is capable of accommodating the proposed development without significantly compromising the character and appearance of the area.
- 9.17 In addition, there is an existing public footpath to the east of the site which will be a feature of the new development and is proposed to extend into the public open space.

Impact on character and appearance of the conservation area:

- 9.18 The Council's Historic Environment Officer has been consulted on the application and comments received are set out below:

The site is currently occupied by an Equestrian Centre that contains a number of small single storey buildings as well as larger agricultural shed-type structures. It is just outside the Salhouse Conservation Area but has the potential to affect the setting of the conservation area.

The site is situated at relatively low level within the valley, with the rear of properties on Lower Street running along its southern edge. There is a view of the Grade I listed church to the north from the drive (that will be retained) to the western side of the site and this view will not be affected by the development. When viewed from the church and the footpath to the north, the site is hardly visible because of the topography. It is visible in glimpsed views from Bell Lane, but it is considered that a well-designed development of an appropriate scale that uses the predominant materials found in the area would be less visually intrusive than the large sheds that currently occupy parts of the site.

From within the conservation area the site is hardly visible – it will be most clear from near the Jubilee Hall where currently the large sheds are visible to the rear and again it is considered that more domestically-scaled buildings would be more in keeping with the conservation area here. It is not therefore considered that the principle of this development on the site would

detrimentally affect the setting of the conservation area to an extent whereby the significance of the heritage asset would be harmed.

Although this is an outline application, I think the following would need to be carefully considered in developing the scheme further:

It is suggested that the houses would be 2 storeys. I would prefer to see a mix of 1.5 and 2 storey dwellings which would better reflect the predominantly small scale of housing within the Conservation Area, but also ensure that there was a little more variety in terms of building heights on the site. Some of the units (particularly the four along the northern edge of the site) look very large and barn-like. Again, in order that there is not harm to the conservation area, the scale and massing of the houses should reflect the predominantly small-scale and cottage-type properties of most houses in the area. Larger houses can be designed in such a way as to reflect this.

- *Materials should be conditioned – a variety of vernacular materials should be used.*
- *Some of the garages could be incorporated into the houses so that there are fewer garage blocks.*
- *Boundary treatments will be important, particularly around the edge of the development adjoining the fields but also within the development.*
- *Landscaping (ie surface treatments and planting etc) will be important.*
- *There could be some rationalisation of the roads within the site. For example there is a relatively long stretch of road just serving the garages to plots 6 / 7, when they could be accessed from the main route through the site to the north. This would allow some of the properties to have larger gardens and / or the open space to be larger. Likewise, rather than there being a road running along the whole of the northern edge of the site, it would be better if these four properties faced south and had an access road to the south, with their gardens and presumably living rooms etc backing on to the field.*

Existing ARP Building:

- 9.19 There is currently no proposal by the developer to demolish the ARP shelter located at the western access or remove the large oak tree which is protected by virtue of being within the Conservation Area. Unfortunately, the shelter would not be protected by its position within the Conservation Area and it would be unlikely that it could be protected. However, at present it is not under threat.

Design, Layout and Scale:

- 9.20 The indicative layout shows eleven detached dwellings with the affordable dwellings comprising a terrace of three and a pair of semi-detached dwellings.

Amenity:

- 9.21 Impact on residential amenity would be considered at the reserved matters stage when full design details would be provided. However, it is considered that the indicative layout submitted satisfactorily demonstrates that sixteen dwellings can be accommodated on the site in a manner which would ensure existing residential amenity in relation to neighbouring properties would be satisfactorily preserved and that a satisfactory level of amenity would be provided for the proposed dwellings in accordance with Policy GC4 of the Development Management DPD 2015.

Highway Safety:

- 9.22 The application is supported by a Site Access Safety Assessment which shows that the intention is to provide two number accesses both which would be private drives. The submitted design and access statement states 'the private drives will be a minimum of 4.1m wide for the first 10m, then reducing to 3.7m in width further into the development. The visibility splays are proposed to accord with Manual for Streets and clearly can be achieved. The two accesses will serve a maximum of 8 no: dwellings each in accordance with Norfolk County Council requirements. Although indicative, the houses clearly demonstrate parking standards are achievable in accordance with Highways standards.
- 9.23 Norfolk County Council Highways has been consulted on the proposal and recognises that the site has an existing use which would compare to some degree to residential redevelopment of the site. They also comment that the proposal presents a rather contrived arrangement of two individual private drives each serving eight dwellings (the maximum number recommended for a private drive under Norfolk County Council Guidance).
- 9.24 They also comment that the submitted Site Access Safety Assessment provides a local speed survey revealing that 85thPercentile traffic speeds are close to the 30 mph speed limit in force and that the proposed access to the east of the site (via the Village Hall car park) acceptably meets the visibility requirements of Manual for Streets (MfS) (43m x 2.4m x 43m), however, at the western access visibility is deficient to the south western (critical) direction by some significant degree. However, the applicant's agent indicates that the western access visibility can be improved from land under the control of the applicant.

- 9.25 Further, they advise that it would be preferable for the whole development to be served from a single point of access constructed to Norfolk County Council adoptable standards that both fully meets MfS requirements and does not rely on shared access with the Village Hall given the existing uses of the site it is considered that it would be difficult to sustain objection to the proposal.
- 9.26 Members are advised that officers agree that it would be difficult to substantiate an objection on highways grounds in the light of the above comments made by the Highways Authority.

Trees and Landscaping:

- 9.27 Landscaping is a reserved matter which would be considered at the reserved matters stage. However, Broadland District Council's Conservation Officer (Arboriculture and Landscape) has made comments which will have to be addressed on submission of reserved matters should outline planning permission be granted. Conditions requiring a landscaping scheme to be submitted is considered appropriate should outline planning permission be granted.

Ecology:

- 9.28 An Ecological Impact Assessment has been submitted. The report concludes that the application would result in no significant adverse effects on ecological receptors. Based on the evidence from the desk study, an extended Phase 1 habitat survey and a preliminary roost assessment of buildings for bats, it is concluded that the site provide limited opportunities to support protected species or species of conservation concern.
- 9.29 Potential effects on bats and breeding birds could potentially occur, but appropriate mitigation measures have been proposed that would ensure that any adverse effects on these taxonomic groups would be avoided. Further recommendations have also been made regarding ecological enhancements to be incorporated into the proposed scheme which would potentially deliver net benefits for biodiversity.
- 9.30 Consequently, if the recommendations detailed in the report are followed it is concluded that the proposed development would be compliant with statutory legislation regarding biodiversity and nature conservation and planning policy including recommendations set out in the NPPF and local planning policies.

Flood Risk/Drainage:

- 9.31 A site investigation has been undertaken to provide an assessment of the infiltration characteristics of the shallow sub-surface soil to aid the drainage design for the proposed development.

- 9.32 The submitted report indicates that whilst the site is at low risk from rivers (Flood Zone 1), there is a risk of surface water flooding to the site, mainly associated to the south-east corner. To address this a minimum ground floor level of 13.2m AOD and flood resilient construction to 13.7m AOD will be proposed. Details of this are to be provided at the reserved matters stage should planning permission be granted.

The Community Infrastructure Levy and S106 Heads of Terms:

- 9.33 Broadland District Council implemented the Community Infrastructure Levy (CIL) on 1 July 2013 (these are current CIL figures and are subject to change for a combination of reasons including charging indices).
- Residential dwellings – CIL Area A. The proposal is likely to generate in the region of £21,550 Community Infrastructure Levy.

Section 106 Heads of Terms:

- 9.34 Further to this there is still a requirement for a Section 106 Agreement to accompany this application. At present the Heads of Terms are as follows:

- Affordable Housing 33%
- Suggested mix for the affordable housing could include: (awaiting agreement to this from the applicant's agent)
- 1 x 1 bedroom (2 person) house
- 2 x 2 bedroom (4 person) houses
- 2 x 3 bedroom (6 person) houses
- Up to a third of the units for rent would be required to be local lettings, this would include current residents of the parish of Salhouse, those working in the parish or those with a close family connection in the parish.

Off-site open space contributions for play, sport, green infrastructure and allotments as follows, in the region of:

- Green Infrastructure £37,608.56
- Formal Recreation (Sport) £24,746.11
- Play £5,008.56
- Allotments £1,125.47
- Total: £68,488.70

Other Matters:

- 9.35 Concerns have been raised by representatives of the Village Hall in relation to the safety of the users of the Village Hall; access width for two-way traffic; unsuitability of proposed replacement 5 x car parking spaces; requested splay sight lines not being met on a busy road that is also a bus route and lack of legal right by the applicant to make any amends to the side road owned by the Village Hall.
- 9.36 Highway safety has been addressed within the main body of this report. In relation to replacement parking, the applicant has agreed that the Reserved Matters will include provision to extend the existing Village Hall parking area to the north in order to provide replacement spaces in a location which Jubilee Hall would find acceptable. This would need to be secured by way of a Section 106 Obligation which would need to cover provision; rights of access and use and possible land transfer to Jubilee Village Hall.
- 9.37 Concerns have also been expressed in relation to bin storage and collection. The Council's Environmental Contracts Officer has been consulted on the proposals and they advise that to allow refuse vehicles to access over private roads/drives they would need to be built to an adoptable standard to ensure they are large enough to allow clear and safe access and robust enough to take the 32 tonnes of manoeuvring vehicle.
- 9.38 In this regard the applicant has agreed to the following condition:
- That prior to any commencement of work full details of the shared private driveways will be submitted to and agreed in writing with the Local Planning Authority. Such details will include a minimum width of 3.7m, structural and horizontal designed to service a 32 tonne refuse vehicle to each dwelling, a minimum Size 3 turning head and full details of the management of the same for maintenance and upkeep. The agreed details shall be implemented as approved prior to the first occupation of the dwellings and retained as such thereafter.*
- 9.39 The applicant would bear the cost of any works to bring the existing access up to the required standard in accordance with highways specifications and has indicated a willingness to discuss the details of the works directly with representatives of Jubilee Hall should outline planning permission be granted, this has not happened to date as the applicant has been out of the country.

Conclusion

- 9.40 The site is a brownfield site within the Norwich Policy Area where there is a housing supply shortfall which weighs heavily in favour of the application. It is not considered that there are any other material planning considerations

which would significantly outweigh the contribution of the site to the housing supply shortfall which would warrant refusal of the application.

- 9.41 It is considered that the application site can be regarded as a suitable site for new dwellings having regard to the principles of sustainable development and without causing significant harm to residential amenity, the character and appearance of the area or highway safety.
-

RECOMMENDATION: to delegate authority to the Head of Planning to **APPROVE** the application subject to the satisfactory completion of a legal agreement within six months and subject to the following conditions:

Section 106 Heads of Terms:

There is a requirement for a Section 106 Agreement to accompany the application. At present the Heads of Terms are as follows:

- Affordable Housing 33%
- Off-site open space contributions for play, sport, green infrastructure and allotments in the region of £68,488.70
- The setting up of a management company for managing and maintaining on site amenity areas
- Clauses to secure provision of replacement parking in consultation with Jubilee Hall likely to include provision to extend the existing village hall parking area northwards

Conditions:

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

The development hereby permitted must be begun in accordance with the 'Reserved Matters' as approved not later than the expiration of TWO years from either, the final approval of the Reserved Matters, or in the case of approval on different dates, the final approval of the last such Reserved Matter to be approved.

- (2) Application for the approval of the 'Reserved Matters' shall include plans and descriptions of the:

- (i) the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction; and
- (ii) the landscaping of the site
- (iii) layout
- (iv) scale

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 in accordance with the following plans and documents:

LP01 Existing Site Location Plan

Ecological Impact Assessment

Highways

- (4) Prior to the first occupation of any of the dwellings hereby permitted the vehicular accesses shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification (Dwg. No. TRAD 1) 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) Prior to the first occupation of any of the dwellings hereby permitted visibility splays measuring minimum 2m x 43m shall be provided to each side of each of the accesses where they meet the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- (6) Prior to the first occupation of any of the dwellings 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) Parking and turning provision in accordance with adopted standard.

Landscaping and means of enclosure

- (7) A scheme for landscaping and site treatment to include grass seeding, planting of new trees and shrubs, specification of materials for fences, walls

and hard surfaces, and the proposed maintenance of amenity areas, shall be submitted to and approved as part of the application for Reserved Matters.

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

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

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

- (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 (RPAs), Construction Exclusion Zones (CEZs), and Tree Protection shall be submitted to and approved by the Local Planning Authority.

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

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

- (9) 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 [include those that are pertinent]:
- (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.

Archaeology

- (10) (A) No demolition or development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and (1) The programme and methodology of site investigation and recording, (2) The programme for post investigation assessment (3) Provision to be made for analysis of the site investigation and recording (4) Provision to be made for publication and dissemination of the analysis and records of the site investigation (5) Provision to be made for archive deposition of the analysis and records of the site investigation and (6) Nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation.

and

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

- (C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under Part (A) of this condition and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Ecology

- (11) The development shall be carried out in accordance with the mitigation and avoidance measures set out in the Ecological Impact Assessment dated December 2016. In particular Section 6 'Proposed Mitigation and Enhancement Measures'.

Bin Storage and Collection

- (12) Prior to the commencement of work on site full details of the "shared private driveway" shall be submitted to and agreed in writing with the Local Planning Authority. Such details shall include a minimum width of 3.7m, structural and horizontal designs to service a 32 Tonne refuse vehicle to each dwelling, a minimum size 3 turning head and full details of the management of the same for maintenance and upkeep. The agreed details shall be implemented as approved prior to the first occupation of the dwellings and retained as such thereafter.

Flood Risk/Drainage

- (13) No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of:
- On-site storage of surface water
 - Modelling of the surface water drainage network, and
 - Details of run-off into Anglian Water sewers and confirmation that Anglian Water has given permission for discharges into their sewer

The development shall then be carried out in accordance with the approved scheme.

Renewable Energy

- (14) Prior to the commencement of development, including a timetable for implementation, to secure at least 10% of the energy supply of the development from decentralised and renewable energy or low-carbon energy sources shall be submitted to and approved in writing by the Local Planning

Authority. The development shall be carried out in accordance with the approved scheme.

Other

- (15) The reserved matters referred to above shall relate to the construction of up to a maximum of 16 dwellings only.
- (16) Prior to commencement of development full details of any proposed external lighting provision which shall be designed to prevent light pollution of the night sky and the surrounding area shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. Only that lighting which has been so agreed shall be erected or installed.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The application is submitted in outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (3) To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- (4) 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 provision of amenity afforded by appropriate landscape design in accordance with Policies GC4, EN1, EN2 and EN3 of the Development Management DPD 2015.
- (8) To retain and protect the historic landscape features which contribute to the setting and historic landscape value of the area and/or amenity value of the area in accordance with Policy EN2 of the Development Management DPD 2015.

- (9) To retain and protect the historic landscape features which contribute to the setting and historic landscape value of the area and/or amenity value of the area in accordance with Policy EN2 of the Development Management DPD 2015.
- (10) To ensure the potential archaeological value interest of the site is investigated in accordance with Policy EN2 of the Development Management DPD (2015).
- (11) To comply with the requirements of the Habitats Regulations and to protect species of conservation concern.
- (12) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (13) To ensure satisfactory arrangements for surface water drainage are provided for within the scheme in accordance with Policy CSU5 of the Development Management DPD (2015).
- (14) To ensure the development complies with the energy performance requirements of Policy 1 of the Joint Core Strategy.
- (15) To ensure a satisfactory development in accordance with Policy GC4 of the Development Management DPD 2015.
- (16) To ensure the satisfactory development of the site 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 applicant needs 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
- (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 Management Group. Please contact Stephen Coleman 01603 430596.

- (4) With respect to Condition (10), the programme of archaeological mitigatory work will commence with documentary research relating to the aircraft crash site and the obtaining of a licence from the MoD for the archaeological investigation of the site. Site investigation will commence with a metal-detector survey of the site to determine the presence and extent of any remains associated with the crashed aircraft (this will include the monitoring of the removal of below-ground elements of the existing structures at the site (if necessary). The results of the metal detecting survey will be used to determine the scope and extent of any further phases of mitigatory work that may be required (eg magnetometer survey, archaeological excavation, monitoring of groundworks during construction). A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service. Please contact Steve Hickling, Historic Environment Office, Tel. 01362 869285.
- (5) 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.
- (6) The site is subject to a related agreement under Section 106 of the Town And Country Planning Act 1990.

SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Additional Comments	Page Nos
3	20170764	Equestrian Centre, Lower Street, Salhouse	<p>The <u>Lead Local Flood Authority</u> has been consulted regarding the matter of surface water drainage and at the time of writing their response was awaited. Subject to receiving no objections or no objections subject to conditions, the recommendation remains one of delegated authority to approve. Alternative comments may require the application to be referred back to members for consideration.</p> <p>In terms of <u>Foul Drainage</u> and taking account of site levels, it is likely that foul water will need to be pumped from the site to the nearest manhole in order to gravity drain to the existing public sewer on Lower Street. Therefore an additional condition is proposed requiring details of foul drainage [including location of service runs and pumping station] to be agreed prior to development commencing.</p> <p><u>Trails Officer</u> – Norfolk County Council: I have no objections on Public Rights of Way grounds as although Salhouse Footpath 11 is aligned along the eastern boundary, it does not appear to be affected by the proposals. The public footpath is currently to the east of a nicely established hedge which I would like to see retained but would highlight that the responsibility for the maintenance of this hedge will fall to whoever owns it and this could be the homeowners of the new plots.</p>	110 - 142

50 APPLICATION NUMBER 20170764 – EQUESTRIAN CENTRE, LOWER STREET, SALHOUSE

The Committee considered an outline application for 11 open market and 5 affordable dwellings with associated access, amenity space, parking and garaging at the equestrian centre, Lower Street, Salhouse. All other matters (appearance, landscaping, layout and scale) were reserved for later determination. Access to the site would be via two private drives. The proposal would result in the loss of parking to the Village Hall but additional spaces within the proposed development were included to compensate for this.

The application was reported to committee as the site was outside of the settlement limit.

The Committee noted the comments of the Lead Local Flood Authority as reported by the Area Planning Manager at the meeting and the comments of the Trails Officer at Norfolk County Council as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Mr McCormick of Salhouse Parish Council and Sarah Oldfield, Secretary of the Salhouse 2000 Management Committee, both objecting to the application and Mr Futter, the agent, at the meeting. Mr Tapp, one of the Ward Members, expressed his concern at the proposed eastern access.

The site was outside of the settlement limit for Salhouse 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 site was immediately adjacent to the settlement limit and it was considered that Salhouse was a sustainable

location within a short walk of local amenities including train station, public house and bus service to Norwich City Centre.

Members noted the site had previously been developed and the indicative layout showed a spacious form of development at a low density, well screened from existing built form with the majority of the existing landscaping proposed to be retained. Accordingly, it was considered that the application site was capable of accommodating the proposed development without significantly compromising the character and appearance of the area.

In terms of highway safety, it was noted that each of the two accesses would serve a maximum of 8 dwellings in accordance with Norfolk County Council requirements. The Highways Authority considered this to be a rather contrived arrangement but considered that it would be difficult to sustain an objection to the proposal. Members noted the concerns which had been expressed on proposed access to the east of the site, via the Village Hall car park. Whilst the applicant had a legal right to access their land the subject of this application via this access, the Committee was concerned at the potential conflict between vehicles and pedestrians as a result of the proposed development. Members' preference was for a single point of access to the west of the site but the main concern was for any access to be safe for all users. As a result, the Committee felt it was not in a position to make a decision on the application in its current form.

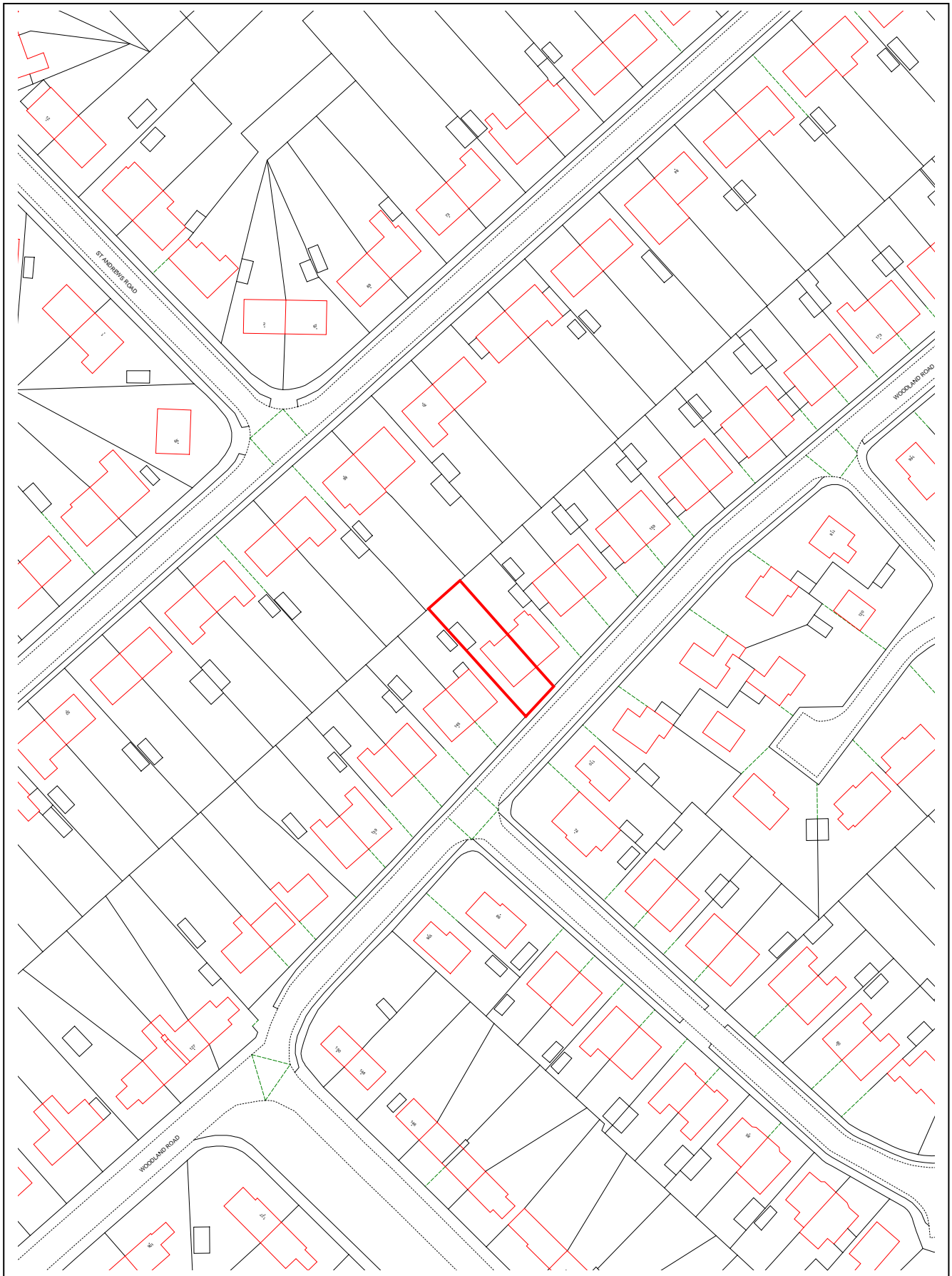
In terms of all other matters raised, it was noted that these had either been addressed in the report or would be dealt with through the imposition of appropriate conditions.

Therefore, notwithstanding the officer recommendation, it was

RESOLVED:

to defer consideration of application number 20170764 for a period of two months to negotiate a safe and suitable access to both the site and the Jubilee Hall for all people.

The Committee adjourned at 1:05pm and reconvened at 1:30pm when all of the Members listed above were present for the remainder of the meeting with the exception of Mr Knowles, Miss Lawn and Mr Leggett.



Application No: 20180224

149 Woodland Road, Hellesdon, NR6 5RQ

**Scale:
1:1250**

**Date:
16-Apr-18**



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AREA West
PARISH Hellesdon

3

APPLICATION NO: [20180224](#) **TG REF:** 620026 / 312682

LOCATION OF SITE 149 Woodland Road, Hellesdon, NR6 5RQ

DESCRIPTION OF DEVELOPMENT Change of use of dwelling to accommodation providing supported living for up to 5 occupants living at the property

APPLICANT Mr Michael Igbodekhe Lamai

AGENT Parker Planning Services Ltd

Date Received: 8 February 2018

8 Week Expiry Date: 5 April 2018

Reason at Committee: At the request of Councillor Gurney for the reasons set out in paragraph 5.9 of this report.

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the change of use of a semi-detached residential dwelling to accommodation which provides supported living for up to five occupants living at the property.
- 1.2 The statement submitted with the application states that the property would support nearby hospitals and would provide supported living for those well enough to leave hospital but need some assistance or support before they are ready to live on their own or with family again. The property is proposed to be a place where people can get used to normal life again, living within a community. The statement concludes that the property is not for people who are immobile or require 24/7 care.
- 1.3 The application proposes no more than four patients / residents occupying the property at any one time. Two members of staff would be at the property during the day and there would be an additional member of staff who would sleep at the property overnight. This member of staff has therefore been classed as the fifth occupant at the property.

- 1.4 The proposal does not seek any changes to the external appearance of the dwelling. Internally the dwelling currently provides a kitchen, a lounge, two bathrooms, a WC, a study and four bedrooms. Two of the bedrooms are on the ground floor and two are on the first floor. Only minor alterations are proposed internally, which includes the study being used as manager's office.
- 1.5 This proposal follows application [20171381](#) which was for a change of use of the same dwelling to a Care Home (C2) use. This application was refused planning permission in September 2017 due to its detrimental impact upon neighbour amenity and the character of the area.

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 impact of the proposal on neighbour amenity
- The impact of the proposal on the character of the area
- The level of parking provision provided and the impact of the proposal on highway safety

3 CONSULTATIONS

3.1 Hellesdon Parish Council:

Objects strongly to the proposals on the following grounds:

- Detrimental effect on neighbours, in particular those residents in the adjoining property
- Insufficient parking for number of residents / staff quoted
- Non-compliance with Regulation 15 of Care Quality Commission Standards, including staff / residents ratios, amenities, difficulties of providing adequate security due to semi-detached nature of property
- Inappropriate commercial development within a residential area

3.2 District Housing Enabler Officer (summarised):

From my reading of the Planning Statement the applicants are proposing a change of use to provide supported living accommodation for clients leaving hospital.

Whilst there is no mention of Hellesdon Hospital, it is unclear whether they are referring to applicants from here or the N&N. The applicant has not identified a specific client group and the only hospital mentioned was Little Plumstead (as being nearby?). There seems to be a low understanding of who would access this service which is intended to support local hospitals and with residents remaining for up to a year.

Could the applicants elaborate on the proposed client group as they are suggesting that they will not require 24 hour care? However, they have then indicated that there will be a night staff member employed who will be sleeping overnight. I also note there is no bedroom proposed for this purpose – so query whether this would be in the Manager's Office (and if this is acceptable)?

Could the applicants also confirm whether the local CCG will be providing funding for the staffing for 24 hour care support or whether this is a private venture? It may be helpful for someone from Adult Social Services or the CCG to be asked to comment on this application too as to whether there is funding available.

3.3 District Housing Manager:

I think we are clear from a housing perspective we cannot support this application on the basis of the information provided. There is no clarity about the type of housing to be provided, which client group will be supported (this is key when we are on the threshold of a Housing Futures needs assessment from the County) and therefore no indication of the revenue stream.

3.4 Norfolk County Council as Integrated Mental Health and Learning Disabilities Commissioning Team:

I can confirm that from the mental health side that we have not been involved in discussions re this application. Therefore I share my colleagues concerns as outlined below.

Often providers assume that NCC will be happy for them to be both the landlord and support provider (as this is what makes a service financially viable on the property side) but generally NCC prefer for the two to be separated to give people the option to change provider without losing their tenancy. We would be less insistent on this point with a short term service, as

appears proposed. We would expect a provider to be accredited with NCC and also potentially to be registered with CQC. Our experience is that group living – which is what is proposed – is not an option for many people eg those who have been mentally unwell and is not something which we are pursuing with the market. Over longer periods providers face issues with ‘matching’ tenants and end up with voids which affect the financial viability of the scheme.

There is reference within the application to HMOs; it may be that this is an alternative use that the applicant is prepared to consider or possibly is that real reason for the application?

3.5 NHS Norwich CCG (Head of Integrated Commissioning):

I have just looked at the supporting statement of this planning application and it has set off a lot of alarm bells!

My initial concerns are:

- Who is this accommodation for and how do they expect people to be referred to them? They should identify if this accommodation is for older people, people with disabilities, people with mental health issues, people with learning disabilities, people with dementia, as this will affect access, equipment provision and emergency provision required and registration under regulatory bodies for care provision.
- It is not clear how this accommodation will “support nearby Hospitals” and there needs to be more clarity on what sort of hospital.
- “Supported Living” is defined as accommodation with on-site support. People are usually referred by Social Services. Supported living is the offer to people in their own homes via a tenancy or home ownership or shared ownership and have personal and housing related support provided by an outside organisation. These tenancies are often to support people with learning disabilities and physical disabilities; this does not seem to be clear from the Supporting Statement.
- If there is going to be care provided by an on-site carer, they would need to be registered with CQC as a domiciliary care provider and if they want to have referrals from Social Care, then they need to be registered with Norfolk County Council.
- It is not clear how this provision will be paid for by the clients. They need to be clear if this is for private clients or clients referred by Social Services.

3.6 Highway Authority:

Despite this present proposal having a supporting statement from the applicant's agent stating expected staff numbers, traffic movements etc I have no reason to change the crux of the highway comments provided in regard to similar refused application 20171381.

Comments made on application 20171381:

It is expected that the proposed use of this small dwelling to a care home will intensify its vehicular generation significantly. Staff numbers on-site at any one time are not stated but a total of six staff are stated as being employed. Allowing for some additional visitor / care professional visits to, and from, the site I would not expect the available on-site parking to be adequate.

Whilst this additional traffic activity could cause some inconvenience to users of Woodland Road and nearby residents; stating this to be detrimental to highway safety is felt to be unsustainable and I therefore have no objection to the granting of permission.

3.7 Norfolk County Council as Minerals and Waste Policy (Planning Services):

While the application site is underlain by a Mineral Safeguarding Area (Sand and Gravel), it is considered that as a result of the nature of the proposed development (change of use) it would be exempt from the requirements of Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

3.8 Pollution Control Officer:

No comment.

4 PUBLICITY

4.1 Site Notice:

Expiry date: 7 March 2018

4.2 Neighbour Notifications:

110, 112, 131, 143, 145, 147 and 151 Woodland Road, Hellesdon and 66 Drayton Wood Road, Hellesdon

Expiry date: 8 March 2018

5 REPRESENTATIONS

5.1 147 Woodland Road, Hellesdon:

We strongly object to this application. Nothing has changed our views or objections against this new application. With regards to five occupants living in this property, who will be living there? Owners – 2 people, occupants – 5, part-time staff – 3. A total of 10 people.

If this means that the owners are moving out, who will be responsible for this property? Does this mean that 3 part time staff will be looking after 5 people 24 hours of the day? Making them full time staff.

The planning application shows 6 parking spaces at the property. At the front of the building there is already 3 cars parked using all the parking area. Where are the rest of the cars parking? This will mean on road parking in front of other residents properties. What about visitors, ambulances, doctors, and delivery vehicles? Also we will have to put up with additional noise and disruption, change overs at all times of the day.

Please note that our bedroom, kitchen and bathroom face onto the driveway of 149 Woodland Road.

This property has only 2 standard refuse bins; will this be enough for 10 people? What about clinical waste? The bins for 149 are stored in the driveway only 10 feet from our kitchen door. Therefore we can expect smells and flies affecting us. They cannot be stored at the back of the property at 149 as there is a gate.

All the residents in this area are retired people and some have lived here for 50 years. We do not want this disruption in a quiet street as Woodland Road.

The garage has never been used for cars, and the driveway is far too narrow to park. If the driveway is used, this means that the back door could not be used as a fire escape as you would not be able to get past any vehicles.

5.2 147 Woodland Road, Hellesdon:

On the first application it stated a C3 (Residential) to C2 (Care Home) this application states dwelling to accommodation providing supported living, so just wording has been changed. I am still uncertain to what it is to be called, is it a Hostel, a Bed and Breakfast, or a Care Home which is the aim, or maybe something different, but nothing is different from last time, same person applying, same semi-detached bungalow, with all the same problems as stated last time (parking, deliveries, bins, fire regulations, staff change overs, disturbance, social services visits, etc).

On the plans it stated four bedrooms, one bedroom for owners, leaves three bedrooms left for five occupants. On the plans it stated six spaces for cars; owners have three cars already at front. Driveway is too narrow for parking, so I am puzzled as to where these six spaces are I believe our frontage is slightly bigger but would struggle to accommodate six car spaces. All these details I cannot help but question. Also if cars are parked on the grass verges outside theirs we have to be careful exiting and reversing our driveway and seeing on-coming traffic.

In theory this might look a good idea to some, but in practice the quality of our way of living would be affected.

5.3 143 Woodland Road, Hellesdon:

I object for the following reasons:

- Accommodation: the property is suitable as a family home, but the usage is being changed to a supervised living home. Weight must be given to the concerns and health and safety of the neighbours, particularly of the adjoining property bearing the party wall.
- Hygiene: most of the residents will not have their own washing facilities in their rooms. For an establishment accommodating both residents and staff, where food is prepared, it is concerning that the downstairs toilet does not have hand washing facilities. The above are not acceptable under health and safety regulations.
- Access and parking: it is not possible to park the number of vehicles stated on the application without vehicles becoming blocked, requiring vehicles to be moved out on to the road to allow other vehicles in and out, thus increasing the number of vehicle movements on the public road. It's likely in practice there will be a temptation to drive over the grass verge, or to park on the street, which is not wide. Where would taxis and delivery vehicles park? In the event of a fire, how would fire-fighters get close to a property surrounded by parked vehicles? This would increase the likelihood and seriousness of fire spreading to an adjoining property, particularly the one sharing a party wall.
- Location: 'This accommodation will support nearby hospitals, such as Little Plumstead as well as others.' – Fact: it is several miles away from Little Plumstead. 'Whilst Woodland Road is residential in character it is located within a very urban area and just off Reepham Road. Where Reepham Road meets Woodland Road, there is a care home 'Woodland Care Home' as well as a number of commercial properties.' – Fact: Reepham Road does not meet Woodland Road, and no commercial properties in Reepham Road are accessible from Woodland Road.

– Fact: The Woodland Care Home is a purpose built with adequate parking and access for emergency and delivery vehicles.

5.4 40 Prince Andrews Road, Hellesdon (summarised):

We are asking for the above application to be turned down and write in support of our parents / in-laws, who live at no: 151 and the neighbours who will be affected if the application is approved. They are both 87 years old and noise and fear of who and what is going on next door will be constantly on their minds.

You will see from the application forms that they do not give any help in the type, style, age etc of the people they will be forced to live next to. While they may seek to put these people in the 'best light', once the application is granted, the business could be sold and the new owners or the applicant could adjust their patients support needs. Isn't it likely that any owner will chase the best return?

We feel that Broadland Planning Office understands the stress, distress, health issues that this will and has caused to people. We think that not only do domestic neighbours owe a duty of care to their fellow neighbours but we also strongly feel that Broadland owe this duty to vulnerable, aged and sick / frail persons in the Broadland area, and to not allow harm or distress come to them which is in their power to avoid. We think the following are important principles:

- Neighbour principle is a principle of English law, which says that a person should take reasonable care to avoid acts or omissions that she / he can reasonably foresee as likely to cause injury to the neighbour.
- In tort law, a duty of care is a legal obligation which is imposed on an individual requiring adherence to a standard of reasonable care while performing any acts that could foreseeably harm others. It is the first element that must be established to proceed with an action in negligence.
- The principle of duty of care is that you have an obligation to avoid acts or omissions, which could be reasonably foreseen to injure or harm other people. This means that you must anticipate risks for your clients and take care to prevent them coming to harm.

5.5 151 Woodland Road, Hellesdon (summarised):

Objections for the following reasons:

- Greater risk to us in the event of a fire.

- Noise and disturbance. We often hear noise from next door due to thinness of the walls and this is under 'normal' occupation. Proposal could lead to noise at all hours even with the sleeping member of staff at the property. Residents could have pull cord alarms. There will also be noise in the back garden.
- Concerns about inaccurate information submitted. On the application form it states that they will have 3 part time employees but in the statement it says they will have 2 staff during the day and an evening member of staff would sleep over. This in fact equates to 3 full-time members of staff. The application form states 5 occupants and the statement states 4 patients, which is true? Where is the staff member going to sleep? Statement says total of 5 people within the property at one time yet later states 4 patients and 2 staff arriving in the morning which is 6? Woodland Road doesn't meet Reephram Road. There are no commercial properties nearby. The area does not lend itself to HMOs.
- Concerns about the type of people who will be living in the property.
- Would people who require care and supervision not increase change of emergency vehicles?
- Weekly check of fire and other alarms / carbon monoxide. Is this a legal requirement if permission is granted? What impact will this have on us when the alarms go off?
- I see that there is no reference to the removal of the permanent parked vehicles which are there at the moment. What guarantee is there that in addition to staff cars coming and going we also still have the permanent parked vehicles?
- I do not see anything in the application that talks about any compensation for the loss in market value of our property.
- Concerns about future use if planning permission is granted. Owners may try to extend property.

5.6 7 Sunderland Close, Norwich:

I am writing in support of my parents / in-laws who have been in their bungalow at no: 151, the one attached to 149 for over 50 years. I feel this type of business is not conducive to this area, it needs to be set up in a stand-alone property not in a semi-detached bungalow with limited outside space in a residential street that is occupied in the main by retired people who have lived there for many years.

We have no idea of the type of resident that will be staying at 149 but as they do not require 24 hour care we can only assume that it is mainly behavioural problems such as ADHD and Aspergers. In my current job I have had to deal with people with these conditions and it seems they do not have a complete grasp of time management and noise – this concerns us as you can hear any out of the ordinary noise ie laughter and raised voices clearly through the adjoining wall as we have heard whilst being in the property.

5.7 110 Woodland Road, Hellesdon:

We object to change of use because of the likely disruption on this very quiet residential close, ie cars coming and going especially at night also parking is very restrictive in this narrow part of the street and it can be challenging trying to reverse in narrow driveway.

5.8 (Address unknown):

I am contacting you with regard to the above application as I do not feel it should be agreed. Like the previous one made by Mr & Mrs Lamai, I feel most of the objections will still apply. I do not feel the location is the correct area for a 'Care Home', (whoever will be living there will be getting care).

It is a semi-detached property and there is bound to be a lot more noise from the adjoining bungalow and always the possibility of a fire if, for instance someone upstairs is smoking and causes one, also that person may not be able to get down the stairs quickly and therefore get seriously hurt, apart from the damage that could be done to the adjoining property.

There are only four bedrooms so where is the night staff supposed to sleep?

As for the parking there is going to be a lot of 'shunting' about if 2 cars are parked at the side of the house. I know it states that visitors are not to be allowed but if the residents are not able to look after themselves how are they supposed to get out and about, this does not seem realistic. Their families are going to visit whether they are meant to or not. My drive is opposite and is quite difficult to get out when cars are parked opposite.

I accept that there is Woodland Care Home just up the road but this was built on a much larger area with plenty of space for parking and emergency vehicles, and not really close to the properties next to them, so I do not feel that this is a good example.

5.9 Councillor Shelagh Gurney:

Should you be of a view to approve this application, then I would like this called in to Planning Committee please.

There is considerable amount of concern about the viability of this application, and given the deputation that visited the Hellesdon Parish Planning meeting last week, I think it is in the best interest this path is taken. I have concerns about the amount of parking on site.

The number of people employed to oversee the home. Staff figure suggested are well under that which would expected. There are no separate staff facilities either.

Cllr King from Hellesdon Parish Council will submit an extensive document which is requesting a refusal of this application, and I will be supporting this view. I agree entirely with the contents of his submission.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012:

- 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).

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

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

To address climate change and promote sustainability, all development will be located and designed to use resources efficiently and be adapted to a changing climate and more extreme weather.

- 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.

6.6 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 locations.

6.7 Policy 7: Supporting communities

All development will be expected to maintain or enhance the quality of life and the well being of communities and will protect and strengthen community cohesion.

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 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.

6.10 Policy GC4: Design

Development will be expected to achieve a high standard of design and avoid any significant detrimental impact. Sets out a list of criteria that proposals should pay regard to, including the need to consider impact upon the amenity of existing properties and being accessible via sustainable means.

6.11 Policy EN4: Pollution

Development proposals will be expected to undertake an assessment of the extent of potential pollution. In considering development proposals regard will be given to the risk and impact of potential pollution including that of land, water, noise or air; either arising from the development or on the development from existing uses.

6.12 Policy H4: Change of use of a dwelling

Proposals for change of use of a dwelling, including to allow working from home will be considered acceptable in principle provided that:

- i The sale of any goods is limited to those produced on site; and
- ii The scale and nature of the use relates acceptably to the surroundings; and
- iii The benefit arising from the new use outweighs the loss of the dwelling.

6.13 Policy H5: Residential institutions

Development within settlement limits will be considered acceptable in principle provided the site is accessible by public transport and is within reasonable proximity of community facilities.

6.14 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.

6.15 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.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The dwelling which is the subject of this application is a semi-detached bungalow with rooms in the roof. The bungalow is situated on the northern side of Woodland Road in an established residential area, within the settlement limits of Hellesdon.
- 7.2 Within the immediate area there are a variety of property styles including detached and semi-detached bungalows and some detached houses on the south side of Woodland Road. To the east of the site is the adjoining semi-detached bungalow at no: 151 Woodland Road, to the west of the site is no: 147 which is also a semi-detached bungalow, to the south on the opposite side of Woodland Road there is a detached bungalow (no: 110) and detached

house (no: 112). There is also a semi-detached bungalow to the north of the site on Drayton Wood Road (no: 66).

- 7.3 The bungalow has a flat roof single storey extension to the rear which, as referenced in section 8.1 of this report, was approved under application [20061670](#). The bungalow has also been extended with a flat roof dormer window to the rear which wouldn't have required planning permission.
- 7.4 To the front of the building there is an area of hardstanding which allows parking for up to 4 vehicles. There is also a single garage on the south west boundary of the site to the rear of the dwelling. The rear garden is currently laid to lawn. There is a slight slope down towards the south of the site.
- 7.5 There are no boundary treatments at the front of the site to both the south with Woodland Road and to the east with no: 151. There is a post and wire fence of approximately 1 metre in height to the west between nos: 147 and 149 which runs down the side of the dwelling. The garage which is approximately 2.5 metres in height is then located against the boundary to the west. At the rear of the site there is close boarded fencing of approximately 1.8m in height to the north with no: 66 Drayton Wood Road and to the east with no: 151.

8 PLANNING HISTORY

- 8.1 [20061670](#): Extension to rear of bungalow, 149 Woodland Road, Hellesdon. Approved 7 December 2006.
- 8.2 [20171381](#): Change of use from C3 (Residential) to C2 (Care Home), 149 Woodland Road, Hellesdon. Refused 29 September 2017.

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 impact of the proposal on residential amenity, the character of the area and highway safety.
- 9.2 Policy GC2 of the Development Management DPD (DM DPD) states that new development will be accommodated within the settlement limits defined on the policies map. The site is located within the settlement limits of Hellesdon and therefore the proposal accords with Policy GC2.
- 9.3 Policy H4 of the DM DPD meanwhile states that proposals for the change of use of a dwelling, including to allow working from home will be considered acceptable in principle provided that:

- i The sale of any goods is limited to those produced on site; and
- ii The scale and nature of the use relates acceptably to the surroundings; and
- iii The benefit arising from the new use outweighs the loss of the dwelling.

9.4 With regards to the criteria set out in Policy H4, the proposal does not propose the sale of any goods from the site and so point (i) is not applicable. With regards to point (ii) the application proposes that no more than four patients / residents will be cared for at any one time. The existing bungalow already has four bedrooms and a study which could be used as a further small bedroom. It is therefore considered that the dwelling could already be occupied by five or six people at any one time if it were occupied by a large family. Given that the application states that the residents would not be immobile and would not require 24/7 care it is considered that there would not be a significant difference with regards to the comings and goings associated with the use when compared to if the property was occupied by a large family. Furthermore a condition is proposed to be added to the decision notice stating that no more than four patients / residents will be cared for at the property at any one time in order to control the scale of the business. On this basis it is considered that the scale of the proposal is acceptable and that the application would meet point (ii) of Policy H4. The final point in Policy H4 states that the benefit arising from the new use should outweigh the loss of the dwelling. The application would result in the creation of 3 new full time positions and so the proposal would accord with Policy 5 of the JCS. It is considered that these employment benefits associated with the proposal would outweigh any harm of losing a single dwelling in a built up residential area. Taking the above into account it is considered that the proposal would comply with main principles of Policy H4 of the DM DPD.

9.5 Policy H5 of the DM DPD states that planning applications for residential institutions within settlement limits will be considered acceptable in principle provided the site is accessible by public transport and is within reasonable proximity of community facilities. Policy H5 applies to those uses falling with Class C2 and C2A of the Use Classes Order ie a residential establishment (which may also provide medical care or other support) in which residents live communally. From the information provided with the application it is considered that the proposal is most likely to fall within Class C2. The site is within walking distance of several nearby bus stops, the nearest of which is located further along Woodland Road. The site is also considered to be within reasonable proximity of community facilities and so the application would adhere to the main criteria set out in Policy H5.

9.6 Although it is considered that the proposal meets the main criteria set out in Policies H4 and H5 both policies also state that when considering the application the Local Planning Authority must also be satisfied that no undue

adverse effects will arise, to the detriment of neighbours or the character and appearance of the surrounding area in general. In this respect, proposals will be considered against the guiding principles set out in Policy GC4 of the DM DPD.

- 9.7 As set out in paragraph 9.4 it is considered that, given the scale of the proposal, the impact created by the application will not be dissimilar to the impact that would occur should a large family occupy the dwelling. It is also worth considering that in a fall-back position the dwelling could be used as a House in Multiple Occupation (HMO) or as student accommodation. Either of these uses could accommodate up to 6 people and could be carried out under permitted development and therefore not require planning permission. Therefore, comparing the proposed use in terms of its impact upon the character of the area and the residential amenity of nearby properties, there would be no significant change associated with the proposed use to that which would be experienced by its permitted use as a dwelling.
- 9.8 No physical alterations are proposed to the dwelling and so its appearance will remain unaltered. In terms of the impact on the character and appearance of the area the only way in which this will be visibly altered is an increase in the comings and goings to the site and vehicles parking at the site. The supporting statement submitted with the application states that the residents are not allowed visitors at the property. Whether this is the case or not, given the scale of the proposal, it is not considered that traffic movements to and from the site is likely to result in a significant detrimental impact upon neighbour amenity in terms of noise and disturbance or cause significant harm to the character and appearance of the area. Any noise from within the property is again only likely to be tantamount to that which could be created if the dwelling was occupied by a large family and therefore the proposal is not considered to have any significant detrimental impact upon neighbour amenity.
- 9.9 With regards to the parking provision at the site the supporting statement submitted with the application states that there is sufficient room for 6 parking spaces available at the site, four spaces at the front of the property and two further spaces down the side of the property. It is unlikely however that if a car was to park down the side of the property that there would be room to get in and out of the car whilst this arrangement would also result in vehicles being blocked in behind one another. The Local Planning Authority therefore considers that realistically there are four parking spaces available at the site. Considering that there would only be either one or two members of staff on site at any one time and that not all occupants will have their own cars this may be sufficient. Notwithstanding this however the Highway Authority have indicated that even if the proposal was to result in some off-site parking, whilst this additional traffic activity could cause some inconvenience to users of Woodland Road and nearby residents it would not be detrimental to highway safety and therefore they do not object to the application. Overall the

proposal is not considered to be contrary to either Policy TS3 or TS4 of the DM DPD.

- 9.10 Comments have been received from NHS Norwich CCG and from Norfolk County Council in their role as Integrated Mental Health & Learning Disabilities Commissioning Team. Both comments raise concerns regarding the application however the concerns are considered to be with regards to the running of the business and the feasibility of the scheme which are not considered to be material planning considerations. In objecting to the application Hellesdon Parish Council has also made reference to the fact that the proposal would not comply with Regulation 15 of Care Quality Commission standards. It should be noted that this is not considered to be a material planning consideration and therefore cannot be taken into account in determining this application. An informative has however been added to make the applicant aware that they would need to comply with the Care Commission Standards should permission be granted.
- 9.11 In conclusion, the proposal will help to support the local economy and has social benefits associated with the proposed use, meaning that residents could better integrate into society before formally living on their own or with families again. The application is considered to accord with Policies GC2, H4 and H5 of the DM DPD and is not considered to have a significant detrimental impact upon neighbour amenity, the general character and appearance of the area or highway safety. The proposal is therefore also in accordance with Policies GC4, TS3 and TS4 of the DM DPD. Taking account of these elements, it is considered that the benefits associated with the development decisively outweigh any perceived harm. With that in mind, there is not considered to be any justified reason to refuse the application and the officer recommendation is therefore 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.

Application Form, received 8 February 2018

Location Plan, received 8 February 2018

Site Plan, received 8 February 2018

Planning Supporting Statement, received 8 February 2018

Ground Floor Plan (Existing & Proposed), received 16 April 2018

First Floor Plan (Existing & Proposed), received 16 April 2018

- (3) The building at No.149 shall be used as accommodation providing supported living and for no other purposes (including any other purpose in Class C2 or C2A of the Schedule of the Town and Country Planning (Use Classes) Order 1987) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modifications.
- (4) No more than 4 residents / patients shall occupy the property at any one time unless otherwise specified in writing by the Local Planning Authority.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure the satisfactory development of the site and to safeguard the amenities of neighbouring properties in accordance with Policy GC4 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.

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 should be aware that the development hereby permitted will need to fully comply with the details set out in Regulation 15 of Care Quality Commission standards.



Application No: 20180243

76 Gordon Avenue, Thorpe St Andrew, NR7 0DP

**Scale:
1:1250**

**Date:
16-Apr-18**



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AREA East

PARISH Thorpe St Andrew

4

APPLICATION NO: 20180243 **TG REF:** 625858/ 309285

LOCATION OF SITE 76 Gordon Avenue, Thorpe St Andrew, NR7 0DP

DESCRIPTION OF DEVELOPMENT Raising of roof, rear extension and loft conversion

APPLICANT Mr Daniel Green

AGENT N/A

Date Received: 12 February 2018

8 Week Expiry Date: 9 April 2018

Reason at Committee: The applicant is related to a Broadland District Council employee and objections have been received to the proposal.

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 An open fronted porch would be built over the front door, between the existing bay windows.
- 1.2 The property would be extended 6 metres further to the rear than the existing extension to form an open plan kitchen and dining area to the rear of the ground floor.
- 1.3 The roof ridge height over the existing property would be raised from 5.6 metres to 6.2 metres, an increase of 0.6 metres in height, and extended over the proposed rear extension to form a gable end to the rear which will enable rooms to be formed in the roof space. This will include one bedroom, bathroom and walk in wardrobe.
- 1.4 Five rooflight windows will be included on the west elevation, four of which will be to provide light to ground floor rooms with the fifth serving the landing in the loft space. One further rooflight will provide light to the stairwell on the east elevation.

- 1.5 Combined with internal alterations the property will be increased from a two bed to a four bed detached dwelling
- 1.6 The amended plans corrected an error on the original which showed the existing roof ridge to sit at 5 metres in height giving the impression that the roof ridge would be raised by 1.2 metres.
- 1.7 The proposal details that the property would be finished in painted render, the roof will be finished in black concrete tiles and the windows and doors would be white uPVC.

2 KEY CONSIDERATIONS

- The impact of the proposal on the character and appearance of the area.
- The impact of the proposal on neighbour amenity.

3 CONSULTATIONS

3.1 BDC Pollution Control Officer:

The property is within 250m of filled ground. I would suggest that the appropriate informative is added

3.2 Thorpe St Andrew Town Council:

Members noted that the proposal would increase the roof height by 90cm and felt the proposed roof line would be out of keeping with other properties in the area and have a negative impact on the street scene. They also felt the roof would be acceptable with a hip roof rather than a gable end. It was also felt that the proposed extension was too large and would have a negative impact on neighbouring properties. For these reasons it was agreed to raise an objection.

Re-consultation:

The roof would be more acceptable with a hip roof rather than a gable end. It was also felt that the proposed extension was too large and would have a negative impact on neighbouring properties. For these reasons it was agreed to raise an objection.

4 PUBLICITY

4.1 Site Notice: Expired 19 April 2018

4.2 Neighbour notifications:

63, 74 & 78 Gordon Avenue and 18 & 20 Blakestone Drive were notified by letters sent on 15/02/2018. The reply due date being 10 March 2018.

74 & 78 Gordon Avenue were reconsulted by letter sent 19 March 2018 with a reply due date of 2 April 2018.

5 REPRESENTATIONS

5.1 One comment received from neighbours. An objection received from 78 Gordon Avenue (to the east of the site) raising the following concerns:

- The proposal would be over-development of the site.
- The raised and extended roof will be out of keeping with the neighbouring properties and will block light to the living room, kitchen and conservatory to No. 78.
- Several velux windows overlooking driveway
- Front porch design not in keeping with the bungalow and street scene.

Re-consultation:

Original objection is maintained

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, 56 & 186 are particularly relevant to the determination of this application.

6.2 The following sections of the NPPG are relevant:

Design and Determining a planning application (particularly “What is a material planning consideration?”)

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

6.3 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.

Development Management Development Plan Document (DMDPD) (2015):

- 6.4 The policies set out within the Development Management DPD 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.

- 6.5 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.

- 6.6 Policy GC4: Design

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

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is located on Gordon Avenue, a residential area in Thorpe St Andrew.
- 7.2 The site is rectangular, measuring approximately 66metres in length, front (north) to back (south) by 12 metres in width.
- 7.3 The existing dwelling on the site is a detached two bedroom bungalow with a hipped roof. There is off road parking to the front and a 47metre garden to the rear.
- 7.4 Gordon Avenue is made up of a vast majority of detached bungalows, many of which have been extended to the rear with a mix of gable and hipped roof designs. There are some detached two storey houses amongst the bungalows. The front boundaries tend to be low level (1metre or lower) fence or brick walls with some hedges, shrubs and small trees. There is a uniform feel to the street with all the properties having similar sized front gardens and drives with consistent spacing between the dwellings.
- 7.5 No. 78, to the east, is a detached bungalow with a hipped roof with a single storey rear extension and a small conservatory creating a stepped rear

elevation. The original bungalow sits approximately 1.5 metres from the boundary with the application site and has one window (to a non-habitable room) along the side elevation. There are windows to the rear elevation and the side elevation of the extension and conservatory. The conservatory is 4.5 metres and the extension 6.5 metres from the boundary with the application site. There is wire fencing along the boundary separating the front gardens with 6ft close boarded fencing starting halfway along the dwellings and extending to the rear boundary.

- 7.6 No. 74, to the west, is a detached bungalow with a hipped roof to the principle elevation and a gable end to the rear. The property has twice been extended to the rear under application 011020 and 20111375. The property sits 2.5 metres from the boundary with the application site and has three windows, two doors and a rooflight in the side elevation. A 6ft close boarded fence runs along the boundary so there is no overlooking from the windows and doors.

- 7.7 There are several examples of similar development permitted on Gordon Avenue as detailed below:

No. 37 Gordon Avenue – App No. 900568
No. 39 Gordon Avenue – App No. 20040222
No. 44 Gordon Avenue – App No. 20161318
No. 50 Gordon Avenue – App No. 20050871
No. 67 Gordon Avenue – App No. 980495
No. 68 Gordon Avenue – App No. 20041253
No. 99A Gordon Avenue – App No. 20140371

8 PLANNING HISTORY

- 8.1 No previous planning history.

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) and the Planning Practice Guidance.
- 9.2 Whilst there will be some change to the appearance of the dwelling from the street it is not considered to be significant or to cause harm to the character of the area.
- 9.3 The roof ridge will be raised by 0.6 metres from the existing height by following the existing roof slope and bringing it to a point rather than a flat top (ridge parallel to road). This is actually more in keeping with the neighbouring properties than the existing as the vast majority all come to a point to the front (with the ridge running backwards). Whilst the ridge line is being raised it is

considered that the additional 0.6 metres will not look out of place against the neighbouring dwellings.

- 9.4 The only other change to the principle elevation (front) is the proposed open fronted porch. There is already a small gable over the existing door with a ridge height of 4.8 metres; this is being brought forward but will also be lowered with a shallower pitch. The proposed porch measures 1.2m deep x 2.3m wide so it will be 2.76 sq metres and will be at a height of 4.2 metres. Although the height means that the current design could not be carried out under permitted development the applicants could erect a porch of the same size at a maximum height of 3 metres. The porch roof height is lower than the existing front gabled roof and an objection to this could not be sustained.
- 9.5 To the rear the garden backs onto No 18 & 20 Blakestone Drive. No representations have been received from either of these neighbours and after the extension the application site would retain a rear garden in excess of 41 metres. Therefore there would be no impact on the amenity of either of these dwellings.
- 9.6 To the west is No 74 Gordon Avenue separated by a gap of approximately 4 metres from the application dwelling (side wall to side wall). No 74 has a similar rear extension to the proposed which extends approximately 3.5 metres further to the rear than the current extension at No 76. No representations were received from the owner/occupiers of No 74 and given the separation between the dwellings and the existing extension at No 74 it is considered that the proposed development will not have any significant impact on the amenity of No 74.
- 9.7 To the east No 78 Gordon Avenue is separated by a gap of approximately 3 metres (side wall to side wall) and has a rear extension that extends approximately 4 metres further to the rear than the existing extension at No 76.
- 9.8 The proposed extension will extend 6 metres further to the rear than the existing so approximately 2 metres further than the extensions of No 78. The extension at No 78 is set to the east side, approximately 6.5 metres from the boundary and 8 metres from the proposed extension. No 78 has a detached dual pitched roof garage with a flat roof car port along the boundary and between the proposed extension at No 76 and No 78.
- 9.9 The proposed raised roof pitches away from No 78 so the ridge line will be approximately 10 and 12 metres away from the conservatory and kitchen windows in the side elevations of No 78. Whilst this may result in a small amount of light loss as the sun sets in the west it is not considered to be significant given the distance between the ridge line and the windows and that there is an existing garage and car port on the neighbours property that will also block some of the light as the sun sets in the west.

- 9.10 The Town Council suggested that a hipped roof to the rear would be more acceptable than the gable end but this will have no impact on the character and appearance of the area as it will not be visible. Many of the neighbouring properties have extensions to the rear with gable ends, for example 37, 39, 44, 50, 53, 55, 57, 67, 68, 74, 93 and 99a. The hipped roof to the front is to be maintained.
- 9.11 Five rooflight windows will be included on the west elevation, four of which provide light to ground floor rooms. The bottom of the windows will sit at 3.5 metres in height so there will be no possibility of overlooking the neighbouring property as these serve ground floor rooms. The fifth will serve the landing in the loft space so is not to a habitable room. One further rooflight will provide light to the stairwell on the east elevation.
- 9.12 The use of painted render would be in keeping with the character of the area. Within the row of bungalows in which No 76 sits many of them are rendered; on the south side of the road (even Nos) 58-70, 74, 78 and 82 and on the north side (odd Nos) 49, 51 and 67-75 are all finished in render. Black concrete tiles are in keeping with the existing roof of No 76 and the neighbouring properties at No 78 and 80. The windows and doors would be white uPVC to match the existing.
- 9.13 The proposals are not considered to cause significant harm to the character and appearance of the area and based on the reasons above the proposals are not considered to cause any significant harm to neighbour amenity.
- 9.14 In conclusion the application is considered to be an acceptable form of development and therefore should be approved as it complies with National Planning Policy Framework, National Planning Policy Guidance, Policy 2 of the Joint Core Strategy and Policy GC4 of the Development Management DPD 2015.
-

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)

Amended Dwg No 76GA_RC_2018_A Plans and Elevations received 16 March 2018

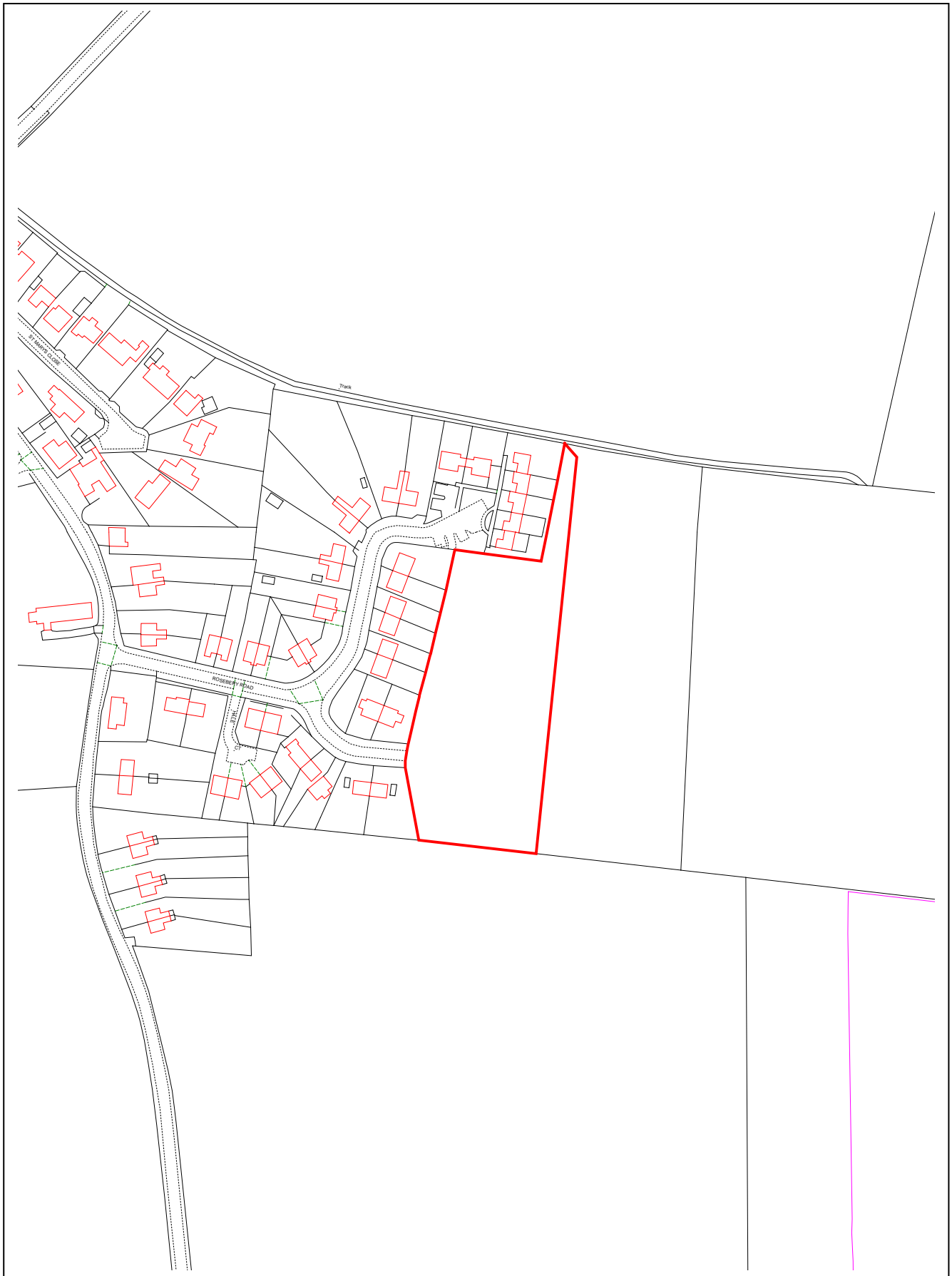
Location Plan received 12th February 2018

Reasons:

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

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)
- (3) The applicant is herewith advised that due to the proximity of the site to an area of filled ground, a suitable membrane to prevent the potential risk of gas ingress should be included in the design of the works to be carried out and agreed with CNC Building Control Consultancy, who provide the Building Control Service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk (INF34)



Application No: 20171999

Land off Rosebery Road, Great Plumstead, NR13 5EA

**Scale:
1:2500**

**Date:
16-Apr-18**



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AREA East

PARISH Great and Little Plumstead (Thorpe End)

5

APPLICATION NO: [20171999](#)

TG REF: 630396 / 309924

LOCATION OF SITE Land off Rosebery Road, Great Plumstead, NR13 5EA

DESCRIPTION OF DEVELOPMENT Erection of 22 dwellings (1 to 4 bed) including a mix of 9 bungalows, 4 flats and 9 houses and associated works

APPLICANT Broadland Growth Limited

AGENT NPS Property Consultants Ltd

Date Received: 15 November 2017
13 Week Expiry Date: 21 March 2018

Reason at Committee: The applicant forms part of the District Council and Cllrs Proctor and S Vincent, together with the Council's Chief Executive, are members of the Board of the applicant – Broadland Growth Ltd.

Recommendation (summary): **Approve** subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 22 dwellings comprising 8 affordable dwellings which equates to 36% of the total development. The proposed private housing mix is 2 x 2 bed and 2 x 3 bed semi-detached bungalows, a single 2 bed terraced bungalow, 5 x 4 bed and 2 x 3 bed detached houses and 2 x 3 bed semi-detached houses. The affordable housing comprises 2 x 1 bed terraced bungalows, 2 x 2 bed semi-detached bungalows and 4 x 1 bed flats. The affordable housing will include 5 shared equity and 3 affordable rent tenure units and they will meet nationally prescribed space standards. Furthermore, Plot 8 will be a wheelchair adaptable bungalow for affordable rent tenure (see paragraph 3.6 for the Housing Enabling Officer's comments).
- 1.2 The materials proposed for the dwellings will include white render and dark stained timber boarding as well as slate coloured concrete roof tiles and grey UPVC windows and doors.

- 1.3 It is proposed that vehicular access to the site is via a continuation of the existing Rosebery Road estate road. The roads within the site will include a 4.8m wide carriageway with 1.5m wide footways either side. For the main estate road and footpaths it is proposed to use tarmac with either flush or standard concrete kerbs. Although the roads have been designed to adoptable standard these will remain as unadopted.
- 1.4 The private drives, front garden paths and refuse collection areas will be finished in the same tarmac material as the main estate road and footpaths but with rolled limestone chippings. 1.8m close boarded fencing will form the boundaries to the private gardens. Planting areas are also proposed around the development which will include a combination of grasses and lavender. No street lighting is proposed, which is in keeping with the character of the area.
- 1.5 The applicant owns the adjacent parcel of land to the east of the site, which due to the presence of a high pressure gas pipeline in the adjacent field is not able to form part of any residential application. This site is subject to a separate planning application (ref: [20172000](#)) seeking to change the use from agricultural land to outdoor community use including allotments.

2 KEY CONSIDERATIONS

- Whether the development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance and contributes towards sustainable development
- Highway issues
- Whether the design of the dwellings are appropriate
- The impact of the development on the character and appearance of the area
- The impact of the development on residential amenity
- Other matters

3 CONSULTATIONS

3.1 Great & Little Plumstead Parish Council:

The Parish Council objects for the following reasons:

- The proposed improvements to the Church Road junction are inadequate and the junction is currently very dangerous and with increased traffic will only become worse. This needs to be looked at before any application can go forward. The Parish Council are looking for more of a physical intervention to slow and manage traffic.
- The application is outside the settlement limit.
- The application fails to meet the requirements of the Neighbourhood Plan of Great and Little Plumstead.
- The parking provision for the dwellings is not in line with Policy 2 of the Neighbourhood Plan.
- On the 3d plans the dwellings are shown to have red rendering but the application does not show this. The Parish Council would strongly suggest that the developer goes with the red rendering as this is more in keeping with the existing houses of Great Plumstead. As per our Neighbourhood Plan (Policy 2) all new developments should blend with the existing housing. (The developer has confirmed that this has no monetary effect.)

3.2 Anglian Water:

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

“Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.”

Foul drainage from the site is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets.

With regards to the foul sewerage network, development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. We request a condition requiring the drainage strategy covering the issue to be agreed (*condition suggested by Anglian Water is proposed to be added as suggested*).

3.3 Campaign to Protect Rural England (CPRE):

I write on behalf of CPRE Norfolk to lodge its objection to this planning application, although it is possible that our concerns could be addressed through the use of planning conditions.

Firstly, we are concerned that the application site is not identified as being earmarked for housing, as outlined in the Site Allocations DPD. Moreover, the site lies outside the settlement boundary of Great Plumstead. We note that the site is identified as being a potential site for housing within the Neighbourhood Plan but have reservations about some of the design aspects of the scheme, along with a desire for there to be a greater proportion of affordable houses. This latter point is implied within the Neighbourhood Plan, with a desire for this site to meet the need for affordable homes, rather than a mix of affordable with those on the open market.

The 8 dwellings as affordable homes are generally acceptable, but the scheme is less successful in the provision of two-storey houses, which are for sale through the open market. These 4 bed houses are sited on the eastern part of the site, and have double garages. Their dense form gives a suburban character to the scheme, which is out of keeping with the location. The proposed house types exploit the success of the award winning Carrowbreck Meadow Scheme, the first design by Broadland Growth Ltd, but the houses at Carrowbreck Meadow are sited in a suburban area of Hellesdon, which is different from Great Plumstead. The dense form of the large executive type houses would be alien to this rural site, and the construction materials of white rendered walls, timber cladding and dark grey concrete roof tiles, while successful at Hellesdon, would appear incongruous on this site.

Furthermore, there are landscaping features which are suburban in form. There is a proposal to erect a 1.8m unsympathetic close-boarded fence along the eastern boundary of the residential site. Landscaping formed with hedges and trees would be preferable. In summary, this is a suburban scheme which has too high a density of housing for its location. It will not enhance the countryside around Great Plumstead.

It is the case that the part of Broadland within the Norwich Policy Area does not (unless a new assessment proves otherwise) demonstrate a 5-year land supply for housing. However, we feel that this should not outweigh the other considerations already noted, especially as the site lies outside the settlement

boundary for Great Plumstead. In the recent Supreme Court judgements in *Suffolk Coastal District Council v Hopkins Homes* and *Richborough Estates v Cheshire East Borough Council* there is a significant ruling about the interpretation of paragraph 49 of the National Planning Policy Framework. In their judgement, the judges supported a narrow definition of 'policies for the supply of housing', meaning that local policies seeking to prevent development outside settlement boundaries, and / or protect areas of important countryside, are not to be automatically considered out of date in the absence of a five-year housing supply.

The intent to build on open greenfield should be resisted while other solutions less harmful to the environment are investigated. This should be considered particularly in light of the recent Housing White Paper (fixing our broken housing market), with its emphasis on the need to develop brownfield and surplus public land first, as well as considering other solutions including higher density urban housing.

3.4 Conservation Officer (Arboriculture & Landscape):

Comments on original submission:

The Arboricultural Impact Assessment (AIA) undertaken by AT Coombes Associates Ltd has detailed the tree constraints at the site, due to its open nature these are specifically the boundary trees and hedges, the most significant are the impressive existing hedgerow Oaks.

On the Tree Protection Plan (TPP) the only encroachment within any existing trees Root Protection Areas (RPAs) is the position of the six proposed parking bays adjacent to Oak T15 (Plots 19 / 21), with the application site being extensive it would make a lot of sense to adjust the layout moving the positions of these plots / parking bays to prevent any encroachment into the RPA's and the need to use a 'No-Dig' three dimensional confinement system to construct the hard surfacing.

At this stage if relevant, thought should be given to the positions of any future footpaths or cycleway to prevent the re-occurring issue of linear edge paths being constructed within the rooting areas of the significant landscape trees; due to the existing unconstrained areas of the site being earmarked for other uses.

Once a layout is agreed the details within the AIA, Arboricultural Method Statement (AMS) & Tree Protection Plan (TPP) should be conditioned. A Landscaping Scheme will also be required and this should include the species listed within section 8 Enhancements; of the Ecological Report.

Comments on revised submission:

Having looked at the changes I have no objections to the proposals and no additional comments.

3.5 Environmental Contracts Officer:

Comments on original submission:

Type 3 turning bays should be used to enable a refuse collection vehicle to turn at the end of a cul-de-sac. If this is the case then I foresee no problems with refuse collections as the refuse vehicle will be able to directly access each property. There are no issues with regard to street cleaning.

Comments on revised submission:

My comments are with regard to amenity land. There does not appear to be any public open space within this development but there does appear to be some land that appears to be outside the boundaries of private residences. This is of concern as if such areas are not under the ownership of private residences are likely to become maintenance liabilities. Please can the developer confirm ownership some of these areas?

Further comments provided following confirmation of ownership:

Good to have that confirmation and I am content with the proposal.

3.6 District Housing Enabling Officer:

This Planning Application proposes 22 dwellings of which 8 are to be affordable. The Greater Norwich JCS Policy 4 requires that for a proposed scheme of this size at least 33% of the dwellings should be affordable. As this scheme proposes 36% affordable housing this is above the policy requirement.

The proposed affordable housing mix was based on current local housing need within the parish – at the time of initial pre-app consultation. For the 8 affordable units the proposed mix is:

2 x 1 Bedroom 2 person Flats – Affordable Rent (50/57m²)
1 x 2 Bedroom 4 Person Bungalow – Affordable Rent (70m² – to part M Building Regs suitable for w/c adaptation)
2 x 1 Bedroom 2 person Flats – Shared equity (50/57m²)
2 x 1 Bedroom 2 Person Bungalow – Shared equity (50m²)
1 x 2 Bedroom 4 Person Bungalow – Shared equity (70m²)

Therefore, the above mix will well meet the current local housing need within the parish as this is predominantly for the smaller property types. It is noted that all units will be built to Level 1 space standards which will ensure that the rental units will all achieve maximal occupation in housing terms.

As these are all proposed as good size units this will ensure that nominations can be made within the requisite timescales for RPs operating within the district. Furthermore, by building to Level 1 space standards this will also meet the Design and Quality standards of RPs within the district.

The developers have also addressed previous pre-application comments relating to the internal arrangement of the wheelchair adaptable bungalow for ART (Plot 8). I also note that the Flats for ART will provide 1 x level access flat - as ground floor accommodation. Therefore both the ART and S/E units include property types that will meet the needs of the elderly and / those with a disability. I am also encouraged to see that the parking is all proximal or within the curtilage of the affordable units.

As this is considered as an exception site, all of the units for rent will be subject to a local lettings policy. Hence allocation priority will be given to current residents of the Parish of Great and Little Plumstead and including Thorpe End – with the cascade going out to adjoining parishes if the housing need cannot be met by current residents. This is therefore the more extensive local lettings cascade shown below (as Draft Cascade).

3.7 Health and Safety Executive (HSE):

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

3.8 Historic Environment Service:

The proposed development site was evaluated pre-application, uncovering considerable evidence of probably prehistoric ritual activity in the central portion of the development area. Consequently there is a very high 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 *National Planning Policy Framework* paragraph 141. We suggest that the following conditions are imposed:

- A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the

local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons / organisation to undertake the works set out within the written scheme of investigation.

- B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (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 condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this case the programme of mitigatory work will comprise an archaeological excavation in accordance with a brief which can be obtained from the Norfolk County Council Historic Environment Service.

3.9 National Grid:

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

3.10 Norfolk Constabulary (Architectural Liaison & Crime Reduction Officer):

I have no comments on this application except in requesting the below to be considered for boundary treatments:

- Plot 1: Boundary adjacent rear car parking spaces to be 1.5m close boarded fencing with 0.3m trellis topping to improve surveillance.
- Plot 7: Rear garden gate to be of same height as rear boundary treatment ie 1.8m and capable of being locked (operable from both sides of the gate).
- Plots 8 & 9 & 14: It is unclear on the proposed plan as to where the side boundary is to be positioned. Located near to the front line of build would prevent recesses and hiding places.

- If the space adjacent the garage wall of Plot 14 is public it is recommended the wall be protected by a buffer zone of low planting.
- Plots 15 – 19: The rear boundary should be 1.8m in height, the hawthorn bush states 1.5m in height (is there to be additional fencing at the rear of these plots?).
- Plots 19-22: The rear car parking for these plots are overlooked by active windows which is good surveillance design. Consider further protection via a gate / barrier and lighting.

3.11 Norfolk County Council as Infrastructure & Economic Growth:

The following infrastructure will need to be funded through CIL:

- Education contributions will not be sought on this occasion as the mix of dwellings do not meet County Council triggers.
- Library: Mitigation required at St Williams Way Library to develop self-service system for local area.

Green Infrastructure: General comments:

Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of the development. Direct mitigation and GI provision should therefore be included within the site proposal. Mitigation for new and existing GI features identified as strategic shall be funded by the Community Infrastructure Levy (CIL) through the Greater Norwich Investment Programme. These requirements for consideration and implementation, for both on and off-site GI provision, will help the local GI network facilitate the development without receiving negative impact and equally, allow the development to integrate and enhance the existing network.

Green Infrastructure within this proposal should respond to the Greater Norwich Green Infrastructure Strategy (2007) which informs the Joint Core Strategy, adopted January 2014. Development proposals are expected to fit with strategic visions for the area and respond to corridors as outlined in the Joint Core Strategy.

Should this development intend to be the first phases of a larger development or vision, consideration will need to be given to how the local GI network will be impacted, adapted and enhanced in the future.

Specific Comments:

Although subject to another application, we would encourage the applicant to maximise the opportunities for greenspace within the adjacent site to the east.

Library: A development of 22 dwellings would place increased pressure on the library and mitigation is required to increase the capacity of St Williams Way library.

Fire: With reference to the proposed development, taking into account the location and infrastructure already in place, the minimum requirement based on 22 dwellings would be 1 fire hydrant on no less than a 90mm main at a cost of £815.

3.12 Norfolk County Council as Highway Authority:

Latest comments:

The Highway Authority do not object to the principle of the proposed residential development, subject to the design and delivery of the off-site highway works being conditioned on any consent your authority are minded to grant. Notwithstanding this we have a number of outstanding layout comments, some of which could result in significant amendments to the proposed layout. As raised in our comments the layout should accommodate the retention / relocation of the existing highway soakaway, provide sufficient visibility at the internal road junction, deliver appropriate links to the existing footways and provide appropriate parking provision.

3.13 Pollution Control Officer:

I have read through the report and cannot see a reason to require any further assessment work.

3.14 Section 106 Monitoring Officer:

No specific issues to comment on. I assume this site if approved will be subject to a S106 agreement.

4 PUBLICITY

4.1 Site Notice:

Expiry date: 31 January 2018

4.2 Neighbour Notification:

53 neighbouring residential properties consulted

Expiry date for re-consultation period: 22 March 2018

4.3 Press Notice:

Expiry date for re-consultation purposes: 22 March 2018

5 REPRESENTATIONS

5.1 Four letters of objection received as well as petition signed by 83 local residents:

5.2 15 Rosebery Road, Great Plumstead:

My comments are regarding the off-site road improvements. My main worry is large lorries, such as farmers lorries and tractors that are driven up Church Road using the full width of the road. On several occasions I have raised my hand to stop vehicles coming from the direction of the A47 as a tractor or lorry is coming from the other direction and I could see there would not be enough room for both of them. This is the road area around the junction of Rosebery Road and the Church.

Also further along where the road narrows I have found cars keep to the road but the car mirrors are that close I have to stop walking and move to the side. This is increased danger when a larger vehicle is involved. I feel this danger will increase with more homes built on Rosebery Road therefore I would like to make a suggestion that there are road signs for vehicles of that size not to be allowed down Church Road so the children can safely walk up to the park, the bus stop and so we enjoy our village. The bus stop is a valuable resource to some residents as there are no shops or other amenities in Great Plumstead.

5.3 9 Rosebery Road, Great Plumstead:

Objection for the following reasons:

- The presence of ongoing and proposed developments in and around the NR13 area, when taken together with this development will contribute to the destruction of the area's village atmosphere and identity which, it may be argued, is why the area is so attractive in the first place.

- The above point, when considered alongside the lack of facilities in the area, would make the development unsuitable as regards employment opportunities and recreation. Great Plumstead, after having lost its village store, has no facilities for the young. Parents dissuade their children from using the playing field for the excellent reason that Church Road must be crossed. The pavement here is very narrow and indeed is non-existent for part of the distance. The road is also used by traffic coming off the A47 which may include heavy vehicles, to say nothing of local farm traffic, and there is nobody to enforce speed limits in the village.
- Although we have a reliable bus serve, this ceases at about 5pm and does not run at all on Sundays. The possession of private transport is meaningless if the remaining spouse is carless or cannot drive, as in my personal case. Thus Great Plumstead will increasingly tend to the status of a dormitory village.
- Currently access to what will become the development is a field entrance, and since only part of the field will be utilised for the dwellings it will be necessary to section off the remainder in order to prevent it from being used for other purposes such as an illegal travellers' site. This is a definite worry for many individuals in the area.
- I have no wish to see any additional light pollution in the area.

5.4 36 Rosebery Road, Great Plumstead:

The development in principal is good however little consideration has been taken for the residents in the road now, the state of the road and the junction with Church Road.

The road is constantly snarled up with cars and at times you can't get an ambulance or fire engine past the parked vehicles. The junction with Church Road is lethal at the best of times. You take your life into your hands crossing to the Church due to the speed of vehicles travelling through the village. Cars travel through at 40 and 50 miles an hour constantly. It is not safe for children to walk down to the corner and cross over. With the prospect of 400 extra car movements a day through the junction it is a disaster waiting to happen.

It has been said that extra signage for the 30mph limit will be added. This is nowhere near enough. It needs to be traffic calmed to enable safe passage for cars and pedestrians alike. I would like to see a proper traffic management study done prior to any planning being approved. We have a lot of young families in the road and safety is a priority. We also need a proper community space for the children to play. With more families moving in, this is going to become more urgent. The play space available in the village is a fair walk from the street down the very busy and dangerous Church Road.

5.5 36 Rosebery Road, Great Plumstead (separate letter from same address):

Overall I consider the design, layout and volume of this development to be well planned. Assurances must be given that local residents will be given priority with regards to the allocation of affordable homes. The allocation of community land will provide a much needed asset but let's not be fooled by the applicant's generous offer to provide such a space. The remaining land has no further development potential or commercial value so needs to be off loaded on to the Parish Council as soon as possible. It is not a gift, rather a Busk to be passed!

The applicant's provision of affordable homes is not as generous as portrayed either when you compare the number of bedrooms rather than number of properties. Without a single 3 bedroom house you are excluding families on lower incomes.

However, the issues raised by residents regarding the junction of Rosebery / Church Road have not been resolved. Adding another 400 possible vehicle movements per day on this already dangerous junction without any major improvements is unacceptable. The consultation by Create Planning does nothing to address this. Painting red tarmac, new give way lines and replacing 30mph signs is irrelevant. (Please Note – the VAS 30 mph sign as mentioned in Church Road is not permanently placed.) Visibility is poor, cars continue to exceed the speed limit and at peak times of the day attempting to leave Rosebery Road safely is near impossible. Vision to the left towards the A47 is diabolical and to the right towards Water Lane is little better. What will widening the pavement and making Rosebery a 20 mph zone deliver by way of improving this? In my view this development should not be considered until the roads have been properly reviewed (Community Involvement).

On a separate note who considers and has final judgement on this planning application when Broadland District Council are both the Local Authority and Applicant at the same time?

5.6 A petition has also been received which has been signed by 83 local residents. The petition objects to the application for the following reasons:

- Fast moving traffic – There is increasing traffic in the Great Plumstead area due to an extra housing estate being built in Little Plumstead, also on Water Lane, and more houses to be built opposite the recreation ground. The roads in this area are already dangerous, particularly Church Road, ie lorries mounting footpaths causing near misses with other vehicles and people attempting to walk along the already narrow footpaths. These footpaths are almost impassable in the rain as mud and slush is sprayed onto the passer by.

- Road closures in the area – Due to the road closures of Smee Lane and Low Road (as a consequence of the Northern bypass) the area will become even more congested, making the entrance/exit to Rosebery Road more dangerous.
- Necessity to build on this plot – We feel it is wholly unnecessary to build 22 homes on this piece of land as there are already so many other developments in this area, which is causing Church Road to become congested. Drivers do not see this road as part of our village but a way through to other villages.
- Entrance / exit to Rosebery Road – We feel that increased traffic into and out of Rosebery Road could become a real threat to driver's safety and could elicit an accident. Church Road is narrow at the entrance to Rosebery Road and the blind corner on the right is extremely dangerous as it is. With more traffic coming and going from this road, we feel this will increase the dangers for both drivers and pedestrians alike.
- Protect wildlife in the area – We believe that any development on the field off Rosebery Road will greatly affect the wildlife as it is a haven for Bats, Deer and a variety of birds.
- Will affect residents wellbeing – The reason the residents of Rosebery Road moved to this area is mainly to live in a peaceful environment. This is already changing due to housing estates being built in the area and the Northern Bypass. We are very concerned that our way of life will dramatically change and this is encroaching on our sense of well-being. Our children have lived here with relative freedom, which is quite rare in the current climate. Therefore, we feel that their well-being would be greatly affected. It's too dangerous for the children to walk along the footpaths to the recreation ground with the narrow pathways and fast traffic, which are mainly speeding at over 30 miles an hour. They are safer to play where their parents can see them and there is a strong community to look after them.

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. The NPPF is a material consideration and should be read as a whole but paragraphs 7, 8, 14, 17, 49, 50, 55, 56, 60, 109, 118, 120, 186, 187,

203, 204 and 205 are particularly relevant to the determination of this application.

National 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 (e.g. whether to grant or refuse an application for planning permission).

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

- 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 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 16 dwellings or more, the target proportion of affordable housing to be provided will be 33% with approximate 85% social rented and 15% intermediate tenures.

- 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 15: Service Villages:

In each Service Village identified, land will be allocated for small-scale housing development subject to form and character considerations.

Development Management Development Plan DPD (2015):

6.9 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.

6.10 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.

6.11 Policy GC4: Design

Development is expected to achieve a high standard of design and avoid any significant detrimental impact. Sets out a list of criteria that proposals should pay regard to, including the environment, character and appearance of the area.

6.12 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.

6.13 Policy EN2: Landscape

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

6.14 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.

6.15 Policy EN4: Pollution

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

6.16 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.

6.17 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.

6.18 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.

6.19 Policy CSU5: Surface water drainage

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.

Great Plumstead, Little Plumstead & Thorpe End Garden Village Neighbourhood Plan 2015:

6.20 Policy 1: Growth

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

6.21 Policy 2: Design

New development should deliver high quality design and should comply with a list of design criteria. Amongst other things this includes that development should; be of an appropriate scale and density to the wider Parish context,

provide a mix of housing types, provide roads that meet the requirements of the Highway Authority, provide a garage for each dwelling of a minimum size as set out in Broadlands Parking Standards SPD, provide at least 5% of land as self-build plots on developments of 20 or more dwellings and provide where feasible and practical, car parking for each new dwelling based on the standards set out in the Neighbourhood Plan.

6.22 Policy 3: Transport

All new development should maximise opportunities to walk and cycle between Great Plumstead, Little Plumstead and Thorpe End Garden Village.

6.23 Policy 4: Transport

New development proposals, where appropriate, will be expected to quantify the level of traffic they are likely to generate and its accumulative effect with other developments in the Parish and surrounding parishes. They will also be expected to assess the potential impact of this traffic on road safety, pedestrians, cyclists, parking and congestion within the Parish and including measures to mitigate any negative impacts.

6.24 Policy 5: Environment & Landscape

Where green infrastructure is provided as part of development it should aim to improve biodiversity and connections with existing green spaces in and around the villages.

6.25 Policy 6: Environment & Landscape

Where new developments provide elements of green infrastructure (such as open space, natural green space, recreational areas, allotments, community woodland and orchards) the developer will be required to demonstrate an effective and sustainable management programme for them.

6.26 Development Proposals in the Parish: Rosebery Road Exception site:

The Neighbourhood Plan sets out the local community's and Parish Council's stance on possible development proposals in the Parish. One site which is identified in this section is Rosebery Road which the Neighbourhood Plan refers to as an 'exception site'. Members are advised that this is not the formal allocation of an exception site but the Neighbourhood Plan states that an *"exception site' to deliver Affordable Housing with some market housing on land at Rosebery Road will be supported"* subject to certain criteria.

Broadland Landscape Character Assessment SPD 2013:

- 6.27 The application site falls within the Blofield Tributary Farmland Landscape Character area.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is a parcel of agricultural land located to the east of Rosebery Road in Great Plumstead. The site currently forms part of a larger parcel of fallow agricultural land (2.01 hectares) which is owned by Broadland District Council.
- 7.2 The site is boarded by agricultural fields to the east and south. As stated in paragraph 1.5 of this report immediately to the east of the site there is currently a planning application being considered for the change of use of agricultural land to outdoor community use. To the north and west there are existing residential dwellings off Rosebery Road, which includes a mix of two storey houses and single storey bungalows. Immediately to the north of the site there are a terrace of bungalows (nos: 17-21 Rosebery Road) and fields beyond. Immediately to the west of the site there are semi-detached bungalows (nos: 9-16 Rosebery Road) and two semi-detached houses (nos: 7 and 8 Rosebery Road) immediately adjacent the south west corner of the site.
- 7.3 The site is mainly rectangular in shape but there is an additional strip of land to the north east corner of the site which increases the size of the site further to the north. In total the site measures approximately 0.9 hectares in size.
- 7.4 The site is devoid of any significant landscaping or trees apart from on the boundaries where there are a number of established trees and various hedging to the northern and southern boundaries. The western boundary is mainly made up of hedging of various types and heights, although there are some fences to the rear of the properties at nos: 17 – 21 Rosebery Road. At present there is no boundary treatment to the eastern boundary. The site slopes slightly down towards south and east of the site.

8 PLANNING HISTORY

- 8.1 [760276](#): Residential development (outline) – Rosebery Road, Great Plumstead. Withdrawn 25 August 1977.
- 8.2 [783134](#): Seven dwellings – Rosebery Road, Great Plumstead. Approved 20 February 1979

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 relevant policies of the development plan; the guidance set out in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). This includes the impact of the development on highway issues, the general character of the area, neighbour amenity and whether the design of the dwellings is appropriate.
- 9.2 When considering this application against the relevant planning policies and guidance referred in section 6 of this report regard should be given to the annual monitoring report which was published on 14 March 2018 by the Greater Norwich Growth Board. More specifically, Members are advised that a key material consideration in regards housing land supply in the Norwich Policy Area (NPA) is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence and forms part of the [Joint Core Strategy for Broadland, Norwich and South Norfolk: Annual Monitoring Report 2016-17](#). For the NPA there is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing.
- 9.3 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 9.4 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 9.5 In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits where it accords with a specific allocation and/or policy of the development plan and does not result in any significant adverse impact.
- 9.6 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council, in accordance with DM DPD Policy GC1, will grant permission unless material considerations indicate otherwise – taking into account one of two criteria.
- 9.7 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: *'housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) 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'. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, '*would significantly and demonstrably outweigh the benefits*', when assessed against the policies of the NPPF as a whole.

- 9.8 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined NPA, a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF.
- 9.9 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 9.10 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of DM DPD Policy GC1 and NPPF Paragraph 14.
- 9.11 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions of sustainable development (economic role, social role and environmental role). In this assessment the weight given to the increase in housing delivery arising from this site is diminished.
- 9.12 The site lies immediately adjacent to the Settlement Limit for Great Plumstead and is, in effect, the continuation of an existing cul-de-sac. However, it must be accepted that the proposal represents an extension of the existing village into the surrounding countryside and this will inevitably have an impact upon the current landscape setting of the village.

- 9.13 This impact must be weighed against the benefits associated with the application. These are explored further in the following paragraphs.
- 9.14 Policy 4 of the JCS identifies the requirements to provide housing sites that are deliverable within the Norwich Policy Area. The proposal for 8 affordable (3 affordable rent tenure and 5 shared equity) dwellings on a development of 22, equates to an affordable housing provision of 36% which exceeds the 33% affordable housing requirement of Policy 4. This is considered to be beneficial to the development and affordable housing provision in the area especially as the proposal is for smaller property types (1 and 2 bedroom properties), which the Housing Enabling Officer has identified will meet the current housing need within the Parish. One of the affordable rent tenure dwellings has also been designed to be a wheelchair accessible bungalow which will provide accommodation for a household with disability / mobility issues.
- 9.15 In addition, as referred to within paragraph 1.5 of this report, the adjacent parcel of land is the subject of a separate planning application to change the use of the land from agricultural to a community use. The proposal is for the adjacent site to be transferred to the Parish Council, as in line with the requirements of Policy 6 of the Neighbourhood Plan, along with a financial contribution to cover future maintenance, in lieu of on-site open space provision on the application site itself. Part of the transfer of this land will include the installation of services (water and electricity) to the front site boundary. Details of the financial contribution will be secured via a planning obligation.
- 9.16 Whilst it is acknowledged that Policy RL1 of the DM DPD requires all new developments consisting of five dwellings or more to provide recreational open space or pay a financial contribution towards off site provision, Members are advised that the provision of land adjacent to the application site is in excess of the size required by Policy RL1.
- 9.17 In addition to the provision of affordable housing and open space over and above the respective policy requirements Members are advised that off-site highway improvement works have also been proposed. These works focus on achieving a better performing 30 mph speed limit through the village. Enhancement to the village gateway and the erection of Vehicle Activated Signage (VAS) to both the north and south of the village are proposed as well as 20mph measures for Rosebery Road and the development itself.
- 9.18 These benefits are considered to be both substantial and significant and as a consequence they outweigh any harm arising from the extension of the village into the countryside.
- 9.19 To further reinforce the above conclusion Members are also advised that any harm to the landscape setting of the village is also mitigated by the layout and

design quality of the scheme as well as the limited impact upon local residents' amenities. These points are considered in more detail in the following paragraphs.

- 9.20 The proposed development has been designed to respect the character and appearance of the area. The dwellings are contemporary in form, design and materials but incorporate traditional elements of scale and massing. Although it is acknowledged that the proposed palette of materials are not identical to that within the immediate area it is considered that the development provides a high quality of design by providing a strong sense of place, individuality and local distinctiveness, which are all requirements of the Neighbourhood Plan. Overall it is considered that the design and layout of the development is appropriate to the area and the application is considered to accord with Policy 2 of the JCS, Policy GC4 of the DM DPD and Policy 2 of the Neighbourhood Plan.
- 9.21 In terms of the character and appearance of the area the proposed development is considered to be sympathetic to the surrounding context of development by way of its single and two storey scale. In particular the siting of single storey bungalows along the western boundary which borders with the boundaries of the existing single storey bungalows on Rosebery Road. As discussed above, whilst the palette of materials proposed for the development differs from those used in the area, it is not considered that this will have any negative impact on the character of the area. No street lighting is proposed, which is characteristic to the area. Although the proposed dwellings will be partially visible from outside of the site it is considered that there will be a limited effect on the general character and appearance of the area.
- 9.22 There are a number of established trees on the periphery of the site which are considered to have amenity value and provide some screening to the site and these have been assessed within the Arboricultural Impact Assessment (AIA) submitted with the application. All of the trees on or adjacent to the site will be retained and protected throughout the development works and a condition is proposed to be added to any decision notice to ensure full compliance with the details in the AIA. A condition is also to be appended any decision notice requiring a full landscaping scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of the development. Overall it is considered that the development will not cause any significant harm to the general character and appearance of the area and the application is considered to comply with Policies GC4 and EN2 of the DM DPD.
- 9.23 With regard to the impact upon neighbour amenity, the layout, scale and design of the development has been carefully thought out, with bungalows proposed to back onto the existing bungalows on Rosebery Road. The proposed layout will not result in any significant overlooking issues and therefore the privacy and amenities of neighbouring properties will be protected. The new dwellings have been designed so that they are not

overlooked by the other properties and the dwellings are considered to relate appropriately to each other. It is also considered that there is a good consideration of the treatment of space throughout the development which should ensure that none of the properties appear overbearing or result in any significant loss of light. Overall it is considered that the proposals will not therefore result in any significant detrimental impact on neighbour amenity and the application is considered to accord with Policy GC4 of the DM DPD.

9.24 Having regard to all of the above points it is accepted that the site lies outside the settlement limit but any adverse impact of granting planning permission in this location is outweighed by the significant benefits referred to above and any harm is mitigated by the detailed layout and design of the scheme.

9.25 Some of the above paragraphs refer to relevant policies in the Neighbourhood Plan. However, as referred to in paragraph 6.2 the Neighbourhood Plan also makes explicit reference to the application site. It states that: an “*exception site*’ to deliver Affordable Housing with some market housing on land at Rosebery Road will be supported where it:

- 1) *Satisfies an identified local need for affordable housing;*
- 2) *Identifies a sustainable use for the remainder of the site; and*
- 3) *Identifies and includes mitigation measures for road safety at the junction of Church Road and Rosebery Road.*

9.26 Paragraph 3.1 provides a summary of the Parish Council’s comments and whilst the Parish Council’s objections are noted officers are content that, having regard to the above appraisal, the aforementioned criteria have been satisfactorily complied with.

9.27 Turning to other issues, consideration must be given to the impact of the development upon the highway. As has already been stated the application proposes a continuation of the existing Rosebery Road estate road into the development. This will include a 4.8m wide carriageway with 2 x 1.5m wide footways either side. Due to the requirement to incorporate sustainable drainage under the main highway, and the inclusion of a private pumping station within the parking forecourt to the south west of the site, although the roads have been designed to adoptable standard, they will, along with the surface and foul water systems outside of each property, be retained in the ownership of Broadland District Council.

9.28 The Highway Authority has not objected to the principle of the proposed development subject to the design and delivery of off-site highway works being conditioned. The Highway Authority has however raised concerns with regards to the layout of the development. In summary these relate to the retention / relocation of the existing highway soakaway, the visibility at the

internal road junction, the positioning of the footways and the links to the existing footways and the parking provision on site. Despite negotiations between the applicant's agent and the Highway Authority these points will remain unaddressed. It is not considered however that these points are significant enough to justify a refusal for the application and they do not outweigh the benefits appraised above.

- 9.29 Amongst the criteria set out in Policy 2 of the Great Plumstead, Little Plumstead and Thorpe End Garden Village Neighbourhood Plan it states that new development should provide, where feasible and practical, car parking for each new dwelling based on the standards in the table below:

Bedrooms	Minimum number of car parking spaces to be provided
1	2
2	2
3	3
4 (& More)	4

This would require a total of 60 car parking spaces to be provided within the application site. Including garages the proposed layout includes the provision of 54 car parking spaces as well as 3 visitor car parking spaces. This means that the total of 57 spaces is 3 short of that desired through the Neighbourhood Plan. The car parking proposed on the site however, exceeds that as required under the Broadland parking standards SPD and Norfolk County Council parking standards. It is also noted that the Policy 2 of the Neighbourhood Plan states that the desired level of parking is where 'feasible and practical'. It is considered that the inclusion of any additional car parking would be to the overall detriment of the scheme, which could potentially reduce the overall number of units, which has been carefully designed to include a number of smaller bedroomed units (50% 1 and 2 bed properties) which is a key aspiration of the Neighbourhood Plan. Policy 2 of the Neighbourhood Plan also states that new development should provide a garage for each dwelling. Garages are provided on site for some of the dwellings but not everyone. Again it is considered that the inclusion of more garages would result in the loss of some of the smaller units which was considered desirable within the Neighbourhood Plan. Therefore whilst it is acknowledged that the parking is slightly below the level desired in Policy 2 of the Neighbourhood Plan and that not every dwelling has a garage, the under provision is not considered to be so material as to result in an unacceptable form of development or one which would result in any serious conflict with the Neighbourhood Plan. Overall, with regards to the highway issues, the proposal is considered to comply with Policies TS3 and TS4 of the DM DPD.

- 9.30 An Ecological Report has been submitted with the application which found the site to have little potential for the proposed development to negatively impact on protected species or other wildlife including bats, birds, reptiles or great crested newts. Notwithstanding this a condition is to be added to the decision notice which requires six bird boxes and two bat boxes to be installed within the proposed development in order to enhance the biodiversity and wildlife in the site. The proposal is therefore considered to be in compliance with Policy EN1 of the DM DPD.
- 9.31 The site is not located within a flood risk zone. Surface water from the whole development is proposed to be disposed of in a sustainable manner, with the use of natural permeability via drainage crates under the main highway. This should ensure that the proposal will not increase flooding elsewhere in accordance with Policy CSU5 of the DM DPD.
- 9.32 Anglian Water has not objected to the application but has raised concerns with regards to the foul sewage network. They have requested that a condition is added to any decision notice which states: *No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy as approved unless otherwise approved in writing by the Local Planning Authority.*
- 9.33 During the course of the application the applicant's drainage consultant has been liaising with Anglian Water with regards to their concerns. Anglian Water has confirmed that there are no concerns over the capacity network, rather it notes the proposed drainage scheme seeks to utilise a pumped solution, which is due to site levels/gradients. Anglian Water has confirmed that if a pumped regime is proposed (as per the submitted drainage strategy report) a discharge rate of 3.8 l/s would be acceptable in principle. It has however stated that there may be the possibility that a gravity regime could be accommodated, but this will require further information to be submitted. Therefore the above condition will be added to any decision notice as requested by Anglian Water.
- 9.34 There is a high-pressure gas pipeline within close proximity to the site, which runs underneath the field to the east of the adjacent site being assessed under application [20172000](#). The Health and Safety Executive (HSE) objected to the 20172000 but neither they nor National Grid have raised any objection to this application due to the application site being sited that much further from the pipeline.
- 9.35 The Historic Environment Service has commented on the application and stated that there is considerable evidence of probably prehistoric ritual activity on the site. Therefore it has concluded that there is a very high 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.

The Historic Environment Service has therefore requested that a condition is to be added to the decision notice requiring an archaeological written scheme of investigation to be submitted and approved in writing by the Local Planning Authority prior to the commencement of development. This condition is proposed to be appended to any subsequent decision notice as requested.

Planning obligations:

- 9.36 Broadland Growth Limited is required as part of the planning application to provide either 0.2 hectares of open space on site, or make an off-site contribution to open space (an off-site contribution for both informal and formal open space on this development would be approximately £77,000). For this development it is proposed that the adjacent area of undeveloped land owned by Broadland District Council (1.1 hectares, subject to planning application [20172000](#)) be delivered as informal open space and transferred to the Parish Council at nil value. Broadland Growth Limited is proposing that the following be provided:
- The remaining land in the ownership of Broadland District Council (1.1 hectares) be transferred at nil value to the Parish Council. The land would be handed over with a mown path round the edge for use as informal open space.
 - A £42,000 maintenance contribution is made for the land for 10 years. This figure is based on a maintenance contribution for informal open space of 1.1 hectares.
 - That a contribution of £11,600 be made towards the provision of play space, formal recreation and allotments. This figure is a reduced contribution based on the planning application for the change of use being granted (application [20172000](#)).
- 9.37 This will mean a total contribution of approximately £53,600. The above details will be controlled by way of a Section 106 Agreement which will also tie this application to the [20172000](#) application.
- 9.38 The proposed scale of the development will trigger the requirement for 33% affordable housing. The application proposes 8 units of affordable housing, amounting to 36%. The affordable rent tenure properties will be owned and managed by a Registered Provider (Housing Association) and will be subject to a Local Lettings policy that will give priority to households in housing need and with a local connection to the Parish. The Local Lettings policy will be included in the S106 Agreement.
- 9.39 In drawing the above appraisal to a conclusion it is appropriate to consider the proposal against the three dimensions to sustainable development: economic, social and environmental.

Economic Role:

- 9.40 The NPPF confirms the economic role as: *“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure.”*
- 9.41 The development would result in some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants of the dwellings. Furthermore, it is considered that the scheme would bring forward a level of economic benefit.

Social role:

- 9.42 The NPPF confirms the social role as *“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”*
- 9.43 The development proposes an affordable housing provision that is in excess of the policy requirement and includes a tenure mix and house sizes that meet the Council’s Housing Enabler’s request.
- 9.44 Furthermore, the development proposes a significant area of publicly accessible open space and off-site highway improvements.
- 9.45 The development will be liable for CIL and a commuted payment will be made to the Parish Council for it to maintain the open space.
- 9.46 For the reasons set out above, it is considered that the proposals give strong support to the health, social and well-being needs of residents and reflects the wider needs of the community; the proposals meet the social dimension to sustainable development.

Environmental role:

- 9.47 The NPPF confirms the environmental role as *“contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”*
- 9.48 In assessing the environmental role it is acknowledged that the proposal extends the village into the surrounding countryside. However, this impact is

mitigated by the layout and design quality of the scheme as well as the limited impact upon local residents' amenities.

- 9.49 Having regard to all of the above points it is concluded that the proposal is an acceptable form of development and should be granted permission.

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) Play and open space contribution and tying application to 20172000 application
- (2) Affordable housing contribution

Conditions:

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) Notwithstanding the details indicated on the submitted drawings, within 3 months of the date of this permission, a detailed scheme for the off-site highway works (including the provision of VAS and gateway features to the north and south of the village) shall be submitted to and approved in writing by the Local Planning Authority.
- (4) Prior to the first occupation of the development hereby permitted a scheme for the off-site highway works referred to in condition 3 shall be completed to the written satisfaction of the Local Planning Authority.
- (5) No development shall commence until 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 in consultation with the Highway 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.)

- (6) Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking areas shall be laid out as in accordance with the approved plan and retained thereafter available for that specific use.
- (7) Prior to the commencement of any works on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority.
- (8) 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.
- (9) 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 relocation of the existing highway soakaway within the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (10) Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 9 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- (11) Prior to the commencement of the development details of the maintenance arrangements for the lifetime of the development for the roads/paths, surface and foul water disposal options shall be submitted to and approved in writing by the Local Planning Authority.
- (12) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy as approved unless otherwise approved in writing by the Local Planning Authority.
- (13) (A) No development shall take place unless otherwise agreed in writing with the Local Planning Authority until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be

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

- (B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (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 condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this case the programme of mitigatory work will comprise an archaeological excavation in accordance with a brief which can be obtained from the Norfolk County Council Historic Environment Service.

- (14) Prior to the commencement of development details of all external materials to be used in the development shall be submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
- (15) All works shall be carried out in accordance with the requirements of the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan, received 15th November 2017.
- (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. (This should include the species listed within section 8 (Enhancements) of the Ecological Report).
 - (b) details of any proposed alterations in existing ground levels and of the position of any proposed excavation or deposited materials,
 - (c) 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 first occupation of the development hereby permitted 6 bird boxes and two bat boxes shall be erected within the development. Boxes should be placed at least three metres above ground on the new building, in the locations indicated in Figure 4, Section 8 (Enhancements) of the Ecological Report, received 15 November 2017.

The east, north and west sides of the new buildings would be the most suitable for installing bird nest boxes. The west, south and east sides of the new buildings would be the most suitable for installing bat boxes. Integrated bird and bat box designs (built into the fabric of the building) are available, and are more durable and visually subtle than externally fitted boxes. The bird boxes should target house sparrow *Passer domesticus*. House sparrow boxes should be of the terrace design, which hold three nest holes within one box.

- (18) Unless otherwise agreed in writing by the Local Planning Authority none of the dwellings hereby permitted shall be occupied until the development has incorporated the provision of a fire hydrant (on a minimum 90mm main) for the purposes of firefighting.

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 and in accordance with Policy TS3 of the Development Management DPD 2015.
- (4) In the interests of highway safety and in accordance with Policy TS3 of the Development Management DPD 2015.
- (5) 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 TS3 of the Development Management DPD 2015.

- (6) 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.
- (7) In the interests of maintaining highway efficiency and 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) 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.
- (10) 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.
- (11) To ensure that these elements are maintained in perpetuity and to ensure the satisfactory development of the site in accordance with Policies GC4, TS3 and CSU5 of the Development Management DPD 2015.
- (12) To prevent environmental and amenity problems arising from flooding in accordance with Policy 1 of the Joint Core Strategy.
- (13) 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.
- (14) To ensure the satisfactory appearance of the buildings 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 in the interest of amenity in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (16) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies GC4, EN1 and EN2 of the Development Management DPD 2015.
- (17) To provide enhancements to the biodiversity and wildlife at the site in accordance with Policy EN1 of the Development Management DPD 2015.

- (18) 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.

Plans and documents:

Site Location Plan, Dwg No: 001, received 15 November 2017

Site Block Plan (Amended), Dwg No: 003, received 7 March 2018

Indicative off-site highway works plan (OS001) (Additional), received 7 March 2018

Site Roof Plan (Amended) , Dwg No: 004, received 7 March 2018

Street Elevations, Dwg No: 010, received 15 November 2017

Arboricultural Impact Assessment, received 15 November 2017

Ecological Report, received 15 November 2017

Energy/Sustainability Statement, received 15 November 2017

Planning Statement (Amended), received 5th February 2018

Design & Access Statement, received 15 November 2017

Heritage Desk Based Assessment, received 15 November 2017

Archaeological Evaluation Report, received 15 November 2017

Foul and Surface Water Drainage Strategy/Assessment Vol 1 of 3, received 15 November 2017

Foul and Surface Water Drainage Strategy/Assessment Vol 2 of 3, received 15 November 2017

Foul and Surface Water Drainage Strategy/Assessment Vol 3 of 3, received 15 November 2017

House Types:

Bungalows Block A Plans and Sections – Plots 1 and 2, Dwg No: HBS-DR-A-23, received 15 November 2017

Bungalows Block A Elevations – Plots 1 and 2, Dwg No: HBS-DR-A-103, received 15 November 2017

Bungalows Block B Plans and Sections – Plots 3 and 4, Dwg No: HBS-DR-A-24, received 15 November 2017

Bungalows Block B Elevations – Plots 3 and 4, Dwg No: HBS-DR-A-104, received 15 November 2017

Bungalows Block C Plans– Plots 5 - 7, Dwg No: HBS-DR-A-25, received 15 November 2017

Bungalows Block C Elevations– Plots 5 - 7, Dwg No: HBS-DR-A-105, received 15 November 2017

Bungalows Block C Section– Plots 5 - 7, Dwg No: HBS-DR-A-145, received 15 November 2017

Bungalow Block D Plans – Plots 8 and 9 (Plot 8 to be M4(2) Compliant), Dwg No: HBS-DR-A-26, received 15 November 2017

Bungalow Block D Elevations – Plots 8 and 9, Dwg No: HBS-DR-A-106, received 15 November 2017

Bungalow Block D Section – Plots 8 and 9, Dwg No: HBS-DR-A-146, received 15 November 2017

4B7P Floor Plans and Section AA – Plots 10-14, Dwg No: HBS-DR-A-20, received 15 November 2017

4B7P Elevations – Plots 10-14, Dwg No: HBS-DR-A-100, received 15 November 2017

3B5P Detached Floor Plans– Plots 15 and 16, Dwg No: HBS-DR-A-27-3B5P received 15 November 2017

3B5P Elevations – Plots 15 and 16, Dwg No: HBS-DR-A-107-3B5P received 15 November 2017

3B5P Semi-detached Floor Plans - Plots 17 and 18, Dwg No: HBS-DR-A-21-3B5P received 15 November 2017

3B5P Semi-detached Elevations - Plots 17 and 18, Dwg No: HBS-DR-A-101-3B5P received 15 November 2017

Flat Floor Plans – Plots 19 – 22, Dwg No: HBS-DR-A-22-1B2P received 15 November 2017

Flat Floor Elevations – Plots 19 – 22, Dwg No: HBS-DR-A-102-1B2P received 15 November 2017

Double Garage – Plan & Section, Dwg No: 27, received 15 November 2017

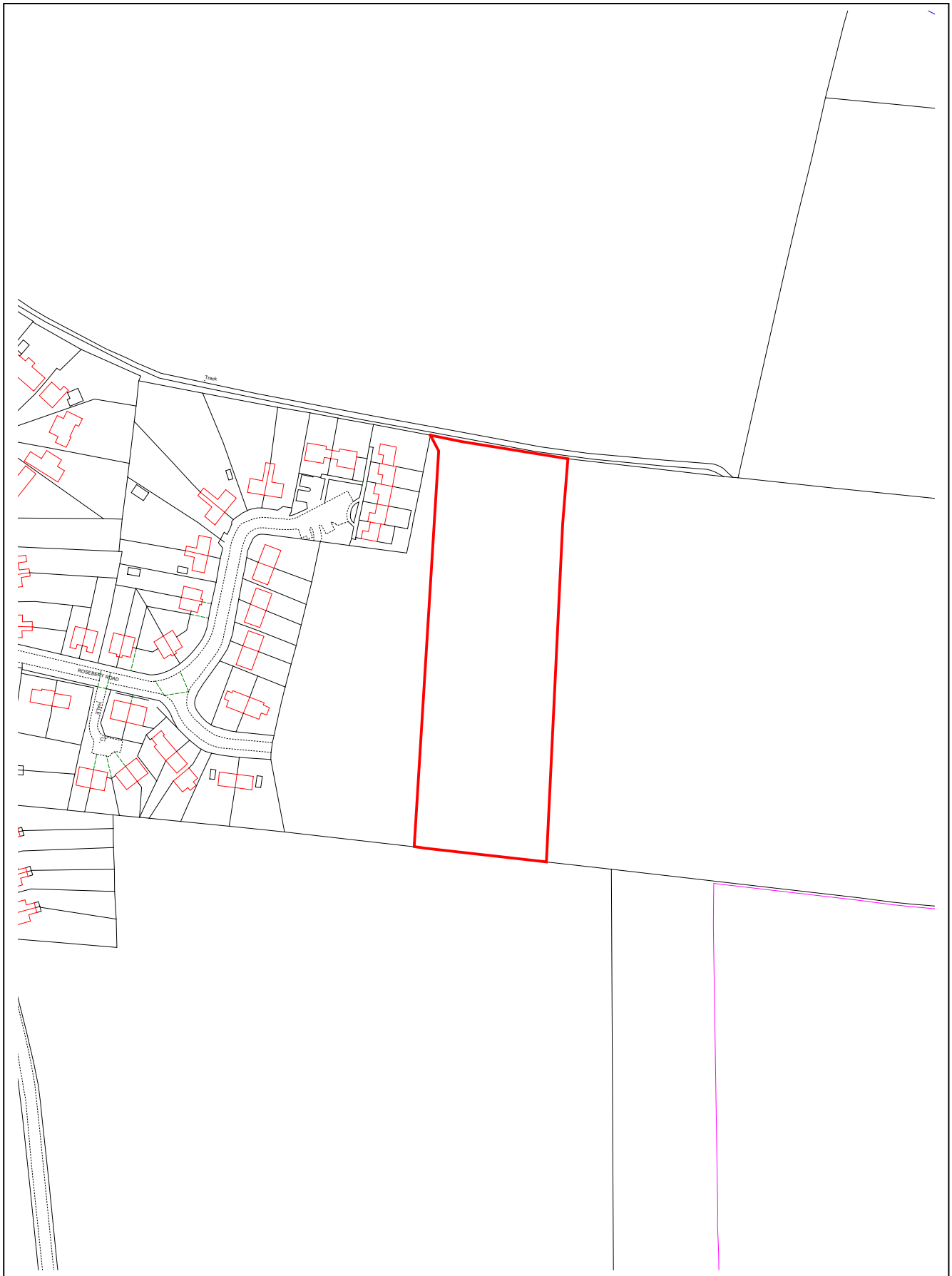
Double Garage – Elevations, Dwg No: 107, received 15 November 2017

Informatives:

- (1) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (2) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the

sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence

- (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 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. Please contact David Higgins on 01603 223274 or by e-mail graham.worsfold@norfolk.gov.uk
- (4) 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.
- (5) 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 decision is made. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (6) 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 Nation Planning Policy Framework, as a number of pre-application meetings were held to assist the planning submission and the applicant's agent has been given the opportunity to respond to the consultation comments received.



Application No: 20172000

Land off Rosebery Road, Great Plumstead, NR13 5EA

Scale:
1:2500
Date:
16-Apr-18



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AREA East

PARISH Great & Little Plumstead

6

APPLICATION NO: [20172000](#)

TG REF: 630406 / 310035

LOCATION OF SITE Land off Rosebery Road, Great Plumstead, NR13 5EA

DESCRIPTION OF DEVELOPMENT Change of Use From Agricultural Land to Outdoor Community Use Including Allotments

APPLICANT Broadland Growth Ltd

AGENT NPS Property Consultants Ltd

Date Received: 15 November 2017
8 Week Expiry Date: 14 February 2018

Reason at Committee: The applicant forms part of the District Council and Cllrs Proctor and S Vincent, together with the Council's Chief Executive, are members of the Board of the applicant – Broadland Growth Ltd

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 an outdoor community use, including allotments.
- 1.2 This application is to be considered alongside a separate planning application (Ref: [20171999](#)), submitted by the same applicant, which seeks permission for the erection of 22 dwellings and associated works on the adjacent parcel of land to the west of the site.
- 1.3 This change of use application is submitted to ensure compliance with the policies of the Development Plan which requires open space to be provided in respect of developments of 5 or more dwellings. The aim is that the land is transferred to the Parish Council along with a financial contribution to cover future maintenance and a contribution towards play space, formal recreation and allotments.
- 1.4 The current application only seeks the change of use of the land with no operational development proposed. Should the Parish Council or other body wish to propose development on the site in the future, including the

allotments, this would need to be the subject of a separate planning application.

- 1.5 Vehicular access to the application site will be provided through the adjacent site to the west. A pedestrian access to the site is also proposed.

2 KEY CONSIDERATIONS

- Whether the development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance and contributes towards sustainable development.
- Proximity of the development to a gas pipeline
- Highway issues
- The impact of the development on the character and appearance of the area and residential amenity

3 CONSULTATIONS

- 3.1 Great & Little Plumstead Parish Council:

No objections.

- 3.2 Campaign to Protect Rural England (CPRE) Norfolk:

CPRE does not object to this application, but has the following comments to make, which we hope would be addressed through the use of planning conditions.

We note the proposal in the application to use close-boarded fencing for the western boundary with the proposed new housing under application 20171999. We feel that this hard division between the housing and land for community use and would be an unfortunate suburban feature, where a boundary using hedging and trees would be much more preferable and more in keeping with the rural setting.

- 3.3 Conservation Officer (Arboriculture and Landscape):

I have no objections to the proposals, once the detail of the allotments comes forward; due consideration will however be required to the siting of any sheds, hardstanding, paths, fences, service trenches or parking areas within any Root Protection Areas (RPA's).

3.4 Health and Safety Executive (Automated response):

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.

3.5 National Grid:

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

3.6 Norfolk County Council as Highways Authority:

Whilst the Highway Authority has no objection to the application in principle no details have been submitted demonstrating the layout of the site. What community uses will this land have and what impact does this have on access requirements? The presence of allotments is likely to result in some degree of vehicle movements and therefore some degree of parking should be provided to prevent on-street parking.

We would welcome further information and layout plan of the proposed site. Finally, the red line on the location plan has not been extended up to the existing highway.

Further comments provided after submission of amended Location Plan

If your authority are satisfied that this application is purely for the principle of changing the use of the land to open space and not for any specific uses (even though the application description states allotments) then the suggested condition would appear acceptable to safeguard the determination / consideration of any future allotment proposals.

Suggested condition: 'Prior to the first use of any allotments within the site, details of the proposed arrangements including number of pitches, locations, ancillary areas including parking areas, structures and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The site shall be implemented in accordance with the approved details and maintained as such for the duration of its use.'

3.7 Pollution Control Officer:

I have read through the report and cannot see a reason to require any further assessment work.

3.8 Section 106 Monitoring Officer:

No comments specific to this site.

4 PUBLICITY

4.1 Site Notice:

Expiry Date: 31 January 2018

4.2 Neighbour Notifications:

7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21 Rosebery Road,
Great Plumstead

Expiry Date: 14 January 2018

5 REPRESENTATIONS

5.1 No representations have been received.

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. The NPPF is a material consideration and should be read as a whole but paragraphs 7, 8, 14, 17, 109, 118, 120, 186, 187 are particularly relevant to the determination of this application.

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 (e.g. whether to grant or refuse an application for planning permission).

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

- 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 on ecosystems of an area.

- 6.5 Policy 7: Supporting communities

All development will be expected to maintain or enhance the quality of life and the well being of communities and will protect and strengthen community cohesion.

- 6.6 Policy 15: Service Villages

In each Service Village identified, land will be allocated for small-scale housing development subject to form and character considerations. Small-scale employment or service development appropriate to the scale and needs of the village and its immediate surroundings will be encouraged.

Development Management Development Plan DPD (2015):

- 6.7 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.

- 6.8 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.

6.9 Policy GC4: Design

Development is expected to achieve a high standard of design and avoid any significant detrimental impact. Sets out a list of criteria that proposals should pay regard to, including the environment, character and appearance of the area.

6.10 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.

6.11 Policy EN2: Landscape

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

6.12 Policy EN3: Green infrastructure

All development will be expected to maximise opportunities for the creation of a well-managed network of wildlife habitats. Residential development consisting of five dwellings or more will be expected to provide at least 4 ha of informal open space per 1,000 population and at least 0.16ha of allotments per 1,000 population. Development will also be expected to make adequate arrangements for the management and maintenance of green infrastructure.

6.13 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 1.68ha per 1,000 population and the provision of children's play space should equate to at least 0.34ha per 1,000 population.

6.14 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.

6.15 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.

Great & Little Plumstead Neighbourhood Plan 2015:

6.16 Policy 5:

Where green infrastructure is provided as part of development it should aim to improve biodiversity and connections with existing green spaces in and around the villages.

6.17 Policy 6:

Where new developments provide elements of green infrastructure (such as open space, natural green space, recreational areas, allotments, community woodland and orchards) the developer will be required to demonstrate an effective and sustainable management programme for them.

6.18 Rosebery Road exception site:

Rosebery Road is listed as an 'exception site' within the Great & Little Plumstead Neighbourhood Plan. The development of an 'exception site' to deliver affordable housing with some market housing on land at Rosebery Road will be supported where it meets certain criteria.

Broadland Landscape Character Assessment SPD 2013:

6.19 The application site falls within the Blofield Tributary Farmland Landscape Character area.

7 LOCATION AND DESCRIPTION OF SITE

7.1 The site is a parcel of agricultural land located to the east of Rosebery Road in Great Plumstead. The site currently forms part of a larger parcel of fallow agricultural land (2.01 hectares) which is owned by Broadland District Council.

7.2 As stated in paragraph 1.2 of this report immediately to the west of the site there is currently a planning application being considered for erection of 22 dwellings. The site is boarded by agricultural fields to the north, east and south.

- 7.3 The site is rectangular in shape and is approximately 1.1 hectares in size.
- 7.4 The site is devoid of any significant landscaping or trees apart from on the boundaries where there are a number of established trees and various hedging to the northern, eastern and southern boundaries. At present there is no boundary treatment to the western boundary. The site slopes slightly down towards south and east of the site.

8 PLANNING HISTORY

- 8.1 [760276](#): Residential Development (Outline). Rosebery Road, Great Plumstead. Withdrawn - 25 August 1977
- 8.2 [783134](#): Seven Dwellings. Rosebery Road, Great Plumstead. Approved – 20 February 1979

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 proximity of the development to a gas pipeline, highway issues and the impact of the proposal on the character of the area and neighbour amenity.
- 9.2 The site is located outside of the defined settlement limits where Policy GC2 seeks new development to be located. Therefore the principle of the development is not normally considered to be acceptable unless the proposal complies with a specific allocation and/or policy of the development plan.
- 9.3 In this regard the site, along with the land to the west (the subject of application [20171999](#)) is listed as an exception site within the Great Plumstead, Little Plumstead & Thorpe End Garden Village Neighbourhood Plan. The neighbourhood plan states that the development of an 'exception site' to deliver affordable housing with some market housing on land at Rosebery Road will be supported where it:
- 1) Satisfies an identified local need for affordable housing;
 - 2) Identifies a sustainable use for the remainder of the site; and
 - 3) Identifies and includes mitigation measures for road safety at the junction of Church Road and Rosebery Road.

Points (1) and (3) are considered in more detail under the 20171999 application however it is considered that this application meets point (2) and

identifies a sustainable use for the remainder of the site. Overall when assessing the two applications together the above criteria set out in the Neighbourhood Plan are considered to be met and therefore the principle of the proposal is considered to be acceptable.

- 9.4 The proposal is for the application site to be transferred to the Parish Council, as in line with the requirements of Policy 6 of the Neighbourhood Plan, along with a financial contribution in lieu of on-site open space provision on the adjacent parcel of land which is the subject of the separate planning application for the erection of 22 dwellings. This change of use application is therefore also considered to ensure compliance with policies EN3 and RL1 of the Development Management DPD which requires open space to be provided in respect of developments of five or more dwellings.
- 9.5 The land is proposed to be used by the Parish Council to provide informal outdoor use, including the possibility of allotments for residents within the Parish, primarily those within Great Plumstead and the Rosebery Road / Church Road areas. It is considered that the additional outdoor community space and potentially allotments will enhance the range of facilities available within the local area. The proposal is therefore also considered to comply with Policy CSU1 of the DM DPD which is supportive towards additional community facilities.
- 9.6 There is a high-pressure gas pipeline within close proximity to the site, which runs underneath the field immediately to the east. The Health and Safety Executive (HSE) has an 80 metre exclusion zone either side of the pipeline which the application site falls within. The HSE have stated within their 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'.
- 9.7 It should be noted 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 should also be stressed that National Grid, whose pipeline runs underneath the adjacent site, although acknowledging that the site is within close proximity to the high-pressure gas pipeline, have raised no objection to the application. Furthermore the site is already considered to be subject to informal community use with many local residents walking their dogs over the site etc. The application for change of use only seeks the principle of outdoor

community use so it is not considered that there will be a significant change in the use of the land. Notwithstanding this 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.

- 9.8 The Highway Authority raised no objection to the principle of the application but originally raised concerns that no details were submitted demonstrating the layout of the site. Their concerns were that the presence of allotments, for example, would likely raise some degree of vehicle movements and therefore some degree of parking should be provided to prevent on-street parking. It is stressed however that this change of use application does not involve any operational development, and on its own, would not allow the land to be used for allotments in advance of a further application being submitted and approved by the Local Planning Authority. It is therefore proposed that a condition is added to the decision notice which states:

‘Prior to the first use of any allotments within the site, details of the proposed arrangements including number of pitches, locations, ancillary areas including parking areas, structures and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The site shall be implemented in accordance with the approved details and maintained as such for the duration of its use.’

The Highway Authority has stated that the suggested condition is acceptable. Notwithstanding that this would be covered by a separate application it is considered that there is ample room to provide parking on site if it is considered to be required. Overall the proposal is not considered to have any detrimental impact upon highway safety and the application is therefore considered to comply with Policy TS3 of the DM DPD.

- 9.9 Campaign to Protect Rural England (CPRE) have not objected to the application, but they have commented that the close-boarded fencing, which is proposed for the boundary between the application site and the adjacent site to the west (proposed for 22 dwellings), is an ‘unfortunate suburban feature’. They also suggested that a boundary using hedging and trees would be much more preferable. No fencing is proposed as part of this application and it is considered that these comments relate more specifically to the [20171999](#) application. Overall as no operational development is proposed as part of this application it is considered that the proposal will not cause any harm to the general character and appearance of the area or to neighbour amenity.
- 9.10 The adjacent [20171999](#) development for the erection of 22 dwellings requires either onsite open space/play provision or a financial contribution towards off-site provision. The applicant has agreed with the Parish Council that the 1.1 hectares of agricultural land (the subject of this application) will be used to

provide the necessary open space contributions associated with the adjacent development, in lieu of on-site provision on the adjacent site. A S106 Agreement is to be completed for the [20171999](#) application which will tie the two applications together to deliver this.

- 9.11 In conclusion the application will provide an additional community facility which will benefit the local area. The proposal provides open space as required by Policies EN3 and RL1 due to the proposed housing development to the west of the site. The proposal identifies a sustainable use for the remainder of the 'exception site' whilst as the application is proposing to transfer the land, along with a financial contribution, to the Parish Council, the application is also considered to meet the relevant requirements of the Neighbourhood Plan. The proposal is not considered to cause any harm to highway safety, the general character and appearance of the area or neighbour amenity. Although the HSE have advised against the application due to its close proximity to a gas pipeline this matter has been considered in detail in this report and on balance it is considered that this is not something which would warrant the refusal of this application. It is therefore recommended that the application is approved subject to conditions.

RECOMMENDATION: To delegate authority to the Head of Planning to **APPROVE** the application subject to dealing with the HSE issues and subject to the following conditions:

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

[Application Form, received 15 December 2017](#)

[Location Plan \(Amended\), received 7 March 2018](#)

[Arboricultural Impact Assessment, received 15 December 2017](#)

[Flood Risk Assessment and Drainage Strategy, received 15 December 2017](#)

- (3) Prior to the first use of any allotments within the site, details of the proposed arrangements including number of pitches, locations, ancillary areas including parking areas, structures and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The site shall be

implemented in accordance with the approved details and maintained as such for the duration of its use.

- (4) Notwithstanding the provisions of Schedule 2 Part 12 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, and re-enacting or modifying that Order) with or without modification, no buildings, walls, fences or other structures shall be erected within the site curtilage, nor any hardstanding erected without the prior consent of the Local Planning Authority.

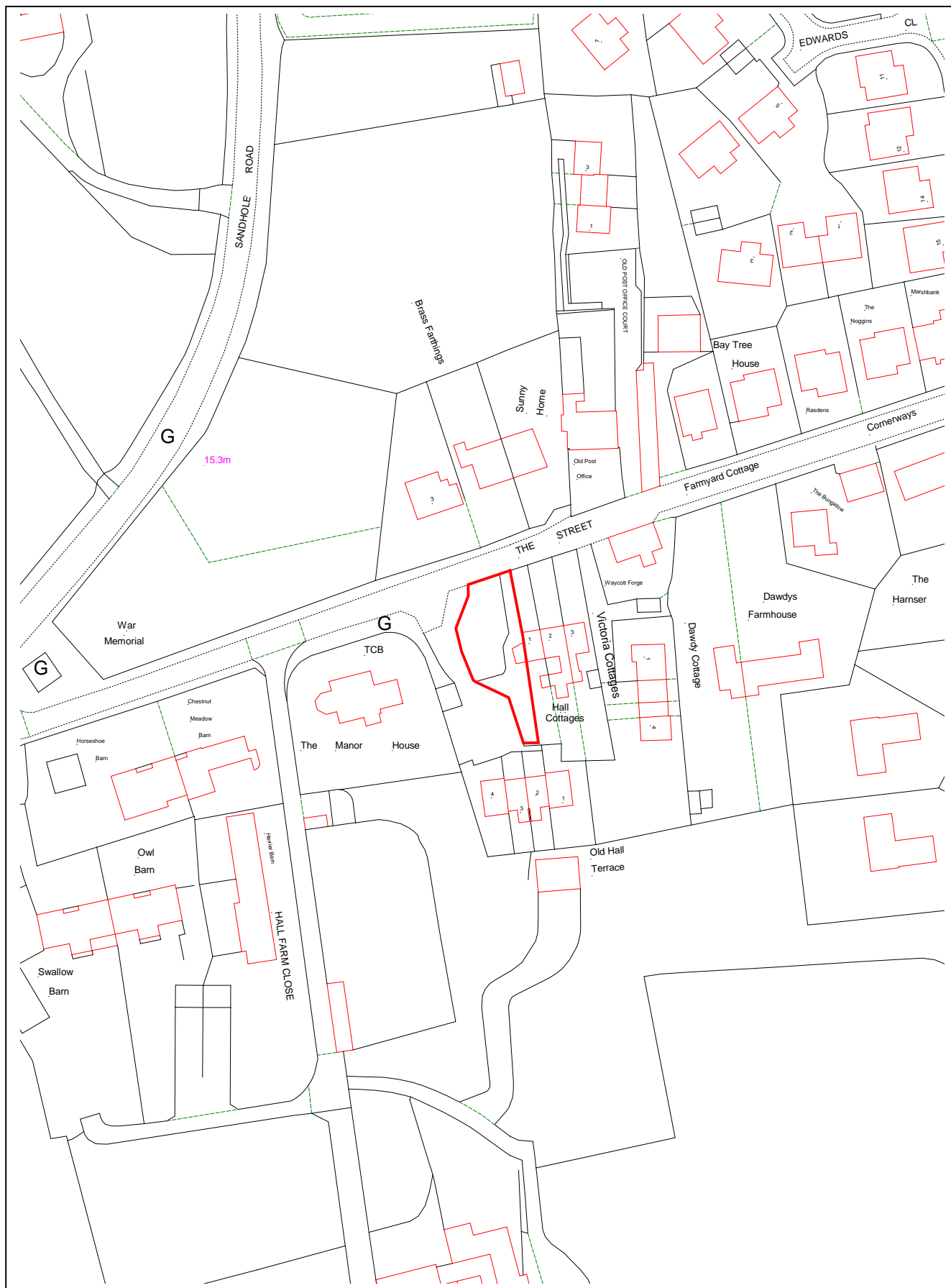
Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure the satisfactory development of the site and allow consideration to be given to the siting of any structures, hardstanding or parking areas etc. to prevent any impact upon the character of the area, nearby trees and highway safety in accordance with Policies GC4, EN2 and TS3 of the Development Management DPD 2015.
- (4) To ensure the satisfactory development of the site and allow consideration to be given to the siting of any structures, hardstanding or parking areas etc. to prevent any impact upon the character of the area, nearby trees and highway safety in accordance with Policies GC4, EN2 and TS3 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.

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 applicant's attention should be drawn to the advice notes within National Grid's comments dated 03/16/2018.



Application No: 20180303

1 Hall Cottages, The Street, Halvergate, NR13 3AJ

**Scale:
1:1250**

**Date:
16-Apr-18**



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AREA East

PARISH Halvergate

7

APPLICATION NO: [20180303](#)

TG REF: 642005 / 306731

LOCATION OF SITE 1 Hall Cottages, The Street, Halvergate, NR13 3AJ

DESCRIPTION OF DEVELOPMENT Construction of attached 2 bedroom house (revised submission)

APPLICANT Mrs Karen Hatchett

AGENT Andrew Middleton

Date Received: 21 February 2018
8 Week Expiry Date: 26 April 2018

Reason at Committee: At the request of Councillor Nurden for the reasons stated in paragraph 3.2

Recommendation (summary): Refusal

1 THE PROPOSAL

- 1.1 This application seeks full planning permission for the construction of an attached 2 bedroom dwelling adjacent to 1 Hall Cottages, The Street, Halvergate. The proposal would result in a continuation of the existing terrace and would match the ridge (8.4m) and eaves (5.5) height of the existing. The dwelling would be 6m in width. The proposed dwelling would be constructed of materials to match the existing Hall Cottages.

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 impact of the development upon the character and appearance of the area.
- The impact of the development upon the amenity of nearby residents.

3 CONSULTATIONS

3.1 Halvergate Parish Council:

Halvergate Parish Council has no objection to the application. The Parish Council views this as a positive addition to the village, as it continues the existing terrace and would be in the same style as the existing buildings and therefore is not out of character or of a disproportionate size.

3.2 Councillor Nurden:

I understand that Halvergate does not have a settlement limit and is outside the Norwich Policy Area. The construction of a single dwelling in the rural settlement of Halvergate is in conflict with policies GC1 and GC2 of the Development Management DPD (2015).

I have discussed this planning application with the landowner and established the following:

- The properties 1, 2 and 3 Hall Cottages on The Street in Halvergate, together with a piece of rough land to the right-hand side of these 3 cottages are in the ownership of the applicant. The row of 3 terraced houses is set back from the road on a large plot.
- The property number 3 Hall Cottages is currently tenanted, and no refurbishment work is planned.
- Property numbers 1 and 2 are currently being refurbished with the intention of selling them as starter homes to first time buyers/young families in the village.
- This planning application is for the construction of a 4th terraced house with a similar build specification (ie starter home) on the adjoining piece of land and I fully endorse the continuation of a similar dwelling and request that this be given due consideration by the Planning Committee.

I was present at the Parish Council meeting where the landowner presented the planning application. The application received the full support of the Parish Council.

3.3 Broadland District Council Pollution Control Officer:

No comment.

3.4 Broadland District Council Historic Environment Officer:

The site is situated within the Halvergate and Tunstall Conservation Area.

The proposal is a continuation of the existing terrace and as such is in keeping with the scale, proportions and design of the buildings in the vicinity and will not cause harm to the character of the conservation area. However, it will be important that should permission be granted, materials match and so material samples should be provided and agreed through condition, as should window / door details and material. Details of the boundary treatments would also need to be agreed.

The only minor alteration I would suggest is that the single storey section on the rear of the new building should be set in slightly from the west elevation of the house.

3.5 Norfolk County Council as The Highway Authority:

This present application appears to address the concerns I expressed in regard to previous application 20172174 and, accordingly I have no highway safety objection to the granting of permission, subject to the imposition of conditions relating to access, visibility splay, on-site car parking, and an informative relating to works within the public highway.

In regards to transport sustainability Halvergate, which has no standard everyday service facilities whatsoever, is not considered an acceptable location. The site is not connected to footway links which, in any case, are sporadic in the village and public transport services are very limited. Whilst the Highways Authority would not raise this as a reason for objection in the case of a single dwelling this is something that your Authority may wish to consider when making a decision upon the proposal.

4 PUBLICITY

4.1 Site Notice:

Date displayed: 13 March 2018

Expiry date: 3 April 2018

4.2 Press Notice:

Date displayed: 13 March 2018

Expiry date: 3 April 2018

4.3 Neighbour Notification:

Letters sent: 7 March 2018

Expiry date: 30 March 2018

5 REPRESENTATIONS

- 5.1 When the application was submitted 12 consultation letters were sent to neighbouring residents.
- 5.2 No letters of representation were received.

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.
- 6.2 The NPPF is a material consideration and should be read as a whole but paragraphs 1, 2, 6, 7, 8, 11, 12, 14, 17, 29, 35, 47, 49, 50, 53, 55, 56, 57, 60, 61, 64, 95, 126, 128, 129, 131, 132, 133, 134, 135, 137, 186, 187, 196, 197, and 203 are particularly relevant to the determination of this application.

National Planning Practice Guidance (NPPG):

- 6.3 This guidance is relevant to the determination of this application, specifically the sections relating to conserving and enhancing the historic environment; design; and rural housing.

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

- 6.4 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 settlement hierarchy remain adopted and apply to Broadland.
- 6.5 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 on ecosystems of an area.

6.6 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.

6.7 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 Norwich Policy Area (NPA – defined in Appendix 4), distributed in accordance with the Policies for places.

6.8 Policy 6: Access and transportation

Relates to access and transportation. Particularly it 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 17: Smaller rural communities and the countryside

This policy sets out the types of uses that may be acceptable in the countryside and states that 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.

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 EN2: Landscape

In order to protect the character of the area, development proposals should have regard to the Landscape Character Assessment SPD and, in particular consider impact upon as well as seek to protect and enhance a range of issues, including Conservation Areas.

6.15 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.

6.16 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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

- 6.17 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

Site Allocations DPD (2016)

- 6.18 The site is located outside of any settlement limit and is not allocated.

Broadland Landscape Character Assessment SPD 2013:

6.19 The Landscape Character Assessment SPD identifies the site in question as falling with F2: South Walsham to Reedham Marshes Fringe where the following Landscape Planning Guidelines apply:

- Seek to conserve the diverse and interesting landscape character;
- Seek to conserve the wildlife habitats characteristic of the Marshes Fringe and adjacent Broads landscape including watercourses and broads, fens, carr woodland and grazing marshes including buffering adjoining the European sites;
- 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 tall structures (such as 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 South Walsham and Upton);
- 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; and
- Seek to conserve blocks of carr woodland at the edge of Halvergate Marshes.

7 LOCATION AND DESCRIPTION OF SITE

7.1 The application site currently forms part of the amenity area associated with the neighbouring dwelling, 1 Hall Cottages. The site is bounded to the north by the highway and to the east, south and west by residential dwellings.

7.2 The site is located outside of any defined settlement limit as Halvergate does not have a settlement limit and falls within policy 17 of the Joint Core Strategy

for Broadland, Norwich and South Norfolk as a smaller rural community and the countryside.

8 PLANNING HISTORY

- 8.1 [20172174](#): Construction of attached 2 bedroom house. Withdrawn.
- 8.2 [20170192](#): Erection of 1 no. residential dwelling (revised proposal). Refused.
- 8.3 [20160927](#): Erection of 1 no. residential dwelling. Withdrawn.
- 8.4 [20160921](#): Proposed rear extension to no's 1, 2 and 3 Hall Cottages. Approved.

9 APPRAISAL

Whether the development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance:

- 9.1 The site is outside of any defined settlement limit (Halvergate does not have a defined settlement limit), where Policy GC2 of the Development Management DPD does not permit new development unless the proposal accords with another policy of the development plan. Whilst the proposed dwelling would be close to others and would not, in that sense, be isolated, the nearest settlement limit is Freethorpe which is located approximately 1.8km away.
- 9.2 Whilst the principle of development in this location is contrary to the DMDPD and JCS, regard must also be had to the requirements of the NPPF. Paragraphs 14, 47 and 49 seek to boost the supply of housing. The NPPF requires authorities to supply sites sufficient to provide 5 years' worth of land for housing (in addition to a 5% or 20% buffer subject to circumstances). The site is located in the rural part of the District outside of the Norwich Policy Area (NPA).
- 9.3 On 14 March 2018 the Greater Norwich Growth Board published the Joint Core Strategy draft annual monitoring report. Members are advised that a key material consideration in regards to housing land supply is the Central Norfolk Strategy Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence and forms part of the Joint Core Strategy for Broadland, Norwich and South Norfolk: Draft Annual Monitoring Report 2016-17 published on 14th March 2018 and is a material consideration in the determination of planning applications. For the rural area there is a 14.94 year housing land supply against the SHMA

assessment of the Objectively Assessed Need (OAN) for housing, substantially above the five year target.

- 9.4 In accordance with paragraph 49 it is considered that the Development Plan is up to date in so far as it deals with housing supply and therefore full weight can therefore be given to the development plan policies GC1 and GC2 which seek to resist development in this location. The site is outside of any defined settlement limit, with the nearest settlement limit being Freethorpe, which is located 1.8km away. There are no standard everyday service facilities within close proximity to the site, the site is not connected to footway links, and public transport facilities are limited. Therefore the application site is not considered to be in a sustainable location and does not represent a sustainable form of development.
- 9.5 It should be noted an application was dismissed at appeal, reference [20121692](#), for four single storey dwellings within the grounds of Halvergate Hall, Wickhampton Road, Halvergate to the south east of the site. The Inspector stated Halvergate is in a relatively remote, rural location, where the use of sustainable transport modes is likely to be limited, with the likely reliance on car journeys for access to many services and facilities carrying some weight against the development. This further highlights that Halvergate is an unsustainable location.
- 9.6 The proposed development, if permitted, would therefore be contrary to Paragraph 55 of the National Planning Policy Framework and Policies GC1 and GC2 of the Development Management DPD 2015.

The impact of the development upon the character and appearance of the area

- 9.7 The proposal would result in a continuation of the existing terrace and would match the ridge (8.4m) and eaves (5.5) height of the existing. The dwelling would be 6m in width. The proposed dwelling would be constructed of materials to match the existing Hall Cottages.
- 9.8 The site is situated within the designated Halvergate and Tunstall Conservation Area. Any decisions relating to conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990, in particular section 72, as well as satisfying the relevant policies within the National Planning Policy Framework and the development plan. National policy 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. Policy EN2 of the Development Management DPD (2015) states proposals should consider any impact upon as well as seek to protect and enhance conservation areas.

- 9.9 The Historic Environment Officer has commented stating the proposal is a continuation of the existing terrace and as such is in keeping with the scale, proportions and design on the buildings in the vicinity and will not cause harm to the character of the conservation area. Should permission be granted the Historic Environment Officer requests conditions be imposed to agree details relating to materials, window/door details, and boundary treatments to ensure the proposal does not cause harm to the character of the conservation area.
- 9.10 The Historic Environment Officer suggested that the single storey section on the rear of the new dwelling be set in slightly and the scheme has been amended taking these comments into account.
- 9.11 It is considered that having regard to advice received that the development would satisfactorily preserve the character and appearance of the Conservation Area and surrounding streetscene, subject to the imposition of conditions relating to materials and boundary treatments.

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

- 9.12 Policy GC4 of the DM DPD states that proposals should pay adequate regard to considering the impact upon the amenity of existing properties.
- 9.13 It is considered the proposal would not impact significantly upon neighbour amenity in terms of loss of light, privacy or overlooking due to the location of the site, proposed separation distances, and existing/proposed boundary treatments.

Other matters:

- 9.14 The Highways Authority raised no highway safety objection to the granting of permission, subject to the imposition of conditions relating to access, visibility splay, on-site car parking, and an informative relating to works within the public highway.

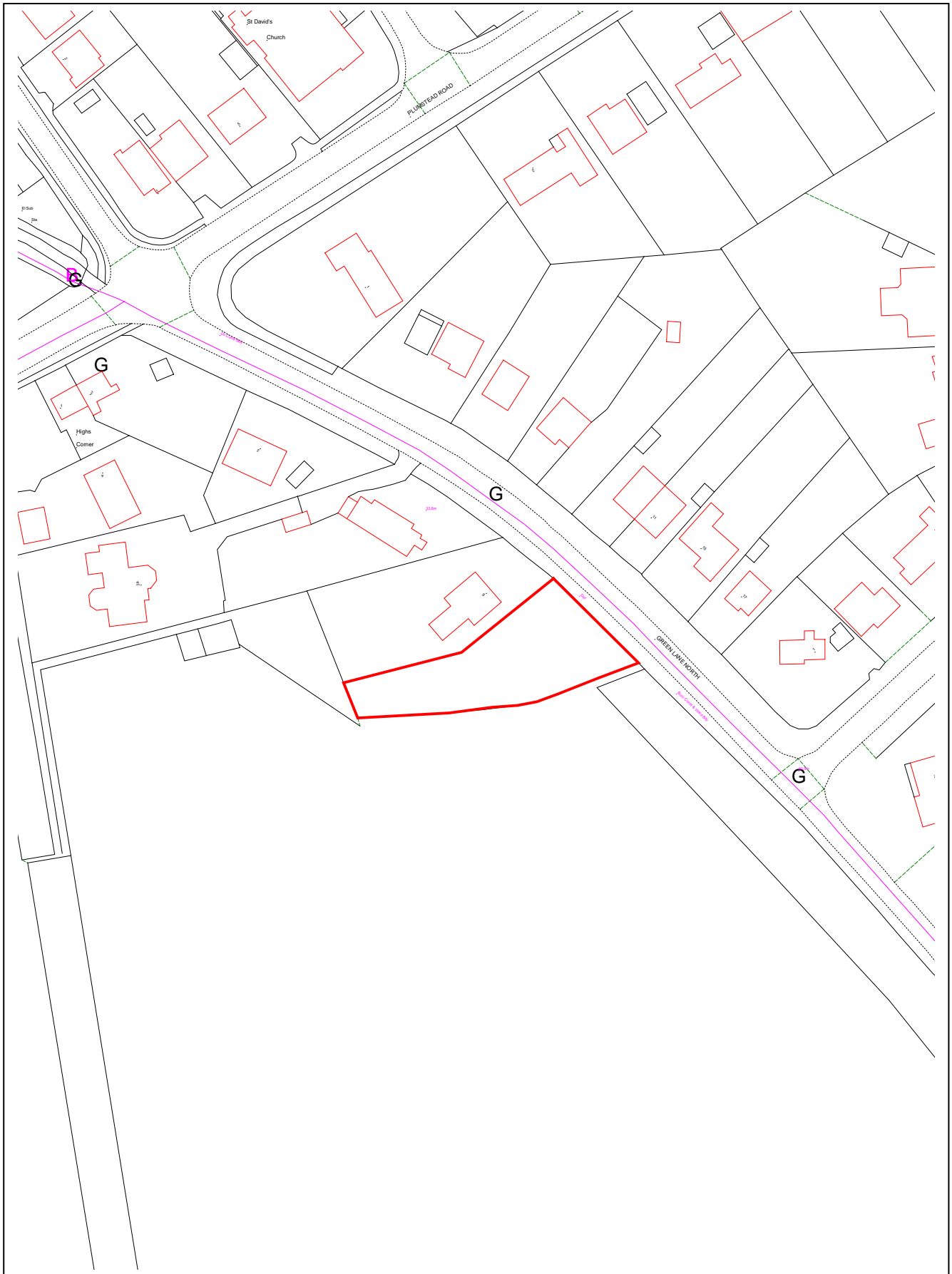
Conclusion:

- 9.15 In conclusion, the application is contrary to the adopted Development Plan. There is no shortage of housing land supply in the Broadland rural area, and so a shortage of supply is not a consideration that would justify going against the Development Plan. Furthermore, the site is poorly located being some distance from any defined settlement limit and is therefore considered to be unsustainable. The proposed development, if permitted, would therefore be contrary to Paragraph 55 of the National Planning Policy Framework and Policies GC1 and GC2 of the Development Management DPD 2015.

RECOMMENDATION: **REFUSE** for the following reasons:

The application site is outside of any defined settlement limit and therefore within the 'rural' part of the district outside the 'Norwich Policy Area' (NPA). The NPA is an area defined in the Joint Core Strategy (JCS) where development is focussed and comprises part of Broadland District, Norwich City and part of South Norfolk District. In planning terms it is treated as a separate entity for the supply of housing, as set out in the JCS. This has been accepted by Local Plan and Appeal Inspectors. For outside the NPA i.e. the 'rural' part of Broadland there is considerably more than a 5 year supply of housing land. Therefore, NPPF paragraph 14 and 49 do not apply in this case.

The application site is outside of any defined settlement limit, with the nearest settlement limit being Freethorpe which is located approximately 1.8km. There are no standard everyday service facilities within close proximity to the site, the site is not connected to footway links, and public transport facilities are very limited. Therefore the application site is not considered to be in a sustainable location and does not represent a sustainable form of development. The proposed development, if permitted, would therefore be contrary to Paragraph 55 of the National Planning Policy Framework and Policies GC1 and GC2 of the Development Management DPD 2015.



Application No: 20180073

Site Adjacent 6 Green Lane North, Thorpe St Andrew, NR13 5BD

**Scale:
1:1250**

**Date:
16-Apr-18**



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AREA East

PARISH Thorpe St Andrew

8

APPLICATION NO: [20180073](#)

TG REF: 627825 / 310826

LOCATION OF SITE Site adjacent 6 Green Lane North, Thorpe St Andrew, NR13 5BD

DESCRIPTION OF DEVELOPMENT Erection of a single storey dwelling – self-build plot (outline)

APPLICANT Edward Wooltorton

AGENT Colin Smith

Date Received: 15 January 2018
8 Week Expiry Date: 12 March 2018

Reason at Committee: The site is outside of the settlement limit and is therefore contrary to policy

Recommendation (summary): To delegate authority to the Head of Planning to approve subject to conditions

1 THE PROPOSAL

- 1.1 This application seeks outline planning permission with landscaping being a reserved matter (approval being sought for access, appearance, layout and scale) for the erection of one self-build single storey dwelling on land adjacent to 6 Green Lane North, Thorpe St Andrew.
- 1.2 The proposal initially sought consent for two single storey dwellings but during the application process was amended to seek approval for one self-build single storey dwelling.

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 impact of the development upon the amenity of nearby residents.

- Other matters.

3 CONSULTATIONS

3.1 Thorpe St Andrew Town Council

Initial comments:

No objection in principle to development on the site but, having regard to the character of the area and the size and type of properties in the vicinity, they felt that one dwelling on the site would be more in keeping with the character of the area and would be preferred.

Further comments:

Further comments are awaited.

3.2 Great & Little Plumstead Parish Council

initial comments:

Object on the following grounds:

- The application makes no reference the Great and Little Plumstead Neighbourhood Plan. Subsequently some items are not addressed.
- The drawings state that the layout and elevations of the properties are to be agreed but this is not as stated in the application itself, which has boxes ticked for appearance and scale.
- Policy 2 of the Neighbourhood Plan asks for a garage rather than a parking space and 3 spaces for a 3 bed dwelling.
- No provision for bin spaces has been listed / shown as per Policy 2 of the Neighbourhood Plan.
- It should be confirmed that there is clear access to the rear of the properties with a wide enough access path.
- The rough ground located to the roadside front should be tidied up and made safely accessible.
- The Parish Council were surprised that the waste foul water is to go via a treatment plant rather than connected to the main drain.

Further comments:

No objection to the amended application.

3.3 Broadland District Council Pollution Control Officer:

No comment.

3.4 Norfolk County Council as Highways Authority:

No objection subject to the imposition of a condition relating to the submission of full details of visibility splays, access arrangements, and parking provision and an informative relating to works within the public highway.

3.5 Norfolk County Council Senior Green Infrastructure Officer:

The application is not supported by any ecological information. The letter containing supporting information describes the site as being 'currently overgrown' and, given the presence of treelines and hedgerows in the area, there may be potential for protected species to be present. It appears that nearby applications were not required to provide ecological information.

On balance we would suggest that an ecological method statement is necessary to minimise potential impacts on protected species and should be conditioned. This does not need to be an extensive piece of work, being proportionate to the scale of the proposed development.

From our understanding of the use of the area by bats (largely derived from the extensive fieldwork and radio-tracking undertaken for the NDR), the southern boundary to the site is likely to be used by commuting bats and so we would wish to see a vegetated and unlit perimeter.

3.6 Broadland District Council Conservation Officer (Arboriculture and Landscape)

Initial comments:

I can find no tree details, and viewing the aerial photographs it appears there are trees located within the plot and also within the field adjacent; these will have to be considered as part of the application and an Arboricultural Impact Assessment (AIA) should be requested.

Further comments:

Having studied the details of the Arboricultural Impact Assessment (AIA) undertaken by Oakfield Arboricultural Services, I have no objections to the development proposals if the recommendations within the report are implemented. Please condition the contents of the AIA and specifically the details relating to the Tree Protection Plan (TPP) and the Arboricultural Method Statement (AMS).

3.7 Broadland District Council Historic Environment Officer

Initial comments:

I have no objection to this in terms of its impact on the adjoining Conservation Area. My only point is that the two bungalows look a little tight and would it be better to have a single larger bungalow or a semi-detached pair on this site.

Further comments:

Thanks for consulting me on this application which is for a new dwelling on a site adjacent to the Thorpe End Conservation Area. Although this is an outline application with most matters reserved, the indicative proposal should not have any detrimental impact on the adjoining Conservation Area.

3.8 Thorpe History Group:

No comments received.

4 PUBLICITY

4.1 Site Notice:

Date displayed: 19 January 2018

Expiry date: 9 February 2018

4.2 Press Notice:

Date displayed: 30 January 2018

Expiry date: 20 February 2018

4.3 Neighbour Notification:

Letters sent: 18 January 2018

Expiry date: 10 February 2018

4.4 Neighbour Notification Re-Consultation:

Letters sent: 27 March 2018

Expiry date: 10 April 2018

5 REPRESENTATIONS

5.1 When the application was submitted 11 consultation letters were sent to neighbouring residents. The consultation resulted in one letter of objection being received from the neighbouring bungalow to the north. The objection is summarised as follows:

- The proposal within close proximity to adjacent property would restrict light; and
- the proposal is on a blind bend and is dangerous.

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.
- 6.2 The NPPF is a material consideration and should be read as a whole but paragraphs 1, 2, 6, 7, 8, 11, 12, 14, 17, 29, 35, 47, 49, 50, 53, 55, 56, 57, 60, 61, 64, 95, 126, 186, 187, 196, 197, and 203 are particularly relevant to the determination of this application.

National Planning Practice Guidance (NPPG):

- 6.3 This guidance is relevant to the determination of this application, specifically the sections relating to conserving and enhancing the historic environment; design; rural housing; and self-build and custom housebuilding.

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

- 6.4 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 settlement hierarchy remain adopted and apply to Broadland.

- 6.5 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.

- 6.6 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.

- 6.7 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 Norwich Policy Area (NPA – defined in Appendix 4), distributed in accordance with the Policies for places.

- 6.8 Policy 6: Access and transportation

Relates to access and transportation. Particularly it 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 9: Strategy for growth in the Norwich Policy Area

The Norwich Policy Area (NPA) is the focus for major growth and development. Housing need will be addressed by the identification of new allocations to deliver a minimum of 21,000 dwellings distributed across a number of locations including Old Catton, Sprowston, Rackheath and Thorpe St Andrew growth triangle: 7,000 dwellings by 2026 continuing to grow to around 10,000 dwellings eventually; and Broadland smaller sites in the NPA: 2,000 dwellings, to be made in accordance with the settlement hierarchy and

local environmental and servicing considerations.

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

Identifies Thorpe St Andrew as an urban fringe parish capable of accommodating where opportunities will be sought to identify land to contribute towards the smaller sites allowance set out in Policy 9.

Development Management Development Plan DPD (2015) relevant policies:

- 6.11 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.

- 6.12 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 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.

- 6.14 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 and, in particular

consider impact upon a range of issues.

6.17 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.

6.18 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.

Planning (Listed Buildings and Conservation Areas) Act 1990:

- 6.19 Any decision relating to conservation areas must address the statutory considerations of the Planning (Listed buildings and Conservation Areas) Act 1990. Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

Site Allocations DPD (2016):

- 6.20 The site is located outside of any settlement limit and is not allocated.

Old Catton, Sprowston, Rackheath & Thorpe St Andrew Growth Triangle Area Action Plan – Adopted July 2016:

- 6.21 This part of the Parish is within the Growth Triangle Area Action Plan and the site is not allocated for development.

6.22 Policy GT2: Green Infrastructure

Makes specific reference to areas of green open space that are to be retained to preserve the landscape setting of particular elements of the Growth Triangle. It identifies that biodiversity and habitat

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is currently overgrown with mature trees and vegetation forming the boundaries of the site. The application site lies outside but adjacent to the defined settlement limit for Thorpe End, which lies to the north of the site and the opposite side of Green Lane North to the east. The site is also located adjacent to Thorpe End Garden Village Conservation Area, which lies to the east of the site.

- 7.2 It should be noted whilst the site lies adjacent to Thorpe End village the site falls within Thorpe St Andrew. The line of Green Lane North is the parish boundary at this point.

8 PLANNING HISTORY

- 8.1 [901520](#): Dwelling (outline). Appeal dismissed.

9 APPRAISAL

Whether the development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance:

- 9.1 The site lies outside the defined settlement limit, where Policy GC2 of the Development Management DPD does not permit new development unless the proposal accords with another policy of the Development Plan. The site does sit adjacent to the settlement boundary of Thorpe End, which lies to the north and east of the site, and falls within the Norwich Policy Area (NPA). In terms of the Growth Triangle Area Action Plan (GTAAP) the site falls within this but is not allocated for development.
- 9.2 A key material consideration in regards to housing land supply in the NPA is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence and forms part of the Joint Core Strategy for Broadland, Norwich and South Norfolk: Draft Annual Monitoring Report 2016-17 published 14 March 2018. For the NPA there is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increase housing supply.
- 9.3 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).
- 9.4 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay.
- 9.5 In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits where it accords with a specific allocation and/or policy of the development plan and does not result in any significant adverse impact.

- 9.6 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council, in accordance with DM DPD Policy GC1, will grant permission unless material considerations indicate otherwise – taking into account one of two criteria.
- 9.7 Of particular relevance to applications for housing development in this regard is paragraph 49 of the NPPF. This states that: ‘housing applications should be considered in the context of the presumption in favour of sustainable development; and that, relevant (local plan) 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’. Where policies in the Local Plan are not considered to be up-to-date, paragraph 14 of the NPPF requires decision-taking to approve applications for housing unless the adverse impacts of granting permission, ‘would significantly and demonstrably outweigh the benefits’, when assessed against the policies of the NPPF as a whole.
- 9.8 The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined NPA, a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF
- 9.9 The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 9.10 The SHMA is significant new evidence that is also a material consideration in the determination of planning applications. A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of DM DPD Policy GC1 and NPPF Paragraph 14.
- 9.11 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the

three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies.

- 9.12 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.

Economic role

- 9.13 The NPPF confirms the economic role as: *“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.”*
- 9.14 The development would result in some short term economic benefits as part of any construction work and in the longer term by spending from the future occupants of the dwelling which could support local services and facilities. It is therefore considered that the scheme would bring forward a level of economic benefit.

Social role

- 9.15 The NPPF confirms the social role as *“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”*
- 9.16 The site lies outside but adjacent to the defined settlement limit for Thorpe End and is within walking distance of facilities within Thorpe End. The site also has good accessibility to public transport which connects the site to a wider range of facilities and services and is approximately 4 miles away from Norwich city centre. The site is therefore considered to be located in a sustainable location with good accessibility to services and facilities.
- 9.17 It should also be noted that the GTAAP allocation GT6: Brook Farm, a site of approximately 38 hectares to the south of Thorpe End, which lies adjacent to the application site to the south, will provide a local centre with an appropriate range of facilities, services and employment uses.
- 9.18 The Self-build and Custom Housebuilding Act 2015 requires the Council to have regard to the self-build register. In particular, the Act imposes a duty to grant sufficient development permission in respect of serviced plots of land to meet the demand as evidenced by the number of entries on the register in a

base period. The draft regulations give a 3 year period from the end of the base period for sufficient permissions to be given.

- 9.19 Applicants are asked which area out of three they would be interested in building within the district. These are the fringe of Norwich, villages nearer Norwich, and rural towns and villages. Thorpe St Andrew falls within the fringe of Norwich category. The number of people who have currently indicated they would like to build in this area for the period 31 October 2017 - 30 October 2018 is 2 for Part 1 of the register (0 on part 2) and for the previous period 31 October 2016 – 30 October 2017 was 14 for part 1 and 16 for part 2 of the register.
- 9.20 The site would therefore provide a self-build plot which would make a contribution towards meeting the above demand and weighs in favour of the proposal.

Environmental role:

- 9.21 The NPPF confirms the environmental role as *“contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”*
- 9.22 The application site is located within the boundaries of Old Catton, Sprowston, Rackheath and Thorpe St Andrew Growth Triangle where, in accordance with Policy 9 of the Joint Core Strategy (JCS), it is proposed to build 7,000 dwellings by 2026 rising to around 10,000 eventually. To enable and co-ordinate this development the Growth Triangle Area Action Plan (GT AAP) has been adopted as part of the Development Plan.
- 9.23 The scheme originally proposed two detached dwellings and concerns were raised that the proposal, in the proposed form, design and scale on the site, would result in a cramped and contrived form of development, which coupled with the potential loss of landscaping would impact significantly upon the character and appearance of the area. The scheme has been amended to propose one self-build dwelling on the site.
- 9.24 The site is not allocated for development in the GT AAP and lies adjacent to an area identified within Policy GT2 for recreational open space to form a landscape setting to Thorpe End, to the south/south west of the site.
- 9.25 The site lies adjacent to the settlement limit of Thorpe End with existing residential dwellings located to the north and east of the site. The site contains mature trees and vegetation along parts of the southern and western boundaries of the site.

- 9.26 During the application process an Arboricultural Impact Assessment (AIA) was requested due to the development being within close proximity to trees on or adjacent to the site. An AIA and Tree Protection Plan (TPP) were provided and the Conservation Officer (Arboriculture and Landscape) raised no objections to the development subject to the development being carried out in accordance with the recommendations of the AIA and TPP.
- 9.27 In regards to ecology, the Senior Green Infrastructure Officer states as the site is currently overgrown and treelines / hedgerows are present in the area, there may be potential for protected species to be present on site and recommend the imposition of a condition relating to the submission of an ecological method statement to minimise potential impacts on protected species. They also state the southern boundary to the site is likely to be used by commuting bats so wish to see a vegetated and unlit perimeter.
- 9.28 It is considered the amended scheme for one self-build dwelling on the site allows for the retention and enhancement of existing trees and vegetation on the boundaries of the site and therefore minimises any potential impact on protected species. As landscaping is a reserved matter these details would be agreed at this later stage.
- 9.29 The site also lies adjacent to the designated Thorpe End Garden Village Conservation Area, which lies to the east of the site. The Historic Environment Officer initially commented stating a single dwelling would be better suited to the site and following the submission of amended plans the officer states the proposal should not have any detrimental impact on the adjoining Conservation Area. The proposal is for a single storey dwelling within a relatively generous plot, which is consistent with surrounding development and would include enhancements to the existing landscaping on site and therefore it is considered the proposal would have no material impact on the adjacent character and appearance of the Thorpe End Garden Village Conservation Area.
- 9.30 The character of properties within the vicinity of the application site is predominantly detached dwellings with a degree of separation between. It is considered the amended scheme of one dwelling would not result in overdevelopment of the site and would provide a relatively spacious plot, in keeping with surrounding development.

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

- 9.31 Policy GC4 of the DM DPD states that proposals should pay adequate regard to considering the impact upon the amenity of existing properties.
- 9.32 It is considered the proposal for a single storey dwelling would not impact significantly upon neighbour amenity in terms of loss of light, privacy or

overlooking due to the location of the site, separation distances, and existing / proposed boundary treatments.

Other matters:

- 9.33 The Highways Authority raised no objection subject to the imposition of a condition relating to the submission of full details of visibility splays, access arrangements, and parking provision and an informative relating to works within the public highway.
- 9.34 It is noted within the comments received from Great and Little Plumstead Parish Council they highlight the proposal states foul water is to be discharged via a treatment plant rather than connected to the mains sewer. The agent has since confirmed the proposal would connect to the mains sewer.

Conclusion:

- 9.35 Whilst the housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process, this factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery. Notwithstanding this, in this case there are considered to be limited adverse impacts associated with the development and there are economic, social and environmental benefits associated with the development, albeit limited given the proposal is for one dwelling. It is considered the benefits of the proposal outweigh any adverse impacts and therefore the application is recommended for approval.

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

- (1) Details of the landscaping (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. 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) Concurrently with the details of the reserved matters required, the following shall also be submitted to and approved by the local planning authority before any development commences:-
- i) A schedule of all external materials to be used in the development; and
 - ii) The landscaping of the site (including any proposed changes to existing ground levels, means of enclosure and boundary treatments, hard surfaced areas and materials, specification and schedules of existing plants to be retained and proposed planting and showing how account has been taken of underground services).
- (5) Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specification) shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:
- i) Visibility splays;
 - ii) Access arrangements; and
 - iii) Parking provision in accordance with adopted standard.
- (6) Prior to the commencement of development, an Ecological Method Statement shall be submitted to and approved by the local planning authority. The work shall be carried out in accordance with the approved details.
- (7) Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA) and Preliminary Method Statement supplied by Oakfield Arboricultural Services dated March 2018 and Tree Protection Plan (TPP) drawing no.OAS 18-050-TS01. No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA have been carried out and all tree protection barriers are in place as indicated on the TPP. The protective fencing shall be retained in a good and effective condition for the duration of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior written approval of the local planning has been sought and obtained.

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.

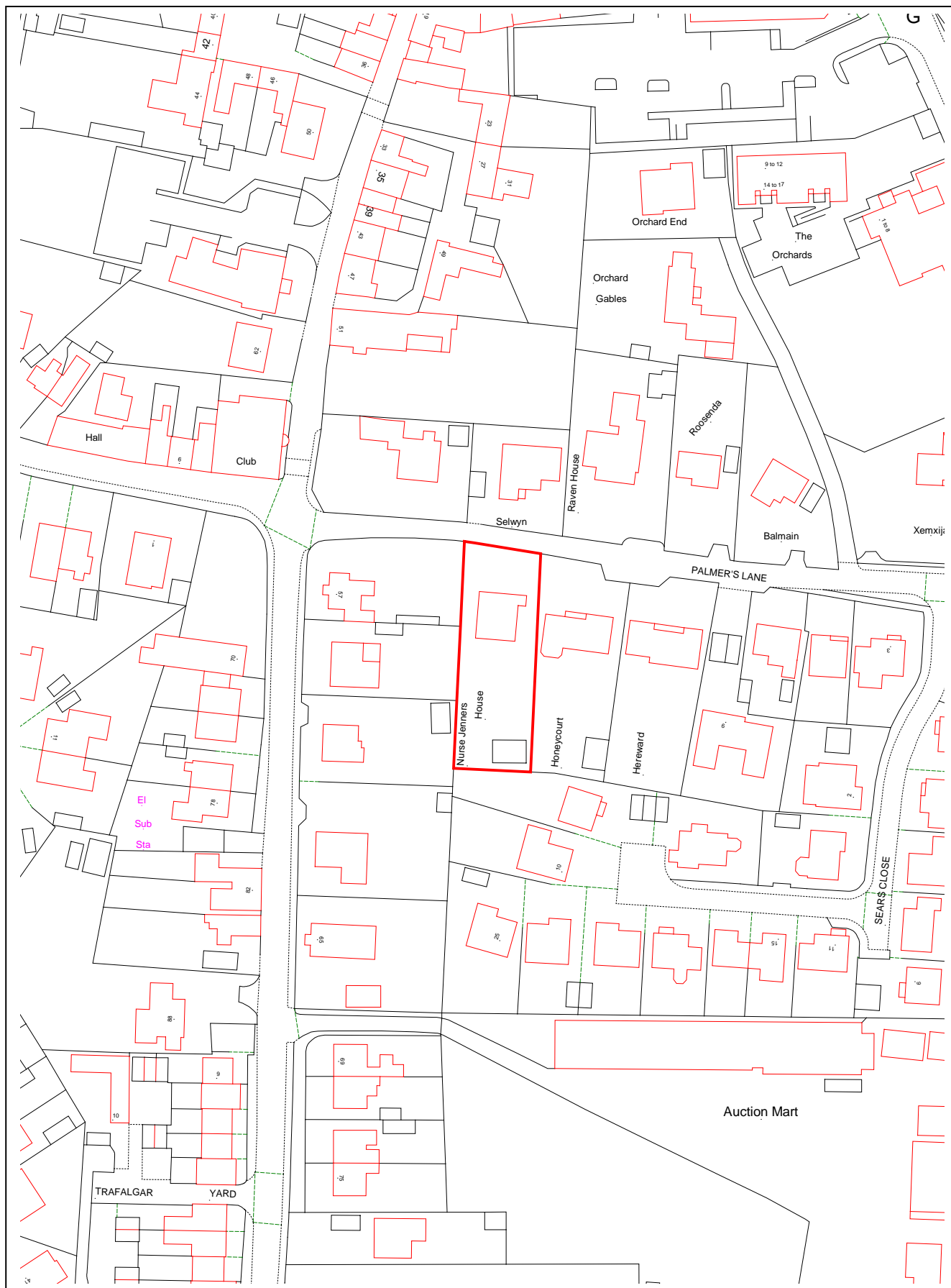
- (3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (4) To ensure the satisfactory development of the site and to protect neighbour amenity in accordance with Policy GC4 of the Development Management DPD 2015.
- (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 the development is not detrimental to Protected Species in accordance with Policy EN1 of the Development Management DPD 2015 and the National Planning Policy Framework.
- (7) To ensure the development is not detrimental to tree and in the interests of the amenities of the area in accordance with Policy 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 Building 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 Highways Authority unless otherwise agreed in writing. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Control Group. Please contact Stephen Coleman on 01603 430 596.

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.



Application No: 20180422

**Nurse Jenners House, Palmers Lane, Aylsham,
NR11 6JA**

**Scale:
1:1250**

**Date:
16-Apr-18**



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AREA West
PARISH Aylsham

9

APPLICATION NO: [20180422](#) **TG REF:** 619274 / 326646
LOCATION OF SITE Nurse Jenners House, Palmer's Lane, Aylsham, NR11 6JA
DESCRIPTION OF DEVELOPMENT Two storey rear extension and alterations
APPLICANT Mr and Mrs Pearce
AGENT Waldorf Farrow Ltd, c/o Miss Francesca Farrow

Date Received: 13 March 2018
8 Week Expiry Date: 10 May 2018

Reason at Committee: At the request of Councillor Riley for the reasons set out in paragraph 5.2 of this report.

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks planning permission for the construction of a two storey rear extension.
- 1.2 The extension will project 4.7m from the back of the property and be full width of the rear of the property.
- 1.3 The extension will provide an open plan kitchen and dining space on the ground floor and an additional bedroom and bathroom at first floor level.
- 1.4 Other more minor alterations include the provision of a new front entrance door and alterations to the position and size of some of the ground floor windows.

2 KEY CONSIDERATIONS

- The size of the extension and impact of the proposal on the character of the area

- The impact of the proposal on neighbour amenity

3 CONSULTATIONS

3.1 Aylsham Town Council:

Objects to the proposal on the following grounds:

The current property is a substantial size in an area of the town with a high building density but a history of large gardens. The proposals to this property are thought to provide an excessive increase in size which will result in a property which will dominate the area and all the houses around it.

3.2 Pollution Control Officer:

No comment.

4 PUBLICITY

4.1 Neighbour Notifications:

57, 59, 61, Hungate Lane, 8 Sears Close and Selwyn and Honeycombe
Palmers Lane, Aylsham

Expiry Date: 7 April 2018

5 REPRESENTATIONS

5.1 59 Hungate Street, Aylsham:

We wish to register our strong objection to the proposed planning application.

Nurse Jenners House as it is currently situated in relation to 59 Hungate Street

Nurse Jenners House (NJH) is a double storey house is on Palmers Lane and the side elevation presently sits mostly along our neighbour's rear boundary and at the corner of our rear boundary. The height, angle and land elevation of NJH is such that one of the two upper elevation windows and the two rear upper elevation windows overlook our property. NJH stands roughly 18-20 feet above our 6 feet rear garden fence and NJH stands at a slight angle towards our property. We bought our house three years ago and accepted the proximity of NJH and enjoyed its pleasing architecture and local history.

Presently the house sits comfortable (if rather tall) in the landscape of Palmers Lane properties, which we can see as they taper gently and evenly down the lane. We have put in a bamboo grass which gives us some privacy from the side upper elevation window. The two windows at the rear upper elevation of NJH are far enough away not to encroach too much on our privacy.

The reasons for our strong objection to the proposed planning application for a double storey extension to Nurse Jenners House

The applicant visited us a month ago to tell us of the proposed double storey extension to her property. She explained the double storey extension would be a continuation of the side, roof and back elevation of the property and would extend as far as her next door neighbour's side elevation (the house on Palmers Lane). She explained the double extension would be the size of half her house again.

We had not seen the plans at that point but we informed the applicant that we would be objecting because we could easily visualise the impact it would have on our property and living. At the time the applicant was viewing her property from our open plan kitchen dining room and said she understood our objections while viewing from our perspective.

The perspective of the proposed double storey extension from 59 Hungate Street

We attended the Town Council Meeting when NJH planning application was discussed. When the council members viewed the plans, the general consensus for most was no immediate concern regarding the impact or size of the proposed extension. This changed dramatically when photographs were passed round and the vote against passing the proposed plans to extend NJH was unanimous.

The proposed extension to NJH would come approximately half way along our rear boundary fence and would tower over our garden and bungalow. The length of our garden is 58 feet from the bungalow to the rear fence and the patio is 12 feet depth. The main garden area which drops down from the patio is 46 feet to the rear boundary fence. The angle of NJH would incline the extension further towards our property and the rear upper elevation of the two windows would now be situated so they would intrude on our privacy. With the proposed extension, NJH would stand 18-20 feet above our fence line, would have a projected roof span of approximately 75 feet (from front to back of house) without relief and would overshadow half the width of our garden. This would be our revised view.

I have been informed that the rules of building do not give the right to a view which implies something pleasant and open. We really hope planners may

look sympathetically at the facts and the reality and how, if this application were to go through, it would affect us and the surrounding area. The proposed extension would be clearly visible from Mill Road, Old Hungate Street and Palmers Lane. We would be truly devastated if this plan was passed.

5.2 Councillor Steve Riley:

A formal request is made to call in the application 20180422 for review by the Planning Committee for the following reasons:

- Size of extension affecting local area setting
- Effects on the current amenity enjoyed by residents located at 59 Hungate Street due to close proximity to their house and reduction in light currently enjoyed
- Concerns on current amenity being overlooked by windows from extension

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012:

- 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).

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

- 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.

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

6.5 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.

6.6 Policy GC4: Design

Development proposals will be expected to achieve a high standard of design and avoid any significant impact. The policy sets out a list of criteria that proposals should pay regard to, including the need to consider impact upon the amenity of existing properties.

7 LOCATION AND DESCRIPTION OF SITE

7.1 The dwelling which is the subject of this application is a detached, older style, two storey house. The house is situated on the southern side of Palmer's Lane in an established residential area, within the settlement limits of Aylsham.

7.2 Surrounding properties are a mix of types, sizes and ages, predominantly occupying larger plots.

7.3 The dwelling occupies a large plot approximately 51m long and 17.6m wide and is set back from the road. It has a paved driveway to the front and main garden to the rear. The house sits centrally to the front of the plot.

7.4 The rear garden is fully enclosed by 1.8m high timber fencing, however due to the incline from east to west along Palmer's Lane the western boundary fence is approximately 2.5m above the ground level of the application site. The western boundary forms the rear boundary of properties in Hungate Street.

8 PLANNING HISTORY

8.1 No relevant planning history

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 impact of the proposal on residential amenity and the character of the area.
- 9.2 The two storey extension will be on the rear of the property. It will incorporate a double gable design that will be full width of the rear of the house. The height of the extension will not extend above the height of the existing roof and the width of the extension will not extend beyond either side wall. The extension will not therefore have an unacceptable effect on the appearance of the property when viewed from the front or the character or appearance of the street scene.
- 9.3 The extension will project 4.7m from the back of the dwelling and at two storeys is a substantial increase in the size of the property. The size of the plot can easily accommodate the scale of the development without compromising the spacious character of the area and is therefore considered acceptable and not considered to be overdevelopment.
- 9.4 The neighbour to the east (Honeycourt) is a modern detached house. It has a similar size plot to Nurse Jenners House but the property is set further back into the site. There is a gap of approximately 6m between the two properties and there are no windows on the side elevation facing Nurse Jenners House. Although the proposed extension will project 4.7m from the back of Nurse Jenners House it will only extend beyond the rear building line of the neighbour by approximately 1.5m. For these reasons it is considered that there will be no significant detrimental effects to the neighbours light or outlook.
- 9.5 Nurse Jenners House has windows at first floor level on all elevations. These windows already allow overlooking of neighbouring properties and gardens in Palmer's Lane and Hungate Street. The proposed extension will have no new first floor windows on the side elevations to create any additional loss of privacy for any neighbours.
- 9.6 The two first floor windows in the rear elevation of the extension will replicate those of the existing rear elevation. The occupants at 59 Hungate Street have raised concerns about increased loss of privacy as a result of the first floor rear elevation windows. They state that because Nurse Jenners House is angled towards their property the windows in the extension would be closer to their property and intrude more on their privacy.
- 9.7 It is acknowledged that Nurse Jenners House is slightly angled towards the western boundary of the plot. However the angle is so slight as to be barely discernible and the corner of the proposed extension will be no more than

250mm closer to the boundary than the existing dwelling. The rear elevation of Nurse Jenners House is currently in line with the northern (side) boundary fence of 59 Hungate Street and the existing first floor windows have full view of the rear of the property and its garden. The extension will move the windows 4.7m further south and as a result less of the rear of 59 Hungate Street will be overlooked. The distance between the back of the neighbour's property and the new rear elevation of the extension is marginally less than existing but not such that any significant additional loss of privacy would be created compared to the existing situation.

- 9.8 Concern has also been raised by the occupant of 59 Hungate Lane that the proposed extension will cause overshadowing. Nurse Jenners House is located approximately 22m to the north east corner of this property. Due to this relationship between the two properties there will be no overshadowing as a result of the proposed extension.
- 9.9 In having regard to all matters raised, it is considered that this application will not have a significant detrimental impact on the character and appearance of the area or residential amenity.
-

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.

Application Form, received 13 March 2018

Location Plan, received 13 March 2018

Proposed Block Plan, received 13 March 2018

Proposed Elevations, received 13 March 2018

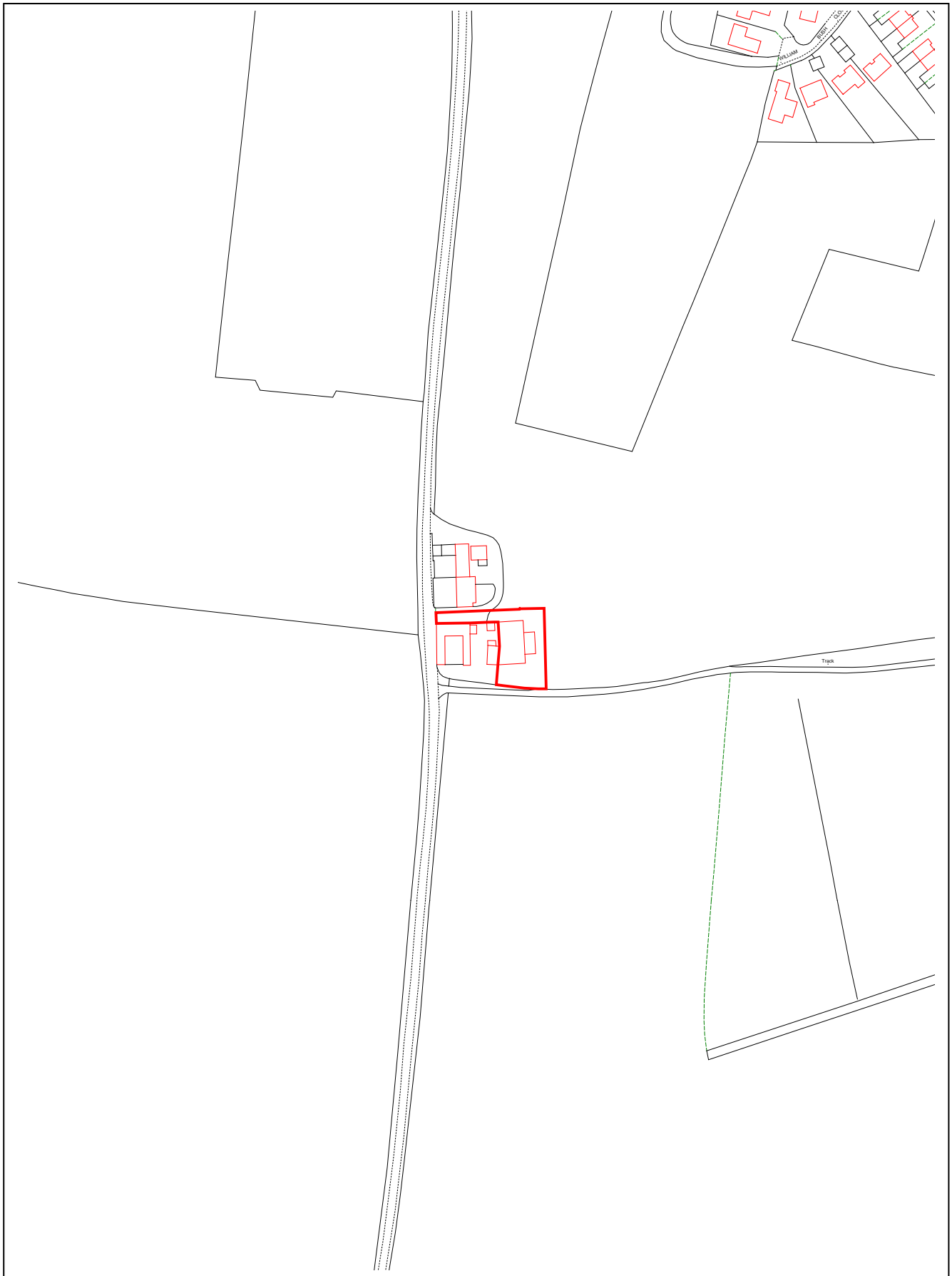
Proposed Floor Plans, received 13 March 2018

Reasons:

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

Informatives:

- (1) 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: 20180131

**Wood Farm Barn, Brandiston Road, Cawston,
NR10 4ES**

**Scale:
1:2500
Date:
16-Apr-18**



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AREA West
PARISH Cawston

10

APPLICATION NO: [20180131](#) **TG REF:** 613585 / 323119
LOCATION OF SITE Wood Farm Barn, Brandiston Road, Cawston, NR10 4ES
DESCRIPTION OF DEVELOPMENT Conversion of agricultural barn to a residential dwelling, change of use of agricultural land to residential curtilage, porch extension and erection of detached carport
APPLICANT Mr Russell Eggleton
AGENT N/A

Date Received: 22 January 2018
8 Week Expiry Date: 16 April 2018

Reason at Committee: The recommendation for approval is contrary to Development Plan policies

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The proposal seeks full planning permission for the conversion of an agricultural barn into a residential dwelling and the change of use of agricultural land to residential curtilage at a site outside of the settlement limits in Cawston. The proposal also seeks the erection of a front porch and a detached carport.
- 1.2 The proposal follows an application which granted prior approval for the conversion of the barn into a four bedroom residential dwelling in January 2018. The only proposed changes to the barn from the previous prior approval application are the inclusion of a porch on the north elevation and an external flue on the roof. The proposed porch which is open to the front is to measure 1.5m x 1.8m and is proposed to be 2.6m in height.
- 1.3 The application also seeks to change the use of an area of agricultural land to provide a larger garden and parking area. The area included within the residential curtilage has increased from 308m² as previously approved to 863m².

- 1.4 The barn measures approximately 14.9m in length, 11.2m in width and 5.5m in height. The accommodation to be provided comprises four bedrooms, a kitchen, a utility room, a porch, an open plan dining and living area, a bathroom, a WC, and two en-suite bathrooms. A parking and turning area and the detached carport are shown as being provided to the north of the barn.
- 1.5 The detached carport is proposed to measure 7.4m by 7.4m and be 3.9m in height. The carport is proposed to have an open bay at the front and back to allow a vehicle to drive all the way through. Vertical oak boards, to match the main barn are proposed to be used to clad the walls of the carport. The carport is to be of a timber frame construction and is proposed to have a brick plinth and a reclaimed pantile roof.
- 1.6 For the main barn grey rendered walls are proposed up to 800mm from ground level before natural coloured vertical Oak boarding is proposed to be used to clad the walls of the building. The existing charcoal grey sheet tin roof is proposed to be retained. Charcoal grey doors and windows are also proposed.

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.
- Whether there are material considerations sufficient to outweigh the presumption of determining the application in accordance with the provisions of the Development Plan.
- The design of the proposal and the impact of the development on the character and appearance of the area, residential amenity and highway safety.

3 CONSULTATIONS

3.1 Cawston Parish Council:

The Parish Council objects to this application, it cannot be considered a conversion, it is in fact a new development, and it is outside the settlement line.

3.2 Contracts Officer (Environmental Services):

There will need to be space for the bins and a collection point nearest the

adoptable highway, as the crew will not go onto the private road or property.

3.3 Highway Authority:

Given the previous permissions ([20171944](#) etc) for residential conversion of this former agricultural building I feel it would be very difficult to pass any adverse highway comment upon this proposal.

Should your Authority be minded to approve the application the following conditions and informative note should be appended to any consent notice issued. *(Three conditions relating to the access and on-site car parking areas to be added to any approval as suggested.)*

3.4 Pollution Control Officer:

Please add informatives for potential risk of contamination due to past use of the site and disposal of asbestos.

4 PUBLICITY

4.1 Site notice:

Expiry date: 3 April 2018

4.2 Press notice:

Expiry date: 3 April 2018

4.3 Neighbour notification:

Wood Farm and Wood Farm Cottage, Brandiston Road, Cawston

Expiry date: 18 March 2018

5 REPRESENTATIONS

5.1 No representations received.

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.

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).

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

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

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

- 6.5 Policy 2: Promoting good design

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

- 6.6 Policy 15: Service Villages

Cawston is identified as a Service Village in Policy 15 of the JCS. Policy 15 states that in each Service Village land will be allocated for small-scale housing development subject to form and character considerations.

Development Management Development Plan Document (DM DPD) 2015:

- 6.7 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.

6.8 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.

6.9 Policy GC3: Conversions of buildings outside settlement limits

Outside settlement limits, proposals for the conversion of buildings for residential use will be permitted where the building is capable of conversion without substantial alteration and where it will lead to an enhancement of the immediate setting.

6.10 Policy GC4: Design

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

6.11 Policy EN2: Landscape

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

6.12 Policy EN4: Pollution

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

6.13 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.

6.14 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.

Landscape Character Assessment SPD:

6.15 C1: Foulsham and Reepham

The following Landscape Planning Guidelines apply to the Cawston Tributary Farmland Landscape Character Area:

- Seek to conserve the diverse and interesting landscape pattern and character;
- Seek to conserve distinctive, historic features architectural and landscape features including seventeenth and eighteenth century parkland landscapes and their setting, which contribute to the area's rich historic character and strong sense of place;
- Seek to ensure the sensitive location of development involving further tall structure (such as 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;
- Seek to conserve the landscape setting of market towns and villages such as Cawston and Salle, and seek to screen (where possible) harsh settlement edges and existing visual detractors (such as the electrical substation);
- 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 the landscape setting of grand houses, manors, estate settlements, churches, and halls;
- Seek opportunities to restore the hedgerow network where fragmented.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site is an agricultural parcel of land located on the east side of Brandiston Road, approximately a kilometre south of the centre of Cawston. The site is setback from the road and sits behind a residential dwelling which is immediately adjacent to Brandiston Road. This dwelling was converted from an agricultural barn in 2014 under application [20151358](#). One of the outbuildings associated with the neighbouring dwelling is attached to the west

side of the barn which is the subject of this application. To the north of the site is Woodfarm Cottage which is a detached two storey dwelling with outbuildings also on the site. To the east of the application site there are fields which will remain in an agricultural use. There is a public footpath to the south and open fields beyond.

- 7.2 The agricultural barn is only structure within the application site. The rest of the site is made up of a gravelled surface. The existing building is a detached rectangular shaped barn with rendered walls up to 800mm in height and green tin roof and walls.
- 7.3 There is a timber post and rail fence and double gates at approximately 1.2m in height on the eastern boundary. On the southern boundary there is post and wire fencing up to approximately 1m high as well as some recently planted trees. There is also an established tree on the south east corner of the site which appears to be within the applicant's ownership. A 1.8m high close boarded timber fence is located to the northern boundary. The site is currently open to the west however a 2m high wall is proposed to be built to provide a separation from the neighbouring dwelling.
- 7.4 There are no significant changes in ground levels across the site.

8 PLANNING HISTORY

- 8.1 [20061851](#): 10.5m high pole incorporating 2 x 0.3m dish, antennas and equipment cabinet (prior approval) – Wood Farm, Brandiston Road, Cawston. Telecommunications approval granted 10 January 2006.
- 8.2 [20140195](#): Change of use of agricultural barn to 1 no: residential dwelling – Wood Farm Barns, Brandiston Road, Cawston. Withdrawn 31 March 2014.
- 8.3 [20141506](#): Change of use of agricultural barn to residential dwelling (resubmission) – Wood Farm Barns, Brandiston Road, Cawston. Approved 6 November 2014.
- 8.4 [20151358](#): Change of use of agricultural barns to residential dwelling and extension of residential curtilage (revised scheme) – Wood Farm, Brandiston Road, Cawston. Approved 22 October 2015.
- 8.5 [20151391](#): Application for approval of details reserved by conditions 4 (external materials) and 5 (contamination report) of planning permission 20141506 – Wood Farm, Brandiston Road, Cawston. Approved 22 October 2015.
- 8.6 [20162067](#): Non material amendment following planning permission 20151358 – revision to part of glazing to courtyard elevation: 1.8m high wall instead of

1.8m high fence and reclaimed red brick facing to road elevation instead of rendered finish – Wood Farm Barns, Brandiston Road, Cawston. Withdrawn 3 January 2017.

- 8.7 [20170471](#): Non material amendment following planning permission 20151358 – replace wooden fence with brick wall, retain and clad existing wall to garden room, rebuild structure to rear of carport to form dog kennel, brick skin roadside rendered wall – Wood Farm, Brandiston Road, Cawston. Agreed 27 March 2017.
- 8.8 [20171423](#): Change of use of agricultural building to residential dwelling (prior approval) (Class Q (a)) – Wood Farm Barn, Brandiston Road, Cawston. Prior approval required and granted 4 October 2017.
- 8.9 [20171944](#): Change of use of agricultural building to residential dwelling (prior approval) (Class Q (b)) – Wood Farm Barn, Brandiston Road, Cawston. Prior Approval required and granted 3 January 2018.

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 and its impact on the character of the area, residential amenity and highway safety.
- 9.2 The site is located within the countryside, outside of the settlement limit that has been defined for Cawston. Policy GC2 of the DM DPD explains that new development will be accommodated within settlement limits and that outside of settlement limits, development will be permitted where it does not have any significant adverse harm and where it accords with another policy and / or allocation of the development plan. Given that this application proposes to convert a building outside of a settlement limit, Policy GC3 of the DM DPD is engaged. Where a residential use is proposed, this policy requires the building to be capable of being converted without substantial alteration and for the conversion to lead to an enhancement of the immediate setting.
- 9.3 The barn is a relatively plain building that is of no historic interest or character. As set out in sections 1 and 8 of this report, the barn was the subject of previous applications in a two stage process under Class Q of the GDPO 2015. These applications were both submitted in 2017 (application numbers [20171423](#) and [20171944](#)). The Council in pursuance of powers under this Act determined that prior approval was required and granted.
- 9.4 Taking into account that the barn already has permission to be converted to a residential dwelling which could still be implemented, it is considered that the principle of the conversion has been established. Notwithstanding this it is

considered that the application meets the requirements of Policy GC3 of the DM DPD in that the building is capable of conversion without substantial alteration and it is considered that the conversion will lead to an enhancement of the immediate setting.

- 9.5 The current full planning application seeks to convert the barn in much the same way as previously approved under planning permission 20171944 but the main changes are an increase to residential curtilage, the erection of a porch and the erection of a detached carport to the north of the barn.
- 9.6 The change of use of agricultural land to residential curtilage is the element of the application that is contrary to the Development Plan. The prior approval application requires the curtilage associated with the proposed dwelling to be no larger than the building to be converted. Under the prior approval application much of this area was taken up by the parking and manoeuvring area and so the applicant seeks to extend the residential curtilage to provide a more appropriately sized garden. Officers are satisfied that the increased size of the residential curtilage will result in better living conditions for the applicant and an improved form of development which follows the plot boundaries of the neighbouring dwelling to the west. Consequently, there is considered to be merit in setting aside Policy GC2 for this element of the application. In addition, it is not considered that the conversion of this gravelled parcel of land will result in any visual harm to the rural landscape whilst the site is also well screened when viewed from Brandiston Road to the west and is only partially visible when viewed from the public footpath to the south. Overall despite being larger than originally approved, it is considered that the extension of curtilage will not be unduly excessive, will not represent a significant incursion into the countryside and does not cause unacceptable harm to the general character and appearance of the surrounding area.
- 9.7 The footprint of the main barn is not increasing from the previously approved plans although as mentioned above the design of the proposal has changed slightly in that a porch is now being proposed to the northern elevation and a flue added to the roof. These elements were both considered to be outside of what could be permitted under the previous Class Q prior approval application. The porch is of a modest size and both this and the external flue are elements that could be carried out as permitted development in most normal circumstances. A detached carport is also proposed to be added to the north east of the site which is considered to be of an acceptable size, scale and design. The design of the main barn and the choice of materials are also considered to be acceptable and overall it is considered that the application will comply with Policy 2 of the JCS and Policies GC3 and GC4 of the DM DPD.
- 9.8 Although the site is partially visible from the south and east of the site it is considered that the proposal will not cause any harm to the general character and appearance of the area in accordance with Policies GC4 and EN2 of the DM DPD. The main fenestration at first floor level faces towards the east and

will overlook agricultural land which is within the applicant's ownership. The only window which will face towards Wood Farm Cottage to the north of the site is a Velux rooflight window which serves a bedroom and is not considered to result in any significant overlooking. The detached carport is also not considered to be overbearing or dominant for neighbouring properties. Overall the proposal will have no detrimental impact upon neighbour amenity and the application is therefore considered to comply with Policy GC4 of the DM DPD.

- 9.9 On matters of highway safety, the Highway Authority has not objected to the application subject to carrying forward the previously imposed conditions in relation to the vehicular access and on-site parking. The amount of parking on site will only be added to by the addition of the detached carport. Overall the proposal provides ample off-street parking and has no detrimental impact upon highway safety and the application is considered to accord with Policies TS3 and TS4 of the DM DPD.
- 9.10 As stated in paragraph 3.1 of this report Cawston Parish Council objects to the application due to the fact that it is new development outside of the settlement limits. It is not disputed that the site is outside of the settlement limit however the planning history at the site needs to be taken into consideration. In the fall-back position if this application was to be refused then the applicant would still be able to convert the barn under the previous prior approval.
- 9.11 In conclusion, it is considered that the development will have a neutral impact on the character and appearance of the area (including the landscape character) and on residential amenity. Taking account of this, it is not considered that development results in any significant harm. With this in mind, together with the stated fall-back position, 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 19 February 2018

Proposed Ground and First Floor Plans, received 19 February 2018

Proposed Elevations, received 19 February 2018

Proposed Carport Elevations, received 22 February 2018

Existing and Proposed Elevations Showing Changes to 2017 Applications, received 19 February 2018

- (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 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 the approved drawing only. Any other access 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 concurrently with the bringing into use of the new access.
- (6) Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.

Reasons:

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

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 Stephen Coleman on 01603 430 596.

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 applicant is advised that the previous use of the building and associated land may have involved potentially contaminated activities which have given rise to the presence of contamination. In view of this you are advised to consider commissioning a suitably qualified independent and experienced professional or company to undertake a site investigation and risk assessment

to determine whether any remedial work is required to ensure that the site is suitable for the intended use. The responsibility for the safe development of the site, the disposal of any contaminated materials from the development of the site and ensuring that the site is suitable, or can be made suitable for the intended development, through the implementation of an appropriate remediation strategy, is the responsibility of the developer.

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

- (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.
- (6) 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.



PLANNING COMMITTEE

25 APRIL 2018

Final Papers

Page Nos

[Supplementary Schedule](#)

265 – 278

Attached is the Supplementary Schedule showing those representations received since the agenda was published and other relevant information

DEMOCRATIC SERVICES

Broadland District Council
Thorpe Lodge, 1 Yarmouth Road, Norwich, NR7 0DU
Tel: 01603 430428
Email: cst@broadland.gov.uk

SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
1	20161588	Woodbastwick Road, Blofield	<p><u>Further comments from Highway Authority:</u></p> <p>Given that the proposed access alterations do involve narrowing of the carriageway of Woodbastwick Road, I feel additional conditions and an informative note to that previously requested should be appended to any consent notice to secure these works:</p> <p>1. 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 (Alterations to carriageway width of Woodbastwick Road to allow improved visibility splays to site access) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reason: 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.</p> <p>2. 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.</p> <p>Reason: To ensure that the highway network is adequate to cater for the</p>	43 - 82

			<p>development proposed.</p> <p>Officer Comment:</p> <p>It is appropriate to reword the existing condition 12 as follows to take account of the above:</p> <p>Revised condition 12 –</p> <p>Notwithstanding the details indicated on the submitted drawings no works shall commence on site (unless otherwise agreed in writing with the Local Planning Authority) until a detailed scheme for the highway improvement works comprising alterations to carriageway width of Woodbastwick Road to allow improved visibility splays to site access, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme to be submitted shall include:</p> <ul style="list-style-type: none"> • the upgrading works as indicated on drawing 5904/SL/11/Rev C and to be in accordance with the Norfolk County Council residential access construction specification (highway specification No. TRAD 1 attached) for at least the first 5 metres as measured back from the near channel edge of the adjacent realigned highway carriageway • Arrangements for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. <p>Prior to the first occupation of the development hereby permitted these</p>	
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			<p>highway improvement works shall be completed in accordance with the details as approved.</p> <p>Additional Informative:</p> <p>(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 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.</p>	
2	20170764	Equestrian Centre, Lower Street, Salhouse,	<p><u>Further comments received from the Lead Local Flood Authority [LLFA]:</u></p> <p>Thank you for your further consultation on the above site, received on 29 March 2018. We note that additional information relates to revisions to the access to the site, and indicative layout and that these amendments do not materially affect the FRA or drainage strategy that we have previously commented on.</p> <p><u>However</u>, we have also taken the opportunity to review our previous response and would like to submit amended comments which supersede our response of 27 September 2017.</p> <p>We object to this application in the absence of sufficient information</p>	83 - 131

			<p>relating to:</p> <ul style="list-style-type: none"> The FRA/drainage strategy has not adequately addressed the risk of flooding to properties and drainage infrastructure from mapped surface water ponding. <p>Reason To ensure a satisfactory method of surface water drainage and to ensure there is no increased flood risk in accordance with policy CSU5 of Broadland District Council Development Management DPD 2015).</p> <p>To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local flood risk, 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.</p> <p>We will consider reviewing this objection if the following issues are adequately addressed.</p> <ul style="list-style-type: none"> The FRA/Drainage Strategy is revised to demonstrate how the mapped risk of surface water flooding will be managed to ensure that properties and drainage infrastructure are not placed at risk of flooding in a 3.33% or 1% plus climate change event. <p><u>Officer comment:</u></p> <p>Revise the surface water drainage reason for refusal as follows:</p>	
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			<p>The FRA/drainage strategy has not adequately addressed the risk of flooding to properties and drainage infrastructure from mapped surface water ponding. As such, the proposal is contrary to JCS Policy 1 and DMDPD Policy CSU5.</p> <p><u>Further comments received from Chairman Salhouse Village Hall Management Committee:</u></p> <p>The safety of our users at Salhouse Village hall remain our biggest concern and therefore the management committee would like to object to the revised planning application as we still don't see the revised plans as giving a safe and viable access for users of the village hall to the car park.</p> <p>We would like to maintain our objections that we made in response to the earlier application, a summary of which is below, but with the removal of point 3.</p> <ol style="list-style-type: none"> 1. Firstly, and most importantly, on the grounds of the safety of users to the village hall 2. Access width for two-way traffic 3. Unsuitability of proposed replacement 5 x car parking spaces - been addressed 4. Requested splay site lines not being met on a busy road that is also a bus route 5. Lack of legal right by the applicant to make any amends to the side road owned by the village hall to make any upgrades required. <p>We would like to thank David Futter for speaking to us with a view to</p>	
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			<p>creating a scheme that works for all and whilst the newly proposed scheme does address the issue of the car parking for the village hall, however, we do not believe the solution put forward is a workable solution from a useable pedestrian access which is safe for hall users to use.</p> <p>Our additional objection to the revised scheme therefore, is that we do not believe the plans proposed to be compliant with either the design and access statement or our equal opportunities policy. The width at the narrowest point of the land to the side of the hall is 5.9m. Deduct the 4.5m for the drive (which we believe to be the minimum width required for the first 10m of a private drive) and a minimum of 10cm for a fence to protect our users, this only leaves 1.3m for a footpath. According to Building Regulations Part M 2004, Access Statement, a minimum path width of 1.5m is required to allow the passing of two wheel chairs, which the new scheme does not allow for at its narrowest point. We have a wide range of groups using the hall from mother and toddlers with double buggies to elderly groups including the use of mobility scooters. We do not believe 1.3m allows sufficient space for a useable path to gain access to and from the car park.</p> <p>I would also like to point the planning application fails to actually provide a dimension for the path, just the proposed road, and seems to be deliberately hiding the inadequacies around the path width??</p> <p>We also have concerns of the impact that regular use of heavy duty bin lorries would have both on the road, which is owned by the village hall, but more importantly on the foundations of the hall which was built in the mid 1800's with lesser foundations than required by current building regulations. This increased traffic could have a devastating impact on the structural integrity of the hall.</p>	
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			<p>The preferred option for the village hall remains to have one access road to the development, thus avoiding any impact on the village hall. We did ask David Futter when we met him as to why they were not pursuing this as an option and we were told that they did not believe this was viable without the removal of the tree as they needed a width of 5.7m. I have been to site and can report that the width of the current equestrian access is 7.4m from fence to tree, more than enough width to provide an adoptable road. I would also like to point out that the current access drops down away from 'Lower Street' and so a new road could be built above ground, this negating the need to dig down for foundations and disturbing tree roots. <i>See attached photo.</i></p> <p>I would also question the need for a road of 5.7m, as Lower Street itself, the main road through Salhouse, is only 5.4m wide whilst Barn Piece Close, which was only completed in 2017 and service 18 dwellings, is only 4.8m in width, surely setting a precedent of latest planning requirements</p> <p>Should this planning application be put before the committee on the 25 April, I would like to request that you allow me to attend and make a statement to the Planning Committee on behalf of the village hall.</p> <p>As a final note, I would also like to say that should planning application be approved for this scheme then it is subject certain conditions that we would like to be consulted on.</p> <p><u>Objection on behalf of owner of Penny Farthing, 29 Lower Street:</u></p> <p>Myself and the owner met with a representative from the Woodbastwick</p>	
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			<p>Estate on the 30 September 2017. My aunts' property is in front of the proposed development site and will be greatly impacted by this development. We met to discuss the proposed development at length, our specific concerns and visited the site together to discuss the elements of the proposed plan that most affect the property.</p> <p>We raised a major concern that we have about the loss of privacy and being overlooked due to the close proximity and the proposed orientation of the house on plot No 7, just behind the rear fence of Penny Farthing. We specifically asked if house No 7 could be positioned further away from Penny Farthing by allocating the plot more garden. This could easily be achieved by altering the access driveway into the development and we feel this would actually benefit the marketability of this property as the garden is in shade due to the large trees in my aunts' garden. We also talked about altering the orientation of house No 7 so that the bedrooms and living rooms do not look directly at the rear elevation of Penny Farthing, the private rear garden and the conservatory on the property. (i.e. turn house No 7 side on).</p> <p>Penny Farthing house and the conservatory at the rear of the property is on much higher ground than the proposed houses in the development due to the fall of the land and this, together with gaps in the trees on the border between Penny Farthing and Plot No 7, mean that the privacy for Penny Farthing will be totally compromised if house No 7 is not altered. If the proposed house on plot No7 was orientated so that its side elevation faced the rear elevation of Penny Farthing, this would greatly reduce the above concerns. We would also request that no windows overlook this</p>	
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			<p>property (unless obscured glass), especially in the roof line. The representative we met from the Woodbastwick Estate assured us that this would all be looked at and that he would speak to his son and the designers, and that my aunts' concerns would be addressed. The revised outline plan appears to indicate that no changes have been made to this element of the design and that consideration of the valid concerns raised above have, as yet, not been taken into account.</p> <p>Another concern is the safety of the considerable length of fencing down the left side and rear of Penny Farthing that belongs to this property, which will be vulnerable to weakening/damage during the development of the site due to the regular movement of heavy duty vehicles during and once the development is established. We would like written assurance that provision will be made to protect the existing fence from damage and that any damage will be rectified swiftly and repaired to the same style and quality that is currently there. The representative we met from the Woodbastwick Estates verbally agreed to planting tall shrubs in front of the fence to help protect it and prevent any damage.</p> <p>We would also like confirmation that policy OE3 of the Salhouse Neighbourhood Plan regarding protecting the dark night skies will be implemented as part of this proposed development.</p> <p><u>Further comments received from Highways Authority:</u></p> <p>I note the application has now been amended to improve the access situation intended to be shared with the Village Hall, in addition the</p>	
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			<p>parking layout and provision to the Hall is improved and increased.</p> <p>In light of my previous comments regarding the shared access arrangement this represents some significant betterment and, as before, subject to conditions I have no grounds to recommend objection.</p> <p><u>Further comment from owner/occupier 46 Lower Street:</u></p> <p>I sent a letter giving my objections to the original proposal at the appropriate time and would like to put on record my continuing objection at this time. My principal concern was regarding access via the Jubilee Hall Car Park and the considerable safety aspects that would present. Although the building site has been reconfigured the access remains the same hence do my concerns.</p> <p>I would therefore, if allowed, to have my objection taken into consideration by the Planning Committee this time also despite my not being able to attend.</p> <p><u>Further comments from Salhouse Parish Council:</u></p> <p>The Parish Council wishes to OBJECT to this application, and makes the following comments:</p> <p>1. Objection to Original Application Salhouse Parish Council considers that not enough substantive changes have been made to the revised application, therefore it wishes that the PREVIOUS OBJECTION, RECORDED ON 4TH JULY 2017, SHOULD REMAIN.</p>	
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			<p>2. Revised Application</p> <p>i. Five-year land supply - Since the original application, it is understood that Broadland District has been declared to have a five-year land supply, therefore the provisions of the NPPF no longer take precedence over local policies.</p> <p>ii. Neighbourhood Plan - Since the original application, Salhouse Neighbourhood Plan has been adopted and become active, and therefore must be considered. The application does NOT comply with Salhouse Neighbourhood Plan - Housing Policies H1 (new development must be within defined settlement limits) and H3 (new developments must reflect the average organic growth rate for the village, being typically 5 dwellings per annum).</p> <p>iii. Flood Risk – the Planning Committee on 4th October 2017 deferred its decision in order that the flood risk on the site could be more carefully considered. The revised application makes NO reference to flood risk mitigation, so we must consider that this issue has NOT been addressed.</p> <p>iv. Access - the Planning Committee on 4th October 2017 deferred its decision in order that access via the Jubilee Hall could be more carefully considered. This issue has two components – access to/from the public highway and access to the site via the Jubilee Hall driveway. Only one of these appears to have been addressed in the revised application, which makes no reference to access to/from the public highway, so we must consider that this issue has NOT been addressed. It must therefore be assumed that the applicant has been unable to provide visibility splays of 2.4m x 59m as required by NCC Highways (D&A Statement Appendix B of the original application) as there are no revisions to the plans in this regard. The revised application proposes a safety barrier to improve</p>	
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			<p>safety for pedestrians on the Jubilee Hall driveway. The drawings do not give a width for the resulting pedestrian footway, only the vehicle driveway; however measurements show that the access is not wide enough for both a vehicle drive and a footway of adequate width, plus the reduction in usable space as a result of the installation of a barrier. We do NOT therefore consider that this is an adequate proposal.</p> <p>v. Car parking provision -we acknowledge that proposed car parking provision in the revised application has been improved in response to previous comments, so this objection is removed.</p> <p>3. Additional Considerations</p> <p>i. Although the applicant has a right of access, he does not own or have complete control over the land over which access is proposed. The terms of the lease do not permit him to make any material alterations to the access route; therefore any changes to roadway specifications will not be achievable without the agreement of the Jubilee Hall.</p> <p>ii. The use of the Hall access as access to this development would result in loss of amenity to Hall users and hence potential loss of viability of the Hall itself, which would affect Salhouse's status as a 'service village'.</p> <p>iii. There is concern that the close passage of heavy vehicles to and from the site very close to the walls of the Jubilee Hall could result in damage to the foundations of this 170+year old building which lies within the village Conservation Area.</p> <p>iv. Driving two access roads off Lower Street will have a negative impact on the setting of the Conservation Area.</p>	
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			4. Conclusions <ul style="list-style-type: none"> The proposed development lies outside the settlement limit for Salhouse, and does not reflect the average organic growth of the village, being circa 5 new houses per annum. It therefore does not comply with Salhouse Neighbourhood Plan. Flood risk has not been addressed. Shared use between pedestrians and vehicles and residents and village hall users along this access is unsafe and unsustainable. After taking footway provision into account, whether fenced or not, the remaining roadway will not be wide enough to allow two vehicles to pass each other safely and to prevent the need for vehicles to stop on Lower Street to give way to exiting vehicles. There are also concerns regarding access for refuse lorries and emergency vehicles. 	
3	20180224	149 Woodland Road, Hellesdon	<p>Further comments received from applicant's agent:</p> <p>'I can confirm the following:</p> <p>The overnight support worker:</p> <ul style="list-style-type: none"> They would be there to work and to be available on hand if required. They would either use one of the vacant bedrooms (if not fully occupied) and a sofa bed would be made available in the lounge <p>The occupiers:</p> <p>The occupiers of the property are people that no longer stay at hospital or</p>	132 - 151

			<p>within a unit and are getting back used to being within normal society with on hand support. They would have recovered from (a mental health problem as defined in the Mental Health Act 1983) (officer's addition) and would be well enough to live in the community. Many people have mental health problems or require support for this. This could be people who have suffered trauma, loss or been subject to stressful situations or who have recovered from a related condition. Therefore, this use relates to supported living for people who need mental health support.</p> <p>The proposed client group would be mainly from Little Plumstead Hospital and some other NHS Hospitals.</p> <p>The CQC will be providing funds to accommodate the clients and the funds will be used for staffing and to look after client's interest.'</p> <p>Officer's comment – The Mental Health Act 1983 allows a person to be taken to hospital and treated there if they have a mental health problem that puts themselves or others at risk.</p>	
8	20180073	Site adjacent to 6 Green Lane North, Thorpe St Andrew	<p><u>Further comments received from Thorpe St Andrew Town Council:</u></p> <p>No objection.</p>	