

Planning Committee

Agenda

Date

Wednesday 1 August 2018

Members of the Planning Committee

Miss S Lawn
(Chairman)

Mr D B Willmott
(Vice Chairman)

Mr A D Adams
Mr G Everett
Mr R F Grady
Mr R J Knowles

Mr K G Leggett MBE
Mr A M Mallett
Mrs B H Rix
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
Mrs T M Mancini-Boyle*
Mr I N Moncur
Mr G K Nurden
Mr M D Snowling MBE
Mrs K A Vincent
Mr S A Vincent
Mr D C Ward

Liberal Democrat

Mr S Riley

Contact

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*not met training requirement so ineligible to serve

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

The Openness of Local Government Bodies Regulations 2014

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

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

A G E N D A

Page No

- | | | |
|----------|---|------------------|
| 1 | To receive declarations of interest under Procedural Rule no 8 | |
| 2 | Apologies for absence | |
| 3 | <u>Minutes of meeting held on 4 July 2018</u> | 3 – 47 |
| 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> | 48 |
| | Planning Applications | 49 – 155 |
| | | & |
| | | 156 – 219 |
| | | (exempt) |

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 4 July 2018** at **9.30am** when there were present:

Mr I N Moncur – Chairman

Mr A D Adams
Mr P H Carrick
Mr G Everett

Mr R R Foulger
Mrs L H Hempsall
Mr R J Knowles

Mr K G Leggett
Mrs B H Rix
Mr D B Willmott

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

Mr O'Neill - Minute no: 18 (Oak Farm, Acle Road, South Walsham) and Minute no: 19 (Perownes Farm, Bullacebush Lane, Blofield)

Mr Vincent - Minute no: 14 (land west of Salhouse Road, Little Plumstead)

Also in attendance were the Head of Planning, Planning Projects & Landscape Manager (for Minute nos: 11-15), Area Planning Managers and the Senior Committee Officer.

11 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

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

12 APOLOGIES FOR ABSENCE

Apologies for absence were received from Miss Lawn, Mr Mallett and Mr J Ward.

13 MINUTES

The Minutes of the meeting held on 6 June 2108 were confirmed as a correct record and signed by the Chairman.

14 APPLICATION NUMBER 20172209 – LAND WEST OF SALHOUSE ROAD, LITTLE PLUMSTEAD

The Committee considered an outline application for the erection of 84 dwellings on land west of Salhouse Road, Little Plumstead. All matters were reserved for later approval with the exception of a new access onto

Salhouse Road. Also included as part of the proposal was the creation of a new roundabout at the junction with Salhouse Road / Norwich Road / Honeycombe Road and Belt Road (the “Brick Kilns” junction). In addition, a 1.8m wide footpath would be provided along the site’s frontage with Salhouse Road, to extend south to Sandhole Lane.

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

The Committee received the verbal views of Andrew Cawdron and Russell Heath representing Gt & Lt Plumstead Parish Council and Philipa Ferris of 6 Fairfield Close, both objecting to the application and Philip Atkinson of Lanpro (the agent) at the meeting. Mr Vincent, the Ward Member, expressed his opposition to the proposals.

The site was within the Norwich Policy Area but outside of the settlement limit where development proposals would not normally be permitted unless they accorded with another policy of the Development Plan. Furthermore, the site had not been allocated for development in the Site Allocations DPD. Policy GC1 of the DM DPD stated that planning permission should be granted unless material considerations indicated otherwise and Paragraph 14 of the NPPF required applications to be approved unless the adverse impacts of doing so would “significantly and demonstrably outweigh the benefits”.

There was currently a 4.61 years’ supply of housing land in the NPA as published in the 2017 Greater Norwich Area Housing Land Supply Assessment as part of the Annual Monitoring Report for the JCS. Consequently, relevant policies for the supply of housing in the NPA could not be considered up to date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF.

However, 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 this latest evidence showed that there was an abundant housing land supply this should be given weight in the decision making processes.

Accordingly, the Committee assessed the proposals against the three dimensions of sustainable development against the development plan policies.

Economic Role

Having regard to the NPPF, the Committee acknowledged that the development of this site would result in some short term economic benefits as part of the construction work and for the longer term, the economy would benefit from local spending from the future occupants of the dwellings. The development would also generate CIL (of which 25% would go to the Parish Council) and New Homes Bonus. It was therefore acknowledged that the scheme would bring forward a modest level of economic benefit.

Social Role

Members noted that the level of services in Little Plumstead was limited to a Public House and Village Hall and therefore, residents would be reliant on services in Gt Plumstead and further afield.

It was noted that 28 of the dwellings would be for affordable housing (including four of which would be self-build) which equated to 33% and therefore, complied with the Council's adopted policy and also Policy 2 of the Neighbourhood Plan.

As the application was in outline, precise figures for the amount of green infrastructure and formal recreational space were not available but based on the indicative figures provided, Members acknowledged that there would be a very modest over-provision of children's playspace and a significant over-provision of green infrastructure. This was considered to be have moderate weight in favour of the application.

Members acknowledged the proposed highway improvements, in particular the new roundabout which would result in the removal of a sub-optimal junction and considered this would have public safety benefits. It was noted that the roundabout was a community aspiration in the Local Plan. However, the Committee endorsed the Parish Council's view that the roundabout should not be at the expense of having the residential development.

Environmental Role

The Committee noted that the site was outside of the settlement limit and had not been allocated for housing. It was currently an agricultural field on the fringes of a settlement bounded by a mix of dwellings and agricultural fields. It was considered that the development would result in an encroachment into the countryside, altering the existing character of the site and having an urbanising impact through the introduction of residential dwellings and associated infrastructure, 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 were significant and demonstrable and, on balance, outweighed the economic, social and environmental benefits including the limited increase in housing delivery. Therefore, the proposal was considered to represent an unsustainable form of development, contrary to Policies GC2 and EN2 of the DM DPD. Accordingly, notwithstanding the officer recommendation it was

RESOLVED:

To refuse application number 20172209 for the following reasons:

The planning application seeks outline planning permission with all matters reserved except access for the erection of 84 dwellings. Also included within the application is the creation of a new roundabout at the junction between Salhouse Road, Norwich Road, Honeycombe Road and Belt Road. The site is located outside of a settlement limit as defined on the Site Allocations Development Plan Document (2016) (SA DPD) maps. The site is not allocated for development and the proposal does not accord with a specific allocation and/or policy of the development plan. The application is therefore contrary to policy GC2 of the Development Management DPD (2015) (DM DPD). The application is refused for the following reasons.

- (1) The site is an agricultural field, open in character, which contributes positively to the rural setting of Little Plumstead and the surrounding countryside. The proposed development would result in the introduction of dwellings and associated infrastructure including roads, pavements, hard landscaping, residential paraphernalia, street furniture and the loss of a roadside hedgerow. This would have an urbanising impact on, and result in significant harm to, the character and appearance of the countryside and the setting of Little Plumstead contrary to Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014) (JCS), Policies GC4 and EN2 of the DM DPD and Policy 2 of the Great Plumstead, Little Plumstead & Thorpe End Garden Village Neighbourhood Plan 2014-2034 (2015).
- (2) Little Plumstead contains a limited range of services and is reliant on adjacent villages and settlements for schools, shops, doctors, formal recreation and employment and the site is served by only a limited bus service to Norwich. Given the limited level of services within the village, it is considered that the development would increase reliance on the car contrary to Policies 1 and 6 of the JCS and contrary to the objective of the National Planning Policy Framework (NPPF) of moving towards a low carbon economy by planning for new development in locations which reduce greenhouse gas emissions (paragraph 95).

- (3) The development would conflict with the environmental objectives of the NPPF and the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. The application is therefore contrary to Policy GC1 of the DM DPD and paragraph 14 of the NPPF.

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 however it has not been possible to overcome the reasons for refusal.

The Committee adjourned at 10:50am and reconvened at 11am when all of the Members listed above were present.

15 APPLICATION NUMBER 20172148 – LAND OFF BEECH AVENUE, TAVERHAM

The Committee considered an outline application for the erection of 93 dwellings with associated access, parking and open space on land off Beech Avenue in Taverham. All other matters were reserved for later approval. Access would be via a single point of vehicular access onto Beech Avenue to serve a 5.5m wide estate road with a 1.8m wide footway to either side. Also included in the proposals were off-site highway works to provide a new T-junction from Ringland Road (east) onto Beech Avenue thereby transferring priority to Ringland Lane (west) leading to Beech Avenue.

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

The Committee received the comments from a further member of the public (address unspecified) and additional comments from Taverham Parish, together with the officer comments all as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Paul Harrison of 1 Beech Avenue objecting to the application and Ed Plumb of Brown & Co (the agent) at the meeting.

The site was within the Norwich Policy Area but outside of the settlement limit where development proposals would not normally be permitted unless they accorded with another policy of the Development Plan. Policy GC1 of the DM DPD stated that planning permission should be granted unless material considerations indicated otherwise and Paragraph 14 of the NPPF required applications to be approved unless the adverse impacts of doing so would “significantly and demonstrably outweigh the benefits”.

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 this latest evidence showed that there was an abundant housing land supply this should be given weight in the decision making processes.

Accordingly, the Committee assessed the proposals against the three dimensions of sustainable development against the development plan policies.

Economic Role

Having regard to the NPPF, the Committee acknowledged that the development of this site would result in some short term economic benefits as part of the construction work and for the longer term, the economy would benefit from local spending from the future occupants of the dwellings. Furthermore, the development would also generate CIL (15% of which would go to the parish council) and New Homes Bonus. It was therefore considered that the scheme would bring forward a level of economic benefit.

Social Role

The site was adjacent to the settlement limit for Taverham within reasonable walking / cycling distance of a wide variety of services including a library, garden centre, doctors and pharmacy, dentists, care home, recreational grounds, employment areas, primary schools, high school, leisure facilities and local shops. In addition, there were bus routes into Norwich with stops located between 500m – 1km of the site (from the far end). Therefore, the site was considered to be in a sustainable location with good accessibility to services and facilities.

It was noted that 33 of the dwellings would be for affordable housing, equating to 36% which was slightly in excess of the Council's adopted policy requirements. Notwithstanding the implications of the 2017 SHMA on the weight to give to housing as a material consideration, the Committee considered that this represented a social benefit of significant weight in the overall planning balance.

As the application was in outline, precise figures for the amount of green infrastructure and formal recreational space were not available but based on the indicative figures provided, Members noted that the site could provide a total of 2.21 hectares of informal open space on site in addition to a policy compliant level of children's play. The open space would benefit both residents of the new development and also be accessible to the wider public. This was considered to be have moderate weight in favour of the application. A commuted sum would be secured for off-site contributions in lieu of on-site

sports provision and allotments, given the scale of development proposed.

Members acknowledged the proposed package of off-site highway measures to reconfigure the existing junction arrangements between Beech Avenue and Ringland Road. As well as making the development acceptable, it was considered they would also have wider public benefits for existing highway users which represented a benefit of modest weight in favour of the application. However, notwithstanding the views of the Highway Authority, the Committee considered that these should be achieved prior to development commencing on the construction of the first dwelling to mitigate the impact on traffic flows in the immediate area and condition 18 should be amended accordingly.

Environmental Role

The Committee acknowledged that the proposed development would have an urbanising impact on the character and appearance of the site, given its current undeveloped and open nature. However, this impact would be limited to the immediate area with the site not being visually prominent in the wider landscape. It was noted that the application proposed the retention of the deciduous woodland as Green Infrastructure and this would therefore continue to screen the site from the Wensum River Valley and provide a pleasant backdrop for the development. A wide landscaped verge to the front of the site was proposed to be retained and it was acknowledged that the site was adjacent to an existing light industrial estate to the north-west and a residential dwelling to the south-east.

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

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

In conclusion it was considered that the proposal would not result in any significant adverse impact and given the presumption in favour of sustainable development, it was, on balance, considered to be acceptable subject to conditions. Accordingly, it was

RESOLVED:

To delegate authority to the Head of Planning to approve application number 20172148 subject to the following conditions and securing a Section 106 Agreement with the following Heads of Terms:

- 36% affordable housing

- Open space to comply with EN3 and RL1 of the DM DPD – but minimum of 2.21 ha of Informal open space to be provided on site

Conditions:

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

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

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

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

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

- (3) The details required by conditions 1 and 2 shall not include provision for more than 93 dwellings.
- (4) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below:

Dwg No 16 065 Site Location Plan

Dwg No 1264 03 007 Rev F Access Strategy Option 1

- (5) Prior to commencement of development, detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development.

The scheme shall address the following matters:

- I Detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the proposed infiltration features.
 - II Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event.
 - III Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.
 - IV Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
 - V Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
 - VI Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
 - VII A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.
- (6) Concurrently with the submission of reserved matters, an Arboricultural Impact Assessment to comply with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations Section 5.4 detailing the extent of the direct and indirect impacts of the

development proposals on existing trees on or adjoining the site, this will include details of Root Protection Areas (RPAs), Construction Exclusion Zones (CEZs), and Tree Protection shall be submitted to and approved by the Local Planning Authority.

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

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

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

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

Soft landscaping works shall include:

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

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

planted at the same place, unless the local planning authority gives its written consent to any variation.

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

and

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

and

- (C) The development shall not be 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.

- (9) Prior to commencement of the development details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority. The details as approved shall be completed prior to the first occupation of any of the dwellings hereby permitted and thereafter shall be maintained in accordance with the approved details.
- (10) Prior to the commencement of development a site investigation of the nature and extent of contamination shall be carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be supplied to the local planning authority for

consideration before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before commencement of the remediation of the site. The site shall be remediated in accordance with the approved measures and a post remediation validation report produced and submitted to the local planning authority to demonstrate the successful remediation of the site.

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

- (11) Prior to the commencement of development, an ecological management plan (EMP) shall be submitted to, and approved in writing by the LPA. The content of the EMP shall include the following.
- (a) Description and evaluation of features to be managed
 - (b) Ecological constraints on site that might influence management
 - (c) Aims and objectives of management
 - (d) Appropriate management options for achieving aims and objectives including mitigation detailed in the ecology report submitted with the application namely that for
 - farmland birds
 - protection and enhancement of bat feeding and commuting corridors and protection and enhancement of hedgerows and the deciduous woodland informed by additional bat activity surveys carried out in-line with Bat Conservation Trust guidelines (3rd edn) (Collins, J (ed), 2016). In-line with the Bat Conservation Trust's guidance (3rd ed) (Collins; 2016) up to two survey visits per month (April-October) and static surveys in three locations per transect need to be carried out for high value habitat
 - reptiles
 - number of nest boxes for birds
 - number of bat boxes
 - (e) Prescriptions for management actions

- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - (g) Details of the body or organisation responsible for implementation of the plan
 - (h) On-going monitoring and remedial measures.
- (12) Prior to the commencement of development (including demolition ground works, vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:
- Risk assessment of potentially damaging construction activities
 - Identification of 'biodiversity protection zones'
 - A method statement for reptiles informed by reptile surveys undertaken in accordance with best practice guidance
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction
 - The location and timing of sensitive works to avoid harm to biodiversity features
 - The times during construction when specialist ecologists need to be present on site to oversee works
 - Responsible persons and lines of communication
 - The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
 - Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details, unless agreed in writing by the local planning authority.
- (13) Prior to the commencement of development, detailed plans of the roads, footways, foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- (14) No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.
- (15) Before any dwelling unit is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be

approved in writing by the Local Planning Authority in consultation with the Highway Authority.

- (16) Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m x 43m shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225m above the level of the adjacent highway carriageway.
- (17) Prior to the commencement of development a scheme detailing provision for on-site parking for construction workers for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- (18) Notwithstanding the details indicated on the submitted drawings, prior to the commencement of development on the first dwelling, a detailed scheme for the off-site highway improvement works as indicated on drawing number 1264-03-007 rev F, to also include provision of a bus shelter at the existing bus stop on Beech Avenue and bus stop improvements on Nightingale Drive, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in this condition shall be completed to the written satisfaction of the Local Planning Authority.
- (19) Prior to the commencement of development a scheme for the provision of one fire hydrant for every 50 dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- (20) Prior to the commencement of the development hereby approved the following will be submitted to and approved in writing by the Local Planning Authority:
 - (A) A Mineral Resource Assessment will be carried out to inform a Materials Management Plan-Minerals (MMP-M). The Mineral Resource Assessment will include a written methodology for an intrusive site investigation, including Particle Size Distribution testing to determine if the site contains a viable mineral resource for prior extraction.

Assessment of the results of the Particle Size Distribution testing should refer to material class types in Table 6/1 of the Manual of Contract Documents for Highway Works: vol 1: Specification for Highway Works Series 600, in order to identify

potential suitability for use in the construction phases.

- (B) The MMP-M will consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through intrusive site investigations, testing and assessment.

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

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

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

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

- (21) Prior to the commencement of development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (3) To reflect the scope of the application and to ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.

- (4) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (5) To ensure the satisfactory development of the site in accordance with Policy CSU5 of the Development Management DPD 2015.
- (6) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015.
- (7) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015.
- (8) To ensure the satisfactory development of the site in accordance with Policy 1 of the Joint Core Strategy 2011/2014
- (9) To ensure the satisfactory development of the site in accordance with Policy 3 of the Joint Core Strategy 2011/2014.
- (10) 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
- (11) To ensure the satisfactory development of the site in accordance with Policy GC4 and EN1 of the Development Management DPD 2015.
- (12) To ensure the satisfactory development of the site in accordance with Policy GC4 and EN1 of the Development Management DPD 2015.
- (13) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011
- (14) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

- (15) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011
- (16) In the interests of highway safety in accordance with Policy TS3 of the Broadland Local Plan (Replacement) 2006.
- (17) In the interests of highway safety in accordance with Policy TS3 of the Broadland Local Plan (Replacement) 2006.
- (18) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (19) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (20) 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
- (21) To ensure the satisfactory development of the site in accordance with Policy GC4 and EN2 of the Development Management DPD 2015.

Informatives:

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

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

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

- (2) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (3) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (4) It is an offence to disturb, harm or kill breeding birds in the UK under the Wildlife and Countryside Act 1981. The removal of the vegetation should take place outside of the breeding season (March – September). In the event that this is not possible, the vegetation to be removed should be inspected by a suitably qualified ornithologist and if any nests are found a 10m exclusion zone should be established until such time as the nest has been fledged.
- (5) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (6) The applicants need to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (7) If the construction phases of the development require the use of mobile or tower cranes, they should be operated in accordance with British Standard 7121 and CAP 1096, and the Airport should be notified of plans to erect these cranes at least 21 days in advance.

The notification should include:

- OSGB grid coordinates of the crane's proposed position to 6 figures each of Eastings and Northings
- the proposed height of the crane Above Ordnance Datum (AOD)
- the anticipated duration of the cranes existence, and

- contact telephone numbers of the crane operator and the site owner for use in an emergency.

16 APPLICATION NUMBER 20180598 – 94 FAKENHAM ROAD, DRAYTON

The Committee considered an outline application for the sub-division of the residential plot and erection of five additional detached dwellings. Approval was also sought for the access which was to be repositioned to the east at 94 Fakenham Road, Drayton. All other matters, including appearance, landscaping, layout and scale of the development would be dealt with at the reserved matters stage.

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

The site was within the Norwich Policy Area but outside of the settlement limit where development proposals would not normally be permitted unless they accorded with another policy of the Development Plan. Policy GC1 of the DM DPD stated that planning permission should be granted unless material considerations indicated otherwise and Paragraph 14 of the NPPF required applications to be approved unless the adverse impacts of doing so would “significantly and demonstrably outweigh the benefits”.

The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report 2016-2017, showed that against the JCS requirements there was 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 could not be considered up to date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF.

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 this latest evidence showed that there was an abundant housing land supply this should be given weight in the decision making processes.

Accordingly, the Committee assessed the proposals against the three dimensions of sustainable development against the development plan policies.

Economic Role

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

Social Role

The site was adjacent to the settlement limit for Thorpe Marriott and was within walking distance of local facilities including a doctors surgery and pharmacy, Post Office, convenience store as well as bus stops. In addition, there were schools nearby and overall therefore, the site was considered to be in a sustainable location with good accessibility to services and facilities.

Given the scale of development proposed, it was noted that affordable housing contributions were not applicable, in accordance with the Ministerial Statement of 28 November 2014.

In accordance with Policies RL1 and EN3 of the DM DPD, the development would be required to pay contributions towards both open space (sport, play and allotments) and green infrastructure. However, as no details of layout and scale had been provided with the application, the total contribution was unknown at this stage but the Committee noted this would be secured through a commuted sum by a Section 106 Agreement.

Accordingly, the Committee considered that the proposals would bring forward a modest social benefit on the basis of the contribution to the supply of homes.

Environmental Role

Members noted the variety of styles currently located on Fakenham Road including both single and two storey dwellings. It was considered that the layout shown on the indicative plans would sit comfortably against the neighbouring properties. Furthermore, given the depth of the site and the screening, the properties to the rear of the existing dwelling would not be clearly visible, especially when viewed from the street scene. In addition, Members acknowledged the number of outbuildings and structures which would be removed from the site as a result of the development and it was considered that their replacement with residential dwellings would contribute to improving the visual appearance of the site.

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

In assessing the environmental role, it was acknowledged that the proposal extended the village into the surrounding countryside but this was mitigated by the neutral impact the proposal would have upon the general character and appearance of the area as well as the limited impact upon local residents' amenities.

Regarding highway safety, it was noted the Highways Authority was not objecting to the application subject to conditions relating to vehicular access and visibility splays.

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

In conclusion it was considered that the proposal would not result in any significant adverse impact and given the presumption in favour of sustainable development, it was, on balance, considered to be acceptable subject to conditions. Accordingly, it was

RESOLVED:

To delegate authority to the Head of Planning to approve application number 20180598 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:

- Commuted sum for off-site provision of children's play, formal recreation and green infrastructure.

Conditions:

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

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

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

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

- (3) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (4) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be supplied to the local planning authority for consideration before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before commencement of the remediation of the site. The site shall be remediated in accordance with the approved measures and a post remediation validation report produced and submitted to the local planning authority to demonstrate the successful remediation of the site.

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

- (5) 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 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.

- (6) 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 egress 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 access visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- (8) Concurrently with the submission of the reserved matters application 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 to illustrate the following:
 - Access arrangements
 - Parking and turning provision in accordance with adopted standard.
- (9) Concurrently with the submission of the reserved matters application a revised Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement should be submitted and approved by the Local Planning Authority.
- (10) The dwelling shown on Drawing No: P-1713-03 as plot 1 shall be no more than single storey construction.
- (11) The total additional floor area proposed as a result of the development hereby permitted will be no greater than 1,000m².
- (12) Prior to the commencement of the development hereby permitted details and location of the proposed soakaway shall be submitted to and approved in writing by the Local Planning Authority.
- (13) Concurrently with the submission of the reserved matters application a reptile survey shall be submitted to and approved in writing by the Local Planning Authority as in accordance with the recommendations

set out in Paragraph 5.1.1 of the Ecological Report, prepared by Norfolk Wildlife Services and received 12 April 2018.

- (14) Concurrently with the submission of the reserved matters application a scheme showing bird and bat boxes on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the recommendations set out in paragraph 5.4.8 of the Ecological Report, prepared by Norfolk Wildlife Services and received 12 April 2018.

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 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.
- (5) 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.
- (6) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (7) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (8) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.

- (9) To ensure that trees and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interest of amenity in accordance with Policies GC4, EN2 and EN3 of the Development Management DPD 2015.
- (10) To prevent the development from being overbearing and to prevent overlooking to the detriment of the amenities of the adjacent properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (11) As no affordable housing has been proposed as a result of the proposed development in accordance with Policy 4 of the Joint Core Strategy 2011 (as amended 2014).
- (12) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (13) To ensure that the development has no adverse effects on the presence of protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (14) To ensure that the development has no adverse effects on the presence of protected species in accordance with Policy EN1 of the Development Management DPD 2015.

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) 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
- (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 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.

- (4) It is an offence to disturb, harm or kill breeding birds in the UK under the Wildlife and Countryside Act 1981. The removal of the vegetation should take place outside of the breeding season (March–September). In the event that this is not possible, the vegetation to be removed should be inspected by a suitably qualified ornithologist and if any nests are found a 10m exclusion zone should be established until such time as the nest has been fledged.
- (5) Based on information provided with this application it has become apparent that asbestos containing material may be present within existing buildings. 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.

Plans and documents:

Location Plan, Dwg No: 1713 01, received 12 April 2018

Indicative Site/Block Plan, Dwg No: 1713 03, received 12 April 2018

Tree Survey and Arboricultural Impact Assessment, received 12 April 2018

Tree Survey and Report, Arboricultural Method Statement and Tree Protection Plan, received 12 April 2018

Tree Protection Plan, received 12 April 2018

Tree Constraints Plan, received 12 April 2018

Ecological Report, Dwg No: 12 April 2018

17 APPLICATION NUMBER 20180722 – HOOT HOLLOW, DUMBS LANE, HAINFORD

The Committee considered an application for the erection of a semi subterranean dwelling and detached shed, greenhouse and carport at Hoot Hollow, Dumbs Lane, Hainford.

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

The Committee noted that the applicant had provided an additional plan showing further details of the proposed rooflights and a subsequent amendment to condition 7, all as reported in the Supplementary Schedule.

The site was located outside of the settlement limit and in a rural location where development proposals would not normally be permitted. However, the application had been submitted as an example of a dwelling which met the guidance set out in Paragraph 55 of the NPPF where the design should be of exceptional quality or innovative nature.

It was acknowledged that the technology, materials of construction and energy saving principles proposed were becoming more well-established and, as such, were not considered to be truly outstanding or innovative when applying the special principles of the NPPF. However, Members took into account how the applicant had applied sustainable construction techniques to the overall design concept which was largely unique to the Broadland area and highly innovative in demonstrating a single dwelling which had a reduced visual impact compared to a conventional property. Members considered that the combination of sustainable construction, high quality architecture and a well-considered landscaping scheme cumulatively led to a proposal which helped to raise standards more generally and significantly enhanced the proposal's immediate setting. Members also acknowledged that planning permission had previously been granted for an eco-dwelling on this site in 2014 for a very similar semi-subterranean design with an almost identical footprint to the current proposal and took into consideration the comments of both the Council's Historic Environment Officer and Design Officer.

The proposed carport, shed and greenhouse were of a modern appearance with simple clean shapes and lines and, given the low roofline of the dwelling, the external planting proposed and choice of materials, it was considered the development would retain the spacious feel of the site.

Therefore, it was considered that the proposal met the criteria of Paragraph 55 of the NPPF, together with Policy 2 of the JCS and Policy GC4 of the DM DPD.

As the site was within close proximity to a grade II listed church, the Committee had regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It was noted that the Historic Environment Officer had not objected to the application and it was considered that the application would not result in any significant detrimental impact upon the setting of the adjacent listed building and the application complied with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 1 of the JCS and Policy GC4 of the DM DPD.

In conclusion it was considered that the proposal would have an acceptable impact on the landscape character of the area and would not cause significant harm to the adjacent listed building, residential amenity or the satisfactory functioning of the highway network and accordingly, the proposal represented an acceptable form of development. Therefore, it was

RESOLVED:

To approve application number 20180722 subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) 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, 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 alterations or extensions be made to the dwelling 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) 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 5m from the near channel edge of the adjacent carriageway.

- (6) Prior to the first occupation of the development hereby permitted the proposed access and on-site car parking / turning area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- (7) Development shall not proceed until details of all external materials to be used in the development have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
- (8) All works shall be carried out in accordance with the requirements of the Arboricultural Implications Assessment, Arboricultural Method Statement and Tree Protection Plan, received 1 May 2018.
- (9) The development hereby permitted shall be implemented in accordance with the recommendations set out in the Ecological Site Appraisal prepared by Wild Frontier Ecology, dated December 2013 and received 1 May 2018. The development shall incorporate the mitigation recommendations and implement all the enhancements set out in the report.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To 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) To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened 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 / manoeuvring area, in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.

- (7) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (8) To ensure 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.
- (9) To protect local wildlife and ensure that the development has no adverse effects on the biodiversity on site and presence of any protected species in accordance with Policy EN1 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) 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.

- (3) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is

also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk

- (4) The 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.

The Committee adjourned at 12:25pm and reconvened at 12:35pm when all of the Members listed above were present for the remainder of the meeting.

18 APPLICATION NUMBER 20180688 – OAK FARM, ACLE ROAD, SOUTH WALSHAM

The Committee considered an application for the demolition of agricultural buildings and the erection of one dwelling house and garage at Oak Farm, Acle Road, South Walsham.

The application was reported to committee (1) at the request of Mr O'Neill and (2) as the site was outside of the settlement limit and the application was therefore contrary to policy.

The Committee received the verbal views of Mr Murrell, the applicant, at the meeting. Mr O'Neill, one of the Ward Members, spoke in opposition to the application.

The site was located outside of the settlement limit where development proposals would not normally be permitted unless the proposal accorded with another policy of the development plan. Whilst the principle of development in this location was contrary to the DM DPD and JCS, Members noted that regard must be had to the requirements of the NPPF and, in particular paragraphs 14, 47 and 49 which sought to boost the supply of housing. 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. The site was located in the rural part of the district outside of the Norwich Policy Area where there was a 14.94 year housing land supply against the SHMA assessment of the Objectively Assessed Need for housing, substantially above the five year target. Accordingly, in accordance with Paragraph 49, the Development Plan

was considered to be up to date insofar as it dealt with housing supply and accordingly, the proposal conflicted with Policies GC1 and GC2.

However, Members noted a recent prior approval application on the site for the change of use of an agricultural building to a dwelling house which, although refused by the Council, had subsequently been allowed on appeal and this was a material consideration and carried significant weight.

Given the proposal would result in the demolition of the existing agricultural buildings on site, taken together with the residential nature of the surrounding development, it was considered that the proposal would remove a potential conflict between these two uses and would result in a more appropriate use of the site. In addition, the removal of these buildings would result in a visual improvement on site, more in keeping with the surrounding uses. The design and appearance of the proposed dwelling were considered acceptable and in keeping with surrounding development and would not impact significantly upon the surrounding landscape.

In terms of neighbour amenity, it was considered that the proposal would not impact unduly in terms of loss of light, privacy, outlook or overlooking due to the orientation of the dwelling and separation distances.

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

In conclusion, it was considered that there were limited adverse impacts and there were economic, social and environmental benefits associated with the development, albeit given the proposal was only for one dwelling. On balance, the proposal was considered to be acceptable and accordingly, it was

RESOLVED:

To approve application number 20180688 subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than TWO years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) Development shall not proceed above slab level until details of all external materials to be used in the development have shall been submitted to and approved by the Local Planning Authority. The

development shall then be constructed in accordance with the approved details.

- (4) Development shall not proceed above slab level until a scheme has been submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall then be completed before the building first occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- (5) The first floor windows shown on the submitted plans on the north elevation shall be permanently formed with obscure glass unless the prior consent of the Local Planning Authority has been obtained.
- (6) Prior to the first occupation of the development hereby permitted visibility splays measuring a minimum of 120m from a 2.4m setback shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- (7) The development, including demolition, shall not commence until a suitably qualified ecologist has undertaken a careful, detailed check of the building for nesting barn owls and provided written confirmation that no nesting barn owls will be harmed. Such written confirmation shall be submitted to the local planning authority for approval.
- (8) The development shall be undertaken in accordance with the enhancement measures stated in section 8.2 and 8.10 if the Biodiversity and European Protected Species Survey Report produced by Aurum Ecology, dated 30 June 2016.

Reasons:

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

- (4) To safeguard the amenities of the adjacent residential properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (5) To prevent overlooking to the detriment of the amenities of the adjacent properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (6) In the interest of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (7) To ensure the proposal is not detrimental to protected species in accordance with Policy EN1 of the Development Management DPD 2015 and the National Planning Policy Framework.
- (8) To ensure the proposal is not detrimental to protected species in accordance with Policy EN1 of the Development Management DPD 2015 and the National Planning Policy Framework.

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's attention is drawn to the requirements of the Conservation of Habitats & Species Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended).
- (4) The applicant's attention is drawn to the following comments from Norfolk County Council Ecology:

Given the nature and size of this development and the information included in the Biodiversity and European Protected Species Survey report (Aurum Ecology; June 2016), the following working practices will

be adhered to:

- No piles of loose sand or other granular materials into which [amphibians or reptiles] could bury themselves should be left around the site. All such materials should be delivered in bags and kept on pallets or hardstanding until required for use;
- Should any waste be generated from the development, this should be placed straight into skips or rubble sacks, or immediately removed and not left lying around the site;
- No bonfires should be made or lit on site. [Amphibians and / or reptiles] often use piles of timber as a place of refuge;
- All trenches should be left covered at night. They must be checked in the morning before they are filled in.
- Works should preferably be restricted to daylight hours only to prevent disturbance or accidental harm to nocturnal animals such as hedgehogs. Ideally night lighting of the site should be minimised to reduce disturbance to other nocturnal animals such as bats.

Site lighting schemes for the new development should be unobtrusive, hooded / shielded and directional away from features that may be used by commuting/ foraging bats, such as hedgerows and mature trees. Further guidance on lighting is available on the Bat Conservation Trust website (Interim Guidance: Artificial lighting and wildlife – Recommendations to help minimise the impact of artificial lighting; 2014. Available at: http://www.bats.org.uk/pages/bats_and_lighting.html).

19 APPLICATION NUMBER 20180777 – PEROWNES FARM, BULLACEBUSH LANE, BLOFIELD

The Committee considered an application for the sub-division of the plot and erection of one self-build dwelling; new vehicular access and associated soft and hard landscaping and other ancillary works at Perownes Farm, Bullacebush Lane, Blofield.

The application was reported to committee at the request of Mr O'Neill.

The Committee received the verbal views of Caroline Rogerson the applicant and Kian Saedi of La Ronde Wright (the agent), at the meeting. Mr O'Neill, one of the Ward Members, spoke in opposition to the application.

The site was within the Norwich Policy Area but outside of the settlement limit where development proposals would not normally be permitted unless they accorded with another policy of the Development Plan. Furthermore, the site had not been allocated for development in the Site Allocations DPD. Policy GC1 of the DM DPD stated that planning permission should be granted unless material considerations indicated otherwise and Paragraph 14 of the NPPF required applications to be approved unless the adverse impacts of doing so would “significantly and demonstrably outweigh the benefits”.

There was currently a 4.61 years’ supply of housing land in the NPA as published in the 2017 Greater Norwich Area Housing Land Supply Assessment as part of the Annual Monitoring Report for the JCS. Consequently, relevant policies for the supply of housing in the NPA could not be considered up to date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF.

However, 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 this latest evidence showed that there was an abundant housing land supply this should be given weight in the decision making processes.

Accordingly, the Committee assessed the proposals against the three dimensions of sustainable development against the development plan policies.

Economic Role

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

Social Role

The site was approximately 0.5 miles from the school and doctors’ surgery and these were only accessible by crossing the A47 trunk-road and Members noted there was no footpath on Planation Road or Bullacebush Lane. Therefore the site was considered to be in an unsustainable location in transport terms with poor accessibility to services and facilities by foot or public transport.

Given the scale of development proposed, it was noted that affordable housing contributions and tariff style contributions were not applicable, in accordance with the Ministerial Statement of 28 November 2014. Furthermore, Policies EN3 and RL1 of the Development Management DPD only applied to developments of five or more dwellings and therefore, no financial contributions could be required towards equipped children's play space, formal recreation space and informal open space.

The Area Planning Manager (East) advised that the proposal would be a self-build project and developed as self-build plot. The Self-build and Custom Housebuilding Act 2015 required the Council to have regard to the self-build register. In particular, the Act imposed 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 gave a three year period from the end of the base for sufficient plots to be given. The provision of a self-build plot weighed in favour of the proposal, however when all 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 and the unsustainable location.

Accordingly, the Committee considered that the proposals would bring forward only a very modest social benefit on the basis of the contribution to the supply of homes.

Environmental Role

The Committee noted the proposed development involved the erection of a dwelling beyond the built up area in an attractive countryside location which had an open character of surrounding fields. The site itself, although within the curtilage of an existing property, physically and visually read as countryside. Furthermore, the sub-division of the site to facilitate the development would lead to the loss of the historic plot for Perownes Farm, a substantial, detached farmhouse and in addition, the remaining private amenity space would mostly be situated to the front of the dwelling, visible from the highway.

In terms of the impact on landscape character, it was considered the sub-division of the curtilage to facilitate the development would adversely impact on the rural character of the street scene, extending the built form east along Bullacebush Lane. Therefore, it was considered that the scheme, including the loss of trees and hedging to facilitate the access, would have an urbanising effect on the locality, at odds with the rural character of the surrounding area and detract from, rather than enhance, its open character and appearance, contrary to Policy EN1 of the DM DPD and HOU4 of the Blofield Neighbourhood Plan.

In conclusion, it was considered that the modest economic, social and environmental benefits would not outweigh the significant and demonstrable harm to the rural landscape character of the area. Therefore, the proposal was considered to represent an unsustainable form of development, contrary to Policies GC2 and GC4 of the DM DPD. Accordingly, it was

RESOLVED:

To refuse application number 20180777 for the following reasons:

The planning application seeks full planning permission for the subdivision of the plot and erection of one, detached, two-storey dwelling and new access. The site is located outside of a settlement limit as defined on the Site Allocations Development Plan Document 2016 (SA DPD) maps. The site is not allocated for development and the proposal does not accord with a specific allocation and/or policy of the development plan. The application is therefore contrary to Policy GC2 of the Development Management DPD 2015. The application is refused for the following reasons:

The subdivision of the site to facilitate the development will lead to the loss of the historic plot for Perownes Farm and will adversely impact on the rural character of the area, extending the built form east along Bullacebush Lane leading to an encroachment into the open countryside. Furthermore, the proposal involves the loss of some trees and hedgerow along the road frontage to facilitate the new access and visibility splays.

It is therefore considered that the scheme, including the highways works to create a new access, results in loss of existing landscape features which would have an urbanising effect on the locality, at odds with the rural character of the surrounding area and will detract from rather than enhance its open character and appearance. This would be contrary to Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011 amendments adopted 2014) (JCS), Policies GC4 and EN2 of the DM DPD and Policies HOU4 and ENV2 of the Blofield Parish Neighbourhood Plan (2016).

The site is located outside the settlement limits of both Blofield and Blofield Heath. The proposal is distanced from the services and facilities which can be found in either village and lies on a narrow road with no footways, cycleways or street lighting. Policies 1 and 2 of the JCS and GC2 and GC4 of the DM DPD all support minimising the need to travel and the use of sustainable transport modes. Given the sites location, it is likely to mean its occupants would be heavily reliant on the private car, contrary to these policies.

The proposed development does not represent sustainable development, having regards to the three tests set out in the NPPF and the benefits of the proposal including a self-build plot are not considered overriding to justify an

approval of this application on this basis, especially given the harms as identified above.

The development would conflict with the environmental objectives of the NPPF and the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. The application is therefore contrary to Policy GC1 of the DM DPD and Paragraph 14 of the NPPF.

20 APPLICATION NUMBER 20180631 – WITTON HALL, WITTON LANE, POSTWICK

The Committee considered an application for the change of use of land from agricultural to residential curtilage adjacent to the existing garden of Witton Hall and the erection of a tennis court. No external lighting was proposed.

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

In presenting the application, the Area Planning Manager (East) reported an amended drawing had been received which required a revision to condition 2; condition 4 should be an Informative and a new condition 4 to prohibit the use of floodlighting. In addition, the Committee noted the receipt of an additional Planting Schedule on 27 June together with a proposed additional condition, all as reported in the Supplementary Schedule.

Members noted there was limited garden space to the side and rear of the Hall and this would not be large enough to accommodate a tennis court, given the existence of large trees. The tennis court would be screened from the north by existing hedgerow and would only have limited views from the A47 to the south, given that further screening was proposed as part of the proposal. It was considered the proposal did not represent a significant intrusion into open countryside or result in a detrimental impact on the rural nature of the locality.

In terms of the impact on residential amenity of neighbouring properties, it was considered that the change of use was unlikely to give rise to conditions which could be regarded as unneighbourly, given the distance of separation from neighbouring dwellings.

In conclusion it was considered that the change of use would not cause significant harm to the character and appearance of the surrounding area, the setting of the Grade II* listed church or residential amenity and therefore, represented an acceptable form of development. Accordingly, it was

RESOLVED:

To approve application number 20180631 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 was granted.
- (2) The development hereby permitted shall be carried out in accordance with the plans and documents listed below.

Site Location Plan
Dwg No 18_02_SK3_Rev A Tennis Court Proposed Site Layout
- (3) The Landscaping Scheme and Planting Schedule received 27 June 2018 shall be carried out no 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.
- (4) No floodlighting, security lighting or other means of external illumination shall be provided at the site.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) In the interests of visual amenity in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015.
- (4) To safeguard the amenities of the adjacent residential properties and the surrounding countryside 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 is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
- (3) Given the nature and size of this development, the following working practices will be adhered to:
 - No piles of loose sand or other granular materials into which [amphibians or reptiles] could bury themselves should be left around the site. All such materials should be delivered in bags and kept on pallets or hardstanding until required for use;
 - Should any waste be generated from the development, this should be placed straight into skips or rubble sacks, or immediately removed and not left lying around the site;
 - No bonfires should be made or lit on site. [Amphibians and / or reptiles] often use piles of timber as a place of refuge;
 - All trenches should be left covered at night. They must be checked in the morning before they are filled in.
 - Works should preferably be restricted to daylight hours only to prevent disturbance or accidental harm to nocturnal animals such as hedgehogs. Ideally night lighting of the site should be minimised to reduce disturbance to other nocturnal animals such as bats.
 - Site lighting schemes for the new development needs to be unobtrusive, hooded/shielded and directional away from features that may be used by commuting/ foraging bats, such as hedgerows and mature trees. Further guidance on lighting is available on the Bat Conservation Trust website (Interim Guidance: Artificial lighting

and wildlife – Recommendations to help minimise the impact of artificial lighting; 2014. Available at:
http://www.bats.org.uk/pages/bats_and_lighting.html).

In addition if any protected species are identified at any stage during the development, work should immediately cease and a suitably qualified ecologist contacted for further advice.

21 APPLICATION NUMBER 20180503 – 93 NEWTON STREET, NEWTON ST FAITHS

The Committee considered an application for the change of use of land to the rear of the existing residential garden to residential curtilage to be used in association with 93 Newton Street, Newton St Faith and the erection of a detached garage on the parcel of land. The proposed garage would be accessed by a gravel drive along the western side of the dwelling.

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

In presenting the application, the Area Planning Manager (East) reported an updated plan had been received on 3 July which would need to be reflected in condition 2 and the word “further” should be removed from condition 4 in relation to outbuildings. Also, that an additional condition be included specifying the means of enclosure shown on the amended plan be carried out as approved and retained thereafter.

The site was located outside of the settlement limit which ran along the boundaries of the rear gardens to the north and, as such, the application site’s southern boundary was adjacent to the settlement limit. The proposed extension to the curtilage would extend it in line with the rear of the gardens at nos: 97 and 99. The proposal would provide additional trees and shrubs to enhance this small parcel of land and help it to integrate into the adjoining woodland. Members noted that the use of metal post and rail fencing to the rear and garden boundary would minimise any impact on the existing wildlife and, combined with the planting, would provide additional habitat.

It was noted the garage would be set back from the rear garden at no: 91 and therefore, would have no impact on the light or amenity of the neighbouring property.

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

RESOLVED:

To delegate authority to the Head of Planning to approve application number 20180503 (in revised form) subject to the expiry of the re-consultation period ending 6 July 2018 (providing no material issues are raised) and 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.

Amended Dwg No RS2_1 Proposed plans received 21 June 2018.

- (3) Prior to the commencement of the development hereby approved, a landscaping scheme comprising new tree and shrub planting within the hatched area as show on Dwg No: RS2-1 received 3 July 2018 shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall indicate:

- (a) the species, number, size and position of new trees and shrubs at the time of their planting
- (b) all existing trees and hedgerows on the land, with details of any to be retained (which shall include details of species and canopy spread, root protection areas as required at paragraph 4.4.2.5 of BS5837: 2012), together with measures for their protection 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. (T04)

- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any other Order amending, revoking or re-enacting that Order with or without

modification, no outbuildings permitted by Class E of Part 1 Schedule 2 of that Order shall be erected or placed on the hatched area as shown on Amended Dwg No RS2_1 Proposed plans received 21 June 2018 without the prior written consent of the Local Planning Authority. (D3 Amended)

- (5) The boundary treatment shown on the plans and particulars hereby approved shall be constructed in the manner shown and completed before the change of use hereby permitted is first commenced and shall be retained as such thereafter.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. (R2)
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents. (R15)
- (3) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies GC4, EN1, EN2 and EN3 of the Development Management DPD 2015. (R41)
- (4) To ensure development appropriate to the site in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015. (R11 Amended).
- (5) To ensure development appropriate to the site in accordance with the criteria specified within Policy GC4 of the Development Management DPD 2015.

Informatives:

- (1) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk (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)

The meeting closed at 1:35pm

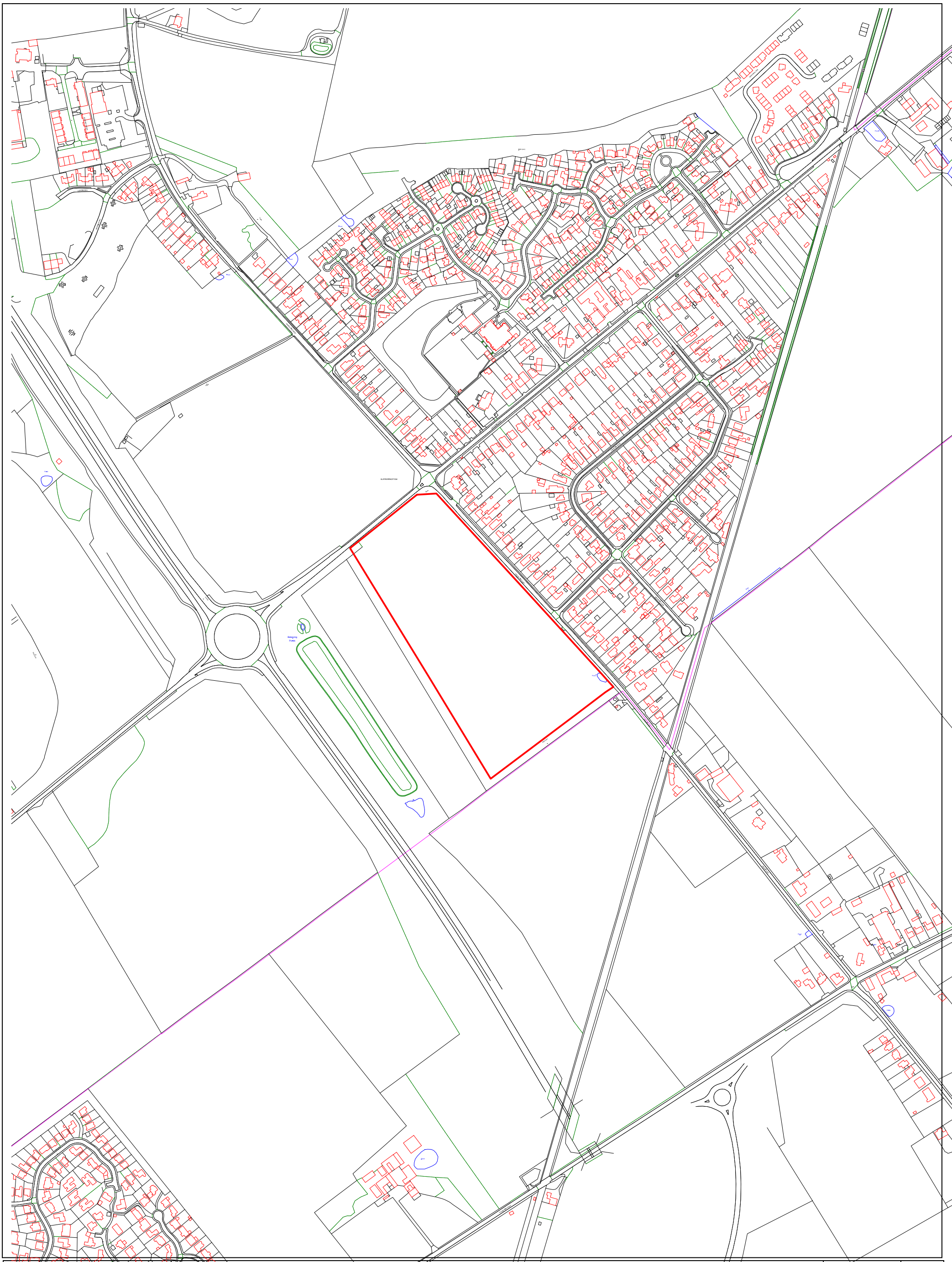
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SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	App'n No	Location	Contact Officer	Officer Recommendation	Page Nos
1	20160395	Land South of Green Lane East, Rackheath	CJ	Delegate authority to the HoP to APPROVE subject to the completion of a Section 106 Agreement and following conditions	49 – 80 & 156 – 181 (exempt)
2	20170594	Site of T H Blyth & Sons Builders Yard and land to West of Claypit Road, Foulsham	CR	APPROVE subject to conditions	81 – 125 & 183 – 219 (exempt)
3	20180656	84 Taverham Road, Taverham	CR	APPROVE subject to conditions	126 – 144
4	20180894	26 Highfield Close, Thorpe St Andrew	JaF	APPROVE subject to conditions	145 - 155

HoP = Head of Planning

Key	Contact Officer	Direct Dial No:
CJ	Charles Judson	01603 430592
CR	Chris Rickman	01603 430548
JaF	Jane Fox	01603 430643



Application No: 20160395
Land South of Green Lane East, Rackheath

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Scale:
1:5000
Date:
23-Jul-18



AREA East

PARISH Rackheath

1

APPLICATION NO: [20160395](#)

TG REF: 628487 / 312471

LOCATION OF SITE Land south of Green Lane East, Rackheath

DESCRIPTION OF DEVELOPMENT Outline planning consent for development of 157 dwellings together with associated access, open spaces and infrastructure

APPLICANT Trustees of land south of Green Lane East c/o Agent

AGENT La Ronde Wright Ltd, Mr Fergus Bootman, 74 Bracondale, Norwich, NR1 2BE

Date Received: 4 March 2016
13 Week Expiry Date: 8 June 2016

Reason at Committee: The application proposes a level of affordable housing (20%) which is below the level required by the Development Plan

Recommendation (summary): To delegate authority to the Head of Planning to grant outline planning permission subject to planning conditions and the satisfactory completion of a Section 106 Agreement

1 THE PROPOSAL

- 1.1 The application seeks outline planning permission with all matters reserved except access for the construction of up to 157 dwellings and associated infrastructure. The application was initially submitted with all matters reserved but the applicant has subsequently sought to 'un-reserve' access and the application has been considered on this basis.
- 1.2 Vehicular access to the site would be via a single point of access on to Salhouse Road serving a 6m wide estate road with 1.8m wide footpaths to either side and a 3m wide shared use footway / cycleway along the site frontage. A pedestrian access would be provided to the south-east of the site to provide a crossing point on Green Lane East.
- 1.3 An amended indicative layout has been submitted to demonstrate how the number of dwellings proposed could be accommodated and this plan also includes provision of a shared use path to run parallel with Green Lane East

and the provision of on-site informal open space which includes the use of the landscape belt to the south-east and south-west of the site.

- 1.4 The application proposes the provision of 20% affordable housing and a viability appraisal has been submitted as justification for this. The Council has had this tested by an independent consultant who has confirmed to officers that they agree with the conclusions of the applicant's report. Both of these reports are attached for Members only as they contain exempt information.

2 KEY CONSIDERATIONS

- Whether the application complies with the Development Plan
- Whether the proposed level of affordable housing has been justified
- Whether there are any material considerations that justify determining the application otherwise than in accordance with the Development Plan

3 CONSULTATIONS

3.1 Anglian Water (on amended plans):

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the site that may affect the layout and an informative should be added to reflect this. The development site is within 15m of a sewerage pumping station and access is required for maintenance. Dwellings located within 15m would be at risk of noise, odour and general disruption and the site layout should have regard to this.

The foul drainage is in the catchment of Whitlingham Trowse Water Recycling Centre which has capacity. The sewerage system has available capacity for the flows. Details of surface water drainage do not relate to Anglian Water operated assets.

3.2 Conservation Officer (Arboriculture and Landscape):

No objection. The tree constraints are located around the boundaries and these can be resolved if the layout is carefully considered and the dwellings located outside of the root Protection Areas and predicted shade patterns. A revised Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement will be required together with a detailed landscaping scheme.

Comments on amended plans:

The changes to the access and shared use path are an improvement to the earlier layout and will allow the retention of the existing trees on Green Lane East which are prominent roadside features. The removal of an Oak and group of Ash for the proposed access is acceptable as small category C specimens. The changes to the location of the properties on the west boundary allowing the rear gardens to abut the existing tree belt will result in reduced conflict with future residents.

3.3 Environmental Contracts Officer:

Unable to comment in great detail due to the outline nature of the plans.

3.4 Environmental Health Officer – Pollution Control:

The applicant needs to show in the detailed final design that they are implementing the noise control recommendations in section 5 of the Technical Report. They also need to clearly demonstrate how they are going to achieve the external 50dBA figure mentioned in 5.3 of the same report, particularly in the area towards the Salhouse Road.

3.5 Health and Safety Executive:

The site does not lie within the consultation distance of a major accident hazard pipeline therefore no comments.

3.6 Highway Authority (on amended plans):

The revised Transport Assessment proposes acceptable off-site improvements including frontage footway / cycleway, widening of Salhouse Road and pedestrian / cycle improvements to the Sole and Heel roundabout. Detailed comments provided on indicative layout but no objections to the outline application subject to conditions.

3.7 Historic Environment Service:

An archaeological desk based assessment has been submitted which has highlighted the presence of undated cropmark features within the site and the potential for previously unidentified heritage assets of prehistoric date to be present. The results of trial trenching evaluation rather than a desk based assessment should be submitted in support of the planning application. It is therefore requested that the application is withdrawn and resubmitted with the results of an archaeological evaluation.

3.8 Housing Enabler (on amended plans):

The applicant is proposing to reduce the affordable housing percentage from 33% to 20%. The tenure split has already been amended to a very beneficial 59:41 ART: Intermediate to assist in viability whilst other sites in Rackheath are delivering 33% with less beneficial tenure splits. We would therefore expect any reduction in affordable housing to be clearly justified by the viability assessment and independently verified.

It is still expected for the development to deliver bungalows within the affordable housing mix to meet the needs for the elderly and those with a disability.

3.9 Landscape and Amenity Officer:

I have a few issues with the layout in terms of public open space but will comment on this when a reserved matter application is submitted. The two field boundaries on the south-east and south-west of the site should be retained as they are a great feature of the site and may be classed as important under the Hedgerow regulations.

3.10 Lead Local Flood Authority (on amended plans):

The applicant has provided an amended Flood Risk Assessment (FRA) with outline designs to account for surface water flooding and drainage at this location. Welcomed that Sustainable Drainage Systems have been proposed. No objection subject to conditions.

3.11 Natural England:

Advise under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended):

The application site has the potential to affect the interest features of European sites which are protected under the Conservation of Habitats and Species Regulations 2010 as amended (the 'Habitat Regulations'). These sites are also notified at a national level as Sites of Special Scientific Interest (SSSIs). In considering the N2K site interest Natural England advises you should have regard for any potential impacts the project may have. The consultation documents do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been met ie the consultation does not include a Habitats Regulations Assessment (HRA). Your authority should determine whether the proposal is likely to have a significant effect on any European site, proceeding to Appropriate Assessment (AA) where significant effects cannot be ruled out.

The proposed on-site open space has limited potential to function as a viable alternative to nearby European sites and off-site contributions may be more effective in helping mitigate the potential impacts of visitor pressure.

We would expect the LPA to assess and consider local sites, landscape character and local or national biodiversity priority habitats and species.

We have not assessed this application for impacts on protected species and refer you to standing advice.

The application provides opportunity for ecological enhancement which should be secured.

3.12 Principal Policy Officer (Spatial Planning):

Principle issues for this application are the current housing land supply and whether the proposal contributes a sustainable form of development; the contribution to cycling infrastructure; the contribution to the provision of informal open space; landscaping; noise and surface water flood risk.

3.13 Pollution Control Officer:

Based on the amended report there is no need for further assessment in relation to contamination.

4 PUBLICITY

4.1 Site Notice:

Expired 13 April 2016

4.2 Press Notice:

Expired 12 April 2016

4.3 Neighbour Notification:

65 letters sent to residents of Green Lane East, Salhouse Road, Green Lane West, Wilkinson Road and Vera Road

Expired: 6 April 2016

Further consultation expired: 31 May 2018

5 REPRESENTATIONS

5.1 6 letters of representation raising the following issues:

- Development will alter the character of Rackheath making it a suburb of Norwich rather than a village surrounded by farmland and countryside
- Will impact on outlook from existing dwellings which enjoy views over open fields
- Cycle paths will not mitigate the amount of new traffic as it does not lead anywhere
- Not the right area for new housing
- Bungalows should be provided to Green Lane East
- Bus stop should be provided on Green Lane East
- Pedestrian access to the tree belt to the west and south of the site should be provided
- Noise from the NDR will impact on resident's amenity
- Surface water collects on the site as a pond
- Do not want street lighting
- There is scope for a better layout to integrate with existing development
- No information is provided to demonstrate how comments from consultation have informed the proposed development
- Application site has Japanese Knotweed
- Need confirmation that the proposed access arrangements would not prejudice access arrangements for GT18 and confirmation of the requirements for off-site highway works

5.2 Rackheath Parish Council:

The retention and/or planting of green screening on Green Lane East is supported. The existing residents' preference for bungalows on the Green Lane East frontage should be respected. Pleased to see the number of affordable dwellings and shared ownership properties. Concerned about flooding particularly in the south east corner of the site.

Comments on amended plans:

Approve of the new layout and pathway along the roadside. Concerned about the amount of traffic accessing the site from a single point of access on Salhouse Road which is busy and would have increased traffic with the development opposite. Recommend that an emergency access should be provided on Green Lane East. Extremely disappointed that the number of affordable homes has been reduced from 33% to 20%.

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. It also reinforces the position that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. As national policy, the NPPF is an important material consideration and should be read as a whole but paragraphs 6, 7, 8, 11, 12, 13, 14, 17, 19, 32, 47, 49 and 73 are particularly relevant to the determination of this application.

National Planning Practice Guidance:

- 6.2 This provides guidance and adds further context to the NPPF and should be read in conjunction with it as a material consideration.

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

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

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 of the location of development and the impact it would have on the ecosystems of an area.

- 6.4 Policy 2 – 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:

States that the transportation system will be enhanced to develop the role of Norwich as a Regional transport Node and will improve access to rural areas.

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 – 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.

6.10 Policy 10 – Locations for major new or expanded communities in the Norwich Policy Area:

Identifies the Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle as a location to deliver a major urban extension.

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

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

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

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.

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 will grant planning permission unless material considerations indicate otherwise – taking into account whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole of specific policies in the Framework indicate that development should be restricted.

6.13 Policy GC2 – Location of new development:

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

6.14 Policy GC4 – Design:

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

6.15 Policy EN1 - Biodiversity and Habitats:

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

6.16 Policy EN2 – Landscape:

In order to protect the character of the area, this Policy requires development proposal to have regard to the Landscape Character Assessment SPD.

6.17 Policy EN3 – Green Infrastructure:

Residential development consisting of five dwellings or more will be expected to provide at least 4 hectares of informal open space per 1,000 population and at least 0.16 hectares of allotments per 1,000 population.

Development will also be expected to make adequate arrangements for the management and maintenance of green infrastructure.

6.18 Policy EN4 – Pollution:

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

6.19 Policy RL1 – Provision of Formal Recreational Space:

Residential development consistent of five dwellings or more will be expected to make adequate provision and subsequent management arrangements for recreation.

6.20 Policy TS2 – Travel Plans and Transport Assessments:

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

6.21 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.

6.22 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.

Growth Triangle Area Action Plan (GT AAP) (2016):

6.23 Policy GT1 – Form of development:

States that all development proposals should create, or contribute to the creation of, distinct quarters; the character of which should be based upon the principles of mixed use walkable neighbourhoods and master planned in a manner which has regard to other development proposals in the locality.

6.24 Policy GT3 – Transport:

Identifies the need for transport improvements in the growth triangle to support planned growth including a new orbital link road, bus rapid transport routes. Internal layouts will need to support public transport and provide

permeable and legible street layouts which support walking and cycling and encourage low traffic speed.

6.25 Policy GT19 – Land south of Green Lane East:

Allocates a site of approximately 7 hectares for residential development to include 33% affordable housing; pedestrian and cycle links across the site frontage adjacent to Green Lane East; a landscape masterplan; a noise assessment to identify noise mitigation to offset impact of the NDR.

Rackheath Neighbourhood Plan 2017-2037 (2017):

6.26 Policy HOU1 – Mixed type and tenure of housing:

In any new development there will be provision of mixed type and tenure of housing, appropriately located to ensure exclusive enclaves do not occur. Proposals for new residential development should not include large scale amounts of flatted accommodation to contribute to a rural village feel.

Officer response: The application is in outline with the mix reserved for later approval, however the affordable housing mix has been agreed with the Housing Enabler and will be secured by S106. This mix includes both intermediate and affordable rent tenures and includes a range of bungalows, houses and flats between 1 and 5 bedrooms in size.

6.27 Policy HOU2 – Character, density and massing:

New development should maintain a green and rural village feel of high quality and inclusive design that conserves local distinctiveness. Density and massing should vary and should be of a character to reflect existing development in Rackheath. Where possible main routes through developments should be laid out to create efficient vehicle, cycle and pedestrian connections with permeable cul-de-sacs.

Officer comment: The application is in outline and many of the matters in this Policy would be applied at reserved matters stage however the gross density of 21.5 dwellings per hectare is considered to be suitable for this site whilst making efficient use of the land. The indicative layout and housing mix also demonstrates to the satisfaction of officers that an acceptable layout can be achieved which would respect the character and appearance of the area.

6.28 Policy ENV1 – Drainage:

Development should take advantage of modern drainage to prevent and alleviate localised flooding.

Officer comment: The application is accompanied by a Flood Risk Assessment and the Lead Local Flood Authority has no objection subject to a condition requiring a detailed surface water drainage scheme.

6.29 Policy ENV2 – Climate change:

The Neighbourhood Plan supports cost effective and efficient passive solar gain and solar PV panels.

Officer comment: The development would be required to secure 10% of its energy requirements from renewable sources, secured by condition.

6.30 Policy ENV3 – Tree belts and wildlife habitats:

Where possible existing strategic tree belts should be protected, extended and linked to other existing tree belts creating circular routes within the parish. Development should facilitate access to and through them with paths, cycleways and bridleways. Development should support the creation of wildlife habitats for enhancing ecological networks.

Officer comment: The amended indicative layout secures the retention and use of existing landscaping belts for informal recreation and would provide circular walking routes with access to other open spaces planned in adjacent developments.

6.31 Policy ENV4 – Trees and soft site boundaries:

Development proposals should seek to retain mature or significant trees. New development should incorporate significant tree planting and landscaping.

Officer comment: The amended indicative layout demonstrates how existing mature trees can be retained and new planting would be secured at reserved matters.

6.32 Policy ENV5 – Local landscape character and historical development:

All developments will be required to demonstrate how landscape character, historical development and features of local significance have been considered.

Officer comment: The application is accompanied by a Landscape Visual Impact Assessment and consideration of the landscape impact is provided in the Appraisal section of this report.

6.33 Policy ENV7 – Green space:

Proposals for new housing developments should include quality outdoor green amenity space

Officer comment: The amended indicative layout demonstrates how informal open space can be incorporated into the layout. Open space would be secured through the Section 106 Agreement.

6.34 Policy ENV8 – Approaches to Rackheath and village landscape:

New development located at the village entrances will be encouraged to enhance the approaches to Rackheath, for example through the provision of signage, tree, shrub and flower planting. High quality landscaping should be incorporated to create a village feel and new houses should overlook green spaces.

Officer comment: The site is located at a prominent entrance to the village however the application is in outline where scale, layout and landscaping will be considered at reserved matters. Given that this is an allocated site it is not considered that there is an 'in principle issue' with residential development on this gateway site.

6.35 Policy COM1 – Linked community:

Developments should contribute to an enhanced and joined-up movement network of roads, footpaths, pavements, tree belt routes, cycle ways and bridleways to connect Rackheath as one Parish.

Officer comment: The application is in outline but the indicative layout shows how roads, shared paths and open space can be used to integrate with existing and new development.

6.36 Policy COM3 – Social spaces, play spaces and parks:

All developments are expected to include new landscaped play areas and parks with appropriate parking for larger play and park provision. All play areas and parks should have good road access, be near family housing and benefit from natural surveillance. Major developments will be expected to provide enhanced facilities, including children's play areas, water features, covered areas for sitting and stopping, nature conservation and sports.

Officer comment: The indicative layout demonstrates how open space can be incorporated into the development and this will be secured through the Section 106 and considered further at reserved matters.

6.37 Policy COM4 – Community safety:

New development should be designed with good natural surveillance, active frontage, permeable routes and buildings that face onto the public realm and open spaces / play areas. Development proposals will be expected to meet secured by design.

Officer comment: The indicative layout demonstrates how open space can be incorporated with good levels of surveillance and this can be considered further at reserved matters.

6.38 Policy COM7 – Allotments:

Major developments should make appropriate provision for allotments.

Officer comment: Officers consider that the site is not large enough to accommodate allotments within it therefore an off-site contribution can be secured through the S106 Agreement.

6.39 Policy TRA2 – Pedestrian, cycle and bridleways:

Developments will be expected to contribute to sustainable transport by providing safe, attractive, convenient and where possible off-road pedestrian routes, cycle ways and bridleways and providing crossing points from development with boundaries on Green Lane East to the other side of the road.

Officer comment: The highway authority consider the access to be safe and would not result in conditions detrimental to highway safety. The indicative layout shows how shared use paths can be provided within the site and pedestrian access points can be provided to cross Green Lane East.

6.40 Policy TRA3 – layout and traffic calming:

To retain a rural feel, development design and layouts should promote a street hierarchy which is sensitive to users' needs and which prioritises the safety of pedestrians. Developments must be permeable and maximise pedestrian access with more than one route in and out of any large development.

Officer comment: The highway authority do not object to a single point of vehicular access but further consideration to the layout would need to be given at reserved matters stage to ensure an appropriate street hierarchy sensitive to pedestrians needs.

Recreation Provision in Residential Development Supplementary Planning Document (2016):

- 6.41 Sets the guidance on how the requirements set out within Policies EN1, EN3 and RL1 will be applied

Broadland Landscape Character Assessment Supplementary Planning Document (SPD) 2013:

- 6.42 E4 – Rackheath and Salhouse.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is approximately 7.3 ha in area and roughly rectangular in shape. It is located to the south-west of Rackheath bounded by Green Lane East to the north-east, Salhouse Road to the north-west and tree belts to the south-east and south-west, beyond which is an arable field and the A1270 Broadland Northway.
- 7.2 The site is generally level, with a low point to the south-east corner.
- 7.3 Mature trees and mixed hedgerows form the site boundary to Green Lane East. To the north-east of Green Lane East are single storey and chalet interwar and post-war dwellings orientated towards the application site.

8 PLANNING HISTORY

- 8.1 [20160165](#): EIA Screening opinion – residential development. EIA not required 11 February 2016.
- 8.2 [20171464](#): Construction of 322 dwellings with associated access, open space, landscaping, associated works and increasing height of bund to NDR. Undetermined.

9 APPRAISAL

- 9.1 The application seeks outline planning permission with all matters reserved except access for the erection of 157 dwellings including the provision of 20% affordable housing. The main issues to consider are whether the development complies with the Development Plan, whether the level of affordable housing has been justified and whether there are material considerations that justify determining the application otherwise than in accordance with the Development Plan.

The principle of development

- 9.2 Policy GC2 of the Development Management DPD states that development outside of settlement limits which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the Development Plan. The site is located outside of a settlement limit however it is allocated for residential development under Policy GT19 of the Growth Triangle Area Action Plan (2016) (GT AAP). The principle of the development is therefore acceptable. However, whilst Policy GT19 establishes the principle of residential development it also contains four criteria that the development will need to satisfy to ensure compliance with the Policy.
- 9.3 Criteria one states that the residential development will include 33% affordable housing. The application proposes 20% affordable housing and a viability assessment has been submitted to justify this level of provision. The viability assessment identifies that even with 10% affordable housing the development falls below the benchmark land value so the scheme could be said not to be viable at this level. However, notwithstanding this the applicants propose to provide 20% affordable housing to assist in the delivery of a balanced community. It is understood that the applicant is in very advanced talks with a house builder who have confirmed that they are prepared to deliver a scheme with 20% affordable housing. The applicant's assessment has been reviewed on behalf of the Council by an independent consultant who has confirmed that whilst construction costs are higher than would be expected, this has been adequately justified by the applicant. Furthermore, the Council's consultant has confirmed that the other costs, values and assumptions applied are reasonable. By enabling a development with a lower percentage of affordable housing than is required by GT19 the site would contribute towards housing supply in the Norwich Policy Area which is a material consideration in the determination of the application.
- 9.4 In considering the provision of affordable housing regard must also be had to Policy 4 of the Joint Core Strategy (JCS). Unlike GT19, JCS Policy 4 allows for a reduction in affordable housing where it can be demonstrated that site characteristics together with the requirement of affordable housing would render the site unviable in prevailing market conditions. Given that the applicants have justified the level of affordable housing through a viability assessment it is considered that the application, whilst providing less than 33%, complies with Policy 4 of the JCS. The viability of the scheme is based on a 59:41 ART: Intermediate tenure split. The Housing Enabler would prefer a 60:40 split and discussions ongoing over this and the housing mix are ongoing with regard to the schemes viability and the housing needs of the area. It is expected that a satisfactory mix will be agreed and this would be secured through a Section 106 Agreement. Officers consider it appropriate to ensure that the S106 contains provision for additional affordable housing should market conditions allow in the future.

- 9.5 Criteria two of GT19 requires pedestrian and cycle links across the frontage of the site adjacent to Green Lane East. Whilst layout is a matter reserved for later consideration, an indicative plan has been submitted which demonstrates how such a path could be incorporated in to the development and officers are satisfied that, in so far as can be identified at outline stage, there is nothing to prevent this criteria being complied with at reserved matters stage.
- 9.6 Criteria three of GT19 requires a landscape masterplan to be submitted prior to the commencement of development. The indicative layout plan demonstrates how informal public open space could be provided on site but further information would need to be provided to satisfy this criteria. This can be submitted as part of reserved matters.
- 9.7 Criteria four of GT19 requires a noise assessment to identify appropriate mitigation necessary to offset the impact of the Broadland Northway. A noise assessment has been submitted with the application and the Environmental Health Officer (Pollution Control) has raised no objection. However, with the application being in outline further details will be required at the reserved matters stage to ensure that the noise criteria stated in the report are met. This would be secured by condition.
- 9.8 In summary, whilst the affordable housing provision is below the level required by GT19, officers are satisfied that this has been adequately justified in viability terms and in all other respects the application complies with GT19 in so far as can be identified at outline stage. Policy 4 of the JCS allows for a reduction in affordable housing and by enabling a lower percentage the deliverability of the development would be maintained and the site would be able to contribute towards the supply of housing in the Norwich Policy Area on an allocated site. Officers are therefore satisfied that the principle of development is acceptable.

Highways

- 9.9 Policy TS3 of the DM DPD states that development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network. In support of the application, and in accordance with TS2 of the DM DPD, is an amended Transport Assessment to analyse the highway impact of the development and to identify any mitigation measures which may be necessary. Policy TRA2 of the Neighbourhood Plan states that developments will be expected to provide crossing points from development with boundaries on Green Lane East to the other side of the road.
- 9.10 All matters are reserved except access. As originally submitted the application proposed two points of vehicular access on to Green Lane East to serve an estate road and 7 private driveways serving frontage development

along Green Lane East. As amended, the application seeks permission for just a single point of vehicular access on to Salhouse Road to serve a 6m wide estate road with 1.8m wide pedestrian footpaths to either side. The existence of a gas pipeline along the boundary of the site with Green Lane East (the diversion or crossing of which would have rendered the scheme unviable) was the reason for the change in access strategy.

- 9.11 The Highway Authority does not object to the principle of a single point of vehicular access and has suggested conditions should the application be approved. This would include a requirement for the provision of upgrades to the Sole and Heel roundabout to include pedestrian refuge islands, footpath provision along Salhouse Road with improvements up to the primary school and an uncontrolled pedestrian crossing on Green Lane East serving a shared use cycle way/footpath within the site. The application being considered for allocation GT18 to the north of the site ([20171464](#)) also proposes a vehicular access on to Salhouse Road. However, the proposed junctions would be staggered by approximately 60m and the Highway Authority has advised that they have no objection to this arrangement. The application would therefore not prejudice the delivery of other development being considered in the area. The development would not adversely impact highway safety or the satisfactory functioning of the local highway network and it is considered therefore that the development would comply with Policy TS3 of the DM DPD.
- 9.12 The indicative layout plan which has been provided includes provision of a shared use footway and cycleway within the site along the Green Lane East frontage leading to crossing points on Green Lane East. This would ensure compliance with Policy TRA2 of the Neighbourhood Plan but would need to be secured at reserved matters stage when details of layout are provided.

Landscape

- 9.13 Policy GC4 of the DM DPD requires development to pay adequate regard to the environment, character and appearance of an area; Policy EN2 requires development proposals to have regard to the Landscape Character Assessment SPD and consider any impact on a range of landscape related criteria; Policy 1 of the JCS seeks to, inter alia, protect the landscape setting of settlements including the urban/rural transition and the treatment of gateways and policies ENV3, ENV4, ENV5 and ENV8 of the Neighbourhood Plan are all relevant to considerations of landscape impact. In support of the application are a Landscape and Visual Impact Assessment (LVIA) and Arboricultural Impact Assessment.
- 9.14 The site is located within landscape character area E3 in the Landscape Character Assessment SPD. The residential development would have an urbanising impact on the character and appearance of the site and immediate landscape through the introduction of roads, dwellings, domestic paraphernalia, hardstanding and street furniture. This would be contrary to

development management policies. However, the site is allocated for residential development where the principle of residential development is acceptable and accordingly it is accepted by officers that the urbanising impact should not in itself warrant a reason for refusal.

- 9.15 The development seeks to retain existing tree belts to the south-west and south-east which will provide a good level of screening when the site is viewed from the south and west. Furthermore, the construction of the Broadland Northway has fundamentally altered the character and appearance of the landscape to the west of the site. The site is not within or adjacent to any designated landscapes or conservation areas and the development would not impact on the setting of Rackheath Hall, the closest listed building approximately 900m from the site. The Sole and Heel Public House is designated as a locally important Local Heritage Asset in being an Art Deco building but given that the site is allocated it is not considered that residential development would adversely impact its setting in accordance with ENV5 of the Neighbourhood Plan.
- 9.16 The amended access strategy and indicative layout reduces the impact of the development on trees by enabling the retention of the mature trees along Green Lane East. The proposed access to Salhouse Road does require the removal of a group of Ash and an Oak but these are Category 'C' and the Conservation Officer (Arboriculture and Landscape) has raised no objection to this.
- 9.17 The landscaping of the site is a matter reserved for later consideration and it is considered that a comprehensive soft landscaping plan could complement and enhance the existing landscape features and help mitigate the urbanising impact of the development.
- 9.18 Overall, whilst the development would have an urbanising impact on the application site and immediate setting this impact would not be significant. Furthermore, the site is allocated for residential development and the benefits of delivering housing in accordance with the Development Plan significantly outweigh the landscape impact. The landscape impact of the development is therefore considered acceptable.

Open space

- 9.19 Policies EN3 and RL1 of the DM DPD require the provision of green infrastructure and formal recreational space (children's play, sports facilities and allotments) on developments of the scale proposed. The precise amount of green infrastructure and formal recreational space would be dependent on the final housing mix and given the outline nature of the application this cannot be determined at this stage. However, the indicative layout demonstrates how informal open space could be achieved on site based on the indicative housing mix provided.

- 9.20 This layout, as amended, proposes the introduction of a green corridor through the site adjacent to the spine road and the use of the tree belts to the south-west and south-east of the site for walking routes. Natural England has advised that the proposed on-site open space, as originally submitted, would have limited potential to function as a viable alternative to nearby European sites and off-site contributions may be more effective in helping mitigate the potential impacts of visitor pressure. However, the indicative scheme has subsequently been amended to provide better connected on-site open spaces and has also incorporated the landscape belt to the south-east and south-west of the site as public open space. Officers consider that this amended strategy is sufficient to meet the informal recreational needs of the development (subject to housing mix which will determine the precise quantity of open space to be provided). An Appropriate Assessment has been undertaken by the Natural Environment Team at Norfolk County Council on behalf of Broadland District Council as the competent authority which concludes that the likelihood of direct impacts on are negligible and indirect impacts on the integrity on European Sites will be avoided.
- 9.21 Officers consider that this indicative strategy would meet the informal recreation needs arising from the development by providing circular walking routes in compliance with Policy EN3. Given the scale of development officers do not consider it necessary to provide sports facilities or allotments on site and a commuted sum can be secured for off-site provision to ensure compliance with Policy RL1.
- 9.22 The provision and management of open space would be secured through the Section 106 Agreement.

Ecology

- 9.23 Policy EN1 of the DM DPD expects developments to protect and enhance the biodiversity of the district. In support of the application is an Ecological Survey which identifies that the development within the arable field would likely have a low ecological impact. However, the landscape belt to the south-east and south-west of the site was identified as an important habitat corridor which should be retained and protected and this has been shown on the indicative layout. A scheme for the enhancement of ecology to reflect the recommendations of the submitted ecological survey should be secured by condition to ensure that the ecological interest of the site is adequately protected and biodiversity enhanced in accordance with Policy EN1 and the NPPF.

Drainage

- 9.24 Policy CSU5 of the DM DPD states that 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 risk

elsewhere. Policy 1 of the JCS states that development will be located to minimise flood risk, mitigating any such risk through design and implementing sustainable drainage. Policy ENV1 of the Neighbourhood Plan reflects the requirements of the local plan encouraging the use of Sustainable Drainage Systems (SuDS) to prevent the increased risk of flooding either on site or elsewhere.

- 9.25 The site is fully located in Flood Zone 1 (ie land having a less than 1 in 1,000 (0.1%) annual probability of river or sea flooding). It is partially at high risk of surface water flooding (ie risk is greater than a 1 in 30 annual probability for flood risk from surface water flooding) and has a surface water flow path from the north at the Salhouse Road and Green Lane junction across the site to the south east corner where there is a record of water ponding.
- 9.26 The applicant has provided an amended Flood Risk Assessment (FRA) with outline designs to account for surface water drainage. The outline scheme proposes the use of infiltration including the use of cellular soakaways and permeable paving. The lead Local Flood Authority welcomes the use of SuDS and has no objection subject to conditions. Therefore subject to detailed designs at reserved matters stage which would be secured by condition it is considered that the application complies with CSU5 of the DM DPD, Policy 1 of the JCS and Policy ENV1 of the Neighbourhood Plan.
- 9.27 Anglian Water has confirmed that the foul drainage for this development is in the catchment of Whitlingham Trowse Water Recycling Centre which has capacity and that the sewerage system has available capacity for the flows from the development. No conditions have been requested by Anglian Water.

Amenity

- 9.28 The development would impact on views from those residents who live on Green Lane East. However, the loss of a private view is not a material consideration. The development site is sufficiently far from neighbouring properties to give officers every confidence that when matters of layout and scale are considered at the reserved matters stage an acceptable scheme which adequately safeguards the amenity of existing residents can be delivered. Furthermore, the indicative layout also demonstrates how future occupants of the site would benefit from sufficient levels of amenity with dwellings adequately separated to avoid overlooking and provided with adequate access to open space.
- 9.29 Furthermore, as stated in paragraph 9.7 of this report, a noise assessment has been submitted which demonstrates that residents of the site can be adequately protected from noise from road and rail traffic in the area. Subject to the criteria stated in the report being achieved it is considered that residents would not be adversely affected by noise in accordance with EN4 of the DM DPD.

- 9.30 The development site is within 15m of a sewerage pumping station and access is required by Anglian Water for maintenance. The development would not prejudice the ability to access this. Anglian Water has advised that dwellings located within 15m of the pumping station would be at risk of noise, odour and general disruption and the site layout should have regard to this. This is matter to be considered at reserved matters stage however the indicative layout demonstrates that this can be complied with.

Archaeology

- 9.31 An archaeological desk based assessment has been submitted with the application which has highlighted the presence of undated cropmark features within the site and the potential for previously unidentified heritage assets of prehistoric date to be present. The Historic Environmental Service has advised that the results of trial trenching evaluation rather than a desk based assessment should be submitted in support of the planning application and have requested that the application is withdrawn until such information has been provided. However, officers are satisfied that this information can be secured through condition and consider it unreasonable to refuse the application on this issue.

Conclusion

- 9.32 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The site is allocated for residential development under GT19 and whilst the provision of affordable housing is below policy requirements adequate justification has been submitted in the form of a viability assessment which has been independently tested. The reduced level of affordable housing would enable the delivery of development on this allocated site contributing towards housing supply in the Norwich Policy Area. Officers therefore consider that there is sufficient justification to warrant a departure from the Development Plan in terms of the affordable housing provision. No significant adverse impact has been identified in terms of highways, landscape, ecology and the natural environment, flood risk, amenity, heritage and other relevant considerations. Taking into account all the matters assessed in the report and matters made in representations, officers conclude that the development is acceptable and it is recommended that outline planning permission should be granted.

RECOMMENDATION: Delegate authority to the Head of Planning to **APPROVE** subject to the completion of a Section 106 Agreement to provide the following heads of terms and subject to the following conditions:

Heads of terms:

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

Conditions:

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

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

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

details of the layout;

scale of each building proposed;

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

the landscaping of the site.

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

- (3) The details required by conditions 1 and 2 shall not include provision for more than 157 dwellings.
- (4) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below:

Location Plan

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

Assessment)

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

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

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

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

- (6) The plans and particulars submitted in accordance with condition 5 above shall include:
- (a) a plan showing the location of, and allocating a reference number to every tree on the site which has a stem with a diameter, measured over the bark at a point 1.5m above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread and Root Protection Area of each tree to be retained. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (eg by shade, overhang from the boundary, intrusion of the Root Protection Area (paragraph 4.6.1 of BS5837 2012 Trees in relation to design, demolition and construction – Recommendations) or general landscape factors) must be shown.
 - (b) the details of each tree as required at paragraph 4.4.2.5 of BS5837: 2012 in a separate schedule.
 - (c) a schedule of tree works for all the trees in paragraphs (a) and (b) above, specifying those to be removed, pruned or subject to other remedial or preventative work.

- (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within 5m of the Root Protection Area (paragraph 4.6.1 of BS5837: 2012) of any retained tree including those on neighbouring ground.
- (e) details of the specification and position of all appropriate tree protection measures for the protection of every retained tree from damage before and for the entire duration of the course of the development.
- (f) a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.

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

- (7) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development of each phase or parcel. The details as approved shall be completed prior to the first occupation of any part of the development hereby permitted and thereafter shall be maintained.
- (8) No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- (9) No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority.
- (10) Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- (11) Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan, drawing 1411-88-PL203. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225m above the level of the adjacent highway carriageway.
- (12) Prior to the commencement of any works on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction

workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority.

- (13) For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and unless otherwise approved in writing with the Local Planning Authority.
- (14) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing numbers 1411-88-PL201, 1411-88-PL204, 1411-88-PL205 & 1411-88-PL206 have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in this condition shall be completed to the written satisfaction of the Local Planning Authority.
- (15) Concurrently with the submission of reserved matters for any phase, a noise assessment shall be submitted to demonstrate that the noise criteria stated in section 5 of the submitted Noise Assessment (Adrian James Ltd 22/02/2016) have been met. The development shall thereafter be constructed in accordance with the approved details.
- (16) (A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording (to include trial trenching), 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and

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

and

- (C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with

the programme set out in the archaeological written scheme of investigation approved under part A of this condition and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

- (17) Prior to the commencement of development, a scheme for ecological enhancement and improvement based on the requirements of section 5 of the submitted Ecological Survey (Norfolk Wildlife Services) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.
- (18) Prior to the commencement of development a scheme for the provision of 1 fire hydrant for every 50 dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- (19) Concurrently with the submission of reserved matters for any phase of development, in accordance with the submitted FRA (Create Consulting Engineers Ltd, GS/CC/P15-835/03 Rev C, October 2017) including the proposed outline surface water drainage scheme, further detailed information shall be submitted to and agreed with the Local Planning Authority. This information will be used to inform the layout of the site and include:
 - I. Further detailed ground investigation undertaken across the site including infiltration testing in accordance with BRE Digest 365, and ground water monitoring to establish the location and depth of infiltration features.
 - II. All properties and drainage infrastructure is located outwith areas shown on mapping to be at risk of surface water flooding (In all events up to and including the 1% annual probability (1:100 year event) with an allowance for climate change).
 - III. Information to demonstrate that any highway areas located in areas shown on mapping to be at risk of surface water flooding can accommodate any additional off site flows.
 - IV. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% annual probability (1 in 100 year return period), including allowances for climate change, flood event for each dwelling unit. A minimum storage volume per dwelling of 14.4m³ based on a dwelling measuring 160m² will be provided in line with section 4.5 of the submitted FRA. The design of the soakaways to have half-drain times less than 24 hours. A minimum of 912m³ of cellular storage for impermeable road area of 1.01ha to be provided, accommodating 5.0m buffers to all buildings and adoptable

roads. Areas of permeable paving are required to accommodate the 1% annual probability (1 in 100 year) plus an allowance for climate change event within its sub-base.

- (20) Prior to commencement of development, in accordance with the submitted FRA (Create Consulting Engineers Ltd, GS/CC/P15-835/03 Rev C, October 2017) and information submitted in support of condition 19 above, the following measures shall be submitted to and agreed with the Local Planning Authority. The scheme will be implemented in accordance with the approved details. The scheme shall address the following matters:

- I. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.
- II. Plans showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period. This will include surface water which may enter the site from elsewhere, such as the surface water flow path that is shown to enter the site from the north.
- III. Finished ground floor levels of properties should be a minimum of 300mm above expected flood levels of all sources of flooding including the proposed drainage scheme and a minimum of 150mm above surrounding ground levels.
- IV. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- V. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.
- VI. Details of implementation of the surface water drainage strategy.

- (21) Prior to their installation details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (3) To reflect the scope of the application and to ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (5) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015.
- (6) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015.
- (7) To ensure the satisfactory development of the site in accordance with Policy 3 of the Joint Core Strategy 2011/2014.
- (8) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014.
- (9) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014.
- (10) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014.

- (11) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (12) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (13) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (14) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD 2015.
- (15) To ensure an acceptable level of residential amenity in accordance with Policy GC4 of the Development management DPD 2015.
- (16) To ensure the satisfactory development of the site in accordance with Policy 1 of the Joint Core Strategy 2011/2014.
- (17) To ensure the satisfactory development of the site in accordance with Policy GC4 and EN1 of the Development Management DPD 2015.
- (18) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (19) To ensure the satisfactory development of the site in accordance with Policy CSU5 of the Development Management DPD 2015.
- (20) To ensure the satisfactory development of the site in accordance with Policy CSU5 of the Development Management DPD 2015.
- (21) To ensure the satisfactory development of the site in accordance with Policy GC4 and EN2 of the Development Management DPD 2015.

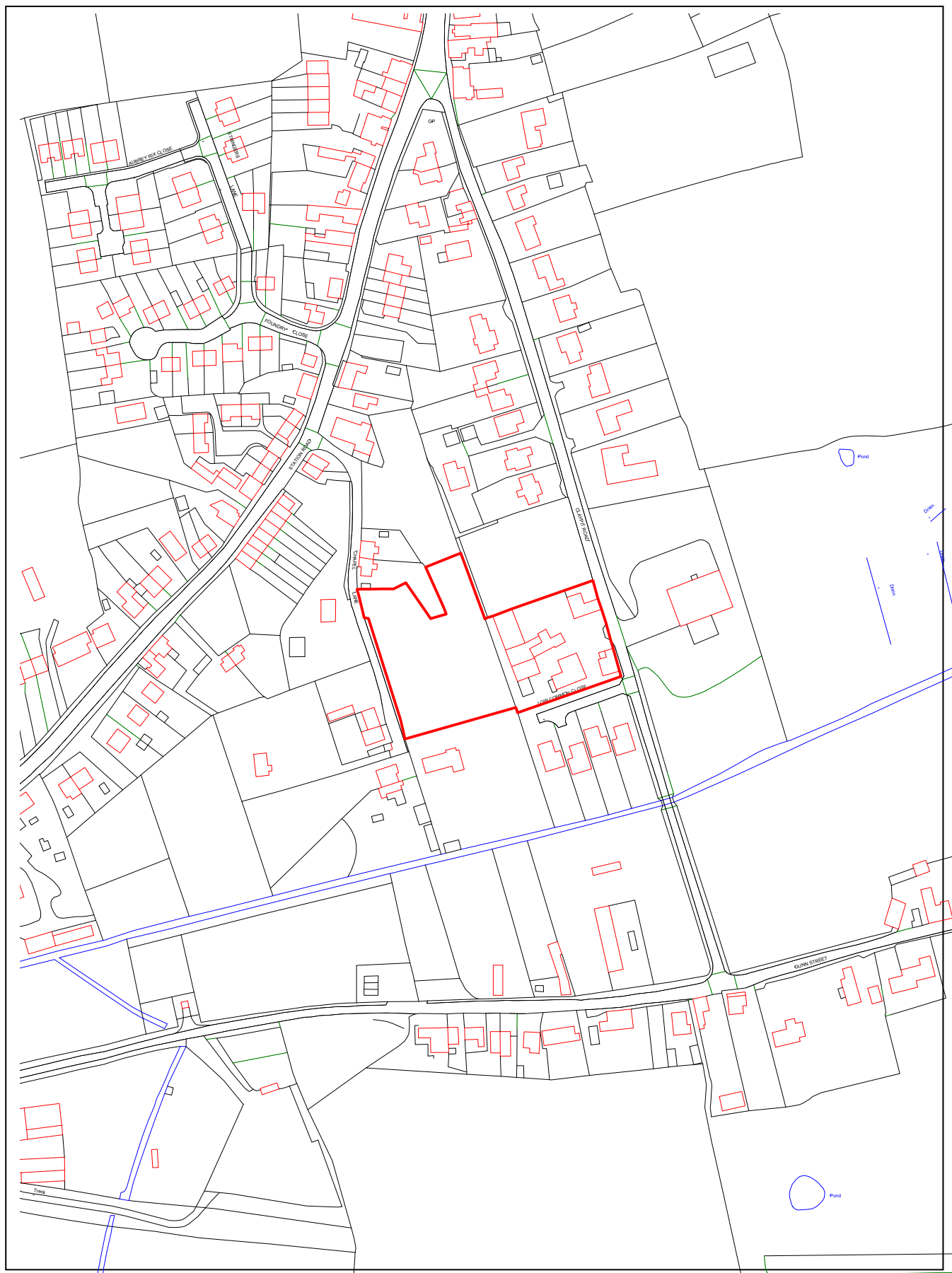
Informatives:

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

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

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

- (2) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (3) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (4) It is an offence to disturb, harm or kill breeding birds in the UK under the Wildlife and Countryside Act 1981. The removal of the vegetation should take place outside of the breeding season (March – September). In the event that this is not possible, the vegetation to be removed should be inspected by a suitably qualified ornithologist and if any nests are found a 10m exclusion zone should be established until such time as the nest has been fledged.
- (5) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (6) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (7) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.



Application No: 20170594

**Site of T H Blyth & Sons Builders' Yard & Land to
West Claypit Road, Foulsham, NR20 5RW**

**Scale:
1:2500**

**Date:
23-Jul-18**



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AREA West
PARISH Foulsham

2

APPLICATION NO: [20170594](#) **TG REF:** 603216 / 324449
LOCATION OF SITE Site of T H Blyth & Sons Builders' Yard and land to west of Claypit Road, Foulsham, NR20 5RW
DESCRIPTION OF DEVELOPMENT Demolition of Builders' Yard and erection of 11 no: dwellings with associated access (revised proposal)
APPLICANT MacKinnon Construction Ltd
AGENT Wheatman Planning Limited

Date Received: 4 April 2017
13 Week Expiry Date: 4 July 2017

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 application seeks full planning permission for the demolition of a builders' yard and the erection of 11 dwellings on a former builders' yard site and vacant land to the west within the settlement limits of Foulsham. The application also proposes new access points off Claypit Road as well as other associated works.
- 1.2 The proposal is for 1 x 2 bed semi-detached house with garage (Plot 6) to be offered as an affordable home as 75% shared equity. The proposed private housing mix is 1 x 2 bed semi-detached house, 1 x 3 bed detached house, 6 x 4 bed detached houses and 2 x 3 bed detached bungalows. The dwellings are proposed to be of a traditional brick and pantile construction.
- 1.3 The main vehicular access to the site is proposed from the existing access off Claypit Road. This access will be improved and will lead to a private drive with turning head. The two properties facing Claypit Road (Plots 1 and 11) will have their own separate access off Claypit Road. A black tarmac finish is proposed for the main estate road.

- 1.4 The plans show that brick and block paving is proposed for the private drives with the side and rear boundary treatments provided by a combination of 1.8m high close boarded fencing or brick walls. Planting areas are also proposed around the development which will include a combination of grass and new trees. No street lighting is proposed, which is in keeping with the character of the area.
- 1.5 This is a revised planning application as it follows a similar application ([20160639](#)) for 11 dwellings on this site which was withdrawn in June 2016.

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.
- The impact of the proposal on the character and appearance of the area.
- The impact of the proposal on neighbour amenity.
- Whether the development will have a detrimental impact with regards to flooding on or within close proximity to the site.
- The impact of the proposal on highway safety.
- Other matters.

3 CONSULTATIONS (in summarised form):

3.1 Foulsham Parish Council:

Foulsham Parish Council do not object to the application but have the following comments:

- The bus service is not frequent as suggested. Bus stop and proposed site use is in present tense but should be past tense, ie it is no longer a builders' yard or a motor maintenance yard and in the past was not incorporating both at the same time.
- Whilst I recognise the site is suitable for development, there needs to be proper consultation between residents and the developer.
- If highways assess the site and agree to the development, I have no objections.

- The site, as it stands, is a mess. I would therefore welcome the development. However, my biggest concern is the increased traffic development will generate along Claypit Road. With a new pavement in place the carriageway is now even narrower. Could we ask that the County Council consider a one way system to help alleviate the increased traffic? If this were agreed I have no objection.
- The bus only goes to Dereham on a Friday and pedestrian access on to Chapel Lane is very narrow with several vehicles using it.

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 asks that the following text be included within your notice should permission be granted:

Anglian Water has assets close to or crossing t this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets with 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 diversion works should normally be completed before development can commence.

Wastewater Treatment:

The foul drainage from this development is in the catchment of Foulsham Water Recycling Centre that will have available capacity for these flows.

Foul Sewage Network:

The sewerage system at present has available capacity for these flows. If the developer wishes to connect our sewerage network they should serve notice under Section 106 of the Water Industry Act. We will then advise them of the most suitable point of connection.

Surface Water Disposal:

From the details submitted to support the planning application the proposed methods of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of surface water management. The Local Planning Authority should

seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

Officer comment: The above text requested by Anglian Water to be added to the decision notice is proposed to be added as an informative should the application be approved.

3.3 Campaign to Protect Rural England (CPRE):

Whilst we applaud the intention to develop on a brownfield site, we are objecting to this proposal as it fails to provide affordable housing and has a high proportion of four bedroomed “executive type” houses which are urban in style and therefore out of keeping with the surrounding setting. This is particularly of concern as the application site abuts the Foulsham conservation area to the west and therefore, large two-story dwellings would have an adverse impact on that area and its buildings.

The Greater Norwich Joint Core Strategy (JCS) Policy 4 states that for development of 10-15 dwellings there should be a 30% target for affordable housing. We would strongly suggest there is a need, and therefore prevailing market conditions would support the requirement for affordable housing in this proposal. Therefore, the claims that the applicant makes in their Economic Viability Analysis regarding the non-viable nature of the development if affordable housing was included should be overridden.

Our objection would be withdrawn if conditions were imposed to insist on inclusion of affordable housing in the ratio suggested by JCS, as well as due consideration is given to the height, design and setting of proposed properties on the west of the development, to ensure they do not intrude on the setting of the conservation area.

3.4 Conservation Officer (Arboriculture & Landscape):

I have no objections to the proposals.

The site contains no significant trees and only one significant tree T1 Alder on the boundary; although as mentioned within the Tree Report the existing hedges are significant and have both landscape value in the form of screening and also ecology benefit in the habitat they provide. It is noted that the hedges will be retained which is welcomed.

To ensure the rooting areas of the existing hedgerows are not compromised through compaction or spillages of liquids or materials that would be toxic to the tree roots, the tree protection measure should include protection barriers on the edge of the Root Protection Areas (RPAs).

The tree planting locations are shown on the Proposed Site Layout Plan however additional details of the landscaping scheme will be required and should be conditioned.

3.5 Environmental Contracts Officer:

This looks like an accessible development and I just have a few comments with regard to access for waste collection. I would advise the developer makes a hard standing where the bin collection points are to make them obvious. They should be at a point nearest to the Highway unless absolutely necessary. Responsibility for any boundary features should be made clear to individual property owners on the development to prevent any future issues.

Further comments received regarding submission of revised plans:

No objections

3.6 Historic Environment Officer:

Verbal comments - raised concerns with regards to the design of the dwellings, in particular those to the west of the site.

Further comments received regarding submission of revised plans:

The amended layout which addresses both Claypit Road and Church Lane is welcomed. My concern is related to the design of the hipped roofs on Plots 4, 6, 7 and 8.

Plots 6 and 7 would benefit from being redesigned with gable side walls and a full width ridge. This would be better finished in pantiles. Rather than mirroring the houses, a matching pair with entrance doors apart would sit better in the street scene. I would also break up the frontages with slightly narrower sashes above the entrance doors.

The roof of Plot 8 would benefit from having its ridge raised and lengthened. The plane of the hipped roof visible from Chapel Lane would then be more visually attractive in the street scene. The ridge length and roof height of Plots 4 and 11 would benefit from similar amendment.

At present slate is proposed for the roofs of some plots and garages. I would prefer to see all the properties with pantile roofs with some variation in the colour between grey or black and red.

Please condition external materials including surfacing to private driveways and fencing / garden walls.

Further comments received regarding submission of revised plans:

No objections.

3.7 Housing Enabling Officer (Original submission):

As per the Joint Core Strategy (JCS) all new development will need to provide a mix of housing to provide balanced communities and meet the needs of an area. A key requirement is the provision of affordable housing to provide an appropriate tenure mix.

On a site of this size, the JCS Policy 4 requires the affordable housing requirement to be 30% of the site total which would be 3 units of affordable housing. However the applicants are not proposing any affordable homes (either ART or intermediate tenure) and have submitted an Economic Viability Analysis within the planning application.

Despite recent delivery of new, local needs, affordable units within the parish there is still a small local housing need for ART units. Across the district there are applicants who indicate Foulsham as one of their parishes of preference and who need to access all sizes of units for affordable rent (as general needs housing).

More particularly there has been no recent delivery of homes for affordable home ownership (as shared ownership / shared equity or Discounted Market sale). The previous phase at Stringers Lane did deliver a very small number of shared ownership units but this was in May 2008. Therefore it is advised that the applicant could consider delivering some of the affordable units as intermediate tenure – which could greatly improve site viability.

The applicant is proposing a good mix of units and it is suggested that the two smaller bedroom (4 person) house types would be suitable for ART or intermediate tenure as these size units are selling well across the district. Alternatively one of the bungalows could be considered for ART as there is always a high need within the housing list for high level access properties. This would therefore meet the needs of both elderly and disabled applicants on the housing list.

Therefore I would expect the applicant's Economic Viability Analysis will be fully investigated as part of the planning process. This is in order to demonstrate why the full policy requirement, or a reduced number of affordable units, cannot be delivered within this application.

3.8 National Grid:

No comment as we have no assets affecting the planning application boundary.

3.9 Norfolk County Council as Highway Authority:

As you will be aware in response to previous proposals on this site the Highway Authority have consistently raised concerns regarding the inadequate nature of Claypit Road. Whilst we accept the site has historically generated some level of traffic, we have previously raised concerns regarding a lack of pedestrian provision linking the site to local services and the narrow nature of Claypit road to accommodate additional traffic.

A new footway is currently being constructed along the east of Claypit Road, however over the majority of its length the carriageway remains short of the minimum width we would normally expect to serve residential development, this being 4.8m. From inspection of the site the existing width of Claypit Road generally varies between some 3.6m – 4.3m.

In support of the application the developer has submitted a Transport Statement within which it is suggested the development will not generate an increase in vehicle movements when compared to the site's former uses. This assumption relies on an analysis of TRICS data using figures derived from edge of town and neighbourhood centre locations and on page 3 the developer accepts that TRICS data is unlikely to accurately establish the trip generation associated with the former uses. They continue to say the TRICS figures are likely to be an underestimate compared to the actual vehicle figures associated with the site's former uses however no evidence is included to substantiate this.

It is the view of the Highway Authority that the sites included within the TRICS analysis are not representative of the village setting of the application site, such that they cannot be relied upon to offer a realistic representation of the vehicle generation figures of this site.

It is accepted the site has previously generated some degree of traffic and as such some level of redevelopment is therefore acceptable. However, given the substandard nature of Claypit Road it is our view redevelopment should be limited to a level that does not increase vehicle movements. In view of the comments above we place a holding objection on this application and recommend that further information be provided which provides a more accurate estimation of the former traffic figures.

In the meantime we offer the following technical comments regarding the layout as per drawing 6627-SL01-E:

- (1) Claypit Road should be widened to a minimum of 4.8m along the whole of the site's frontage.
- (2) A footway should be provided across the entire site frontage

- (3) The estate road can be significantly reduced in length, stopping at the turning head adjacent Plots 10 and 11. Plots 3-10 would then be served via a private drive. Otherwise, remove the turning head adjacent Plots 10 and 11.
- (4) If Plots 3-10 are served via a private drive a bin collection point will be required within 25m of the estate road.
- (5) Adjacent Plots 2 and 10 the alignment of the estate road should be straightened up.
- (6) The turning head adjacent Plots 4 and 8 falls short of size 3 dimensions.
- (7) Chapel Lane is narrow, with little verge and no footway. It is recommended the pedestrian link with Chapel Lane be removed.

Further comments received regarding submission of revised plans:

Whilst we remain concerned regarding additional development being accessed from Claypit Road, in light of the additional information, the fact this is a brownfield site and that Claypit Road now benefits from a continuous footway along its eastern side between the village and the site, on balance the Highway Authority can no longer substantiate a highway objection to this proposal.

Notwithstanding the above the current layout includes a fairly abrupt transition in road widths/alignment at the southern extremity of the site. Minor changes are required to the alignment along the site frontage in order to provide a smoother alignment / transition along Claypit Road.

Further comments received regarding submission of revised plans:

The revised plan is considered acceptable. Should your authority support the application we request the following conditions.

Officer comment: All eight of the suggested conditions to be appended to the decision notice as requested by Highway Authority.

3.10 Norfolk County Council as Lead Local Flood Authority:

The proposed drainage strategy is insufficient. This is a full planning application; hence, we would expect high levels of details. We object to this planning application in the absence of supporting information related to:

- The infiltration test results at depths and locations of drainage devices have not been provided. The applicant proposed to infiltrate via permeable paving, despite contamination risk on site – and a presence of material with low permeability – clay and man-made material at the location of trial pits on site.
- Modelling design plans of the entire infiltration system have not been submitted.
- The depth of the groundwater table is unclear at this stage and no investigation has been undertaken.
- The applicant has not provided plans showing the routes for the management of surface water flow routes in excess of 1 in 100 years plus 40% climate change return period.
- A maintenance plan identifying the required actions and responsible owners has not been submitted to ensure that all parties understand their responsibilities.

Further comments received regarding submission of further information:

We acknowledge that the applicant has submitted additional information to support the proposed drainage scheme. The applicant has provided an updated Flood Risk Assessment and Surface Water Drainage Strategy (Canham Consulting Ltd., ref. 209953, September 2017). However, the document did not reflect the findings from a Phase II Contamination Report; no treatment stages/ remedial actions were included.

We maintain our objection in the absence of supporting information.

Further comments received regarding submission of further information:

An updated Flood Risk Assessment (FRA) and Surface Water Drainage Strategy were submitted. The exceedance flow routing plans supplied by the applicant in the revised FRA highlight that in extreme events (greater than the 1% plus climate change) water will leave the site and flow through / past existing properties to reach the watercourse. The applicant advises that this is no different to the existing situation as topographic levels are being altered at this location. The applicant is under no obligation to improve on any existing flood risk, and has provided betterment for these properties in rainfall events up to and including the 1% plus climate change through the provision of attenuation storage, but we would like to highlight this matter to the LPA for consideration.

We have no objection subject to conditions being attached to any consent if this application is approved.

Officer comment: Suggested condition relating to surface water drainage scheme to be appended to the decision notice as requested by the LLFA.

3.11 Norfolk Rivers Internal Drainage Board:

The unnamed watercourse referred to in the report is a main drain, operated and maintained by the Norfolk Rivers Internal Drainage Board (IDB). It appears that this development may result in the discharge of surface water run-off (directly or indirectly) into the district of the Norfolk Rivers IDB.

Any proposed flows which enter the Board's district will need to be assessed by the Board's Engineer. If the development will increase the rate and / or volume of water being discharged (compared to the status quo), an application may need to be made to the Board seeking consent under the terms of its Byelaw 3.

Following receipt of appropriate details regarding the development proposals – which will normally include a full design and calculations for the surface water systems, confirmation regarding their adoption and future maintenance, along with evidence of any third-party approvals that may be needed – the plans will be assessed by the Board's Engineer.

If it is considered that a proposed increase in flows can be safely and adequately dealt with by the receiving waterbody and wider drainage network, then consent may be issued (although consent is not guaranteed to be given). Any permission granted by the Board would be subject to conditions, usually including entry into a legal agreement and the payment of a Surface Water Development Contribution to the Board.

Further comments received regarding submission of further information:

We do not object to the development in light of the LLFA's involvement with the application.

However please continue to be aware that as per my previous response, the ability to implement a planning permission may be dependent on the granting of land drainage consent from Norfolk Rivers Internal Drainage Board. As such it is often our advice that any required consents are sought prior to determination of the planning application when they are fundamental to the site's ability to drain.

To clarify, while not objecting to the development, there is no guarantee that the Board will approve the required consents.

3.12 Pollution Control Officer:

I feel that a suitable condition needs to be added to require further detailed investigation of the site.

3.13 Ramblers (Norfolk Area) (original submission):

Although no existing rights of way are included in this application site, I feel compelled to write in the support of the pedestrian connection across the site from Chapel Lane to Claypit Road.

I am surprised there is no mention that the buildings would have solar panels as part of the construction in an application for 11 dwellings that have a large proportion of houses and garages with southern aspect roofs. Adding solar panels during construction must surely be cheaper and easier than adding them later.

3.14 Section 106 Monitoring Officer:

I assume there will be a legal agreement. There is a need for more play space, recreational open space and informal open space in Foulsham so we should be looking for off-site contributions as part of this deal.

4 PUBLICITY

4.1 Site Notice:

Expiry date: 23 May 2017

4.2 Neighbour Notification:

Expiry date: 13 May 2017

4.3 Press Notice:

Expiry date: 23 May 2017

5 REPRESENTATIONS (in summarised form):

- 5.1 Twenty neighbouring residential properties on Chapel Lane, Claypit Road and Common Close consulted. Thirteen representations have been received. 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 Letter received addressed from residents of Chapel Lane:

In the opinion of the residents of Chapel Lane the development of the site as proposed will have a detrimental effect on the existing area and parish as follows:

- Increase risk of flooding in Chapel Lane from site water run off
- Highway safety with increase of vehicular movements on Claypit Road.
- Design of buildings totally out of character with the area
- Density and layout of development out of character with the area
- Increase in crime due to proposed pedestrian access
- Loss of privacy for existing residents

5.3 Chestnut Cottage, 2 Chapel Lane, Foulsham:

I wish to raise my strong concerns and objections with regard to the proposed development. The development will have a serious impact on my own well-being and standard of living. Our specific objections are as follows:

Design:

The design does not respect the local character of existing properties and the street pattern. In particular the scale and proportion of surrounding buildings is not respected and would be entirely out of character for area and a detriment of the local environment. I have issues with cramming at the northern end of the site with the amount of dwellings proposed.

I feel the development is self-contained, visually looking dominant and out of character for the area. The proposed plans do not provide at least 4 hectares of open space needed for five or more dwellings and the proposal does also not adhere to the Foulsham conservation plan that states 'planning should contribute to conserving and enhancing the natural environment and reducing pollution.'

Loss of privacy and overlooking:

The proposed development and in particular the sites of the semi-detached dwellings (6 and 7) and detached house 8 and 9 are at such an angle that the whole amenity of our area would be overlooked and undoubtedly suffer noise pollution. I could potentially have four gardens immediately wrapped around the whole of my garden, private driveway and car parking as well as the side and back of my property. I wish to raise objection on the grounds of the site

proposals overshadowing my property and creating a loss of light to my property. My property windows are small and low and therefore I feel light reduction would be unavoidable if the proposals are accepted.

My property is a semi-detached cottage marked in the District Council's conservation plan for the village as being of 'sufficient interest'. The new dwellings would overlook not just the whole of my garden but also the rear windows of my property which include a bedroom, bathroom, dining room and kitchen and also the side windows of my property which includes another bedroom and cloakroom. I am concerned I will feel suffocated by the dwellings and completely dominated by them as the site in question is on land that is higher than my home and other properties. I am very concerned about the invasion of privacy.

I also wish to raise concerns relating to the risk of damage to our home and property due to the close proximity of these dwellings and their gardens. The development would feel intrusive and overbearing.

The development will result in overwhelming noise, disturbance and nuisance which will be to the detriment of our residential amenity. The proposals by reason of their size, siting and design would represent an un-neighbourly form of development, detrimental to the amenities of the occupiers adjoining residential properties, particularly by reason of the overbearing effect.

Flood zone and site contamination:

I and others are very concerned about the risks of flooding and the proposed development increasing these risks. Chapel Lane has suffered severe flooding in the past and most recently in 2015. I object to the development being proposed on a flood zone.

The site has been confirmed to be contaminated. The findings say this land is not suitable for residential gardens. I am very concerned about the risk of further pollution if the land is disturbed in any way. What steps will developers take to reduce these risks?

Wildlife and loss of green space:

The loss of greenspace would have an adverse effect on wildlife that currently uses this site. We have an abundance of wildlife that enters our garden from the site. As a member of Foulsham I feel we have a lack of green space in the village. I urge the council to please take this into consideration when making their decision.

Accessibility and safety:

The plans indicate the building of a pedestrian access linking the new development to Chapel Lane. I and other residents of Chapel Lane feel very strongly that we do not want this. Chapel Lane is extremely narrow with visibility problems. The lane is only wide enough for one vehicle, with lorries / vans etc needing to reverse down. The sharp corner at the top of the lane is very precarious and pedestrians have to be extremely careful if vehicles are entering and exiting. I also raise issues with access onto Claypit Road. The new Frost Village Hall is immediately opposite and is used regularly, generating vehicle traffic onto a narrow road.

In conclusion I would like to request that, should this application be approved, that the council consider to enforce controlled hours of operation and other restrictions that might make the duration of the works more bearable.

5.4 4 Chapel Lane, Foulsham:

We wish to object to the plans proposed. We are concerned with the flood risk the development poses to our homes. Our home has been flooded on numerous occasions and the Lane itself is at high risk of flash flooding as registered by the Environment Agency. The development, as proposed, will only serve to heighten the already high risk that Chapel Lane is at. We struggle to accept the view of the Evans Rivers & Coastal report as no consideration has been given to actual and recent events which are all documented.

We are also concerned at the proposed pedestrian access to our Lane. We cannot understand how or why this was considered to be of any use to residents of Chapel Lane or any potential habitants of the proposed development. The Council has installed a new footpath on Claypit Road to ensure the safety of pedestrians. It makes no sense to then allow pedestrian access to our lane, a single track with no pathways or room to install one. The increase foot traffic to Chapel Lane poses a significant risk to pedestrians. The lane is also poorly maintained, and has a blind bend. The proposed route would exit the development shielded by large fencing not visible to drivers or pedestrians.

We also take issue with the change in the planned development as it previously indicated that two dwellings would be directly in front of our home, facing into the new development, with their gardens backing onto the lane. We note now that these same homes will be facing directly onto the lane and front facing directly into our home. The design of the dwellings is distinctly out of character for the village and indeed location. These new homes will be surrounded predominantly by bungalows and cottages.

5.5 Coldharbour, Chapel Lane, Foulsham:

We are writing to lodge objections against the proposed development site which is adjacent to our property.

The development of 11 properties include 2 bungalows – Plots 1 and 2 – the planning statement states: “where the site immediately adjoins Low Common Close immediately to the south, two bungalows are proposed to reduce the impact on the existing bungalows”. Coldharbour is a bungalow, yet has two proposed houses to the front of it. Why has it not been given the same consideration, especially as the development is in fact closer to it than the bungalows are in Low Common Close?

The proposed positioning of Plot 3 is at such an angle that the primary amenity area of our garden and conservatory would be severely overlooked. The rear of this plot and in particular a first floor bedroom window, faces our property. The plans state this house has been positioned back so as to reduce the impact of overlooking (approx 15 metres from the boundary!), and the erection of a 1.8m fence by the constructors will do nothing to reduce the impact of being overlooked.

The front of Coldharbour Bungalow will face directly onto Plot 5, and therefore loses all views from any windows at the front. A side bedroom window is positioned directly to overlook the main bedroom window of our property, and our outlook, currently of open field, will be that of a brick wall.

The garage to Plot 5 has been repositioned from the original plan and now stands separately from the house, and is now in direct line with the kitchen window of Coldharbour, only 10m away as it has been positioned right on the boundary.

It has been suggested that a 1.8m fence will be erected along the boundary of the site and Coldharbour. What is in place for the maintenance of this fence once construction has been completed, as the fence appears to be on the Coldharbour side, with shrubs on the development side?

Coldharbour currently enjoys open field views to the front, which we consider to be a beautiful, tranquil wildlife haven, albeit a wilderness. The combination of these two plots amount to the entire frontage of our bungalow being reduced to a view of brick walls from house then garage of Plot 5. Then by being overlooked to the side of our property and almost the entire garden by Plot 3. A total loss of view; no privacy; being overlooked by two properties which are totally out of character and, would have a dominating and significant detrimental impact on our family and our right to a quiet peaceful enjoyment of our property.

The development is totally out of character of the area. In no way are the dwellings of similar design. There are buildings right to the boundary in order to maximise numbers of dwellings, and it is a high density development in a low density area. The development does not respect local context, scale or proportion of the surrounding buildings nor the area. But rather it would have an extremely detrimental impact by being dominating / overbearing to the residents. The feeling and sense of space and character of Chapel Lane would be lost.

There is an increased risk of flooding from surface water / flash flooding which will undoubtedly come from the development into Chapel Lane. Already classified as high risk.

The proposal would demonstrably harm the amenities enjoyed by local residents ie views of / and valuable open green space, privacy and the right to enjoy and quiet and safe residential environment. The character, sense of space and tranquillity which in part makes Chapel Lane what it is, would be lost, replaced with a feeling of enclosure and an overbearing development, with some of the dwellings just metres away from roadside and already on a higher plain. The proposed pedestrian access onto Chapel Lane is a high accident risk (single track lane) and does nothing to “design out crime”, but opens up potential crime to residents by giving direct open access from Claypit Road to Chapel Lane at all times of day and night.

The potential increase in air and noise pollution, with up to 38 vehicles allotted. Besides noise pollution from the properties themselves, in what is a very quiet, peaceful area. Neither will ‘enhance’ the environment.

5.6 432 Long Chaulden, Hemel Hempstead, Hertfordshire:

The development is not in keeping with the existing properties in Chapel Lane, and will have a considerable impact on the residential amenity of Chapel Lane residents. The visual impact and effect on the character of the neighbourhood will change considerably, the houses planned that are adjacent to Chapel Lane are out-of-scale and out of character in terms of their appearance, density, size and height and will be overbearing to the existing properties. The properties do not respect local context and the pattern of the properties in Chapel Lane. The over development of the site and allocation of the road and drives adjacent to Chapel Lane will have an impact on the noise and disturbance to its residents.

The risk of flooding in Chapel Lane will be increased as the site is slightly higher than the lane, especially as the plans are for a road and hard standing surfaces being adjacent. The lane has suffered in the past from flooding because of the downward slope from Station Road and is registered as High risk of surface / flash flooding by the Environment Agency. Any redirection of

surface water from the whole site will affect the flow into the beck and the risk of flooding to the surrounding properties and land.

With regards to the proposed pedestrian access, Chapel Lane is a narrow lane with no footpaths and a narrow bend at the top which would not be suitable to suggest as access to the village by pedestrians. This would open up Chapel Lane as a thoroughfare for any persons, regardless of their intentions, increasing the possibility of more crime for Chapel Lane and changing the character of the lane. It does nothing to “design out crime” for the planned houses and existing houses in Chapel Lane, but opening both areas to more escape routes. Contrary to both council and government planning.

The open area of the site, which was formerly agricultural land, is overlooked directly by 6 of these properties and provides a sense of space, openness and wildness which is enjoyed by all. It sits approximately 500mm higher than the lane itself. Barn owls, birds of prey and a host of other wildlife can frequently be observed there.

No open space provision or access to green space has been allowed in the plans with little frontage to the properties and as the site is of mainly family homes, I consider the area around the pedestrian way will become a play area for children causing disturbance to adjacent residents.

The applicant seems to have, in the most part, overlooked to take into account the residents of Chapel Lane, maybe due to the small amount of residents, thinking we have no rights to green space, privacy and the right to enjoy a quiet and safe residential environment.

Plot 5 is a concern to us as it will overlook our property (Coldharbour). It would appear to be directly opposite the windows on our property thus changing our outlook to that of a brick wall, giving us a total loss of a view and having a visual impact on our property. A side bedroom window is positioned directly overlooking the main bedroom window of our property, giving a loss of privacy. The garages of this property are set back and will be directly adjacent to our garden and home. The parking allocation of 4 cars will allow noise and cause disturbance at all times of the day and night. The drive, house and garages will all be adjacent to our property which are totally out of character and would have a dominating impact on us and our right to a quiet peaceful enjoyment of our property. This will be a considerable invasion of privacy.

Plot 3 will directly overlook our garden, with windows to the first floor which will lead to a considerable invasion of privacy and will certainly impact on the peaceful enjoyment of our home and garden. (Human Rights Act, in particular Protocol 1, Article 1).

The proposed site of this plot is at such an angle that a primary amenity area of our garden would be severely overlooked from the top floor, regardless of how many windows in the new house and it does not afford adequate privacy for the occupants of our property that has been afforded to the bungalows in Lower Common Close. We believe that the proposed site of this house would have a dominating impact on us and our right to the quiet enjoyment of our property. It is noted that 'where the site immediately adjoins Low Common Close immediately to the south, two bungalows are proposed to reduce the impact on the existing bungalows'. There has been no such consideration for our property and the other properties in Chapel Lane.

We are also concerned regarding the level of hedges or fencing that will be erected around Plots 3 & 5 restricting views from our bungalow.

The combination of Plots 5 and 3 will extend the entire frontage of our bungalow and land, which currently enjoys an open field outlook. The plans will have an extremely detrimental effect on our property due to the visual impact of the development, effect on the character of the neighbourhood, noise and disturbance, being overlooked, loss of privacy and our right to the quiet enjoyment of our property. The adverse impact which the proposed development will have on the residential amenity of our property and the overbearing height of the fences and walls will give a fenced in feeling instead of the open aspect we now enjoy.

5.7 Green Man Cottage, Chapel Lane, Foulsham:

I and the other residents of this lane which backs on to the proposed development have serious reservations about the proposed development.

Access:

I understand that the first application by MacKinnon Construction was turned down because the construction of high density four bedroom family houses would lead to excessive traffic in Claypit Road. The Transport Technical Report is highly misleading. It attempts to answer the objections by saying that there will in fact be less traffic when the site is used for residential houses than when it was used as an industrial site. In support of this it produces a series of theoretical statistics and a photograph. I have lived in the village for four years now and the site has been locked up with virtually no activity or lorries going in and out. The logical conclusion is that Claypit Road will have much more traffic down it than before. The road has also been narrowed by the construction of a pavement down one side. Although a pedestrian access to Chapel Lane would create a convenient short cut to the Village Hall we, the residents, are worried at the prospect of extra pedestrians on Chapel Lane. The lane is narrow with no proper passing places and a lethal turn at the top where it joins the high street. Walking and driving up and down is hazardous at the best of times. We are also worried about security.

Type and density of proposed houses:

The area is one of low density housing with large gardens. Along Claypit Road there are spacious bungalows. Chapel Lane has a mixture of cottages and new builds. To cram family houses on tiny plots into the available space will completely change the character of the area. There will be a great deal more noise, first when the houses are being built and then when they are occupied. I live at the very bottom of the lane but the residents higher up and opposite to me will not even be able to look out on to gardens but a wall with a road behind it. The current derelict sheds and warehouses are an eyesore and the site would benefit from redevelopment but this needs to be sensitive to the character of the area. Fewer houses, or better still bungalows, with larger gardens would solve both the problem of access and the problem of drainage and flooding.

Flood risk assessment and surface water drainage / SUDS strategy:

The developers seem to be mainly concerned with proving that the new development won't flood and fail to take account of the effect of the development on other houses in the vicinity. As far as I can make out, to protect the site they suggest permeable paving around the new houses and raised foundations. They do not take into account the following: the field, which will disappear when the new houses are built, is higher than Chapel Lane and at present absorbs a lot of water.

When the new houses are built, not only will the field disappear but the amount of water used by the new occupants will increase drainage problems. The increased water will have to go somewhere – and presumably a lot of it will end up further down the road in the unnamed watercourse which is in fact known locally as The Beck. My garden runs alongside the Beck so I happen to know quite a bit about its behaviour. Normally it is only a few inches high and runs along the bottom of a deep culvert. However, when there is torrential rain, water comes rushing in from the fields by the Reephams Road, the stream reaches the top of the banks, trickles over at the very bottom of the garden. In 2015 the drain was blocked and a river of water came running down the lane and through my garden. It missed my house and sheds but flooded my neighbour's garage. The proposed development will lie at the bottom of the village on the edge of a flood plain and its effect on the surrounding areas should be taken very seriously.

5.8 Beech House, Chapel Lane, Foulsham:

I would be grateful if you will consider my objections to the proposed development. The submission of this proposal has not taken into account the detrimental effect it will have on the residents of Chapel Lane. With the site 500mm above the level of Chapel Lane, the proposed development will only add to the existing problems of flooding with high levels of surface water

running directly into the Lane from the site. Chapel Lane is already in a high risk area for flooding (Environment Agency). The fact the developer has been advised to raise the floor levels of dwellings by 300mm and use permeable materials throughout only serves to prove my point.

I further object to the architectural design of the development. To expect local residents to accept the 'Georgian' type houses are in character with other dwellings in the vicinity is an insult to the intelligence of the local community. I strongly oppose the erection of two storey buildings on a plot of land totally surrounded by bungalows and cottages. Chapel Lane dwellings are typically low density with large gardens whilst the new development is high density with small gardens. The reason for this high density housing is painfully obvious and is bordering on 'cramming'. The postage stamp size gardens in the new development are not in line with Broadland District Council recommendations for small developments.

The front windows to Plot 6 and 7 directly overlook Beech House rendering privacy non-existent. There is also a question of satisfactory distance from the frontages of both properties. It is stated in the planning, design and access statement the proposed pedestrian way has been proposed to 'design out crime'. I cannot agree with this statement as Chapel Lane is at present a no through lane. By installing a pedestrian access you open up a walk through from Claypit Road which will only encourage crime. This must be obvious to all concerned. There would also be a considerable danger to pedestrians exiting the walkway from vehicular movements. The increase in vehicular movements in Claypit Road would have an extremely detrimental effect on the residents and the village. The proposed additional 38 vehicles is surely not acceptable in a small village with single track roads.

5.9 Beech House, Chapel Lane, Foulsham (comments received from different resident than comments reported in paragraph 5.8):

My objections are relevant to the whole development as per the submitted proposals. The site is approximately 500mm above the level of Chapel Lane and is subject to a high water table. During recent years, surface water has run off the site flooding Chapel Lane and causing damage to property. As the development states the floor levels in each dwelling should be 300mm above the site level and all paving should be permeable, it would appear that flooding is a major issue. Furthermore, the Environment Agency consider Chapel Lane to be at a high risk from flash flooding or surface water.

A further objection to the development is the two storey dwellings proposed are to be 'Georgian' in appearance, although to construct a modern dwelling and put a 'Georgian' style door and porch on the front does not exactly meet the criteria. It is my contention the proposed development is totally out of character with the existing dwellings in Chapel Lane, especially when they are nearly all bungalows. The nearest house is some 300m distant. The development is also out of character with the dwellings in Chapel Lane and

the remainder of the village. Chapel Lane dwellings are typically low density with large gardens whilst the new development can only be classed as high density with small gardens. I would question why the design of Plot 6 and 7 has both lounge and bedroom windows directly overlooking Beech House and in such close proximity. The distance from the front of Block 'F' to the boundary of Beech House is minimal; in fact it is closer to a directly opposite facing dwelling than anywhere else in Foulsham. This problem needs to be addressed to avoid further unnecessary action being taken.

The proposed pedestrian way from the new development into Chapel Lane is both dangerous and will encourage crime. At present Chapel Lane is a no through road to both traffic and pedestrians. The danger to the public is in exiting the pedestrian way onto a narrow single track lane with no footpath and a 1.8m high fence at each side of the exit. Having discussed the proposal with two local police officers, I would confirm their agreement to the pedestrian way encouraging crime.

5.10 Jasmine Cottage, Chapel Lane, Foulsham:

My objections to the current proposals are thus:

- The site is a part of rural Foulsham, on the boundary of the village, beyond which is open countryside. There is a distinct feel of peace and tranquillity in Chapel Lane which the proposal, if adopted, would change, alongside the loss of privacy and the loss of view for Jasmine Cottage.
- The increase of residents in a development of this size would ensure a significant increase in noise pollution.
- Knowing the narrowness of Chapel Lane, and its serpentine shape at the top of the road, makes me fear greatly that an increase in pedestrians and cyclists (plans for a pedestrian access to Chapel Lane) would prove a definite highway hazard. The lane is too narrow for a footpath, and it is not only residents who use their cars along this lane, but a good number of service vehicles.
- The current proposal of a high fence along the road will mar the lovely country lane and a cyclist or pedestrian shooting out from this concealment into the path of traffic is a concern.
- The submitted plans appear to be completely out of character for this part of the village and the density of dwellings in the space available must ensure that there are very few green areas left on the site. Currently, Chapel Lane is an enviable snapshot of a quiet village life which I have no doubt would be altered if the plans are adopted.

- Although I am no drainage expert, I fear that development of the proposed site, which is of a higher altitude than Chapel Lane, will remove the soakaway benefits of the field and might increase our vulnerability to flooding.

5.11 Jasmine Cottage, Chapel Lane, Foulsham (Comments received from different resident than comments reported in paragraph 5.10):

I wish to register my objections. The proposed development of this field alongside Chapel Lane will completely change the nature of this unspoilt and quiet location in Foulsham. We live on the edge of this lovely village, and a stone's throw from open countryside. A development of these proportions will mean increased noise pollution; a view of a densely developed site, and the prospect of being overlooked with an obvious infringement on the privacy we have enjoyed. The buildings appear to be totally out of character with the present range of dwellings on Chapel Lane and the cramming of eleven houses on the site leaves little room to match the surrounding space which current residents have. It seems to me that the thoughts of the developers have been fixed on maximising profit, with no thought devoted to surrounding residents and maintaining their quality of life. A high fence alongside Chapel Lane will make the lane ugly and, if the current proposals are passed, will prove a hazard to pedestrians and cyclists, particularly children, emerging onto a road which is little more than a car width in places. Increased use of the lane is a real danger to people who are not in motorised transport. I also feel that a footpath leading from the development to the lane will make us more susceptible to crime because of increased access to Chapel Lane which is a cul de sac. Finally I fear that the proposed development will increase the risk of flooding to Jasmine Cottage and the lower parts of Chapel Lane. There has been a near miss recently due to drain blockages and increased run off from dwellings and hard standing must make us more susceptible.

5.12 Chapel Lane, Foulsham (Full address unknown):

I write to object to the application. My concerns are the surface water from the development as Chapel Lane has already been flooded, flooding houses and gardens. Also to the link into Chapel Lane as I fear children will come to play in the lane, which is very narrow and I fear for their safety. Then there is being overlooked and the de-valuation of our property.

5.13 Pearome, Chapel Lane, Foulsham:

I moved into Chapel Lane in August 2016 and was aware of the likelihood of building on this site. However, I was not expecting there to be so many houses. The dwellings along Claypit Road are all bungalows, so I find it hard to see how the proposed houses are going to blend in. Surely building bungalows on this site would be the right thing to do. On seeing the proposed layout of the new dwellings, it is also very apparent that the privacy now

enjoyed by most of the residents of Chapel Lane, would be reduced enormously. The proposed houses are too close to the houses on Chapel Lane. It is as though no consideration for the residents of Chapel Lane has been made. Of course they will be new dwellings on this site but please can they be in keeping with the surrounding area and with genuine consideration for the residents on both Claypit Road and Chapel Lane.

Chapel Lane is a nice quiet lane and one of the best things about it for the residents is that people only need to go down there if they live there or are visiting a resident. Putting in a footpath from the proposed site opening onto Chapel Lane is going to result in Chapel Lane becoming a cut-through for not only the new residents. Chapel Lane is a narrow lane with a dangerous blind bend at the top and no pavement. The residents are more than aware of this, but having more pedestrians down the lane would only add to the risk of accidents. There is also no doubt that the lane will end up being a route used by dog-walkers, more than likely resulting in dog mess down the lane.

5.14 Sheerwater, 18 Claypit Road, Foulsham:

We feel that 11 bungalows would be more in keeping with the area without affecting the skyline.

5.15 Councillor Greg Peck (original submission):

I object to this application on the grounds that it is not in line with Council policy regarding delivery of affordable housing.

I understand that after confirmation of the Viability Study that you are currently carrying out, should this application proceed without affordable housing then the application will automatically go to the Planning Committee.

There is a concern about the constant flooding of Chapel Lane. I would hope that we will conduct our own assessment of the potential flood risk, especially in the light of past flooding of Chapel Lane. There is inadequate drainage there now and the field which will form part of the development on the Chapel Lane side of the site is currently acting as a run-off area.

I have myself been involved with Highways, regarding action to mitigate the flooding of Chapel Lane and the backing up of water into the High Street, which has involved damage to a property on three separate occasions.

In addition I also have concerns about the design, layout and density of the proposed development. The high density of the proposed dwellings should be considered, with a view to them being reduced. Properties in the plan seem disproportionate in size compared to the surrounding properties, some of

which are in a conservation area. Many properties look straight into existing properties adjacent to the site.

In view of this and the aforementioned flood risk, would it not be sensible to reduce the number of properties on the site (say to around 8) and reposition properties to avoid them looking straight into surrounding properties.

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, 11, 14, 17, 49, 50, 55, 56, 60, 100, 103, 109, 118, 120, 121, 186, 187, 203, 204, 205 and 206 are particularly relevant to the determination of this application.

National Planning Practice Guidance 2014:

- 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 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 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

Of relevance to this application, states that on sites for 10-15 dwellings, the target proportion of affordable housing to be provided will be 30% with tenure to be agreed on a site by site basis (numbers rounded, upwards from 0.5).

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. It states that Service Villages are defined based on having good level of services/facilities.

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 and, in particular, consider any impact upon as well as seek to protect and enhance where appropriate (amongst other things) Conservation Areas.

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 E2: Retention of employment sites

Within settlement limits, sites which are in employment use or were last used for employment will be retained in employment use unless the proposed new use will not result in any detrimental impact and:

- i) It has been demonstrated that continued employment use is not viable; or
- ii) There is a significant environmental or community gain from redevelopment and/or change of use which outweighs the employment benefits.

6.17 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.

6.18 Policy TS3: Highway safety

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

6.19 Policy TS4: Parking guidelines

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

6.20 Policy CSU5: Surface water drainage

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.

Planning (Listed Buildings and Conservation Areas) Act 1990:

6.21 Section 72(1):

Section 72(1) places a general duty on planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Broadland Landscape Character Assessment SPD 2013:

- 6.22 The application site falls within the Foulsham and Reepham Plateau Farmland Landscape Character area.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site has a total area of approximately 0.61 hectares and comprises a former builders' yard and an area of open land to the west (rear) of this yard. The former builders' yard is of a square shape whilst the area of open land, which it adjoins, is of a rectangular shape aside from a 'U' shaped parcel of land to the north which is part of the residential curtilage associated with no: 2 Chapel Lane.
- 7.2 The north west part of the application site is outside but adjacent to the Foulsham Conservation Area. The Conservation Area is to the north of the open land part of the application site and extends around No.2 Chapel Lane to the north. The boundary for the Conservation Area then extends slightly

further down Chapel Lane so it also includes Beech House to the west of the site.

- 7.3 The site is boarded by Claypit Road to the east, where there is an existing access to the former builders' yard and Chapel Lane to the west. On the opposite side of Claypit Road to the east there is a newly built village hall. On the opposite side of Chapel Lane to the west there is a detached house (Beech House) and a number of semi-detached two storey cottages. To the north of the builders' yard is an area of open space with detached bungalows further north. To the north of the area of open land there are allotment gardens and the amenity area associated with no: 2 Chapel Lane. To the south of the builders' yard part of the site is a development of four detached bungalows off Low Common Close, whilst to the south of the open land is a detached bungalow (Coldharbour).
- 7.4 There are approximately eight redundant buildings on the former builders' yard site which are in the main constructed of brick, block and corrugated metal sheeting. The open land to the west is devoid of any significant landscaping or trees apart from on the boundaries where there are some established trees and various hedging towards the north of the open area of land as well as 2m high close boarded fencing on part the boundary with no: 2 Chapel Lane. To the north of the builders' yard part of the site there is 2.5m high post and wire fencing which continues to form the eastern boundary. There is 1.8m high close boarded fencing to the south of the builders' yard and then a combination of approximately 1.5m high picket fencing and close boarded fencing. To the west of the site there is approximately 1.2m high post and rail fencing and hedging.
- 7.5 There is a slight slope in levels on the site down towards the south west of the site.

8 PLANNING HISTORY

- 8.1 [770447](#): Retention of storage building – Builders Yard. Approved 19 April 1977.
- 8.2 [793045](#): Remove existing buildings and build new general store – Builders Yard. Approved 2 January 1980.
- 8.3 [880119](#): Residential development (outline) – Chapel Lane / Claypit Road. Approved 29 March 1988.
- 8.4 [910429](#): Renewal of P/P 880119 (residential development) – Chapel Lane / Claypit Road. Approved 10 May 1991.

- 8.5 [960555](#): (1) Demolition of existing buildings (2) Erection of 12 dwellings (outline) – Builders Yard, Claypit Road. Approved 18 September 1996.
- 8.6 [20160639](#): Demolition of Builders' Yard and erection of 11 no: dwellings with associated access – site of Blyth & Sons Builders' Yard and Land west of Claypit Road. Withdrawn 28 June 2016.

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 the general character of the area, neighbour amenity, flooding on or within close proximity of the site and highway safety.

Assessment of the proposal against the relevant policies of the Development Plan:

- 9.2 Policy GC2 of the Development Management DPD states that new development will be accommodated within the settlement limits defined on the policies map. The site is located within the settlement limit of Foulsham and therefore the proposal for residential development on this site complies with Policy GC2 and is acceptable in principle.
- 9.3 As set out in Section 8 of this report, outline planning permission was previously granted on the open land part of the site in 1988 which was then renewed in 1991. Outline planning permission was also previously granted on the builder's yard part of the site for 12 dwellings in 1997. Given that the application site is within the defined settlement limits, is partially on a brownfield site and given the planning history of the site it is considered to be a suitable location for residential development.
- 9.4 Policy E2 of the Development Management DPD (DM DPD) states that within the settlement limits, sites which are in employment use or were last used for employment will be retained in employment use unless the proposed new use will not result in any detrimental impact and:
- i. It has been demonstrated that continued employment use is not viable; or
 - ii. There is a significant environmental or community gain from redevelopment and / or change of use which outweighs the employment benefits.

- 9.5 A Viability Report has been submitted with the application which sets out that some of the buildings are beyond economic repair and although some could, theoretically, be upgraded and refurbished, they would provide sub-standard working facilities for current businesses. The report also states that at the time of submission the site had been on the market for over 3 years and that there had been limited interest from new businesses to relocate to the site. It also concludes that there are modern purpose built premises in the village which have been available for a number of years and there has been no interest in these. As is later explained in this report, it is also considered that the proposal will not result in any significant detrimental impact and overall the proposal is considered to accord with Policy E2 of the DM DPD.
- 9.6 Policy 4 of the Joint Core Strategy (JCS) requires that for sites of 10-15 dwellings 30% of the site total should be provided for affordable housing. On the application site this would equate to 3 dwellings being provided for affordable housing. The applicant originally proposed that no affordable units would be provided on the site and an Economic Viability Analysis Report has been submitted to justify this lack of provision. The applicant's Economic Viability Analysis Report has been reviewed on behalf of the Council by an independent consultant who has confirmed that the methodology of the appraisal is sound and that in overall terms they consider it to be a fair assessment of the viability of the development. During the course of the application and following the review by the independent consultant negotiations have taken place with the applicant's agent and it has been agreed that rather than no affordable housing being provided a single unit comprising of one 2 bed house offered as a 75% Shared Equity unit will be provided. By enabling a development with a lower percentage of affordable housing the scheme would be viable and would allow the site to be developed. Both the Economic Viability Analysis Report and the assessment report by an independent consultant are attached for Members only as they contain exempt information
- 9.7 Policy 4 of the JCS allows for a reduction in affordable housing where it can be demonstrated that site characteristics together with the requirement of affordable housing would render the site unviable in prevailing market conditions. Given that the applicants have justified the level of affordable housing through an Economic Viability Analysis Report it is considered that the proposal, whilst providing less than the required 30% of affordable housing, is acceptable.
- 9.8 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. Policy EN3 also states that development consisting of five dwelling or more will be expected to provide towards green infrastructure. The development will be required to pay contributions towards both open and green infrastructure and this will be secured by a Section 106 agreement for the commuted sum.

Impact upon character of the area:

- 9.9 A number of neighbouring residents have raised concerns that the proposed development will be at odds with the character and appearance of the area. The layout, spacing and appearance of the development has been carefully considered during the course of the application, whilst regard has also been given to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act due to the fact that the site is immediately adjacent to the Foulsham Conservation area.
- 9.10 A number of residents have stated that there should predominantly be bungalows on the development however it is argued that existing dwelling types in the area vary in size and appearance. Whilst there are mainly bungalows on Claypit Road there are also chalets and houses further north on the road whilst there is a mix of bungalows, and two storey properties, both detached and semi-detached on Chapel Lane. The variation in dwelling types in the immediate area means that there is not a particular standard or type that the development proposed by this application has to conform to.
- 9.11 It is considered that the site is of a sufficient size to accommodate the proposed development without resulting in overdevelopment of the plot. The density of the development is considered to be acceptable and it is considered that each dwelling has sufficient room for amenity space as well as room for parking and manoeuvring. The size and scale of the proposed dwellings is considered to be acceptable whilst the overall scheme is intended to be of a traditional design palette, reflecting the predominant neighbourhood. Furthermore a condition is to be appended to the decision notice which requires full details of the external materials to be used in the construction of the development, to be submitted to and approved in writing by the Local Planning Authority. During the course of the application revisions have been made to the design of the properties on the advice of the Council's Historic Environment Officer. With the plans in their current form the Historic Environment Officer has raised no objection to the application.
- 9.12 The development is also considered to aesthetically improve the overall area with the removal of several rundown buildings situated within the former builders' yard. Overall, although the development will be clearly visible from the street scene, it is not considered that the development will appear at odds with the prevailing character of the area or cause any harm to the Foulsham Conservation Area. The application is therefore considered to comply with Policies GC4 and EN2 of the Development Management DPD.

Impact upon neighbour amenity:

- 9.13 Concerns have been raised by neighbouring residents on Chapel Lane that the proposals will result in a detrimental impact upon neighbour amenity and in particular that the development will appear overbearing and result in

overlooking. Two bungalows have been proposed to the south east of the development which adjoins Low Common Close immediately to the south in order to reduce the impact on the existing bungalows on this close. Furthermore it is considered that there is sufficient separation between the proposed two storey properties and neighbouring residents to ensure that the proposals will not appear significantly dominating and overbearing.

- 9.14 With regards to overlooking issues the only window to the north side elevation of Plot no: 6, which faces towards no: 2 Chapel Lane is a bathroom window which is shown as being obscure glazed on the plans. The first floor windows to the rear of Plots 6 and 7 will only look towards part of the rear of the garden area associated with no: 2 Chapel Lane and not towards the dwelling or main amenity space. Given this and the fact that the existing trees and hedging, which are to be retained, provide a good level of screening to the rear of the garden it is not considered that there will be any significant overlooking to no: 2. Similarly there are no first floor windows on the south side elevation of Plot 5 and the first floor windows on the rear elevation again do not look directly towards the dwelling or amenity area associated with the detached bungalow (Coldharbour) to the south. The neighbouring resident at 'Coldharbour' has raised concerns that the rear windows associated with Plot 3 will also overlook their dwelling and amenity area. Whilst it is accepted that there are four first floor windows to the rear of Plot 3, two of these will serve a bathroom and en-suite and will be obscure glazed. The bedroom window is the only window which would be described as a 'habitable window' on the rear elevation and this is proposed to be approximately 30m from the dwelling at 'Coldharbour' which is considered to be an acceptable degree of separation to ensure that there is no direct overlooking.
- 9.15 Concerns have also been raised that the plots to the west of the development (Plots 4-8) will overlook the properties on the west side of Chapel Lane. One of the concerns with the layout from the previously withdrawn 20160639 application was that the dwellings to the west of the development failed to address Chapel Lane as several plots had their rear elevations facing Chapel Lane. The plans submitted as part of this application now have a more acceptable arrangement with dwellings fronting Chapel Lane with their main amenity space to the rear. Whilst it is acknowledged that there are first floor windows which face these properties on the west side of Chapel Lane it should be noted that these windows will not have any view of the main amenity area associated with these properties and overall it is again not considered that any significant overlooking will occur. Overall, it is considered that the proposals will not therefore result in any significant overlooking or detrimental impact on neighbour amenity and the application is considered to accord with Policy GC4 of the DM DPD.

Impact with regards to flooding:

- 9.16 The site is located outside, but within close proximity to, flood zones 2 and 3 which are to the south of the site and concerns have been raised by residents

that the proposal will increase the risk of flooding in the area. Although a Flood Risk Assessment and Surface Water Drainage Strategy were submitted with the application both the Lead Local Flood Authority (LLFA) and the Norfolk Rivers Internal Drainage Board (NRIDB) initially objected to the application as it was considered that the proposed drainage strategy was insufficient. During the course of the application additional information has been submitted by the applicant's agent and further communication has been had with the LLFA and NRIDB to overcome their respective objections.

- 9.17 An updated Flood Risk Assessment (FRA) and Surface Water Drainage Strategy have now been submitted. The LLFA have commented that the exceedance flow routing plans supplied by the applicant in the revised FRA highlight that in extreme events (greater than the 1% plus climate change) water will leave the site and flow through / past existing properties to reach the watercourse to the south of the site. The applicant advises that this is no different to the existing situation as topographic levels are being altered at this location. The LLFA have noted that the applicant is under no obligation to improve on any existing flood risk, and has provided betterment for these properties in rainfall events up to and including the 1% plus climate change through the provision of attenuation storage. With this in mind the LLFA have raised no objection to the application subject to a condition being appended to the decision notice which requires detailed designs of the surface water drainage scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The condition as suggested by the LLFA is proposed to be imposed on the decision notice should the application be approved. In light of the comments from the LLFA the NRIDB have also removed their objection to the application. They have however noted that the ability to implement any subsequent planning permission may be dependent on the granting of land drainage consent from NRIDB. An informative has been added to the decision notice to ensure that the applicant is aware of this. In light of the LLFA and the NRIDB removing their objections it is considered that the proposal will not result in any detrimental impact upon flood risks in the area.

Impact of proposal on highway safety

- 9.18 The Highway Authority initially objected to the application, raising concerns that Claypit Road was inadequate to deal with the proposed development. During the course of the application additional information relating to the vehicular movements to the former builders' yard were provided along with revised plans which show that Claypit Road will be widened to achieve a road width of 4.8 metres and a footway provided along the frontage of the site. The Highway Authority has since commented that although it remains concerned regarding additional development being accessed from Claypit Road, in light of the additional information, the fact that this is a brownfield site and that Claypit Road now benefits from a continuous footway along its eastern side between the village and the site, it can no longer substantiate a highway objection to the proposal. The Highway Authority has requested 8 conditions

to be added to the decision notice which will all be added should the application be approved. This includes a condition relating to off-site highway improvement works for the road widening and site frontage footway. Foulsham Parish Council did question whether a one way system could be put in place on Claypit Road to help alleviate the increased traffic however given that the Highway Authority are satisfied with the proposals in their current form this is not considered to be necessary or reasonable. Ample room has been provided for parking on site with every dwelling having one or two parking spaces as well as a garage. Overall, with regards to the highway issues, the proposal is considered to comply with Policies TS3 and TS4 of the DM DPD.

Other matters

- 9.19 With regards to potential contamination at the site a phase II contamination report was submitted with the planning application however the Council's Pollution Control Officer has requested that a condition is added to the require that further detailed investigation of the site is carried out prior to the commencement of the development. A bespoke condition is proposed to be appended to the decision notice which, if fully met, should ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and that the development can be carried out safely without unacceptable risks in accordance with Policy EN4 of the Development Management DPD 2015.
- 9.20 During the course of the application several neighbouring residents on Chapel Lane raised concerns with the proposed pedestrian link proposed between the proposed development and Claypit Road. Concerns were raised that the link could result in conflict between pedestrians and vehicles on Chapel Lane if people were encouraged to access the centre of Foulsham via this route. The Local Planning Authority agreed in part with some of the concerns raised in this regard and during the course of the application the plans were revised, by request, to omit the pedestrian link onto Chapel Lane.
- 9.21 With regards to the ecology on the site a Preliminary Ecological Appraisal has been submitted with the application. The report concludes that the habitats on site are generally of low ecological value. Potential constraints have been identified relating to bats and birds. A bat survey report was submitted with the application which stated that the buildings were not found to contain any bats or bat roosts and the development of this site is therefore unlikely to affect bat roosts. Notwithstanding this a condition is to be appended to the decision notice which requires a scheme for bat roosting boxes and bird nesting features to be submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall then be integrated around the development in accordance with the approved scheme. An informative is also proposed to be added to the decision notice which advises the applicant that any demolition works and ground-works on the site should take place between 1 September and 28 February, unless advised by an ecologist that

there are no nesting birds present. Overall it is considered that the proposal is in compliance with Policy EN1 of the DM DPD.

Conclusion:

- 9.22 With reference to the three dimensions of sustainable development, the development would result in some short term economic benefits as part of any construction work for the dwellings 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.
- 9.23 In terms of the social role, the site is located within the settlement limit and within close proximity to a number of local facilities, many within walking distance. The site is therefore considered to be located in a sustainable location with good accessibility to services and facilities. Although less than the policy requirement, the proposal will provide a single unit of affordable housing whilst the development will pay contributions towards both open space (play and sport) (likely to be approximately £23,338) and green infrastructure (likely to be approximately £29,510) to be spent on provision in the local area. This will mean that there will be a total contribution of £52,848 (to be index linked) which will be secured by a Section 106 agreement for the commuted sum.
- 9.24 The additional eleven dwellings would also be liable to pay towards the Community Infrastructure Levy and it is considered that this proposal would bring forward a social benefit.
- 9.25 In assessing the environmental role, the application is located within a sustainable location and will have a neutral impact upon the general character and appearance of the area, the adjacent conservation area and local residents' amenities. The landscaping scheme and additional bat roosting and bird nesting features which are proposed to be added as conditions will also ensure that the landscaping and biodiversity on the site are enhanced.
- 9.26 Whilst the provision of affordable housing is below policy requirements adequate justification has been submitted in the form of an Economic Viability Analysis Report which has been independently tested. By reducing the level of affordable housing the scheme is viable and officers consider that there is sufficient justification to warrant a departure from the Development Plan in terms of the affordable housing provision. No significant adverse impact has been identified in terms of highways, landscape, ecology and the natural environment, flood risk, amenity, and other relevant considerations. Taking into account all of the matters assessed in the report and matters made in representations, officers conclude that the development is acceptable and it is recommended that planning permission should be granted.

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) Affordable housing contribution
- (2) Play Provision, recreational open space and green infrastructure contributions

Conditions:

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) Prior to the commencement of development details of all external materials to be used in the development (including details and colour of the proposed bricks, pantiles, windows, doors, rainwater goods, surfacing, private driveways and boundary treatments) shall be submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
- (4) No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- (5) No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.
- (6) Prior to the first occupation of any dwelling, the roads and footways shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- (7) Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m x 43m shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at

all times free from any obstruction exceeding 0.225m above the level of the adjacent highway carriageway.

- (8) Prior to the commencement of any works on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority.
- (9) For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan unless otherwise approved in writing with the Local Planning Authority.
- (10) Notwithstanding the details indicated on the submitted drawings no works shall commence on site, unless otherwise agreed in writing, until a detailed scheme for the off-site highway improvement works, to include road widening and site frontage footway, have been submitted to and approved in writing by the Local Planning Authority.
- (11) Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 10 shall be completed to the written satisfaction of the Local Planning Authority.
- (12) Prior to commencement of development, in accordance with the submitted Flood Risk Assessment and Surface Water Drainage Strategy (Canham Consulting Ltd, ref 209953 – P2), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
 - I. Surface water runoff rates will be attenuated to 5.9 l/s as stated within section 6.2 of the FRA / Drainage Strategy. Confirmation from the Internal Drainage Board that the proposed rates and volumes of surface water runoff from the development are acceptable.
 - II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event.
 - III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.

- 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.
- IV. 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 floor levels should be not less than 300mm above any sources of flooding and not less than 150mm above surrounding ground levels.
- VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.
- (13) 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) specification of materials for fences, walls and hard surfaces.
 - (c) details of any proposed alterations in existing ground levels and of the position of any proposed excavation or deposited materials.
 - (d) 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.

- (14) Prior to the commencement of development details of the following must be submitted to and approved in writing by the Local Planning Authority before the commencement of each stage of the following process:
- A Based on the findings of the investigation submitted with the application a site investigation and detailed risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originated on the site. The report must include:
- (1) A survey of the extent, scale and nature of contamination.
 - (2) An assessment of the potential risks to:
 - Human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes.
 - Adjoining land, groundwater and surface waters, ecological systems, archaeological sites and ancient monuments;
 - The report must also include a revised and updated conceptual site model and detailed risk assessment. There must be an appraisal of the remedial options, and proposal of the preferred remedial option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and other accepted good practice guidance.
- B Based on the findings of the site investigation a detailed remediation method statement must be submitted for approval. Remediation must bring the site to a condition suitable for the intended use by removing or mitigating unacceptable risks to the identified receptors. The method statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990. The Local Planning Authority must be given a minimum of two weeks written notification of the commencement of the remediation scheme works.
- C Following the completion of the remedial measures identified in the approved remediation method statement a verification report (also called a validation report) that scientifically and technically demonstrates the effectiveness and success of the remediation

scheme must be produced. Where remediation has not been successful further work will be required

- D 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 B and C above.
- (15) All first floor bathroom and en-suite windows shall be fitted with obscure glass and shall remain in this form in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
- (16) Prior to the commencement of the development hereby permitted a scheme for bat roosting boxes and bird nesting features shall be submitted to and approved in writing by the Local Planning Authority. A minimum of two bat roosting boxes and at least five features for nesting birds should be incorporated into the new buildings. The scheme shall be in accordance with the recommendations set out in the Preliminary Ecological Appraisal and Bat Survey Reports, both received 4 April 2017. The development shall then be carried out in accordance with the approved scheme.

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 buildings and satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.
- (5) To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

- (6) To ensure satisfactory development of the site in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.
- (7) In the interests of highway safety and in accordance with Policy TS3 of the Development Management DPD 2015.
- (8) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (9) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (10) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD 2015.
- (11) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy TS3 of the Development Management DPD 2015.
- (12) To prevent flooding by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development in accordance with National Planning Policy Framework paragraphs 103 and 109, Policy 1 of the Joint Core Strategy and Policy CSU5 of the Development Management DPD 2015.
- (13) 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.
- (14) 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.
- (15) To prevent overlooking to the detriment of the amenities of the adjacent properties in accordance with Policy GC4 of the Development Management DPD 2015.

- (16) To ensure that the development has no adverse effects on the presence of protected species in accordance with Policy EN1 of the Development Management DPD 2015.

Plans and documents:

- Location Plan and Proposed Site Layout Plan (Amended), Dwg No: SL01 R, received 2 July 2018
- House Type A – Floor Plans and Elevations (Amended), Dwg No: PL01 D, received 4 October 2017
- House Type B – Floor Plans and Elevations (Amended), Dwg No: PL02 D, received 3 November 2017
- House Type D – Floor Plans and Elevation, Dwg No: PL04 B, received 4 April 2017
- House Type E – Floor Plans and Elevations (Amended), Dwg No: PL05 C, received 4 October 2017
- House Type F – Floor Plans and Elevations (Amended), Dwg No: PL07 B, received 13 November 2017
- House Type H – Floor Plans and Elevations (Amended), Dwg No: PL06 A, received 4 October 2017
- Proposed Garages, Dwg No: G01 B, received 4 April 2017
- Affordable Housing Details (Additional Information), received 16 May 2018
- Tree Report by Farmland Forestry, received 4 April 2017
- Preliminary Ecological Appraisal, received 4 April 2017
- Bat Survey Report, received 4 April 2017
- Flood Risk Assessment and Surface Water Drainage Strategy (Amended), received 29 June 2018

Informatives:

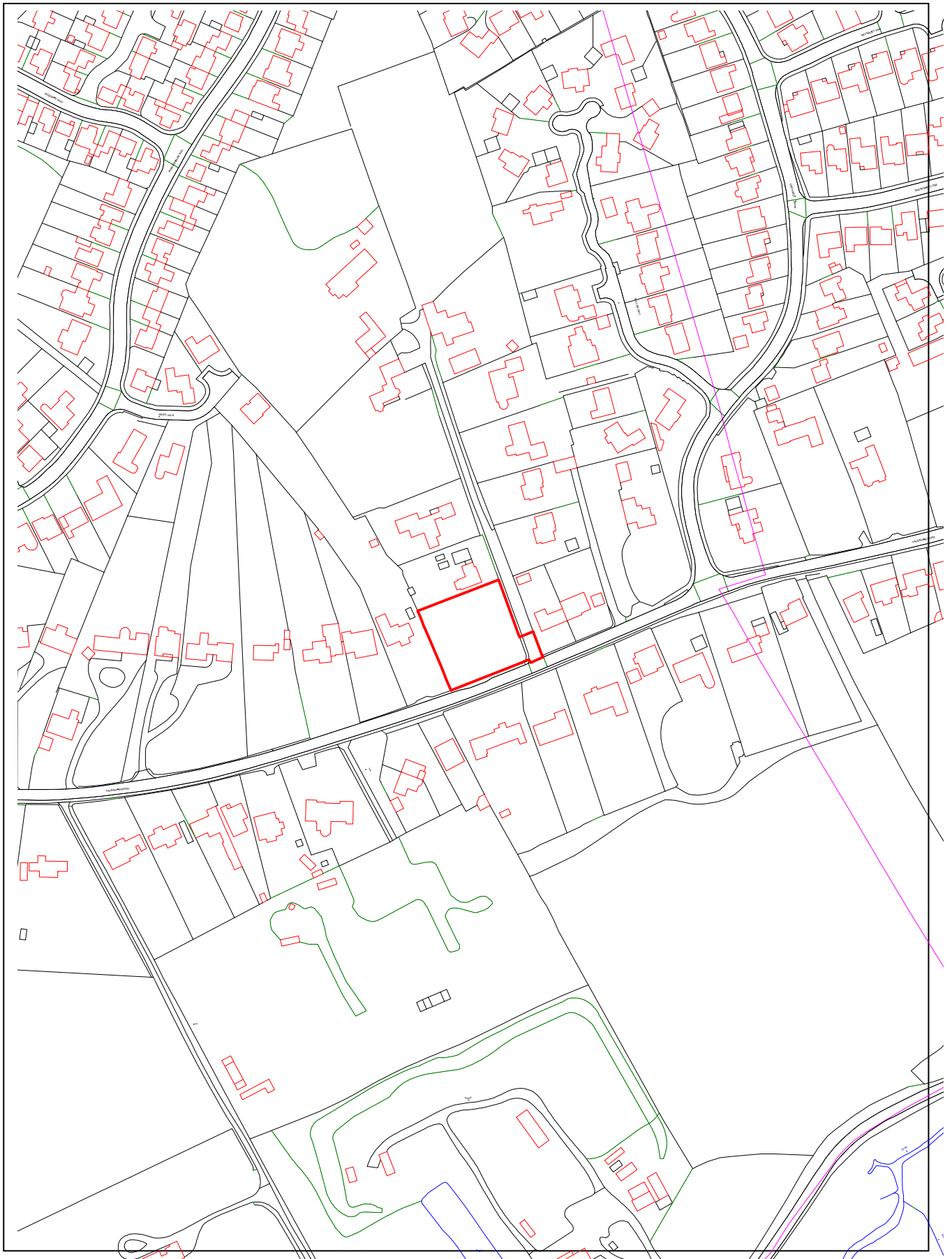
- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that 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 (Graham Worsfold on 01603 223 274).

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

- (4) Public utility apparatus may be affected by this proposal and contact should be made with the appropriate utility service to reach agreement on the necessary alterations, which have to be carried out at the expense of the developer.
- (5) The applicant should be aware that the ability to implement any subsequent planning permission may be dependent on the granting of land drainage consent from Norfolk Rivers Internal Drainage Board. For further information please contact the Norfolk Rivers Internal Drainage Board at Kettlewell House, Austin Fields Industrial Estate, King's Lynn, Norfolk, PE30 1PH, by email at planning@wlma.org.uk or by calling 01553 819600.
- (6) 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.
- (7) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets with 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 diversion works should normally be completed before development can commence.

- (8) The development shall be carried out as in accordance with the recommendations set out in the Preliminary Ecological Appraisal and the Bat Survey report, both received 4 April 2017.
- (9) Any demolition works and ground-works on the site should take place between 1 September and 28 February, unless advised by an ecologist that there are no nesting birds present. An ecologist should also check the field immediately prior to initial ground clearance work to avoid harm to any transitory reptiles that may be present.
- (10) 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.
- (11) 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



Application No: 20180656

84 Taverham Road, Taverham, NR8 6SB

**Scale:
1:2500**

**Date:
23-Jul-18**



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AREA West
PARISH Taverham

3

APPLICATION NO: [20180656](#) **TG REF:** 617382 / 313452
LOCATION OF SITE 84 Taverham Road, Taverham, NR8 6SB
DESCRIPTION OF DEVELOPMENT Sub-division of plot and erection of 2 detached dwellings (outline)
APPLICANT Miss Berena Cooper
AGENT Mr Michael Rayner

Date Received: 19 April 2018
8 Week Expiry Date: 18 June 2018

Reason at Committee: At the request of Cllr Clancy for the reasons set out in paragraph 5.6 of this report

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks outline planning permission for the sub-division of a residential plot and the erection of two additional detached dwellings with all matters reserved.
- 1.2 A Site Plan has been submitted with the application which shows how the plot could be split and the proposed position of the dwellings and access, however at this stage this is only an indicative plan.
- 1.3 The application site has a total area of approximately 2,600m² and measures approximately 40m in width by approximately 62m in depth. If the site was to be split as shown on the indicative site plan then each plot would have an area of approximately 800 m² and would measure approximately 20m in width by approximately 40m in depth.
- 1.4 The two new plots have been shown indicatively to be served by a new shared access off Taverham Road.

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

3 CONSULTATIONS

3.1 Taverham Parish Council:

No objection. It was felt that the houses should be set back to permit trees to be planted to the front of the properties to keep the impression on Taverham Road.

Further comments received following submission of revised plans:

Objection – due to access being very close to the pinch point and too open so would not achieve tree line.

The revised proposal was for the houses to be set further back on the plot and for a revised vehicular access directly onto Taverham Road. Concern was raised as the new access was very close to the pinch point on Taverham Road and that the duel drive would take away the tree line. The Parish had a preference to the previous plans with the driveway off the lane from Taverham Road so the tree impression on Taverham Road would continue.

3.2 Environmental Contracts Officer:

The applicant should consider the bin collection points for both proposed new properties. The bin collection points will need to be sited at the edge of the curtilage adjacent to the entrance of the shared drive fronting Taverham Road.

Due to the nature of the sub-division being at the front of the plot, we would ask that access is maintained for all the existing bin collection points so that collections can continue unhindered from other properties during the proposed construction stage.

3.3 Norfolk County Council (as Highway Authority):

It appears that recent clearance of site roadside vegetation has improved visibility to the east from the access track that serves 84 Taverham Road and other existing dwellings.

However visibility to the east remains sub-standard from the required 2.4m setback and whilst there is some highway betterment now provided I have reservations that it is sufficient to allow a further two dwellings to be served from the track. My preference therefore would be that a single dwelling only be constructed on the site with a 2.4m parallel complete site frontage visibility splay being made available.

This option would allow the proposed vehicular access arrangement to the application site to be improved; either by a new centrally positioned separate access direct to Taverham Road or an access via the track but further away from the highway.

Further comments received following submission of revised plans:

I note the now submitted plans indicate ownership of the boundary to the west of the site so that acceptable access visibility splays can be provided to this direction. On this basis I feel it to be very difficult to have objection to the proposal.

Should your authority be minded to approve the application I would be grateful for the inclusion of the following conditions on any consent notice issued.

Officer comment: Two conditions relating to information to be submitted at the reserved matters stage and access visibility splay requirements to be added as requested.

3.4 Norfolk County Council as (Minerals and Waste Team):

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

3.5 Pollution Control Officer:

No comment.

4 PUBLICITY

4.1 Site Notice:

Expiry date: 22 May 2018

4.2 Neighbour notifications:

Nos: 51, 55, 57, 63, 74c, 78, 82, 82a, 84 and 84a Taverham Road, Taverham

Expired: 23 May 2018

Re-consultation expired: 2 July 2018

5 REPRESENTATIONS

5.1 57 Taverham Road, Taverham:

Comments received following submission of revised plans

- (1) The amended plans do not clearly show the exact nature and extent of the newly proposed vehicular access so we would ask for a clearer version of this to be provided.
- (2) The vehicular access appears to open directly onto Taverham Road where the road has been narrowed to one lane, ostensibly for safety purposes. This road narrowing already impacts access to our property and it seems an unnecessary and counter intuitive danger to add further vehicles entering and exiting this pinch point on the road. The original plans had a vehicular access from the adjacent unadopted road which is the original access related to 84 Taverham Road and we would suggest that this should be used as these properties are being added to the original plot. On this basis we object to the amended plans.

5.2 78 Taverham Road, Taverham:

We would prefer this build not to happen, however one dwelling is better as it is in keeping with the road. However if two dwellings are permitted we would prefer the garages on the outer perimeter. One house has been built to the rear of the property and if you allow two more to be built at the front this means there will be four houses on the plot which once housed one.

The applicant outlines the private lane as part of their land. I would like to point out this is incorrect as we own half of it. Although we have been happy to share this access with the existing properties, we would be very unhappy to share it with more properties and numerous more cars.

5.3 82 Taverham Road, Taverham:

We are writing to vehemently object to the planning application. One of our main concerns is the intention for the properties' access to come off the private dirt track that leads to our property. The track already serves 5 houses of at least 4 bedrooms each. It is also the access for a garage belonging to a house on the main road (78 Taverham Road). Highways England stipulates that the maximum number of properties permissible on a private road is five. Our track has therefore already reached its limit. Adding two further properties at the entrance / exit to the track could cause a bottleneck and serious hazard and would be an over-development of the track.

A further concern is the impact on the character of Taverham Road. The majority of the properties on the road have well-established gardens between the houses and the main road. The open aspect of these properties is the beauty of the area. Allowing even one property to be built next to the road on the garden of no: 84, will spoil the look of the area and may well set a precedent so that the whole road will be transformed, with land being subdivided and multiple houses being built on each piece of land. The National Planning Policy Framework (2012) does not approve 'garden grabbing' in residential areas. Paragraph 48 of the NPPF states "local authorities may make an allowance for windfall sites... should not include residential gardens". Paragraph 53 states "local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens". It will also leave the current house, at no: 84, with virtually no garden and a fence running right next to the property.

As there are no detailed plans for the houses themselves, it is not possible to comment on whether they would fit in with the appearance of the neighbourhood.

Further comments received following submission of revised plans:

We are writing to express our objection to this new plan. It appears that a shared driveway is intended rather than two single driveways. We are worried that this could become a shared parking area which would obscure our view onto Taverham Road when we want to exit our driveway. We suggest that any property that may be built should have a driveway up to the property and parking close to the property, not next to the road. However, our original objections over having any property at all on that garden still remain relevant.

5.4 82a Taverham Road, Taverham:

I would like to raise objection to the application. I have two main concerns about this application, firstly the effect of overdevelopment on the character of the neighbourhood and secondly the effect on highway safety, bearing in mind the proposed access is via a rough single track private drive.

At this point properties on the north side of Taverham Road have a distinct character. They are almost all well-established character properties standing on substantial plots with generous gardens to the front and rear.

The application arises as a consequence of the recent purchase and consequent “garden grabbing” of one of these houses. Nearly all of those properties to which I have referred have enough land between themselves and Taverham Road to accommodate another house. If this application were to be granted, apart from the immediate detrimental effect, I imagine a precedent would be set and it would only be a matter of time before other similar applications would be submitted which it would then be impossible to refuse. This would of course completely ruin the character of this very attractive road.

The access to the proposed development is from a private dirt road roughly four metres wide which already serves five properties. I had previously been led to believe that under highways regulations this was the maximum number permissible in such circumstances.

I would also like to register my disapproval of the cynical way in which this plot was cleared of practically all of its substantial trees and shrubs. This must have been done in the full knowledge that these trees would surely have been subject to TPOs if the opportunity has arisen. Some kind of replanting programme should be initiated to restore the original character and proportion of the property. Whatever the outcome, when the next owners of number 84 Taverham Road look out to the south from their downstairs rooms, their view consists of a 2 metre wooden fence erected 3 metres away from their boundary, rather than the garden which this property merits.

Further comments received following submission of revised plans:

Firstly I repeat my feeling that it is inappropriate to build anything at all on this site, for reasons already given. The current application still proposes two dwellings, but the outline given is so rudimentary that it is not possible to judge what impact they may have on the site, nor the practical aspects of vehicular access and visibility. The significance of the changes to the red line I am afraid I do not understand.

Also I am concerned about the fate of the existing house at no: 84, from which the attempted garden grab is being considered. Already a 2 metre wooden

fence has been erected 3 metres from the south facing dining and reception rooms, those previously looking out over the house's garden, and now it seems that the windows of the first floor rooms are to be fitted with obscure glass. This presumably is proposed in recognition of the fact that there are issues with privacy over the newly proposed dwellings. If no: 84 was owned by anyone other than the applicant it therefore follows logically that the occupant could anticipate a successful outcome to an objection on this matter. The combination of fence and obscure glass would mean that this substantial 4 bedroom detached property would have no south facing view whatsoever. I would therefore be concerned about the future of this house, as presumably it would have no appeal whatsoever to the market it might otherwise have had, and could end up being divided into flats or something similar, totally unsympathetic to its location and surrounding properties.

5.5 84a Taverham Road, Taverham:

There are a number of 'technical issues' with the planning application. The submitted plans do not represent the ownership of no: 84 Taverham Road. The plans have 'annexed' our shed which forms part of our property. We would wish for the plans to be corrected.

The plans seem to give the impression that the private drive is in full ownership of no: 84 Taverham Road, this would seem to be at variance with the land registry for no: 84.

The application suggests 2 houses will be created and the application is to subdivide the plot into 2 building plots. However, we feel the application is actually for 3 houses, one existing and 2 new, and the division of the plot into 3.

In relation to the application, we would wish to object. We feel that the plot in the position it is on Taverham Road does not lend itself to 2 properties. Secondly to 'infill' in the front garden of the property, and thereby set a new 'building line' for Taverham Road, would set a precedence for the road as there are a number of properties along the road with large front gardens.

Thirdly we would be concerned as to the highways implications of another 2 properties aimed at the 'family' market on Taverham Road. Taverham Road has already been the subject of traffic calming measures due to its potential danger, and in fact there is a pinch point installed opposite the site. To add another two properties with the potential of a number of additional vehicles exiting a private drive would seem to be contrary to the reasons for the traffic calming measures.

Finally the land the subject of this application is subject to a restrictive covenant preventing the erection of any building without the permission of the

covenant holder. We are the beneficiaries of that covenant and the matter is being addressed by our solicitors.

Further comments received following submission of revised plans:

In relation to the revised plans submitted, firstly we are pleased to note that the revised plans more accurately show the actual land owned by 84 Taverham Road.

However, we would object to the revised plans in respect of the newly proposed vehicular access point. Taverham Road is notoriously dangerous due to a number of 'concealed entrances'. This has resulted over the years in a number of reported and non-reported collisions.

The new houses proposed are aimed at the family market which undoubtedly means a number of vehicles will be at each property. Our concern is that the new access which runs parallel with Taverham Road will in reality become an area for parked vehicles. This means that our visibility to the east when leaving our property will become dangerous, as will visibility to the west for those users alighting from the private road which leads to 84 Taverham Road.

It would seem nonsense that to have spent money (the pinch points) in trying to obviate speed and collisions along this road, that possibly planning was to be granted which actually caused one.

5.6 Councillor Stuart Clancy:

Comments on original submission:

Whilst I have no objection in principle to well planned development and consider an amended design and access arrangement could improve this proposal in relation to the area and neighbouring properties, some material planning considerations / objections have been raised by local residents. Therefore I would request this application is determined by committee.

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 (SPG) 2014:

- 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

To address climate change and promote sustainability, all development will be located and designed to use resources efficiently, minimise greenhouse gas emissions 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 12: The remainder of the Norwich urban area, including the fringe parishes

Amongst other things states that throughout the suburban area and fringe parishes opportunities will be sought for small-scale and medium-scale densities, where a design and access statement demonstrates that an improvement to townscape will result, and particularly around district centres and on public transport routes.

Development Management Development Plan 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 the settlement limits defined

on the policies maps. Outside of these limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan.

6.9 Policy GC4: Design

Sets out a list of criteria that proposals should pay regard to which includes the need to consider impact upon the amenity of existing properties, the environment, character and appearance of an area and being accessible via sustainable means.

6.10 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 any impact upon a range of issues.

6.11 Policy TS3: Highway safety

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

6.12 Policy TS4: Parking guidelines

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

6.13 Policy CSU5: Surface Water Drainage

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

7 LOCATION AND DESCRIPTION OF SITE

7.1 The application site is a rectangular shaped residential plot associated with no: 84 Taverham Road, located within the settlement limits of Taverham.

7.2 At present there is a detached two storey dwelling and two small outbuildings which are positioned towards the north of the plot and set back from Taverham Road. There is a large amount of amenity space to the south of the existing dwelling which is currently laid to grass.

- 7.3 To the north of the site is a detached two storey dwelling (82a Taverham Road) which was a result of previous sub-division of no: 84 approved under application number [20040250](#). To the east of the site is a private access track which serves 5 dwellings. Further to the east there are further residential dwellings on the opposite side of the track. To the south is Taverham Road with further residential dwellings on the opposite side of the road whilst to the west is no: 84a Taverham Road, a detached chalet bungalow.
- 7.4 There are trees and hedging located to the northern boundary between no: 84 and 82a. Along the eastern boundary of the site is Conifer hedging of approximately 3m in height. The site is currently open on the southern boundary whilst to the west there is a combination of hedging and close boarded fencing both of approximately 2m in height. Close boarded fencing of approximately 2m in height has already been erected on the site between no: 84 and the proposed two new plots to the south.
- 7.5 There is a monkey puzzle tree within the site and some established trees just beyond the western boundary of the site which are within the ownership of no: 84a. The trees within the ownership of no: 84a are protected by a Tree Preservation Order.
- 7.6 The site slopes down towards the south of the site.

8 PLANNING HISTORY

- 8.1 There is not considered to be any relevant planning history on the application site itself however below are applications which are linked to No.84 Taverham Road on land which is to the north of the application site.
- 8.2 [20031173](#): Erection of new dwelling and garage. Refused 11 September 2003.
- 8.3 [20031620](#): New house and garage. Approved 11 December 2003.
- 8.4 [20040250](#): New house and garage. Approved 13 April 2004.

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 the character of the area, residential amenity and highway safety.

Assessment against Development Plan policies and national planning guidance

- 9.2 Policy GC2 of the Development Management DPD states that new development will be accommodated within the settlement limits defined on the policies map. The site is located within the settlement limit of Taverham and therefore the proposal for residential development on this site complies with Policy GC2 and is acceptable in principle.

Impact upon character of the area

- 9.3 It is considered that the site is of a sufficient size to accommodate two additional dwellings without resulting in overdevelopment of the plot. The proposal is also considered to leave sufficient amenity space for the existing dwelling at no: 84.
- 9.4 Concerns have been raised by Taverham Parish Council and several neighbouring residents that the proposal will be at odds with the character with the area. Taverham Road has a variety of styles of property situated on varied plot sizes. Although there are a number of large plots in the immediate area, in particular on the north side of Taverham Road, it is not considered that the two new plots which would be created as a result of the development would appear out of character with the immediate area. The two plots as shown on the indicative site plan would measure approximately 1,600m² meaning that if split equally each plot would be approximately 800m². This would be consistent with the size of the plots associated with nos: 76 and 78 to the east of the application site which actually have a slightly smaller combined plot size of approximately 1,480m². In fact with the plots as shown on the indicative site plan both proposed new plots would be larger in size than no: 78 the nearest plot to the east which measures approximately 652m². Similarly no: 63 on the southern side of Taverham Road has a plot size of approximately 546m² and so is significantly smaller in size than the plots being proposed. Within the nearby area there are also other examples of plots which have been sub-divided including to the north of no: 84.
- 9.5 One neighbouring resident has stated that the proposals would 'set a new building line for Taverham Road' however it should be noted that the site plan as submitted is only an indicative layout at this stage and the layout of the proposed development will be assessed in more detail at a subsequent reserved matters application. Notwithstanding this, the dwellings as shown on the indicative site plan would be sited no closer to Taverham Road than nos: 76 and 78 to the east. Concerns have also been raised by neighbouring residents that if approved, the proposal will set a precedent for the many large plots on Taverham Road to also be sub-divided. Whilst every application is assessed on its own merits, it is argued however that the application site is different to many on Taverham Road, as the existing main dwelling on the site is set back significantly into the plot, is orientated to the east and accessed off an established, separate access track which allows for acceptable development to the south of the plot. Overall, although they are likely to be clearly visible from the street scene, it is not considered that the principle of the two additional dwellings in this location would be at odds with the

prevailing character of the area or cause any significant harm to the general character and appearance of the area. The application is therefore considered to comply with Policy GC4 of the Development Management DPD. Notwithstanding this the character of the area would need to be carefully considered again at any subsequent reserved matters application.

Impact upon neighbour amenity

- 9.6 The Local Planning Authority initially raised concerns that the first floor windows on the south (side) elevation of the existing dwelling at no: 84 would overlook the proposed two new plots. During the course of the application the site plan has been amended to indicate that these windows will be obscure glazed and a condition is proposed to be appended to any decision notice to ensure that these windows are obscured and remain so in perpetuity. Neighbouring residents have raised concerns that when coupled with the 2m high fence which has been erected between no: 84 and the proposed new plots, the obscure glazing of the first floor windows will leave, the currently vacant, no: 84 with no view to the south and impact upon the properties market appeal. One of the first floor windows to the south elevation of no: 84 is believed to be a bathroom window whilst the largest of the windows which serves a bedroom which also has a window to the west and so this will not be its only source of light or view. The fencing referred to by the neighbouring resident is approximately 3m from the east elevation of no: 84 which is considered to be acceptable and shouldn't result in any significant loss of light. Policy GC4 of the Development Management DPD states that, amongst other things, proposals should pay adequate regard to meeting the reasonable amenity needs of all potential future occupiers. Overall, it is considered that even with the first floor windows on the south elevation obscured it will not prevent future occupiers from being able to live at the property comfortably or conveniently. Notwithstanding this, any future occupier of no: 84 will be aware of the proposed two new dwellings and the condition requiring these windows to be obscured prior to purchasing and occupying the dwelling.
- 9.7 Overall although details of the size, scale and design of the dwellings are unknown at this stage it is not considered that the principle of the dwellings on the site will result in any detrimental impact upon neighbour amenity and therefore the proposals are considered to be in accordance with Policy GC4 of the Development Management DPD.

Impact upon highway safety

- 9.8 Concerns were initially raised by both a local councillor (as set out in paragraph 5.6 of this report) and neighbouring residents with regards to accessing the site from the private access track to the east of the site. The Highway Authority also had reservations that two further dwellings could be served from the track. During the course of the application, and after consultation with the Highway Authority, revised plans were submitted which

show a single shared access for the proposed two new plots off Taverham Road. Neighbouring residents have still raised concerns with regards to the revised plans; however the Highway Authority has noted that access visibility splays appear to be provided and have concluded that it has no objection to the application. There also appears to be ample room to allow for sufficient parking and manoeuvring for both new plots and the existing no: 84. Some neighbouring residents have raised concerns that the driveway as shown on the site plan could be used as a parking area and therefore result in reduced visibility for cars entering and exiting the site. It is stressed again however that the site plan is at this stage only indicative. Furthermore, the Highway Authority has requested that two conditions, relating to matters to be agreed at the reserved matters stage and visibility splays at the site, are added to any subsequent decision notice. Both of these conditions are proposed to be imposed should the application be approved. Overall, it is considered that the proposal will not have any detrimental impact upon highway safety and the application is considered to accord with Policies TS3 and TS4 of the Development Management DPD.

Other issues

- 9.9 Initially concerns were raised by some neighbouring residents that there were inaccuracies with the information submitted with the application. This included the red line being drawn inaccurately around the application site. During the course of the application these inaccuracies have been addressed in the form of an amended location plan.
- 9.10 One neighbouring resident has made reference to the fact that a number of trees have recently been cleared from the application site. These trees however were not protected by any Tree Preservation Orders and so the applicant was within their rights to remove these trees. Notwithstanding this, a condition is proposed to be added to the decision notice which requires a scheme for landscaping to be submitted to and approved as part of the application for reserved matters. This scheme will include the planting of new trees and shrubs on the site.
- 9.11 One neighbouring resident has also commented that there is a restrictive covenant on the application site preventing the erection of any building without the permission of the covenant holder. It is noted however that this is a civil matter and is not a material planning consideration.

Conclusion

- 9.12 With reference to the three dimensions of sustainable development, the development would result in some short term economic benefits as part of any construction work for the dwellings 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.

- 9.13 In terms of the social role, the site is located within the settlement limit and within close proximity to a number of local facilities, many within walking distance. The site is therefore considered to be located in a sustainable location with good accessibility to services and facilities. The additional two dwellings would also be liable to pay towards the Community Infrastructure Levy and it is considered that this proposal would bring forward a modest social benefit.
- 9.14 In assessing the environmental role, the application is located within a sustainable location and will have a neutral impact upon the general character and appearance of the area and local residents' amenities. The landscaping scheme which is proposed to be added as a condition will also ensure further planting takes place on the site which will help to enhance the landscaping and biodiversity on the site.
- 9.15 In conclusion, the site is located within a sustainable location and the principle of two new dwellings on the site is not considered to cause any harm to the general character and appearance of the area or have any significant detrimental impact upon neighbour amenity or highway safety. As set out above, it is considered that the application will also provide economic, social and environmental benefits. 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 considered acceptable subject to conditions.
-

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

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

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

- (2) Application for the approval of the "reserved matters" shall include plans and descriptions of the:
- i) details of the layout;

- ii) scale of each building proposed
- iii) the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction;
- iv) the means of access to the site and
- v) the landscaping of the site.

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

- (3) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (4) The following highway matters need to be agreed as part of a reserved matters planning application:
 - i) Visibility splays
 - ii) Access arrangements
 - iii) Parking and turning provision in accordance with adopted standard
- (5) Prior to the first occupation of the development hereby permitted a visibility splay measuring 43 metres x 2.4 metres shall be provided to the western side of the access(es) where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- (6) Prior to the first occupation of the development hereby permitted the first floor windows on the south (side) elevation of the existing dwelling at no: 84 shall be fitted with obscure glass and these windows shall remain in this form perpetuity.
- (7) A scheme for landscaping and site treatment to include grass seeding, planting of new trees and shrubs, specification of materials for fences, walls and hard surfaces, and the proposed maintenance of amenity areas, shall be submitted to and approved as part of the application for reserved matters.

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

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

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

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (4) In the interest of highway safety and in accordance with Policies TS3 and TS4 of the Development Management DPD 2015.
- (5) In the interest of highway safety and in accordance with Policies TS3 and TS4 of the Development Management DPD 2015.
- (6) To prevent overlooking to the detriment of the amenities of the adjacent properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (7) To ensure the provision of amenity afforded by new landscape features and to retain and protect existing trees which are within close proximity of the site in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of 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 CIL figure will be calculated at the Reserve Matters Stage. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp



Application No: 20180894

**Greenridge, 26 Highfield Close, Thorpe St
Andrew, NR7 0RQ**

**Scale:
1:1250**

**Date:
23-Jul-18**



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AREA East

PARISH Thorpe St Andrew

4

APPLICATION NO: [20180894](#) **TG REF:** 627143 / 308914

LOCATION OF SITE Greenridge, 26 Highfield Close, Thorpe St Andrew, NR7 0RQ

DESCRIPTION OF DEVELOPMENT Single storey rear extension

APPLICANT Mr Mike Read

AGENT Mr David Williams

Date Received: 29 May 2018
8 Week Expiry Date: 24 July 2018

Reason at Committee: At the request of Cllr Emsell for the reasons stated in paragraph 3.2

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 A single storey rear extension with dual pitched roof and south facing gable end. Materials for the new brick work and roofing materials will match the existing bungalow consisting of red multi bricks and red pantiles.
- 1.2 The property would be extended 5.2m further to the rear than the existing building to form an open plan dining and entertaining area measuring 8.1m in width.
- 1.3 The roof ridge height over the proposed extension would be 5.55m with the existing ridge height on the bungalow being 5.8m.
- 1.4 There are no additional windows proposed within the east elevation. An additional door is proposed to the west elevation with the removal of an existing door to be replaced by a window.

2 KEY CONSIDERATIONS

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

- The impact of the proposal on neighbour amenity.
- Planning history of the site.

3 CONSULTATIONS

3.1 Thorpe St Andrew Town Council:

Whilst members had no objection in principle to an extension to the property, they were concerned about the height and design of the proposed roof and its impact on the neighbouring property. They felt there was scope to amend the design to reduce its impact and therefore objected to the height and design of the roof and requested this be amended to reduce its impact.

3.2 Cllr Emsell:

I would like to call in the above application to ensure that the concerns of the Town Council and other residents regarding the choice of design are fully considered. It is important that any proposed work to a building is in keeping to the area and if just considered by officers working on national guidelines that might not address concerns.

If plans have been re-submitted that have alterations to the design I will be happy to withdraw the call in but at present I do not feel that any such move has been made by the applicant.

3.3 BDC Pollution Control Officer:

No comment.

4 PUBLICITY

4.1 Site Notice: N/A

4.2 Neighbour notifications:

25 and 27 Highfield Close and 17 St Andrews Close

Expired: 23 June 2018

5 REPRESENTATIONS

5.1 An objection received from 25 Highfield Close (to the east of the site) raising the following concerns:

- The height of the ridge will cause a large shadow on my garden in the afternoons.
- The proposed height will be higher than the eaves on my house.
- It will be oppressive to look at.
- It will extend half the length of my garden.
- This is the third extension to the property. If the back matched the front I would be happy with that.
- The proposed development breaches the 45 degree recommendation in relation to the centre of my lounge window. (See diagram supplied with my representation.)

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:

[National Planning Policy Guide - Determining a Planning Application "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 Highfield Close, a residential area in Thorpe St Andrew.

- 7.2 The site is rectangular, measuring approximately 34m in length, front (north) to back (south) by 12.5m in width.

- 7.3 The existing dwelling on the site is a detached three bedroom bungalow with a hipped roof. There is off road parking to the front and a 13m garden to the rear.

- 7.4 Highfield Close is made up of a mix of detached and semi-detached houses and 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, of which there is one located to the east and west of the application site. The front boundaries tend to be low level (1m or lower) fence or brick walls with some hedges, shrubs and small trees. The street scene is varied in terms of the property styles and proportions with those properties on the south side of Highfield Close sitting at a higher level than those on the north side.

- 7.5 No: 25, to the east, is a detached house with a dual pitched roof and gable end to the east and west with a small conservatory to the rear. The original property sits further forward in its plot than the application property at no: 26.

- 7.6 No: 27, to the west, is also a detached house of similar design to that at no: 25 with the addition of single storey extensions to the side and a two storey extension to the rear. This property also sits further forward within its plot than the existing property at no: 26.

8 PLANNING HISTORY

- 8.1 [20020667](#): Single Storey Extensions. Approved 20 June 2002.
- 8.2 [781602](#): Single storey alterations and extensions to the side and rear. Refused 22 August 1978. (This pre-dates electronic capture of records so a copy of the plans and decision notice are attached at Appendix 1.)

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 at the rear this will not be significantly visible from within the street scene therefore it is not considered to cause harm to the character and appearance of the area.
- 9.3 The ridge height of the proposed extension will be 5.55m from ground level which is set lower than the existing ridge height and is therefore considered to be a subservient addition to the host property. The proposed gable end design will result in a larger roof span than a hipped roof; however as the rear gardens of properties on the south side of Highfield Close face almost due south, any loss of light or overshadowing will occur primarily towards the end of the day when the sun is likely to be obscured by other residential properties and a number of mature trees that are located to the west of the application site.
- 9.4 The original dwelling at no: 26 is positioned further within its plot than both the two storey properties located to the east and west of the application site. Consequently, any addition to the rear of this property will project further into its rear amenity space than the existing properties on either side which will result in some loss light, in particular, to the rear garden of no: 25.
- 9.5 The proposed rear extension will be set approximately 1.6m off the boundary with no: 25 and project 5.2m to the rear. On balance, this is not considered significantly excessive given that permitted development would allow up to 4m with a height of up to 4m. Therefore, consideration as to whether the proposed development is acceptable should focus on the proposed built form over and above what could be allowed under permitted development. In this

case that would be 1.2m additional projection to the rear and 1.55m additional height.

- 9.6 Concerns from no: 25 were noted with regard to the proposal being oppressive to look at. It is acknowledged the additional built form will be visible from the rear garden on no: 25 Highfield Close and the outlook will change. However due to the position of the existing dwelling at no: 26, being set back further within its plot than no: 25, any addition to this property would be visible and will lead to an altered outlook. In terms of determining applications the right to a desired outlook is not a material planning consideration. Additionally, permitted development would allow a relatively large extension without the need for planning permission; therefore it is considered the additional built form, as proposed, is unlikely to result in a significantly more oppressive outlook than a permitted extension and therefore it would be unreasonable to refuse the application in this instance. Furthermore, the highest part of the proposed extension (the mid-point of the ridge) would be some 5.6m from the boundary with no: 25. Therefore, it is further concluded that due to this distance the overall impact of the extension will not be excessive or overly oppressive.
- 9.7 Comments and an additional diagram received from no: 25 Highfield Close refer to a breach in the 45 degree recommendation in terms of obstruction of light within a 45 degree angle as measured from the mid-point of the cill of a principal window, in this case the ground floor window serving the living room at no: 25. The standard is based on a recommended British Standard Code of Practice however this recommendation is not a mandatory consideration in terms of determining planning applications. In addition, due to the positioning of the original dwelling at no: 26 Highfield Close, being further within its plot than no: 25, based on the diagram provided any addition to the rear of no: 26 of approximately 1m or more will obstruct some light into the living room window at no: 25. However as permitted development would allow a 4m projection without the need for planning permission it is considered this recommendation cannot be of material concern in this instance.
- 9.8 It is noted a previous application for a single storey side and rear extension was refused at the application site in 1978. (Details can be found at Appendix 1.) The proposal was for a slightly larger rear projection of almost 5.8m with a hipped roof design and ridge height in line with the existing dwelling of 5.8m. It was refused on the grounds that the design was out of keeping with the established character of the existing dwelling and would result in a cramped and intrusive form of development, leading to a seriously detrimental impact on the private amenity space of the application property and other surrounding properties.
- 9.9 Whilst it is acknowledged the application in 1978 is similar in terms of the footprint to the current proposal, it is considered that the reasons for refusal have little if any relevance to the proposal now under consideration.

- 9.10 The Town Council is concerned about the impact of the proposal on the neighbouring property and requested amendments to the height and design to reduce the impact.
- 9.11 A considered response was received from the agent as to recommended revisions as follows:
- It is a single storey extension set approximately 1600mm off the boundary line.
 - It is in keeping with the local development plan and other bungalows along this road have carried out similar works.
 - The existing roof is hipped, for ease of construction it would be wise to follow the existing roof line.
 - The garden is south facing, the extension will not affect natural light in the neighbouring garden until the evening (my client has studied the sun positioning).
 - The client and I both believe dropping the roof down will not make too much difference, the garden is well lit for the majority of the day.
- 9.12 On balance, it is considered that the proposed development will not cause significant harm to the character and appearance of the area. In addition, based on the reasons above the proposals are considered acceptable and will not lead to prolonged or significant harm to neighbour amenity in terms of loss of light, overshadowing or outlook.
- 9.13 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.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.

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

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

Location Plan received 29 May 2018

Amended Block Plan received 16 July 2018

Reasons:

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

Informatives:

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

BROADLAND DISTRICT COUNCIL

Town and Country Planning Act 1971

Form 2G

Refusal of planning permission

Name and address of applicant

Mr. Dunn,
26 Highfield Close,
Thorpe,
Norwich.

Name and address of agent (if any)

Johnson and Fatter Partnership,
Lodge Farm,
Ashill,
Watton,
Thetford,
Norfolk.

Part I - Particulars of application

Date of application:

Received : 19th June 1978

Application no.

78.1602

Particulars and location of development:

Thorpe : 26 Highfield Close,
Alterations and Extensions.

Part II - Particulars of decision

The Broadland District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that permission has been refused for the carrying out of the development referred to in Part I hereof for the following reasons:

1. The proposed extension would be out of keeping with the established character of the existing dwellings in this particular locality of Highfield Avenue and St. Andrews Close.

Moreover, an extension of this type will overlook or be overlooked by the dwellings around it, and would result in a cramped and intrusive form of development leading to a reduction of private amenity space within the curtilage of the existing dwelling which would be seriously detrimental to the amenities and private enjoyment of the occupants of the existing and surrounding properties.

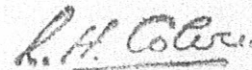
22 AUG 1978

Date

Council Offices Thorpe Lodge, Yarmouth Road,
Norwich. NR7 0DU

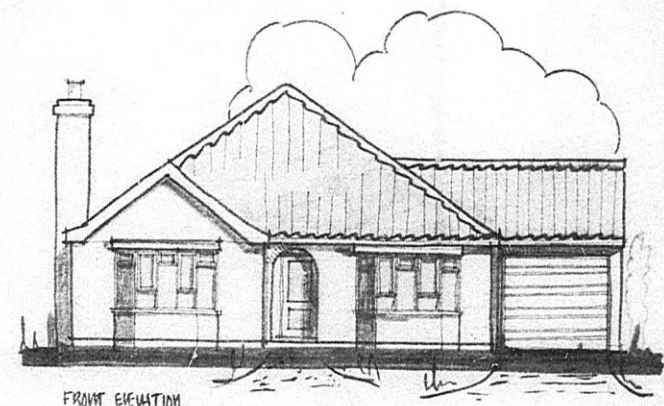
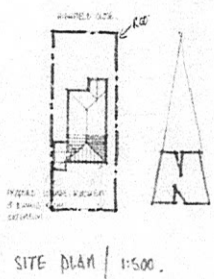
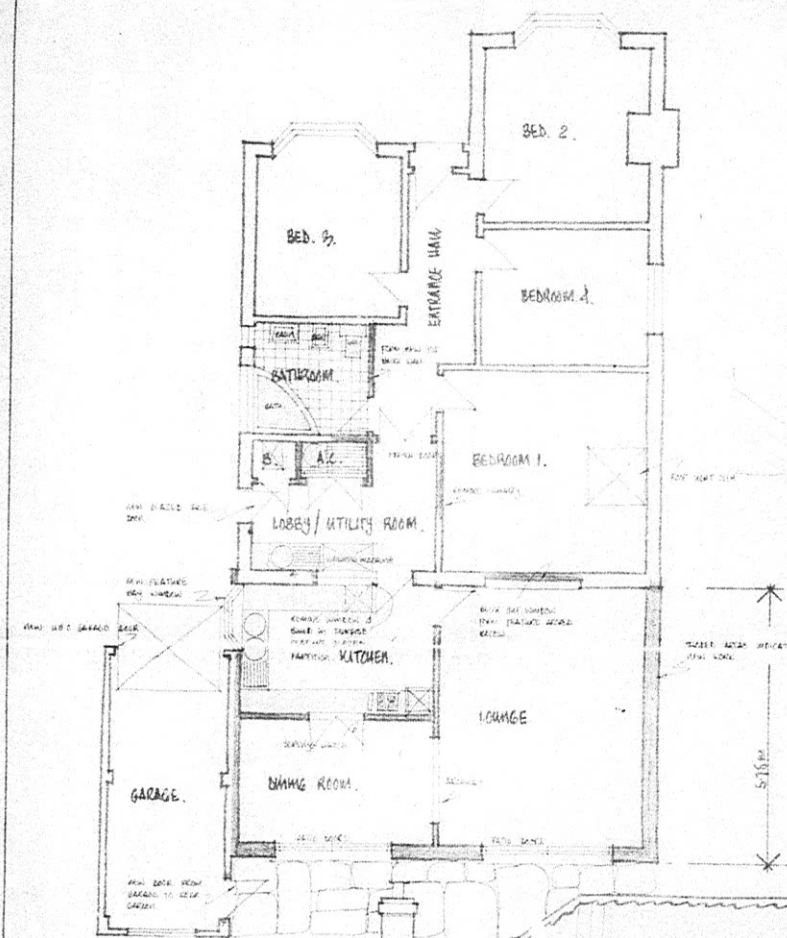
Head of Technical Services

on behalf of the Council

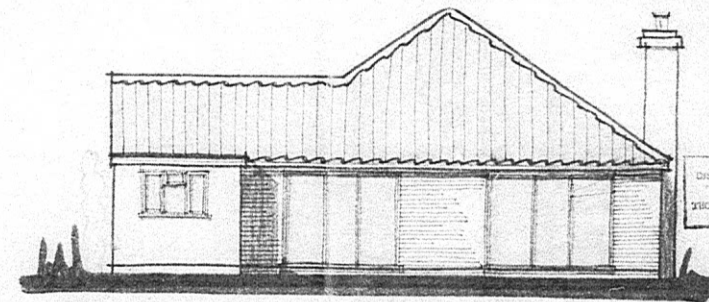


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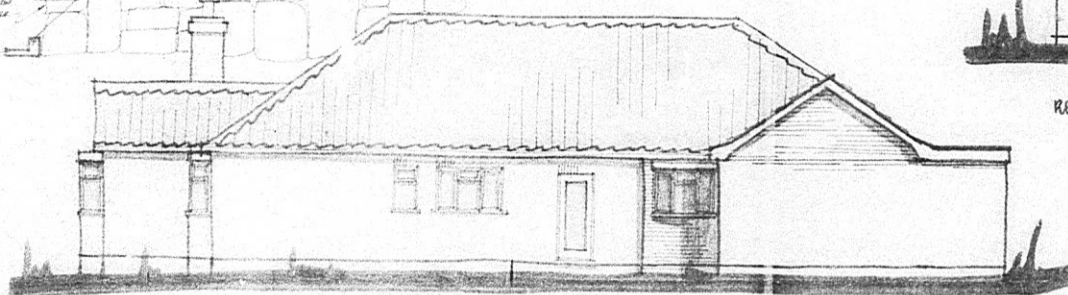
NOTES
 1. FACING BACKS TO MATCH EXISTING
 2. PARTIALS TO MATCH EXISTING
 3. PARTIALS TO MATCH EXISTING



FRONT ELEVATION.



REAR ELEVATION.



SIDE ELEVATION (WEST).



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Timothy C. Johnson AIPD AG of S
& David C. Futter MSCE P.E.
 PARTNERSHIP
 24 HIGH STREET, WATSON, THIRFORD, WILTSHIRE
 (Tel: 01295 510100)

Planning, Architectural, Civil & Structural Engineering Consultants

PROPOSED EXTENSIONS TO 26 HIGHFIELD CLOSE, THURDE ST
 WATSON, WILTSHIRE

Title
 SWATH FEASIBILITY NO. 1

Scales
 1:500 / 1:500
 Date
 19 JUN 1978

Drawn by
 289 /- /01

78.1602

NOT FOR PUBLICATION BY VIRTUE OF SCHEDULE 12A OF PART 1 PARAGRAPH 3 OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED) BY THE LOCAL AUTHORITIES (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 (contains information relating to the financial or business affairs of any particular person (including the authority holding that information))

Pages 156 to 182 and 183 to 219
are not available to the public
because the information is confidential
as it includes exempt information
about the financial or business
affairs of a person



PLANNING COMMITTEE

1 AUGUST 2018

Final Papers

Page Nos

[Supplementary Schedule](#)

221 – 226

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 TO APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
1	20160395	Land South of Green Lane East, Rackheath	<ul style="list-style-type: none"> On 24 July 2018 the Government published a revised National Planning Policy Framework (NPPF). This is the first revision of the NPPF since 2012. It implements around 85 reforms announced previously through the Housing White Paper, the planning for the right homes in the right places consultation and the draft revised NPPF consultation. <p>Paragraph 6.1 of the officer's report identifies the paragraphs of the now superseded NPPF (2012) which are particularly relevant to the determination of the application.</p> <p>The 2018 changes to the NPPF are not considered to materially impact upon the acceptability of the application or the officers recommendation but the following paragraphs are now considered to be particularly relevant instead of those listed in paragraph 6.1 of the officers report:</p> <p>Paragraphs 7, 8, 10, 11, 12, 47, 59, 73, 96 and 111.</p> <p>Whilst these paragraphs are considered to be particularly relevant the revised NPPF should continue to be read as a whole.</p> <ul style="list-style-type: none"> On 25 July 2018 the applicant submitted an amended Location Plan (drawing number 10150-0150) to include within the site the 	49 - 80

			tree belts to the south east and south west. The amended location plan will be included in the officer's presentation to committee.	
2	20170594	T H Blyth & Sons Builders' Yard and land to west of Claypit Road, Foulsham	<ul style="list-style-type: none"> A new version of the National Planning Policy Framework (NPPF) was published on 24 July 2018, since the committee report was written. <p>Section 6 of the report should now refer to the National Planning Policy Framework 2018. Paragraph 6.1 of the report should now read:</p> <p>'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 8, 9, 11, 12, 38, 47, 54, 55, 56, 61, 78, 124, 127, 155, 156, 157, 163, 170, 175, 178 and 180 are particularly relevant to the determination of this application.'</p> <ul style="list-style-type: none"> The reason for Condition 12 will also change so that it reads: <p>'To prevent flooding by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in</p>	81 - 125

			<p>a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development in accordance with National Planning Policy Framework paragraph 163, Policy 1 of the Joint Core Strategy and Policy CSU5 of the Development Management DPD 2015.'</p> <ul style="list-style-type: none"> The first informative proposed within the report should now read: <p>'The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.'</p> <p>Despite the revisions to the NPPF it is still considered that the application is in accordance with the general aims of the NPPF with regards to the presumption in favour of sustainable development. Overall it is considered that the revisions to the NPPF have not resulted in any material changes to the decision making or to the recommendation made by the Local Planning Authority.</p> <ul style="list-style-type: none"> Further comments have been received from a resident of Green Man Cottage, Chapel Lane, Foulsham which are summarised below: <p>In respect of the latest version of the plans, although it deals with some of our worries, I feel it still does not deal</p>	
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			<p>adequately with the drainage problem and the risk of flooding. This can only get worse when the field, that at present absorbs some rainwater; will be covered with concrete and the families in the new houses will be adding considerably to the amount of water being used and disposed of in the area. The developers even admit that as the area has a high water table infiltration will not solve the problem.</p> <p>The surveyors seem to think that the danger of flooding is minimal. Maybe the dwellers in the new development will be ok as their houses will be built at a higher level to the Lane and on raised foundations. The effect on Chapel Lane is not mentioned. In the past five years since I have been living here we have had two floods.</p> <p>It therefore seems extraordinary that the surveyors seem to think that the problem of surface water drainage can be dealt with by a bore hole and pump discarding water into the Beck at the rate of 8 litres per second i.e. 480 litres per minute. Even though the Beck runs in a deep culvert I cannot see it absorbing all this extra water, especially when it also carries away all the run off from fields along the Reephram Road. Even today when there is heavy rain the water rises to the top of the culvert (approx. 5 feet) and dribbles over the bank at the bottom of the garden. The pump will apparently be maintained by the house owners. If it fails who will pay for the damage if I or others on Chapel Lane get flooded. The new residents? The Council? My insurance company?</p>	
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			<p>A further proposal that the water can be carried away by the existing gullies at the side of Chapel Lane seems equally inadequate. The existing drains get blocked far too easily.</p> <p>Officer Comment: It is considered that the impact of the development on the risk of flooding has already been dealt with within the report. It is acknowledged that there has been flooding in the area in the past but the Lead Local Flood Authority has noted that the applicant is under no obligation to improve on any existing flood risk. The Lead Local Flood Authority have considered the proposals in detail and have raised no objection to the application whilst a condition requiring detailed designs of a surface water drainage scheme is also to be added to further ensure that the development does not result in any flooding.</p>	
3	20180656	84 Taverham Road, Taverham	<p>A new version of the National Planning Policy Framework (NPPF) was published on 24 July 2018, since the committee report was written.</p> <p>The first informative proposed within the report should now read:</p> <p>‘The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.’</p> <p>Despite the revisions to the NPPF it is still considered that the application is in accordance with the general aims of the NPPF with</p>	126 - 144

			regards to the presumption in favour of sustainable development. Overall it is considered that the revisions to the NPPF have not resulted in any material changes to the decision making or to the recommendation made by the Local Planning Authority.	
4	20180894	26 Highfield Close, Thorpe St Andrew	<p>A new version of the National Planning Policy Framework (NPPF) was published on 24 July 2018, since the committee report was written.</p> <p>The second informative proposed within the report should now read:</p> <p>‘The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.’</p> <p>Despite the revisions to the NPPF it is still considered that the application is in accordance with the general aims of the NPPF with regards to the presumption in favour of sustainable development. Overall it is considered that the revisions to the NPPF have not resulted in any material changes to the decision making or to the recommendation made by the Local Planning Authority.</p>	145 - 155