

Planning Committee

Agenda

Date

Wednesday 24 October 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
Mrs L H Hemsall
Mr R J Knowles

Mr K G Leggett MBE
Mr A M Mallett
Mrs B H Rix
Mr J M Ward

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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@BDCCDemServices

*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

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| 1 | To receive declarations of interest under Procedural Rule no 8 | |
| 2 | Apologies for absence | |
| 3 | <u>Minutes of meeting held on 3 October 2018</u> | 3 – 43 |
| 4 | Matters arising therefrom (if any) | |
| 5 | Applications for planning permission to be considered by the
Committee in the following order: | |
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| | Planning Applications | 45 – 157 |

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 3 October 2018** at **9.30am** when there were present:

Miss S Lawn – Chairman

Mr A D Adams
Mrs C H Bannock
Mr G Everett

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

Mrs B H Rix
Mr J M Ward
Mr D B Willmott

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

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

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

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

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

34 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

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

35 APOLOGIES FOR ABSENCE

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

36 MINUTES

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

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

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

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

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

The components of the scheme of works were:

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

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

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

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

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

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

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

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

Consideration was also given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 given that part of the proposed highway improvement works and a section of the footpath / cycleway were within the setting of the Grade I listed Church of St Peter, Easton. Members noted in detail all of the works to be carried out and concluded these were all minor and noted that they would be carried out under S278 of the Highways

Act. Accordingly, it was considered that each element had been designed to be sensitive to the Grade I listed church and special regard had been had to the desirability of preserving the setting of the Grade I listed church of St Peter.

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

RESOLVED:

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

- (1) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and shall be brought into use prior to the first occupation of development on the LDO site:

Dwg. No. CL-1011 Rev. P3 – Details of junction for proposed estate road with Church Lane, received 13 July 2018

Dwg. No. CL-1010 Rev. P3 – General arrangement of proposed s.278 works on Church Lane, received 13 July 2018

Dwg. No. CL-1012 Rev. P3 – Typical construction details for proposed highway works (sheet 1), received 13 July 2018

Dwg. No. CL-1013 Rev. P1 – Typical construction details for proposed highway works (sheet 2), received 13 July 2018

Dwg. No. CL-1014 Rev. P1 – Typical construction details for proposed highway works (sheet 3), received 13 July 2018

- (2) Further details in respect of scaled plans are required to be submitted under Condition 2.20 of the LDO, to the Local Planning Authority and agreed, in consultation with the Highway Authority and, where appropriate Highways England, to identify:

- Realignment/change of priority at the junction of Dereham Road / Church Lane
- A right turn lane from Dereham Road into Church Lane
- A scheme of widening improvements to Church Lane
- Enhanced footway and cycle facilities to connect with Dereham Road
- The closure of Blind Lane.

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

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

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

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

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

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

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

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

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

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

Landscape

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

Heritage assets

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

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

Residential amenity

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

Highways

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

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

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

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

RESOLVED:

To delegate authority to the Head of Planning, in consultation with the Chairman and Vice-Chairman of the Planning Committee and the Portfolio Holder for Planning, to **APPROVE** subject to no new material issues being raised before the expiration of the consultation period and subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) Development shall not proceed above slab level until details of all external materials including details of the colour finish of the cladding to the milling building to be used in the development have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
- (4) Noise and sound pressure emanating from the site associated with any building or use permitted by virtue of the LDO shall not exceed the following limits when measured at the southwest corner of the FEZ site.

A-weighted noise limits

Time Period	L _{Aeq} , 15 mins (dB)	L _{AFmax} , 5 min (dB)
Daytime – 0700 to 1900	50	-
Evening - 1900 to 2300	45	-
Night – 2300 to 0700	40	61

Octave band noise limits

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

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

Reasons:

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

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

Plans and documents:

Dwg. No.5940/060 (sheet 2 of 2) Rev. D – Proposed location plan, received 6 August 2018
Dwg. No. 5940/059 (sheet 1 of 2) Rev. F – Proposed site plan, received 6 August 2018
Dwg. No. 5940/059 (sheet 2 of 2) Rev. F – Proposed elevations, received 6 August 2018
Dwg. No. 5940/061 (sheet 1 of 1) Rev. D – Proposed site plan site services, received 6 August 2018

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

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

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

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

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

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

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

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

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

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

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

Members acknowledged that the proposals did not necessitate the formation of a vehicular access onto the highway either during the period that the swale

and lagoon were excavated or once it was in use as access could be achieved across the applicant's substantial agricultural holding.

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

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

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

RESOLVED:

to

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

Conditions

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

- (3) No work shall commence on site until details of the culvert required across Blind Lane for the off-site surface water drainage system have been submitted and approved in writing by the Local Planning Authority and has been constructed to the approved specification.
- (4)
 - (A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and (1) The programme and methodology of site investigation and recording, (2) The programme for post investigation assessment, (3) Provision to be made for analysis of the site investigation and recording, (4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, (5) Provision to be made for archive deposition of the analysis and records of the site investigation and (6) Nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation, and;
 - (B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A), and;
 - (C) The development shall not be operated until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this case the programme of archaeological mitigatory work will consist of an archaeological excavation. A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service.
- (5) Prior to the commencement of development a scheme for the protection of the retained trees that complies with the relevant sections of British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations shall be agreed in writing with the Local Planning Authority (LPA). A plan shall be submitted to a scale and level of accuracy appropriate to the proposal that shows:
 - a) the position and Root Protection Areas (RPAs) of every retained tree on site and on neighbouring ground to the site in relation to the approved plans.

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

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

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

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To enable the archaeological value of the site to be properly recorded before development commences in accordance with Policy EN2 of the Development Management DPD 2015.
- (5) To ensure the appropriate protection of landscape features adjacent to the site in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.

Plans and documents:

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

Dwg. No. CL-1030 rev. P4 – Red line Boundary, received 24 September 2018

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

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

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

Foul Water Drainage Strategy received 17 September 2018

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.
- (2) The applicant is advised that separate licence approval for these works will be required in addition to the planning permission.

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

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

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

In presenting the application, the Area Planning Manager provided statistics on the pattern of vehicle movements once the store was operational, compared to the 2017/18 figures as contained in the applicant's Planning, Design and Access Statement. These identified that there would be no increase in the number of movements but a total of 84 HGV movements would be spread over the period Spring and early Summer resulting in less intensive HGV movements over the Autumn months. In addition, he referred to an amended condition 6 and new conditions to be imposed relating to surface water drainage, ecological enhancements and soft landscaping details, should the application be approved.

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

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

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

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

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

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

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

was considered reasonable to approve the application. Accordingly, it was

RESOLVED:

to approve application number 20180491 subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) Prior to the first occupation of the development hereby permitted the proposed on-site vehicle parking / servicing / loading, unloading / turning / waiting area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- (4) The building hereby approved shall be used for agricultural storage only unless otherwise agreed in writing with the Local Planning Authority.
- (5) The development hereby permitted shall be carried out in accordance with the recommendations in the Adrian James Acoustics Noise Impact Assessment, received by the Council on 15 August 2018.
- (6) Prior to the commencement of any work specifically in respect of the construction of the swale and 3 no. parking spaces hereby permitted, an Arboricultural Method Statement and a Tree Protection Plan, detailing the extent of the direct and indirect impacts of these development proposals on existing trees on or adjoining the site, this will include details of Root Protection Areas (RPA's), Construction Exclusion Zones (CEZ's), and Tree Protection shall be submitted to and approved in writing by the Local Planning Authority.

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

- (7) Development shall not proceed above slab level until the submitted surface water drainage scheme by Frith : Blake Consulting Ltd. received 26 March 2018 has been implemented. Development shall then be carried out in accordance with the approved details and

maintained thereafter in accordance with the approved drainage strategy.

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

The scheme shall indicate:-

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

The scheme as approved shall be carried out not later than the next available planting season following the commencement of development or such further period as the Local Planning Authority may allow in writing. If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) In the interests of highway safety in accordance with policies TS3 and TS4 of the Development Management DPD 2015.
- (4) To ensure the proper development of the site without prejudice to the amenities of the area, and in accordance with Policy GC4 of the Development Management DPD 2015.
- (5) To safeguard the amenities of the adjacent residential properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (6) To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interest of amenity in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (7) Safeguard the amenities of the adjacent residential properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (8) To ensure the proper development of the site without prejudice to the amenities of the area and in accordance with Policies GC4 and CSU5 of the Development Management DPD 2015.
- (9) To ensure that the development has no adverse effects on the presence of protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (10) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.

Informatives:

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

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

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

The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

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

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

The Committee considered an outline application for the construction of 205 dwellings and associated works on land adjacent to Mahoney Green in Rackheath. All matters were reserved for later approval with the exception of

the access which would be via Green Lane West. The application also included provision for the delivery of 4.12 hectares of informal public open space on land to the west of the Broadland Northway which would be subject to landscape and ecological enhancements. An indicative masterplan had been submitted to demonstrate how the number of dwellings could be accommodated within the application site (5.34 hectares) and the remaining 2.76 hectares used for informal open space, sustainable drainage features and two children's play area. A total of 68 dwellings would be provided as affordable housing which equated to 33% and the applicant had submitted a viability assessment to demonstrate that the scheme was viable and this had been tested by the Council's independent advisor.

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

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

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

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

Policy GC2 of the DM DPD stated that planning permission should be granted unless material considerations indicated otherwise and Paragraph 11(d) of the NPPF required applications to be approved unless the adverse impacts of doing so would "significantly and demonstrably outweigh the benefits".

There was currently a 4.61 years' supply of housing land in the NPA as published in the 2017 Greater Norwich Area Housing Land Supply Assessment as part of the Annual Monitoring Report for the JCS. Consequently, relevant policies for the supply of housing in the NPA could not be considered up to date and applications for housing should continue to be determined within the context of paragraph 11 of the NPPF.

However, the Committee noted that, in June 2017, an updated Strategic Housing Market Assessment (SHMA), published for Central Norfolk. This identified that, for the Norwich Policy Area, there was an 8.08 year housing land supply. The SHMA was a material consideration in the determination of

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

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

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

Economic Role

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

Social Role

The site was adjacent to the settlement limit for Rackheath, a designated Service Village with a wide variety of services including a village hall, formal and informal recreational facilities, strategic employment area, primary school, local shop, Public House etc. Furthermore, over the longer term, the allocation GT16 in the GT AAP for approximately 4,000 dwellings and 25 ha of employment and supporting services was planned so as to expand the range of services and facilities locally available. Therefore, the site was considered to be in a sustainable location with good accessibility to existing and planned services and facilities in Rackheath.

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

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

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

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

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

with Policy 7 of the JCS and paragraph 96 of the NPPF.

Environmental Role

The Committee acknowledged that the proposed development would have an urbanising impact on the character and appearance of the site, given its current undeveloped and open nature. In particular, the residential development would be visible from Green Lane West and the Broadland Northway with a noticeable change in the site's character and appearance to the detriment of the visual amenity of the immediate locality. Consideration to the impact of overlooking on the properties to the south of Trinity Close would be given at the reserved matters stage.

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

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

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

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

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

Accordingly, it was

RESOLVED:

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

Heads of Terms:

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

Conditions:

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

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

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

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

Approval of these “reserved matters” must be obtained from the local

planning authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved.

- (3) The details required by conditions 1 and 2 shall not include provision for more than 205 dwellings.
- (4) There shall be no residential development on the part of the application site to the west of the Broadland Northway.
- (5) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below:

Dwg No CSA_3075_102 Site Location Plan
Dwg No NR5011-006-C Proposed Site Access

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

- V Plans showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period need to be provided. Finished floor levels should be not less than 300mm above any sources of flooding and not less than 150mm above surrounding ground levels.
- VI A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. This will also include the ordinary watercourse and any structures such as culverts within the development boundary.
- (7) Concurrently with the submission of reserved matters, an Arboricultural Impact Assessment to comply with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations Section 5.4 detailing the extent of the direct and indirect impacts of the development proposals on existing trees on or adjoining the site, this will include details of Root Protection Areas (RPAs), Construction Exclusion Zones (CEZs), and Tree Protection shall be submitted to and approved by the Local Planning Authority.

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

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

- (8) Concurrently with the submission of reserved matters full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
- proposed finished levels or contours;
 - means of enclosure;
 - other vehicles and pedestrian access and circulation areas;
 - hard surfacing materials;
 - structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc);

- proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines etc indicating manholes, supports etc);
- retained historical landscape features and proposals for restoration, where relevant.

Soft landscaping works shall include:

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

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

- (9) Concurrently with the submission of reserved matters a noise report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how internal amenity in residential dwellings meets the criteria of BS8233:1999, Sound Insulation and noise reduction for Buildings – Code of Practice. The development shall be constructed in accordance with the approved details.
- (10) (A) Prior to the commencement of development an archaeological written scheme of investigation shall be submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and (1) The programme and methodology of site investigation and recording; (2) The programme for post investigation assessment; (3) Provision to be made for analysis of the site investigation and recording; (4) Provision to be made for publication and dissemination of the analysis and records of the site investigation; (5) Provision to be made for archive deposition of the analysis and records of the site investigation and (6) Nomination of a competent person or persons / organisation to undertake the works set out within the written scheme of investigation.

and

- (B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).
- and
- (C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- (11) Prior to the commencement of the development hereby approved the following will be submitted to and approved in writing by the Local Planning Authority:
- A Materials Management Plan – Minerals (MMP–M) which will consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site. The MMP–M will refer to the findings of the Site Investigation Report with particular reference to the Particle Size Distribution testing and the assessment of the results.
- The MMP–M should outline the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant.
- The MMP–M will outline that the developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant.
- The development shall then be carried out in accordance with the approved MMP–M.
- The developer shall provide an annual return of these amounts to the Local Planning Authority, or upon request of either the Local Planning Authority.
- (12) Prior to the commencement of development (including demolition ground works, vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:

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

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

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

- (a) Description and evaluation of features to be managed
- (b) Ecological constraints on site that might influence management
- (c) Aims and objectives of management
- (d) Appropriate management options for achieving aims and objectives
- (e) Prescriptions for management actions
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- (g) Details of the body or organisation responsible for implementation of the plan
- (h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will

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

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

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

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

The assessment should:

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

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

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

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

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

- (17) Prior to the commencement of development detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- (18) Prior to the occupation of an dwelling the road(s) / footway(s) / cycleway(s) shall be constructed to binder course surfacing level from the dwelling unit to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
- (19) Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4m x 59m shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225m above the level of the adjacent highway carriageway.
- (20) Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise

agreed in writing until detailed drawings for the highway improvement works as indicated on Drawing № NR5011-008-D have been submitted to and approved in writing by the Local Planning Authority.

Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in this condition shall be completed to the written satisfaction of the Local Planning Authority.

- (21) No works shall commence on the site until the Traffic Regulation Order for the extension of the 30 mph speed limit on Green Lane West across the whole of the site frontage has been promoted by the Local Highway Authority.
- (22) Prior to development on site a Construction Traffic Management Plan, to incorporate details of on-site parking for construction workers, access arrangements for delivery vehicles and temporary wheel washing facilities for the duration of the construction period shall be submitted to and approved in writing with the Local Planning Authority. For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and unless otherwise approved in writing with the Local Planning Authority.

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (3) To reflect the scope of the application and to ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with Policies GC4, EN1 and EN2 of the Development Management DPD 2015.
- (5) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with Policy GC4 and TS3 of the Development Management DPD 2015.

- (6) To ensure the satisfactory development of the site in accordance with Policy CSU5 of the Development Management DPD 2015. The details are required pre-commencement as the drainage scheme relates to the construction of the development.
- (7) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015. The details are required pre-commencement as the details relate to the construction of the development.
- (8) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015. The details are required pre-commencement as the details relate to the landscaping of the site which is a reserved matter.
- (9) To ensure residents of the site have an acceptable level of amenity in accordance with Policies GC4 and EN4 of the Development Management DPD 2015. The details are required pre-commencement as the details may relate to the location and construction of dwellings.
- (10) To ensure the satisfactory development of the site in accordance with Policy 1 of the Joint Core Strategy 2011/2014. The details are required pre-commencement as construction activity may harm any buried archaeological remains.
- (11) To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026. The details are required pre-commencement as the details relate to below ground resources which may be impacted by construction activity.
- (12) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015 and GT2 of the Growth Triangle AAP 2016. The details are required pre-commencement as the details relate to the construction of the development.
- (13) To ensure the satisfactory development of the site in accordance with Policy GC4, EN1 and EN2 of the Development Management DPD 2015 and GT2 of the Growth Triangle AAP 2016.
- (14) To ensure that the development does not result in any significant impact on aviation safety in accordance with TS6 of the Development Management DPD 2015. The details are required prior to commencement as the details may impact upon the layout and landscaping of the site.

- (15) To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EN4 of the Development Management DPD 2015. The details are required pre-commencement as the details may relate to construction activities and the need to avoid unacceptable risk to construction workers.
- (16) To ensure an acceptable level of amenity in accordance with Policies GC4 and EN4 of the Development Management DPD 2015. The details are required pre-commencement as the details may relate to the construction of dwellings and infrastructure.
- (17) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by Policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014. This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.
- (18) To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway in accordance with Policy GC4 of the Development Management DPD 2015.
- (19) To ensure satisfactory development of the site in accordance with Policy GC4 and TS3 of the Development Management DPD 2015.
- (20) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.
- (21) In the interests of highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD 2015. This needs to be a pre-commencement condition to ensure it is resolved in a timely manner in advance of the development being occupied.
- (22) In the interests of maintaining highway efficiency and safety in accordance with Policies GC4 and TS3 of the Development

Management DPD 2015. The details are required pre-commencement as the details relate to construction activity.

Informatives:

- (1) Anglian Water has assets close to or crossing this site or there are assets subject to an Adoption Agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer's cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an Adoption Agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- (2) It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the applicants and the County Council. Please note that it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

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

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

The notification should include:

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

- contact telephone numbers of the crane operator and the site owner for use in an emergency.
- (4) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (5) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (6) The applicants need to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (7) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

42 APPLICATION NUMBER 20180950 – 24 CROMER ROAD, HELLESDON

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

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

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

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

considerations.

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

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

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

RESOLVED:

To approve application number 20180950 subject to the following conditions:

- (1) Application for approval of ALL “reserved matters” must be made to the Local Planning Authority not later than the expiration of TWO years beginning with the date of this decision.
- (2) The development hereby permitted must be begun in accordance with the “reserved matters” as approved not later than the expiration of TWO years from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

Application for the approval of the “reserved matters” shall include plans and descriptions of the:

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

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

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

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The application is submitted in outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.

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

Informatives:

- (1) This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

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

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

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

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

for the intended development, through the implementation of an appropriate remediation strategy, is the responsibility of the developer.

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

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

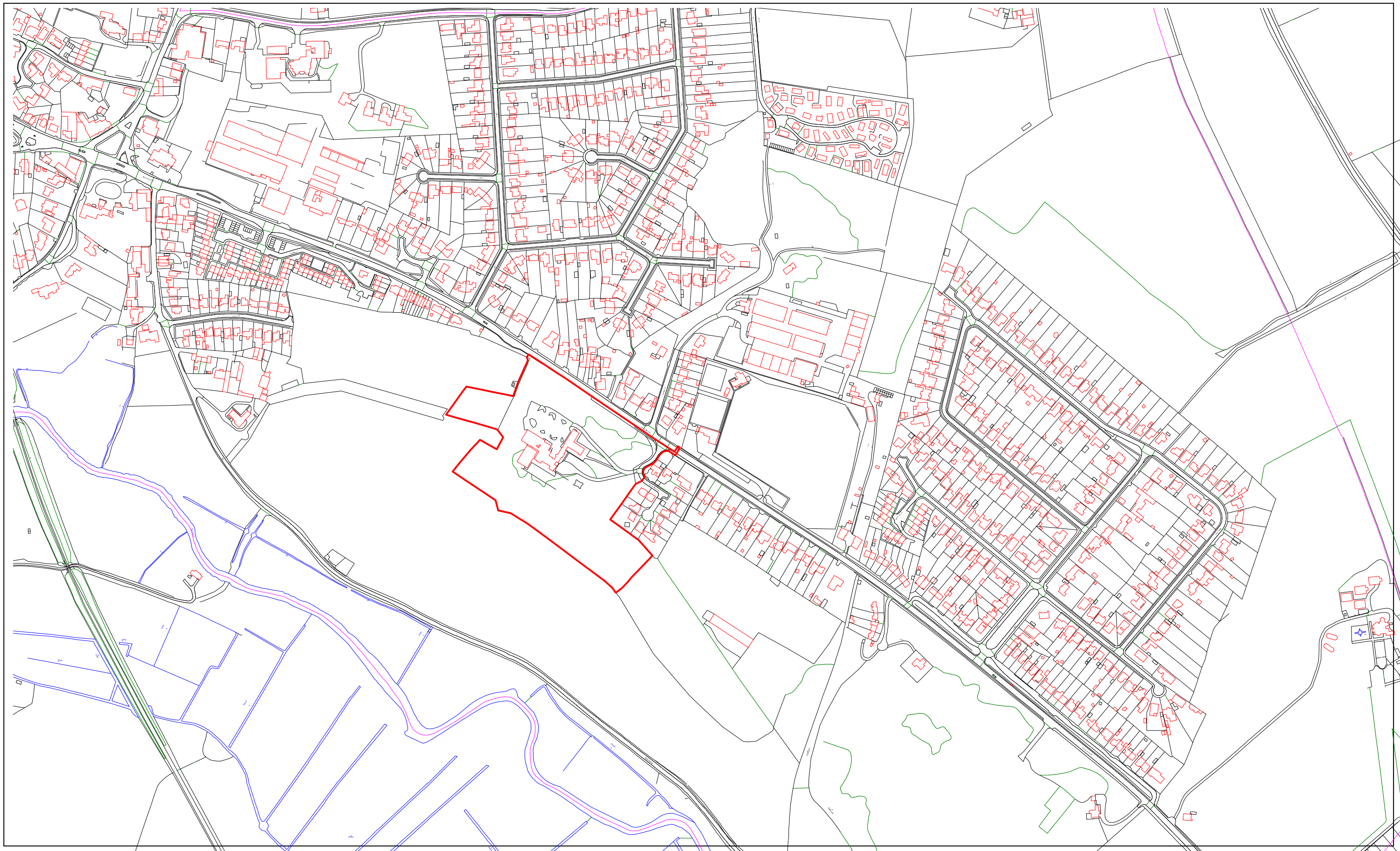
The meeting closed at 3.50pm

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	App'n No	Location	Contact Officer	Officer Recommendation	Page Nos
1	<u>20180236</u>	<u>Drayton Old Lodge, 146 Drayton High Road, Drayton</u>	MR	Delegate authority to the HoP to APPROVE , subject to the satisfactory completion of a Section 106 Agreement and conditions	45 – 92
2	<u>20181358</u>	<u>Reepham Road Treebelt, Thorpe Marriott</u>	CR	APPROVE subject to conditions	93 – 118
3	<u>20181261</u>	<u>Land north of Norwich Road, Great Plumstead</u>	HB	APPROVE subject to conditions	119 – 139
4	<u>20181361</u>	<u>Land north of Norwich Road, Great Plumstead</u>	HB	APPROVE subject to conditions	140 - 157

HoP = Head of Planning

Key	Contact Officer	Direct Dial No:
MR	Matthew Rooke	01603 430571
CR	Chris Rickman	01603 430548
HB	Heather Byrne	01603 430628



Application No: 20180236

Drayton Old Lodge, 146 Drayton High Road, Drayton, NR8 6AN

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Scale:
1:4509

Date:
15-Oct-18



AREA West
PARISH Drayton

1

APPLICATION NO: [20180236](#) **TG REF:** 618600 / 313200
LOCATION OF SITE Drayton Old Lodge, 146 Drayton High Road, Drayton,
Norwich NR8 6AN
DESCRIPTION OF DEVELOPMENT Erection of 30 new build dwellings and conversion of Old Lodge for 5 dwellings, totalling 35
APPLICANT Wilson Development Ltd
AGENT Lucas + Western Architects
Date Received: 3 February 2018
13 Week Expiry Date: 5 May 2018

Reason at Committee: The development is contrary to the Development Plan but the officer recommendation is for approval

Summary of decision: Delegate authority to the Head of Planning to approve, subject to the satisfactory completion of a Section 106 Agreement and subject to conditions

1 THE PROPOSAL

- 1.1 This application seeks full planning permission to create 35 dwellings across the application site. The application proposes 30 new dwellings, 5 of which are 2 bedroomed affordable dwellings to be shared equity houses, together with the conversion of the 20th Century Drayton Lodge into five dwellings from its current use as a business centre. This represents a 14.2% affordable housing provision and a viability assessment has been submitted to justify that a development that complies with the Council's affordable housing policy and off-site recreational provision would not be viable due to other substantial costs involved in the development of the site.
- 1.2 The application proposes the demolition of a large L-shaped two storey 1930s extension and a more recent flat roofed single storey kitchen extension to Drayton Lodge. The proposals incorporate the construction of new roadways within the site, parking areas, footpaths and landscaping, together with a new public woodland trail through the site with green infrastructure connections to the neighbouring sites to the east and west. In addition, it is proposed to the repair an on-site Scheduled Ancient Monument, which is also Grade II* listed,

known as Old Lodge. Vehicular access to the site will remain from Drayton Lodge Park but the width of the junction at Drayton High Road is proposed to be reduced; a new pedestrian crossing point on Drayton Lodge Park is to be installed, together with road widening from the crossing point to the site access, and a widened footpath along Drayton Lodge Park on the eastern boundary of the site. A dropped kerb crossing is also proposed on Drayton High Road to the east of the junction with Drayton Lodge Park.

- 1.3 The application is in its further revised form as a revised site layout plan, floor plans and elevations for the proposed dwellings have been submitted. In addition a Planning Statement, a Heritage Statement, a Flood Risk Assessment and Drainage Strategy, a Ground Investigation Report, an Economic Viability Analysis, an Ecological Survey and an Arboricultural Impact Assessment have been submitted in support of the proposed development.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF), Planning Practice Guidance, Drayton Neighbourhood Plan and other material considerations.
- Whether the proposed development results in a significant detrimental impact upon the character and appearance of the surrounding area, heritage assets, the natural environment including trees and ecology, highway issues, drainage and residential amenity.

3 CONSULTATIONS (in summarised form)

3.1 Drayton Parish Council:

Object, the site is outside of the settlement limit and has not been put forward in the recent 'call for sites'. The proposals are not compliant with the affordable housing requirements and the 5 year land supply has been secured using the Strategic Housing Market Assessment method meaning Broadland has a 8.08 year supply and this windfall is not required. Furthermore, the application raises the following concerns: The access road / junction with A1067 is too narrow and should be widened and there are concerns about how this will be used safely during the construction period given the existing residential traffic that also uses it; The likely increase in traffic along Carter Road gaining access onto the Broadland Northway; the felling of 43 trees is environmentally damaging and does not negate any potential benefit from this development; car parking spaces allocated per dwelling is not policy compliant; and flooding and drainage concerns have been raised by the LLFA and the Parish Council support their objection.

3.2 Norfolk Constabulary: Architectural Liaison Officer

Some concerns about the openness of gardens at the front of the Old Lodge (plots 27, 28, 29) as they are not overlooked giving rise to concern about their vulnerability to crime. Likewise, other plots have a rear boundary exposed to public access and therefore require a 1.8 metre high boundary. Security lighting is also suggested as well as for properties that back onto Drayton High Road. Other concerns are the informal parking area and storage unit, and how they could be vulnerable to crime, but both have since been removed as plans were amended during the application process.

3.3 Anglian Water:

No objection in terms of foul drainage, Whitlingham Trowse Water Recycling Centre will have available capacity for these flows, although a drainage strategy condition is recommended to be prepared in consultation with Anglian Water to determine mitigation measures to ensure no unacceptable risk to flooding downstream. Advise that the Lead Local Flood Authority is consulted in respect of surface water disposal.

3.4 Norfolk County Council: Lead Local Flood Authority (LLFA):

No objections to the proposal since an alternative drainage strategy has been provided, subject to a condition.

The condition includes; infiltration testing; provision of surface water attenuation storage; the incorporation of an emergency spillway into soakaways; the incorporation of freeboard allowances into any drainage structures; specified ground level; surface water management in accordance with the SuDs Manual and a maintenance and management plan for surface water drainage.

The condition ensures a satisfactory management of local flood risk in accordance with National Planning Policy Framework paragraph 163 and 165.

3.5 Norfolk County Council: Highways Authority:

For a development of this scale we would normally expect the roads and footways to be designed to adopted standard and offered for adoption as public highway. However, during our discussions with the applicant it has been made clear to us that he wishes to retain the development in private ownership. Given the applicant's intentions for this development, in this instance we will not recommend our standard estate road conditions. Should your Authority be minded to determine the application in its current form we would recommend the imposition of conditions and an informative be included in the consent notice.

3.6 Norfolk County Council: Water Resources and Planning Manager:

Taking into account the location and infrastructure the minimum requirement is one fire hydrant on a no less than 90mm main.

3.7 Norfolk County Council: Natural Environment Team

Initial surveys were undertaken in October 2016 and July 2017 and there is a high potential for roosting bats and further surveys are required in accordance with good practice guidance.

Further comments:

Accept that sufficient information has been provided to determine that the derogation tests for licensing under Regulation 53 of the Habitats Regulations 2010 can be satisfied. If you are minded to approve this application, we recommend that you use the informative and condition below, that works proceed in line with the Ecological Survey report (MHE Consulting Ltd; February 2018).

All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making all species of bat European Protected Species. Several trees proposed for removal were assessed as having bat roost potential. Further survey work needs to be carried out and therefore we recommend that you impose the following condition:

“No works to trees assessed as having bat roost potential (MHE Consulting Ltd; February 2018) including removal, pruning or crown reduction shall take place unless a competent ecologist has undertaken further survey work to determine presence/ likely absence of roosting bats and provided written confirmation that no bat roosts will be harmed and/or that there are appropriate measures in place to protect bat interest on site. Any such written confirmation should be submitted to the local planning authority.”

An informative should also be added to advise the applicant of their requirements under the Wildlife & Countryside Act 1981 and the Conservation of Habitat and Species Regulations 2017 and to acquire the necessary licence(s) from Natural England before the development is commenced.

3.8 Norfolk County Council: Historic Environment Officer

The proposed development is located very close to a scheduled ancient monument, which is the 15th Century brick-built Drayton Old Hall. In addition prehistoric and Roman artefacts have also been found close to the proposed

site. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance may be affected by the proposed development. In view of this we request that a heritage statement, including the results of a programme of archaeological evaluation is submitted in accordance with the requirements of the NPPF. Norfolk County Council will provide a brief for this evaluation on request.

3.9 Historic England:

Comments on further revised submission:

We are pleased the applicant has been able to respond to our concerns and the layout plan has been amended. Primarily by moving the two houses (plots 16 and 17) further to the north and level with the building line created by the front of Drayton Lodge, this significantly reduces the impact of any new build elements within the key views of the scheduled ancient monument (Old Lodge) and preserved the key relationship between it and the front of Drayton Lodge. The development would however still result in a degree of harm to the significance of Old Lodge as set out in paragraph 194 of the NPPF, primarily due to the change in the open space and the change of use from gardens to the more urbanised setting of a residential development.

A further concern is the long term impact of the development upon Old Lodge; in particular how to manage the repair and on-going management of the site should a development take place. If it were not repaired or the issue of ownership and management not resolved as part of the planning process then the application would be potentially detrimental to the long term preservation and significance of the monument, through neglect. We also have a concern about ownership of the monument going forward. The applicant needs to clarify who will own and maintain the structure in the future. If it is to be adopted by a management company associated with the care of the grounds and open spaces then this company needs to be given responsibility for maintaining the monument and vested with money to ensure repairs can be made in the future. This needs to be clarified prior to granting planning permission, or a suitably worded condition placed on the application to ensure that a legally binding agreement is in place prior to the completion of the development. This agreement would need to be approved by the Council and Historic England prior to discharge of the condition.

As outlined above, we feel there are a number of concerns that still need to be addressed by the planning authority, around the repair and on-going maintenance of Old Lodge going forward. Historic England does not however object to the development in principle and recognises that public benefits can be established through the scheme to offset the harm to the significance of the asset. In policy terms we feel the balance could be weighted in favour of the development provided the applicant is able to address the issues of conservation, interpretation and on-going maintenance and that the planning

authority is able to condition the application sufficiently to address our concerns. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

3.10 District Council: Environmental Contracts Officer:

As long as all turning areas have been tracked with the appropriate size of vehicle I am happy with this as revised. Some concern regarding access for Refuse Vehicles if cars are parked around junctions etc.

3.11 District Council: Section 106 Monitoring Officer:

The developer has allowed a sum for providing paths and woodland trails but not for off-site contributions towards play or formal recreation. No woodland management plan is provided with the application, this being important for anyone excepting long-term maintenance responsibility for the site.

3.12 District Council: Housing Enabling Officer:

It is noted that the applicant is proposing 5 x 2 bedroom shared equity house types. Confirmation has been received that these will be 75% or 80% shared equity on a shared equity lease (and therefore via a Registered Provider).

If this changes, or if offered as Discounted Market Sale, the properties will be liable for Community Infrastructure Levy (CIL).

3.13 District Council: Conservation Officer (Arboriculture & Landscape):

Due to the multiple constraints associated with the site 'a resolve all issues solution' is not feasible and it is acknowledged that some elements of compromise will be required if the benefits of the scheme are to be delivered.

The changes made to the scheme following my last site meeting have gone some way to improve the layout from a tree constraint perspective, although some plots will still be encroached and overshadowed by the existing trees and future occupants should be made aware that heavy lopping or inappropriate branch removals to reduce leaf, seed, pollen and bird droppings would not be acceptable due to the protection afforded to the trees. Construction of the new hard surfaces, changes to the existing access, additional parking bays / ports and bin stores within the RPA's all have the potential to cause root damage and reduce the existing useful life of these trees, which would have a significant impact on the setting of the location, it will be of the upmost importance that the recommendations within the Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) are implemented in full.

Detailed comments in respect of:

- Changes to the positions of the units adjacent to Oak T875 reduce the hard surfacing within the trees Root Protection Area (RPA) and measure to ensure the trees roots are protected from damage appear acceptable. Some crown reduction will still be required and it needs to be acknowledged at this stage, that the plots adjacent to this tree will still experience some issues associated with seasonal nuisances and overshadowing and that remedial works will be limited due to the TPO protection.
- An additional unit plot 10 has been added on the North West boundary, this will require the removal of two additional trees, although following a site inspection the losses are considered to be acceptable if suitable replacement planting is secured through a landscaping condition, it should be noted that this plot will still experience overshadowing to the property and garden.
- The removal of the informal parking area under the tree canopies is an improvement.
- My earlier comments and concerns regarding the new north-south access road and the encroachment within RPA's remains.
- The removal of T55 & G8 to construct a parking bay and a bin store is not ideal and I would suggest this should be re-visited and possibly a 'No-dig surface' used so that at least one of the trees could be retained.

In summary the development proposals will require the removal of a significant number of trees and many of the plots will encounter seasonal nuisances and overshadowing associated with living in close proximity to mature trees, this should be balanced against the benefits the scheme would deliver and the mitigation that can be secured through a suitable landscaping condition.

3.14 District Council: Economic Development Officer:

No comments to make.

3.15 District Council: Amenities and Landscape Officer:

A large amount of open space is expected that will include woodland, glades, open landscaping, planting beds and footpaths.

Following re-consultation, no objection is raised but further landscaping plans should be provided.

3.16 District Council: Pollution Control Officer:

The desk study has identified a former pit now filled in. Investigations need to include gas monitoring and to give a technical assessment of soil matter. Suggest that a pre-commencement condition is imposed to require the submission of a site investigation report.

3.17 District Council: Historic Environment Officer:

I agree absolutely with Historic England's comments. In summary, the development will cause harm to the significance of the Ancient Monument (Drayton Old Lodge) and Drayton Lodge (an undesignated heritage asset) by development within the setting of the buildings and by the conversion of the Drayton Lodge.

The revised plans which have moved the plots on the southern boundary back closer to the south elevation building line of Drayton Lodge have ensured that the harm caused to the significance of the Ancient Monument would now be 'less than substantial'. However, this level of harm will not be acceptable unless the future of the Ancient Monument, which has been on the 'Heritage at Risk Register' for many years, can be secured and better public access and interpretation implemented.

A stabilisation scheme for the ruin including enhanced public access and interpretation must therefore be the most important aspect of any consent granted. This should, in my opinion, be completed to the satisfaction of Historic England and the Council prior to first occupation of any of the dwellings permitted by the consent.

The appropriate conversion of Drayton Lodge as an undesignated heritage asset is also of key importance. As the building is not listed, it will not be possible to retain the original windows. Double glazed windows of similar appearance are proposed. I suggest that these are conditioned as are materials for other external alterations to the building, plus the method of demolition of the later additions.

Can you also withdraw permitted development rights for changes to external materials and detailing and outbuildings for all dwellings on the site, both conversions and new builds, as this will be essential to avoid further harm to the significance of the Ancient Monument and Drayton Lodge by inappropriate developments within their settings.

3.18 District Council: Design Adviser:

Given the involvement in the proposals of the conservation section and Historic England the following comments are limited to the detailed design

and layout of the proposal and the impact that this will have on the site and the wider landscape.

The design has been amended to take into account comments made by all consultees and the resulting layout is considered to be an improvement in terms of layout and indeed detailed design.

The layout has been amended to improve both the setting of Old Lodge and Drayton Lodge and to increase their prominence on the site. Their prominence and settings will still be impacted on by the development and this will in turn impact on their significance, however now with the amended layout, the existing hierarchy and historic development of the site remains readily understood.

The development respects the existing spatial layout of the site and introduces the new blocks in neutral areas where existing vistas of the heritage assets are not interrupted and in the main where existing trees can be retained maintaining the sylvan setting in so far as possible. The overall character of the site will be changed significantly by the proposal but the layout does now ensure that the character of the site is retained as far as possible with the introduction of significant new build elements.

The pattern of development on the site takes its pattern from the strong perpendicular wings of Drayton Lodge which is considered an appropriate approach. It respects the existing form of layout and expands outwards from it, leaving the earlier building as the central focal point of the site. As importantly the relationship between this building and the Old Lodge has not been interrupted by the new build and although the setting of the monument is condensed by the new build its immediate setting is in the main respected.

The detailed design is contemporary in appearance but closely follows the form of Drayton Lodge with relatively narrow plan form and steeply pitched roof. The fenestration pattern is contemporary and provides a subtle contrast to the existing blocks. The decision to use a mix of parapet and overhanging verges is a little confusing visually but it is acknowledged that a variety of detail on a strong form provides visual relief and variation when viewed over the development as a whole.

Details such as the chimneys echo the strong detailing of the Drayton Lodge and these are welcome contemporary interpretations and again harbour a sense of visual cohesiveness between the old and new. They also reinforce the dominance of the original building by not attempting to compete with the finer detailing of the older building but referencing it visually.

The detailed design of the new build overall is considered to make a positive visual contribution, although the overall impact of the scheme will impact on the setting of the heritage assets as described above.

In conclusion and subject to details of materials as well as large scale details of key junctions such as soffit, eaves, verge, fascia, and reveals the revised layout and detailed design is considered acceptable and can be recommended for approval. As stated above deferring to the comments of the conservation team and Historic England.

4 PUBLICITY

4.1 Neighbour notification:

36 addresses on Drayton High Road and Drayton Lodge Park, Drayton

Last expiry date: 18 September 2018

4.2 Press Notice:

Expiry date 20 March 2018.

5 REPRESENTATIONS

5.1 5 Delane Road, Drayton:

Objections, comments and questions relate to the impact on the listed Lodge, the suitability of the ground conditions for soakaways, the capacity of the pumping station at Low Road to deal with more foul sewage, whether the footpaths will be publically accessible or for residents of the development only, and what archaeological investigations are required.

5.2 79 Drayton High Road, Drayton:

Objection due to contradiction between the development and the Drayton Neighbourhood Plan. Proposal is an overdevelopment of the site; elevated ground level will result in overlooking of current resident dwellings. This is also the case with the proposed three storey buildings in the proposal which are also out of character with the area due to the design and materials. The development would spoil views and the heritage value of the site. Wildlife, their habitat and greenery are under threat from the development with some wildlife's survival being negatively impacted. Concerns also extend to increased traffic and its impact.

5.3 93 Drayton High Road, Drayton:

Strongly object the proposal. Due to the elevation of the development in combination with plans for three storey dwellings, overlooking would infringe

on my privacy. Concerned by the design and type of the proposed dwellings and that they are not fitting with local character of the area. Concerns also extend to increased traffic, road safety due to on road parking and increased pressure on local services such as doctors and schools.

5.4 151 Drayton High Road, Drayton:

Concerns over the loss of employment. The ancient monument will no longer be in plain view for the village. The current access is too narrow to accommodate additional traffic. Concerned over the possible felling of the large cedar tree and the protection of the spring flowers surrounding the historic monument.

5.5 1 Drayton Lodge Park, Drayton:

Concerns over narrow access to Drayton Lodge and unsuitability for additional traffic. At present, two cars are unable to pass each other.

5.6 11 Drayton Lodge Park, Drayton:

As to the site access, the carriageway needs to be widened and clear priority marked out for how vehicles will merge from Drayton Lodge Park and the new proposed site. There is also concern about the limited amount of parking arrangements and that cars will consequently park on the grass verges. The site has ecological value that should be conserved and Tree Preservation Orders should be applied. There is also uncertainty about the likely time needed to build the homes, the disturbance to existing residents, and long-term management of the open spaces.

5.7 15 Drayton Lodge Park, Drayton:

Object to the proposed development and the impacts on possible increased congestion due to on road parking. Concerns expressed as to whether the proposal provides affordable housing and whether local residents would have priority in applications for these.

5.8 17 Drayton Lodge Park, Drayton:

The entrance to and exit from the proposed development is still a major cause for concern despite a small widening. Traffic to and from the lodge assumes it has right of way without due care for cars accessing and exiting Drayton Lodge Park. There are weekly near misses and that is without the new dwellings and site traffic. Suggest that the access strip from the High Road to the site needs straightening and widening with central road marking and clear signage indicating priorities at the junction. Currently if two cars meet on this section one has to mount the footpath and this is not taking account of the

wider site vehicles, emergency and refuse vehicles. We hope these concerns are fully considered.

5.9 19 Drayton Lodge Park, Drayton:

Comments repeated from 17 Drayton Lodge Park above. I hope what we say will not be ignored and that a safe remedy can be found.

5.10 23 Drayton Lodge Park, Drayton:

Concerns over how the temporary shed which back onto the residents' garden will impede on his view which currently looks out onto the historic monument.

Officer comment:

The storage shed has been removed from the revised proposals.

5.11 25 Drayton Lodge Park, Drayton:

Strongly object. Reasons for objection include the disturbance to the ecosystem and woodland corridor, in particular by the proposed shed and access to it; the blocking of light by the proposed shed; risk to the woodland corridor and the fauna that utilise it from the development as a whole; disturbance caused by widening the access to the site.

5.12 27 Drayton Lodge Park, Drayton:

Concern over potential impact of terraced houses on the character of the area and would like to see detached houses using materials which are more fitting with the character of the historic site. The removal of the Cedar is a real shame. The existing entrance to the lodge is narrow and the adjoining road is already a hazard. Traffic will be increased further with 31 additional properties. The proposed shed and access to it, on the boundary of the site, will disturb the wildlife. Additional concerns regarding the visual impact of the wheelie bins.

5.13 Drayton Old Lodge Business Centre, Drayton:

Representations have been received that explain how the current activities are unviable. There have been various changes in the business offer, as well as changes amongst the directors of the business. After the sale from the NHS in 2003, HM Prison Service was the main tenant up to 2006. Efforts were then made to reshape the business to offer conferencing, weddings, and a restaurant. However, in 2015 the business was placed in administration before a subsequent buy-back took place. Underlining challenges are the age of the buildings and the relatively small amount of office space to the overall

size of site. Consequently, operating costs for the business are high. Should the current application not be successful it is feared that the site may have to be closed.

5.14 E-mail from unspecified address on Drayton Lodge Park, Drayton:

Concerned that the access road to the lodge from Drayton High Road is too narrow for two cars to pass each other, although this is not too much of a problem based on current use, this may be more problematic with the inevitable increase in traffic. Traffic flows along Drayton High Road at peak times means that traffic queues back to the lodge. Concerned about site traffic over the development period which could be up to 5 years. The old ruin is likely to become a magnet for children as a dangerous playground, not to mention the damage that may be caused to the ruin itself.

5.15 E-mail from unspecified address on Carter Road, Drayton:

Concerns over the development encouraging rat running via Carter Road onto the NDR. Suggests the closure of one end of Carter Road to prevent this which could be funded by the developer.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2018:

- 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 7, 8, 10, 11, 73, 74, 108, 109, 123, 170, 175 & Section 16 – ‘Conserving and enhancing the historic environment’ are particularly relevant to the determination of this application.

- 6.2 Planning Practice Guidance is an online repository of Government guidance that supplements the NPPF.
<https://www.gov.uk/government/collections/planning-practice-guidance>

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

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

Amongst other items, this policy sets out that development will be located to minimise flood risk (mitigating any such risk through design and implementing

sustainable drainage), that environmental assets of the area will be protected maintained, restored and enhanced.

6.4 Policy 2: Promoting Good Design

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

6.5 Policy 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.

6.6 Policy 6: Access and Transportation

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

6.7 Policy 12: The Remainder of the Norwich urban area, including the fringe parishes

For parishes including Drayton this policy seeks to identify opportunities for improving townscape, retain and improve local services, as well as improve green infrastructure links.

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

6.8 Policy GC1: Presumption in favour of sustainable development:

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

6.9 Policy GC2: Location of new development

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

6.10 Policy GC3: Conversion of buildings outside settlement limits

As well as being capable of conversion without substantial alteration, proposals for residential use should lead to an enhancement of the immediate setting.

6.11 Policy GC4: Design

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

6.12 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 significant environmental or community gain from redevelopment and/or change of use which outweighs the employment benefit.

6.13 Policy EN1: Biodiversity and Habitats

Development proposals should protect and enhance the biodiversity of the district. Where harmful impacts occur it should be demonstrated that development cannot go elsewhere, that mitigations are incorporated, and that the benefits of the development scheme outweigh the impacts.

6.14 Policy EN2: Landscape

Regard should be given to the Landscape Character Assessment SPD. For example considerations are: gaps between settlements; visually sensitive skylines; Scheduled Ancient Monuments; and green spaces that make a significant contribution towards the area's character.

6.15 Policy EN3: Green Infrastructure

Residential development consisting of five dwellings or more will be expected to provide at least 4 ha of informal open space per 1,000 population at least 1.16 ha of allotment per 1,000 population. Development will also be expected to make adequate arrangements for the management and maintenance of green infrastructure.

6.16 Policy EN4: Pollution

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

6.17 Policy RL1: Provision of formal recreational space:

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

6.18 Policy TS3: Highway safety

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

6.19 Policy TS4: Parking

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

6.20 CSU4: Provision of waste collection and recycling facilities within major development

Proposals for major development will be expected to include appropriate provision for waste collection and recycling facilities.

6.21 Policy CSU5: Surface water drainage

Development should not increase the site vulnerability, or the wider catchment, to surface water flood risk. Wherever practicable there should be a positive impact on surface water flood risk in the wider area.

Drayton Neighbourhood Plan 2016:

6.22 Objectives 1 – 6: (relevant ones summarised)

- 1 Preserving the character of the settlement, including the spatial balance between the rural and built environment, historical assets and character whilst improving design, based on local vernacular style.

- 2 Protecting and enhancing resources available for sports, leisure, community and educational activities.
- 4 Improving the management and possibly increasing the provision of public green spaces of different kinds.
- 6 Improving access and use of route-ways through urban and countryside for pedestrians and cyclists.

6.23 Policy 1A:

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

6.24 Policy 1B:

Proposals for new housing development must have regard to the desirability of providing opportunities for local employment to help reduce the need for travel to work. Development which would provide a mix of housing and employment related uses will be supported.

6.25 Policy 1C:

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

6.26 Policy 1E:

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

6.27 Policy 2A:

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

6.28 Policy 2C:

Development which would affect the setting of listed buildings will not be permitted unless the setting would be preserved or enhanced.

6.29 Policy 3: Maintaining Important Views

Development will not be permitted where it is visually intrusive to: St Margaret's Church; open views from School Road and Hall Lane; and the green gap between Drayton and Taverham.

6.30 Policy 5: Flooding

Development proposals that increase the risk of surface flooding will not be permitted. A flood risk assessment must accompany applications within the Drayton Critical Drainage Area.

6.31 Policy 7: Improved Walking and Cycling Routes

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

6.32 Policy 9: Increasing the use of the King George V Playing Field

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

Recreation provision in Residential Development, Supplementary Planning Document (2016):

- 6.33 Sets the guidance on how the requirements set out in policies EN1, EN3 and RL1 of the DM DPD will be applied.

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

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

Other material considerations:

- 6.35 Planning (Listed Buildings and Conservation Areas) Act 1990:

Sections 16(2) and 66(1) provides that in considering whether to grant planning permission or listed building consent for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.

- 6.36 Ancient Monuments and Archaeological Areas Act 1979:

Consolidates and amends the law relating to ancient monuments; to make provision for the investigation, preservation and recording of matters of archaeological or historical interest and for the regulation of operations or activities affecting such matters.

6.37 West Broadland Green Infrastructure Project Plan:

Whilst not a policy document as such, the West Broadland Green Infrastructure Project Plan is also considered to be relevant. The Plan was endorsed at Place Shaping Panel in October 2018.

The aim of the plan is to make recommendations for a series of Green Infrastructure projects across the western area of the Broadland District which will enhance local recreational opportunities for residents of the area and provide enhanced habitats and connectivity for local wildlife populations. The delivery of these projects will help to mitigate the impact of future growth of the area on the natural environment.

Project 4 – South Drayton Greenway links Drayton village centre to the public rights of way through Drayton Wood to the south east via a network of paths to the south of existing and potential developments that front Drayton High Road.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is outside but adjacent to the settlement limit as defined by the Development Plan and is located to the east of Drayton village centre within a residential area, on the southern side of Drayton High Road (A1067) in proximity to residential neighbours. Drayton is located within the Norwich Policy Area (NPA) as set out in the JCS. A historic feature of the site is a 15th Century former lodge that has the status of a Scheduled Ancient Monument and a Grade II* listed building, located in the south eastern part of the site, all that remains of it are parts of the 4 external walls and will be referred to in this report as 'Old Lodge'. The main building on site is Drayton Lodge built in 1914, which is a three storey property constructed in brick and clay plain tiles in an Arts and Crafts style, with stone mullion windows and intricate detailing. Modern extensions have been added to Drayton Lodge to its north and west elevations and there is a substantial hard surfaced car park in front, to the north of Drayton Lodge.
- 7.2 Currently the site operates as Drayton Old Lodge Business Centre, providing serviced office accommodation, events and conferencing facilities. Other than buildings and the monument, notable features of the site are the walled garden to the north west of the site and the many mature trees both in groups and individually which are the subject of an area Tree Preservation Order across the site. The site level around the buildings is flat, although the ground levels fall away to the north and west and more steeply to the south. Beyond

the site to the south, the land is agricultural fields and slopes down to Low Road and the River Wensum beyond. To the north west is an agricultural field that has full planning permission for 71 homes (ref: [20170212](#)). To the east is the residential development and access road of Drayton Lodge Park comprising 14 detached houses and to the north is Drayton High Road with a variety of residential properties on the opposite side of the road.

8 PLANNING HISTORY

- 8.1 Drayton Lodge was originally constructed as a private residence in 1914, but later became nurses' accommodation. In 1993, planning permission was given for a change of use to office accommodation. Since then there have been proposals to widen the commercial use into events and conferencing. More recently, planning permissions have included an extension to the kitchen facilities, use of the patio area for serving food, and temporary permissions for a marquee that was used for wedding receptions / private functions. Planning permission was granted in 2012 for a function room, entrance lobby and reception for the hotel, a lobby for the offices and enlarged areas of car parking.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the development plan, including the housing supply situation in the Norwich Policy Area (NPA) and the Drayton Neighbourhood Plan, the National Planning Policy Framework (NPPF), Planning Practice Guidance, and other material considerations. Whether the proposed development results in a significant detrimental impact upon the character and appearance of the surrounding area, heritage assets, the natural environment including trees and ecology, highway issues, drainage and residential amenity.

Policy Framework

- 9.2 It is noted that the site is outside of, but adjacent to, the settlement limit for Drayton which includes the properties on the opposite side of Drayton High Road and the houses at Drayton Lodge Park. The site has not been allocated for any purpose and Drayton is within the Norwich Policy Area (NPA) for housing supply.
- 9.3 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise. Material considerations include the National Planning Policy Framework (NPPF).

- 9.4 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals for housing that accord with the development plan should be approved without delay. In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits where it accords with a specific allocation and / or policy of the development plan and does not result in any significant adverse impact.
- 9.5 Where development proposals do not accord with the development plan or relevant policies are out of date, consideration should be given to DM DPD Policy GC1 as to whether there are material considerations that otherwise indicate that development should be approved.
- 9.6 Of particular relevance to applications for housing development is paragraph 11 of the NPPF which states that:

For decision-taking this means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 9.7 It is considered that it is still appropriate to use the JCS housing requirement, having regard to the revised NPPF (Para 73) given that the JCS is less than 5 years old. The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined Norwich Policy Area (NPA), a shortfall of 1,187 dwellings. Consequently, the policies which are most important for determining the application in the NPA cannot be considered up-to-date and applications for housing should continue to be determined within the context of the tilted balance referred to in paragraph 11 of the NPPF.

- 9.8 However, in June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.
- 9.9 A housing land supply of 8.08 years can be demonstrated against the SHMA assessment of OAN, a surplus of 5,368 units. Whilst the guidance to which the Central Norfolk SHMA accords has now been superseded, it is considered, nevertheless, that the SHMA remains an intellectually credible assessment of housing need. Assessments such as the SHMA will continue to form the basis of local plans submitted ahead of January 2019, including some within the Central Norfolk Housing Market Area. The extant PPG guidance continues to state that “Considerable weight should be given to the housing requirement figures in adopted Local Plans . . . unless significant new evidence comes to light. Therefore it remains entirely appropriate to give weight to the SHMA as a material consideration in the determination of planning applications.
- 9.10 The abundant housing land supply that is apparent in relation to the most up-to-date evidence of housing needs (8.08 years) should therefore be given weight in the decision-making process as a material planning consideration. This factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery in the context of DM DPD Policy GC1 and NPPF Paragraph 11.
- 9.11 On the basis of the above, the following assessment seeks to establish the benefits of the scheme and any harm that would be caused in the context of the relevant development plan policies and the NPPF with reference to the three dimensions of sustainable development (economic role, social role and environmental role). These three headings form a convenient basis for structuring the assessment of the proposal against development plan policies taking account of each of the main issues for determination.

The principle of development

- 9.12 Policy GC2 of the Development Management DPD 2015 (DM DPD) states that new development will be accommodated within the settlement limit. 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. On the basis that the proposed residential development is outside of a settlement limit and does not accord with a specific allocation or Policy of the Development Plan the application is considered to be contrary to Policy GC2.

- 9.13 Whilst contrary to Policy GC2, Policy GC1 of the DM DPD states that 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 permission unless material considerations indicate otherwise – taking into account whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits or whether specific policies in the NPPF indicate that development should be restricted. This Policy reflects the presumption in favour of sustainable development at paragraph 11(d) of the National Planning Policy Framework (NPPF).
- 9.14 Other policies of the development plan to be assessed are Policies GC3, GC4, EN1, EN2, EN3, EN4, RL1, TS3, TS4 CSU4 and CSU5 of the DMDPD and 1, 2, 4, 6 and 12 of the JCS.
- 9.15 It should also be noted that the adopted Drayton Neighbourhood Plan (DNP) forms part of the development plan and it is necessary to consider the objectives and policies of the DNP as set out in paragraphs 6.22 – 6.32. The contents of the plan are a material consideration in the determination of the application. The Plan contains visions and objectives for the village as well as specific policies to guide development. The vision for the parish is *‘for the community of Drayton . . . to maintain the quality of life in their parish by preserving the balance between the built and green environment, improving negative elements of the built environment and infrastructure whilst developing and strengthening opportunities for the people of the parish, encouraging increased prosperity and building up the facilities available to residents and those that work here’*.
- 9.16 There are 6 objectives of the DNP which are intended to address specific issues raised by the community and provide a basis for the policies of the Plan, which if fulfilled, will ensure the vision for the village is achieved. The objectives relevant to this proposal are summarised in paragraph 6.22 of this report. It is considered that the proposals fulfil objectives 1, 2, 4 and 6 as the design and scale of the proposals are considered to be acceptable, the development will generate CIL receipts, 25% of which will be paid to the Parish Council for them to enhance the sports, leisure, community and educational activities within the parish and increase the provision of public green spaces through the provision of the on-site green infrastructure path network which connects to the adjoining site to the west, with the potential to connect to the adjoining land to the east.
- 9.17 In turning to the policies of the DNP, Policy 1A requires that proposals for development must show how the development would achieve a high standard of design, sustainability and innovation. Development which reflects the historic character of Drayton will be supported. The design, scale and external materials of the development have been designed in a contemporary form which is considered to reflect the form and scale of Drayton Lodge which forms part of the historic character of Drayton. The Council’s Design Officer has stated that the detailed design of the new build overall is considered to

make a positive visual contribution, and is considered to be acceptable in design terms.

- 9.18 Policy 1B is not considered to be relevant as the proposals do not include any employment elements; Policy 1C is a relevant policy as it requires that development which would have an impact on the natural environment will not be permitted unless it can be shown that the natural environment would not be harmed. In this case it is noted that it is proposed to fell trees across the development but an area TPO has been served on the site and the better tree species are to be retained. Full consideration of this issue is assessed at paragraph 9.58 below.
- 9.19 Policy 2A states that proposals for development which would use traditional building materials found in Drayton will be supported. The external materials proposed to be used on the new build houses are red brick with Larch cladding and grey plain tiles. These materials are not so unusual individually that they would not be found elsewhere in Drayton but it is recognised that they may not, in combination, be considered to be traditional; a condition is to be imposed in this respect. Policy 2C states development which would affect the setting of listed buildings will not be permitted unless the setting would be preserved or enhanced. Full consideration of this issue is assessed at paragraphs 9.47 - 9.57 below. Policy 3 is concerned with maintaining four specific important views within the village. The application site does not effect any of the views mentioned which are elsewhere in the village.
- 9.20 Policy 5 states that development proposals which are likely to increase the risk of surface water flooding will not be permitted. Applications for planning permission for development within the Drayton Critical Drainage Area as defined in the Norwich Surface Water Management Plan must be accompanied by a flood risk assessment which considers surface water flooding. In respect of the proposals a flood risk assessment and drainage strategy has been submitted and the revised version has been considered by the Lead Local Flood Authority (LLFA) who has no objection subject to the imposition of a condition being applied to prevent the risk of surface water flooding.
- 9.21 Policy 7 states that development which would provide or help to provide improvements to the network of footpaths or cycling routes in Drayton will be supported. The proposals include the provision of one of the neighbourhood plans identified 'missing links in the network' of cycle and footpaths, this is recognised as a key benefit of the proposals and will be covered by the S106 to ensure provision and maintenance.
- 9.22 Finally, Policy 9 states that proposals for development which would provide new or improved facilities likely to increase the use of the King George V Playing Field will be supported. It is noted that the applicant has stated that as the viability of the development is so marginal he is not able to pay a commuted sum for off-site recreational provision, as this would make the

development unviable. However, the development will generate CIL receipts, 25% of which will be paid to the Parish Council, who can then decide how to spend the fund, potentially to improve facilities at the nearby King George V Playing Field.

- 9.23 It is therefore considered that the proposals meet objectives 1, 2, 4 & 6 and the stated policies of the adopted DNP as detailed above. It is recognised that the proposals do not comply with Policy 1E as it does not directly alleviate traffic congestion in the village centre, but it is not close enough to directly address this.
- 9.24 An assessment of the proposals against the individual Development Plan policies follow, these are grouped under the headings of the three dimensions of sustainable development as set out in the NPPF; being economic, social and environmental objectives.

Economic objective

- 9.25 The NPPF confirms that the economic objective is: *“to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure”*.
- 9.26 The development would result in some short term economic benefits as part of any construction work which may take in the region of 5 years and in the longer term by spending from the future occupants of the dwellings which could support local services and facilities. The development would also generate a Community Infrastructure Levy (CIL) (25% of which would go to the Parish Council as a Neighbourhood Plan has been adopted) and New Homes Bonus.
- 9.27 It is considered that the location of the site is close to the edge of Drayton where a wide range of local services and facilities are available. The proposals provide a footpath from the site onto Drayton High Road where a bus route to and from Norwich is available. The future of the designated and non-designated heritage assets on site, as appraised at paragraphs 9.49 - 9.57 below will be secured by approval of the development via clauses within a S106 Agreement and a condition to be imposed, together with the conversion of Drayton Lodge which, without the development, would have an uncertain future given the lack of alternative development options for the site. Therefore the proposal is considered to be in the right place and comes at the right time as the heritage assets can be safeguarded now before they fall into disrepair.
- 9.28 It is therefore considered that the proposed development meets the economic objectives of sustainable development as set out in the NPPF.

Social objective

- 9.29 The NPPF confirms that the social objective is: “to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being”.
- 9.30 In turning to affordable housing provision, the scheme as originally submitted proposed zero affordable housing but by negotiation, 5 x 2 bedroomed shared equity properties are now proposed to be built on-site. These are in a cluster at the centre of the site (plots 5, 6, 32, 33, and 34) each with modest gardens and two allocated parking spaces. Exact details will be subject to negotiation in a S106 legal agreement but the homes are likely to be offered at 80% of market value.
- 9.31 The applicant contends that an on-site policy compliant affordable housing provision would make the scheme unviable due to the abnormal development costs involved in the proposals including the restoration of the monument, the conversion of Drayton Lodge, including the demolition of the large extensions, the removal of the large car park, the provision of on-site woodland trails linking to the wider green infrastructure network, the removal of air raid shelters and the alterations to widen a section of Drayton Lodge Park. It is for these reasons a 14.2% affordable housing provision on-site is proposed. As the provision is below the Council’s policy compliant level, the Council has instructed an independent consultant to appraise the applicant’s economic viability analysis and to advise whether the details contained in it are reasonable.
- 9.32 The Council’s consultant has concluded that:

‘The proposed development has evolved through the application process and various viability reports have been submitted to seek to justify that the development will not be viable with the delivery of any affordable housing. The submitted viability reports provide an explanation of the appraisal and inputs and assumptions used together with some supporting evidence. The methodology of the appraisals is sound.

Guidance from the Royal Institution of Chartered Surveyors sets out in the publication ‘Financial viability in planning’ (RICS 2012) the test for viability is that the evidence indicates that based upon current values and costs a competitive return to a willing developer and willing landowner can be achieved. However, since the publication of the NPPF on the 24th July 2018 the test for viability has been changed in that for a landowner the site value for the purposes of considering viability cases should now be regarded as the minimum price a reasonable landowner would be prepared to sell their land.

Having reviewed and considered the submitted viability appraisals and supporting evidence areas of concern were challenged and where required additional information provided.

Notwithstanding the case put forward by the applicant we were of the opinion that the scheme would remain viable with some affordable units included. Following negotiations with the applicant and their agent it has been agreed that rather than no affordable housing being included on site five intermediate tenure dwellings comprising 2 bed houses will be delivered. We confirm that we recommend this proposal as being acceptable in view of the overall viability of the proposed scheme and having regard to current guidance.

- 9.33 Based on this independent advice, it is considered that the applicant's viability report is based on sound principles and methodology, its conclusion that it is not viable for the development to provide any more affordable housing than the proposed 5 no: two bedroomed shared equity houses or a commuted sum for off-site recreation is an acceptable view. Therefore, officers consider that the financial viability of the proposed development has been satisfactorily demonstrated.

Highways

- 9.34 In terms of highways issues, the existing single point of vehicular access into and out of the site onto Drayton Lodge Park is to be retained. However the width of the road between the site access and the junction with Drayton High Road is to be widened by 0.6m to 5.5m wide with a two metre-wide footpath connection provided to connect to the existing footway along Drayton High Road into the site. In addition, a new dropped kerb crossing is to be installed across Drayton Lodge Park and Drayton High Road. Within the site itself several new roadways will be constructed, built to an adoptable standard but managed privately. Due to some of the road crossing the root protection areas of trees, construction in several sections will be undertaken to a "no dig construction" standard which is more appropriate for the trees.
- 9.35 The Highway Authority has confirmed that it has no objection, subject to the imposition of conditions. These conditions are considered to be relevant and necessary and it is suggested that these are imposed. It is considered that the requirements of Policies TS3 and TS4 of the DMDPD are met.
- 9.36 It is noted that the Parish Council and a number of residents have raised objections on the basis that the access and Drayton Lodge Park are inappropriate to serve the proposed development. However as the Highway Authority are raising no objection to the revised proposals subject to the imposition of conditions which it is recommended are imposed, then these objections are not considered to be substantiated.

Drainage

- 9.37 Given Drayton's status as a Critical Drainage Catchment area and the position of the site on the valley of the River Wensum, the site's drainage strategy has been given particular attention. The initial objection from the Lead Local Flood Authority (LLFA) has been overcome as they now have no objection to the revised proposals subject to the imposition of a detailed surface water drainage condition.
- 9.38 The revised proposal is for a 380m³ attenuation tank to be constructed in the north western corner of the site at a natural low point under the roadway and parking area in front of Plot 25. Water would then be pumped under the proposed roadway serving the development to an Anglian Water surface water sewer at the eastern boundary of the site at Drayton Lodge Park.
- 9.39 The suggested LLFA condition to deal with surface water is to be imposed as is the suggested condition of Anglian Water to deal with a foul water strategy. Based on these recommendations it is considered that drainage issues have been satisfactorily resolved. It is considered that the requirements of Policy CSU5 of the DMDPD are met.

Green infrastructure path network

- 9.40 Given the amount of trees on-site and the landscape implications the site offers the potential to provide extensive informal open space. This is recognised to support the communities' health and social well-being. A publically accessible footpath is proposed along the southern boundary of the site that will link to the Drayton High Road and into the neighbouring site for 71 homes to the west, with the potential to link to the wider green infrastructure network, as identified as Project 4 of the District Council's West Broadland Green Infrastructure Project Plan. A woodland path is also proposed from the southern boundary through the site and connects to a 2m wide footway and cycleway to the north that links to Drayton High Road.
- 9.41 The connections and provision to the path network are considered to be a meaningful community benefit to be derived from the scheme that would not otherwise have been possible. This will benefit the occupiers of the development and the village given the increased accessibility and will be secured by clauses in a S106 Agreement, as well as specifying details of the management arrangements. It is considered that the requirements of Policy EN3 of the DMDPD are met.
- 9.42 In terms of the provision of open spaces on-site, it is proposed that a network of woodland trails will be provided and that the woodlands and areas of open space around the development will be informal areas of open space. The applicant has stated that maintenance of these areas will be passed to the house owners as part of the purchase of their property. There are no

proposals for equipped play areas to be provided on-site and the applicant has confirmed that as the viability of the site is marginal he is unable to pay a commuted sum for the off-site provision of formal recreation. He has stated that he will be paying his CIL liability, part of which will be passed to the Parish Council for it to spend locally. Therefore, the proposal is considered to meet the requirements of Policy EN3 of the DMDPD but due to the lack of a commuted sum for off-site formal recreation it should be recognised that the development does not comply with Policy RL1 of the DMDPD.

- 9.43 It is considered that the development in its revised form is a well-designed development, which combines a sympathetic conversion of Drayton Lodge, and appropriately located and designed new build houses in relation to the form, position and appearance of the heritage assets and the retained trees. It also includes woodland trails through the development so that pedestrians can gain access across the southern site boundary to the land to the west and east as part of the wider network of green pathways, also access from this path through the site to link to Drayton High Road and vice versa makes the site highly accessible. It is considered that the requirements of Policies GC3 and GC4 of the DMDPD are met in terms of design.
- 9.44 A further factor that contributes to the social objective is whether the proposals support the communities' cultural well-being, which in this case can be considered to be met by the retention and conversion Drayton Lodge and the repair and maintenance of the on-site 15th Century Old Lodge, which will be secured by this development, ensuring that there is safe public access to it, together with the installation of an interpretation board which will explain the significance of Old Lodge as required by condition. More details on the heritage assets are set out in paragraphs 9.49 - 9.57 below.
- 9.45 It is therefore considered that the proposed development meets a broad range of the social objectives of sustainable development as set out in the NPPF.

Environmental objective

- 9.46 The NPPF confirms that the environmental objective is: *"to contribute to protecting and enhancing our natural, built and historic environment; including making efficient use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy"*.

Character and appearance

- 9.47 In assessing the impact of the proposed development on the character and appearance of the area, it is firstly necessary to specify what the character and appearance is. Firstly, the site is within the locality of existing houses in a variety of sizes and styles. From outside of the site it is an area of mature trees which bound Drayton High Road, which then at the junction of Drayton

High Road and Drayton Lodge Park an area of individual mature trees within an area of open space becomes visible. From within the site it has a mixed character of large 2 and 3 storey brick built buildings in the centre of the site with blocks of mature trees around the site boundaries. Old Lodge is visible amongst the trees in the south eastern part of the site. The site has an individual character due to the particular elements that in combination are not present on any other site in the District.

- 9.48 The proposed development has been designed to retain as much of this unique character as possible, by retaining the blocks of mature trees around the site boundaries and the open space at the junction of Drayton High Road, the space around the ancient monument has also been retained. The areas of new development are mainly parts of the site that have previously been developed by extensions to Drayton Lodge, the roadway and the car park, although it is noted that housing is proposed to the north of the access drive and within the walled garden which are both currently undeveloped. The housing is designed to reflect the forms of Drayton Lodge and arranged in groups between the trees, with a backdrop of mature landscaping across the site. It is considered that the proposals will not significantly alter the character and appearance of the site when viewed from public vantage points outside of the site, and that the proposals within the site will have the appearance of a well-designed, high quality development that reflects the built form of Drayton Lodge and the heavily landscaped margins of the site. It is considered that the requirements of Policies EN2 and GC4 of the DMDPD are met in terms of the environment, character and appearance of an area.

Heritage assets

- 9.49 Firstly, it is important to note the particularly high emphasis that must be placed on the protection and conservation of heritage assets when assessing development proposals. Section 16 'Conserving and enhancing the historic environment' of the NPPF sets out the government's advice and statutory requirements for local authorities in respect of listed buildings are set out in and sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which provide that in considering whether to grant planning permission or listed building consent for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the buildings or its setting or any features of special architectural or historic interest which it possesses. Furthermore the Ancient Monuments and Archaeological Areas Act 1979 sets out the statutory requirements in respect of ancient monuments.
- 9.50 The most significant issue with the development of this site is the protection of the on-site Old Lodge, a scheduled ancient monument, which is also a Grade II* Listed structure and the preservation of its setting. It is currently located on the edge of the woodland to the south-east of Drayton Lodge with an area of undeveloped land around it. Care has been taken to ensure no dwellings, structures or additional parking areas are sited within the

immediate setting of Old Lodge. Plot 7 is the closest property at 33m away, but it should be noted that this is mainly within the footprint of the existing two storey extension to Drayton Lodge. The car parking area to the east of Drayton Lodge, and a roadway serving this car parking area exists but it is proposed to be downgraded to a footpath with a new roadway proposed to the side of Plot 7 to take vehicles further away from old Lodge. Views of the monument from the site entrance have been kept clear.

- 9.51 Originally three terraced houses (Plots 17 -19) were proposed to the south west of Drayton Lodge and they were positioned in front of its south wall. Historic England objected to that proposal as these plots would have an unacceptably harmful effect on the setting of Old Lodge. The latest revised plan has re-sited these houses (now Plots 16 -17) so that they align with the south wall of Drayton Lodge which is acceptable to Historic England and the Council's Historic Environment Officer.
- 9.52 A Heritage Statement has been submitted which identifies the significance of Old Lodge as it is believed to have been built in the early 15th Century using a soft, pale pink brick which is very similar to the bricks used to build Caister Castle. Old Lodge is particularly noteworthy for its early use of brick, however only parts of the exterior walls remain and the monument has been on the Heritage at Risk register for a number of years. The applicant has stated his intention to sympathetically repair Old Lodge with advice from Historic England and allow public access to view it.
- 9.53 In addition, Drayton Lodge and the walls of the walled garden are considered to be non-designated heritage assets. The conversion of Drayton Lodge into five houses involves the demolition of the less architecturally significant 1930s annexe extension and the more recent flat roofed kitchen extension; but, crucially the original building and its most important historic external and internal features will be retained. Alterations and additions to windows and doors will be required to meet building and fire regulations, but these are regarded as incidental to the character of the building and necessary to allow a pragmatic conversion. The northern (courtyard) elevation will require infill of windows and doors in the end gable, as a consequence of demolishing the 1930s annexe. The east elevation requires a new first floor window and the conversion of an existing ground floor window to an entrance to Plot 30. The front (southern elevation) will be unaffected, with the exception of new double-glazing to two small first-floor windows. To the west elevation, the change is a new 22m² single storey pitched roof extension to be added to form the kitchen and store of Plot 26. Two new entrances and glazing alterations to upper floor windows are also required. Elsewhere on the site, the layout of plots 20 to 25 is designed in such a way to retain the remnants of the walled garden at the west of the site.
- 9.54 The submitted Heritage Statement does not provide a classification of the impact of the proposals on the designated and non-designated heritage assets but the Statement and the revised site layout and elevations of the

proposed dwellings have been considered by both Historic England and the Council's Historic Environment Officer and both their comments are set out at paragraphs 3.9 & 3.14 above. Historic England has commented that it *'does not object to the development in principle and recognise that public benefits can be established through the scheme to offset the harm to the significance of the (heritage) asset. In policy terms we feel the balance could be weighted in favour of the development, provided the applicant is able to address the issues of conservation, interpretation and on-going maintenance (of Old Lodge) and that the planning authority is able to condition the application sufficiently to address our concerns'*. The Historic Environment Officer has stated *'The revised plans which have moved the plots on the southern boundary back closer to the south elevation building line of Drayton Lodge have ensured that the harm caused to the significance of the Ancient Monument would now be 'less than substantial'. However, this level of harm will not be acceptable unless the future of the Ancient Monument, which has been on the 'Heritage at Risk Register' for many years, can be secured and better public access and interpretation implemented'*.

- 9.55 To address these points, officers recommend that a detailed repair programme and future maintenance of Old Lodge, together with a timetable for the works all in agreement with Historic England are secured as clauses within the S106 Agreement and that a condition is imposed which requires the installation of an interpretation board to explain its significance, prior to the occupation of the fifth dwelling on site.
- 9.56 On the basis of these comments and the Heritage Statement submitted, it is considered that it has been demonstrated that the proposals will have less than substantial harm on the setting of the scheduled ancient monument / listed building. Paragraph 196 of the NPPF advises that *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'*. In this case the applicant has committed £185,000 to be spent on the much needed sympathetic repair of Old Lodge, which will be undertaken with all necessary agreements with Historic England. Furthermore, he is proposing that the ownership and maintenance of Old Lodge is held by owners of the houses on the development and these responsibilities will be written into their deeds. These requirements will be secured by clauses within the S106 and by condition. The ownership and maintenance of Old Lodge are really significant factors, which in addition to the enhanced public access to it and installation of an interpretation board to explain its significance, are clear public benefits arising from the development which are considered to outweigh the stated less than substantial harm to the heritage asset.
- 9.57 Furthermore, it is considered that as required by sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the local planning authority has had special regard to the desirability of preserving the listed building and its setting and the features of special architectural or

historic interest which it possesses. Furthermore the Ancient Monuments and Archaeological Areas Act 1979 sets out the statutory requirements in respect of ancient monuments and requires amongst other factors that Historic England are consulted on the proposals affecting the setting of a scheduled monument.

The natural environment including trees and ecology

- 9.58 In turning to the issue of the natural environment, consideration is firstly given to the issue of trees. The Council's Conservation Officer (Arboriculture & Landscape) has been heavily involved in the consideration of the proposals and the recognition of those parts of the site where the tree constraints were so significant that no development should be proposed and those areas of the site where there is potential albeit with care around specific tree issues. As a result it is proposed to fell 47 individual trees (13 category B; 34 category C) and 8 groups of trees comprising Sycamore, Holly and Ash; these losses will be mitigated by replacement planting across the site. In total, there are 153 individual trees and 17 groups of trees that have been surveyed across the site and no category A trees are to be felled. It is noted that the Conservation officer has stated that *'a resolve all issues solution is not feasible and it is acknowledged that some elements of compromise will be required if the benefits of the scheme are to be delivered'*. This pragmatic approach has allowed the proposals to locate dwellings amongst the better trees and groups on site which will be protected during the course of construction through the imposition of a tree protection condition, whilst the poorer species will be felled and replaced in more suitable locations with new trees as part of landscaping scheme for the entire site which will enhance the natural environment for years to come. As part of these proposals an area Tree Preservation Order (TPO) has been served across the entire site which will safeguard the trees into the future.
- 9.59 In terms of the effect of the proposals on ecology an Ecological Survey and report was submitted with the application which identified that Drayton Lodge and some of the trees within the site have high potential to be used as bats roosts. The County Council's ecologist considered the survey and report and initially requested further surveys are undertaken. However, following further comments from the applicant's ecological consultant she raises no objection subject to the imposition of a condition to ensure that no works to trees (including removal, pruning or crown reduction) assessed as having bat roost potential can take place unless a competent ecologist has undertaken further survey work and an informative is added to advise that all necessary licences from Natural England are obtained. It is recommended that the condition is imposed and an informative added, therefore it is considered that the requirements of Policy EN1 of the DMDPD are met.
- 9.60 In summary, the proposals are considered to have a positive contribution to the environmental objectives of sustainable development as set out in the

NPPF, particularly as it protects and enhances the built and historic environment.

Residential amenity

- 9.61 In considering how the proposals affect residential amenities, it is considered, given the scale and position of the proposed dwellings away from existing neighbouring properties, there will not be an unacceptable effect on residential amenities. It is noted that the representations received from neighbouring properties mainly raised concern about traffic implications arising from the development, particularly during the construction phase and whether the form of the proposed dwellings are in character with the surrounding area. Given that the proposals include a widened section of roadway between the site entrance and the junction with Drayton High Road this should assist with the traffic issue. However it is noted that the Highway Authority is unwilling to widen the junction of Drayton Lodge Park with Drayton High Road as requested by the residents and the Parish Council as the Highway Authority seeks to reduce the width that a pedestrian has to cross. In respect of the relationship of the proposed dwellings to its surroundings, the comments of the Design Adviser are noted as he considers that the revised layout and design ensure the character of the site is retained. On balance it is considered that the proposals do not have an unacceptable impact on residential amenities of neighbouring properties and as such the requirements of Policy GC4 of the DMDPD in so far as it relates to neighbour amenity are met.

Other issues

- 9.62 The District Council's Environmental Contracts Officer has been involved and requested that aspects of the proposals be revised to ensure that the proposed dwellings could be accessed by the Council's refuse collection vehicles. The revised layout is now acceptable in this respect. It is considered that the requirements of Policy CSU4 of the DMDPD are met.
- 9.63 The District Council's Pollution Control Officer has been consulted and considered the submitted Ground Investigation report, which identified a former pit now filled in but he has commented that investigations need to include gas monitoring and to give a technical assessment of soil matter. He has therefore suggested that a pre-commencement condition is imposed to require the submission of a site investigation report. A condition is imposed in this respect and subject to the proposals meeting the terms of the condition, the requirements of Policy EN4 of the DMDPD are met.
- 9.64 Drayton Old Lodge is currently used for serviced office accommodation; it is noted that as a result of this development the office uses will need to re-locate, it is understood that the development will be built in phases and that the conversion of Drayton Lodge would be the second phase of development

giving tenants longer to re-locate. The Council's Economic Development officer been consulted and has no comments to make. The Council's planning policy in respect of retention of employment sites applies to sites in the settlement limit and this site is outside the settlement limit so does not apply.

- 9.65 It is considered that due to the on-site sensitivities to the designated and non-designated heritage assets and the trees around the site, it is appropriate to remove permitted development rights for alterations and extensions to the dwellings and outbuildings in their rear gardens and also for solar panels to the roofs and walls of the new build houses and the converted Drayton Lodge facing the scheduled monument.

Planning balance

- 9.66 The planning balance should consider whether the benefits associated with the proposed development outweighs the harm. In this case the benefits of the proposal are the social and environmental benefits set out above, particularly the conservation and protection of the ancient monument (Old Lodge) which is a clear public benefit that would not have been secured without this development. It is noted that the development does not comply with Policy 4 of the JCS in terms of affordable housing requirements and Policy RL1 of the DMDPD in respect of off-site formal recreation, however these aspects have been considered by the Council's independent consultant who has concluded that the viability of the development does not allow for full provision in this case. From the consultation replies the harm arising from this development is the impact on traffic, the loss of trees and the less than substantial impact on the designated heritage asset. It is noted that there will be some localised impact on traffic during the construction period however this will be for a relatively limited period and can be managed by the construction team to minimise traffic issues. Although it is noted that the proposals require the felling of trees, the higher category trees are to remain and additional landscaping and tree planting will take place to enhance the natural environment. The impact of the proposals on the heritage assets has been carefully assessed and it has been concluded by Historic England that the harm to Old Lodge will be less than substantial and therefore the stated benefits of the proposals are considered to outweigh any such impact. In conclusion it is considered that the benefits arising from this development outweigh the stated harms, which have each been fully assessed in this report.
- 9.67 Taking account of the assessment of the policies of the Development Plan, the NPPF and other material considerations and by applying the planning balance, it is recommended that the Committee agree to delegate authority to the Head of Planning to approve the application subject to the satisfactory completion of a Section 106 Agreement and subject to conditions.

RECOMMENDATION: Delegate authority to the Head of Planning to **APPROVE** subject to the satisfactory completion of a Section 106 Agreement with the following Heads of Terms and subject to the following conditions:

Heads of Terms:

- Affordable housing as proposed, consisting of 5 no: 2 bedroomed shared equity houses.
- Programme of repairs and maintenance of the Scheduled Ancient Monument, together with details of ownership responsibility of the monument to safeguard it for the future.
- Provision and maintenance of the green infrastructure paths and on-site informal open spaces with unencumbered public access in perpetuity.

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 on the new build dwellings hereby permitted or commencement of the conversion of Drayton Lodge, whichever is the sooner, until details of all external materials to be used in the development, including full details of the replacement windows and windows frames on Drayton Lodge and large scale drawings of the soffit, eaves, verge and fascia and the window and reveals of the proposed houses have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
- (4) Prior to the demolition of the extensions shown to be removed from Drayton Lodge and commencement of the development of Plots 26 - 30 within Drayton Lodge, a method statement which specifies the method of demolition, the removal / reuse of the demolition materials, together with a programme of works, with a timetable, for the repair of the Drayton Lodge building shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be undertaken as approved prior to the occupation of Plots 7, 8, 15, 17, 26 – 30 hereby permitted.
- (5) Prior to the first occupation of the development hereby permitted, visibility splays measuring 2.4m x 33m shall be provided to each side of the access

where it meets the highway. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225m above the level of the adjacent highway carriageway.

- (6) Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- (7) Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- (8) Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site, unless otherwise agreed in writing with the local planning authority, until detailed drawings for the off-site highway improvement works to include widening and junction amendments to Drayton Lodge Park, widening of the site frontage footway and provision of pedestrian crossing points on either side of Drayton High Road and Drayton Lodge Park have been submitted to and approved in writing by the Local Planning Authority.
- (9) Prior to the first occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 8 shall be completed to the written satisfaction of the Local Planning Authority.
- (10) No works or development shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 - Trees in relation to design, demolition and construction - Recommendations (section 5.5 the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:
 - (a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (paragraph 4.6.1) of retained trees on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
 - (b) a schedule of tree works for all the retained trees in paragraph (a) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree Work – Recommendations.

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

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

- (11) Development shall not proceed above slab level on the first ten new build dwellings hereby permitted until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall indicate:

- (a) the species, number, size and position of new trees and shrubs at the time of their planting.

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

The scheme as approved shall be carried out not later than the next available planting season following the commencement of development or such further period as the Local Planning Authority may allow in writing. If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- (12) Prior to commencement of development, in accordance with the submitted Flood Risk Assessments (Ingent ref: IP17_015_04 Drayton Old Lodge, February 2018 and July 2018) and Dwg. No. SK002 rev. A and alternative drainage strategy (1704_015_010) detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
 - I Detailed infiltration rates in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed soakaways.
 - II If infiltration is proven to be unfavourable then Greenfield runoff rates for the site shall be attenuated to 3 l/s or 2 l/s /ha as stated within section 2.2 of the additional FRA.
 - III Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% annual probability rainfall event including for allowances for climate change. A minimum storage volume of 380m³ will be provided in line with Dwg. No. 1704-015-010 in the submitted FRA.

- IV Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
- 3.33% annual probability critical rainfall event to show no above ground flooding on any part of the site, and
 - 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.
- V The design of the soakaways/attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing 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% annual probability rainfall event.
- VI Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
- VII Details of how all surface water management features are to be designed in accordance with The SuDS Manual (CIRIA C697; 2007) or the updated The SuDS Manual (CIRIA C753; 2015) including appropriate treatment stages for water quality prior to discharge.
- VIII A maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.
- (13) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy as approved unless otherwise approved in writing by the Local Planning Authority.
- (14) Prior to the commencement of development the following site investigation must be submitted to and approved in writing by the Local Planning Authority before the commencement of each stage of the process:

- A A desk study compiled in line with current good practice guidance must be completed. The report must include a conceptual site model and risk assessment to determine whether there is a potentially significant risk of contamination that requires further assessment.
- B Based on the findings of the desk study 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 possible receptors identified in the desk study report.

The report must include a revised conceptual site model and risk assessment. There must be an appraisal of the remedial options and details of the preferred remedial option(s). This must be conducted in accordance with currently accepted good practice guidance.

- C Based on the findings of the site investigation a detailed remediation method statement must be submitted for approval. Remediation must bring the site to a condition suitable for the intended use. The method statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990. Remediation work cannot commence until the written approval of the proposed scheme is received from the Local Planning Authority.
- D Following the completion of the remedial measures identified in the C above a verification report (also called a validation report) must be produced. The report must scientifically and technically demonstrate the effectiveness and success of the remediation scheme. Where remediation has not been successful further work will be required
- E In the event that previously unidentified contamination is found during the development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken as per part B above, and where remediation is necessary a remediation method statement and post remedial validation testing must be produced and approved in accordance with parts C & D above.

- (15) No works to trees assessed as having bat roost potential, within the submitted MHE Consulting Ltd Ecological Survey dated February 2018, including

removal, pruning or crown reduction shall take place unless a competent ecologist has undertaken further survey work to determine presence/ likely absence of roosting bats and provided written confirmation that no bat roosts will be harmed and/or that there are appropriate measures in place to protect bat interest on site. Any such written confirmation should be submitted to the local planning authority.

- (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, (2) The programme for post investigation assessment, (3) Provision to be made for analysis of the site investigation and recording, (4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, (5) Provision to be made for archive deposition of the analysis and records of the site investigation and (6) Nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation, and;
- (B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A), and;
- (C) The development shall not be operated until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this case the programme of archaeological mitigatory work will consist of an archaeological excavation. A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service.

- (17) Prior to the first occupation of the residential development hereby permitted details including accurately scaled plans of the design, size, materials, position, information to be displayed and maintenance of the interpretation board in respect of the on-site Scheduled Ancient Monument, shall be submitted to and approved in writing by the local planning authority, in consultation with Historic England. The approved interpretation board shall then be installed in full accordance with the details as approved prior to the occupation of the fifth dwelling hereby permitted.
- (18) Prior to the occupation of the first dwelling a fire hydrant on not less than a 90mm main shall be provided on site in a position to be agreed with Norfolk County Council Water Resources and Planning Manager.

- (19) Notwithstanding the provisions of Schedule 2 Part 1 and Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no buildings, walls, fences or other structures shall be erected within the site curtilages, nor alterations including replacement windows, revised external materials, roof alterations or extensions be made to the dwellings.
- (20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no solar PV or solar thermal equipment shall be installed on the roof or walls of the dwellings facing the scheduled monument shown on the approved site layout plan drawing no. 1367.3 rev. C.

Reasons for Conditions:

- (1) The period for the commencement of the development has been reduced to bring forward the delivery of housing in a sustainable location where the relevant planning policies for the supply of housing are not considered to be up to date, in accordance with the requirements of paragraph 76 of the National Planning Policy Framework.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (5) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (6) To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policies TS3 and TS4 of the Development Management DPD 2015.
- (7) To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- (8) 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.

- (9) 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.
- (10) To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interest of amenity in accordance with Policies GC4, EN2 and EN3 of the Development Management DPD 2015. This needs to be a pre-commencement condition as it deals with first phase of the construction period of the development.
- (11) 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.
- (12) To prevent flooding in accordance with NPPF paragraphs 163, 165 and 170 by ensuring the satisfactory management of local sources of flooding surface water paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development. This needs to be a pre-commencement condition as it deals with first phase of the construction period of the development.
- (13) To prevent environmental and amenity problems arising from flooding in accordance with Policy EN4 of the Development Management DPD 2015. This needs to be a pre-commencement condition as it deals with first phase of the construction period of the development.
- (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. This needs to be a pre-commencement condition as it deals with first phase of the construction period of the development.
- (15) 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.
- (16) To enable the archaeological value of the site to be properly recorded before development commences in accordance with Policy EN2 of the Development Management DPD 2015. This needs to be a pre-commencement condition as it deals with first phase of the construction period of the development.
- (17) To ensure the enhancement of the development by the retention and restoration of historic features which significantly contribute to the historic and

amenity value of the area in accordance with Policies GC4 and EN2 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) In accordance with Article 4(1) of The Town & Country Planning (General Permitted Development) Order 2015, the condition is imposed to enable the Local Planning Authority to retain control over the siting and external appearance of the buildings in the interests of amenity and historic interests, in accordance with Policy GC4 of the Development Management DPD 2015.
- (20) In accordance with Article 4(1) of The Town & Country Planning (General Permitted Development) Order 2015, the condition is imposed to enable the Local Planning Authority to retain control over the siting and external appearance of the buildings in the interests of amenity and historic interests, in accordance with Policy GC4 of the Development Management DPD 2015.

Plans & Documents:

Dwg. No. 1367.1 rev. A - Existing site & Location Plan, received 11 October 2018

Dwg. No. 1367.3 rev. C - Proposed Site Layout, received 30 August 2018

Dwg. No. 1367.6 rev. C - Proposed Site Layout sheet 1, received 30 August 2018

Dwg. No. 1367.7 rev. C - Proposed Site Layout sheet 2, received 30 August 2018

Dwg. No. 1367.8 - Plots 1, 2, 3, 4, & 31 Floor plans & elevations, received 9 February 2018

Dwg. No. 1367.9 rev. A - Plots 5, 6, 32, 33 & 34 Floor plans & elevations, received 4 July 2018

Dwg. No. 1367.10 rev. B - Plots 7 & 8 Floor plans & elevations, received 4 July 2018

Dwg. No. 1367.11 rev. B - Plots 9, 12, 18 & 35 Floor plans & elevations, received 30 August 2018

Dwg. No. 1367.12 rev. B - Plots 10 & 11 Floor plans & elevations, received 30 August 2018

Dwg. No. 1367.13 - Plots 13 & 14 Floor plans & elevations, received 9 February 2018

Dwg. No. 1367.14 rev. A - Plots 15 & 19 Floor plans & elevations, received 30 August 2018

Dwg. No. 1367.15 rev. A - Plots 16 & 17 Floor plans & elevations, received 30 August 2018

Dwg. No. 1367.16 rev. A - Plot 20 & carport for Plots 20 -24 Floor plans & elevations, received 4 July 2018

Dwg. No. 1367.17 - Plots 21-25 Floor plans & elevations, received 9 February 2018

Dwg. No. 1367.18 rev. B - Old Lodge Floor plans (plots 26-30) sheet 1, received 30 August 2018

Dwg. No. 1367.19 rev. B - Old Lodge Floor plans (plots 26-30) sheet 2, received 30 August 2018

Dwg. No. 1367.20 rev. B - Old Lodge elevations, received 30 August 2018

Dwg. No. 1367.22 – Site sections, received 9 February 2018

Dwg. No. IP17_015_04_005 rev. F - Road setting out sheet 1 of 2, received 4 September 2018

Dwg. No. IP17_015_04_006 rev. F - Road setting out sheet 2 of 2, received 4 September 2018

Dwg. No. IP17_015_04_010 rev. A - Alternative Drainage strategy, received 4 September 2018

Arboricultural Impact Assessment received 30 August 2018

Flood Risk Assessment & Drainage Strategy received 9 February 2018

Ecological survey received 9 February 2018

Planning Statement received 9 February 2018

Informatives

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

This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

It is an OFFENCE to carry out any work within the Public Highway, which involves a Public Right of Way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that in addition to planning permission any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group based at County Hall, Norwich. If required, street furniture will need to be repositioned at the applicant's own expense. Public utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be accrued out at the expense of the developer.

The applicant is advised that the previous use of the building and associated land may have involved potentially contaminated activities which have given rise to the presence of contamination. In view of this you are advised to consider commissioning a suitably qualified independent and experienced professional or company to undertake a site investigation and risk assessment to determine whether

any remedial work is required to ensure that the site is suitable for the intended use. The responsibility for the safe development of the site, the disposal of any contaminated materials from the development of the site and ensuring that the site is suitable, or can be made suitable for the intended development, through the implementation of an appropriate remediation strategy, is the responsibility of the developer.

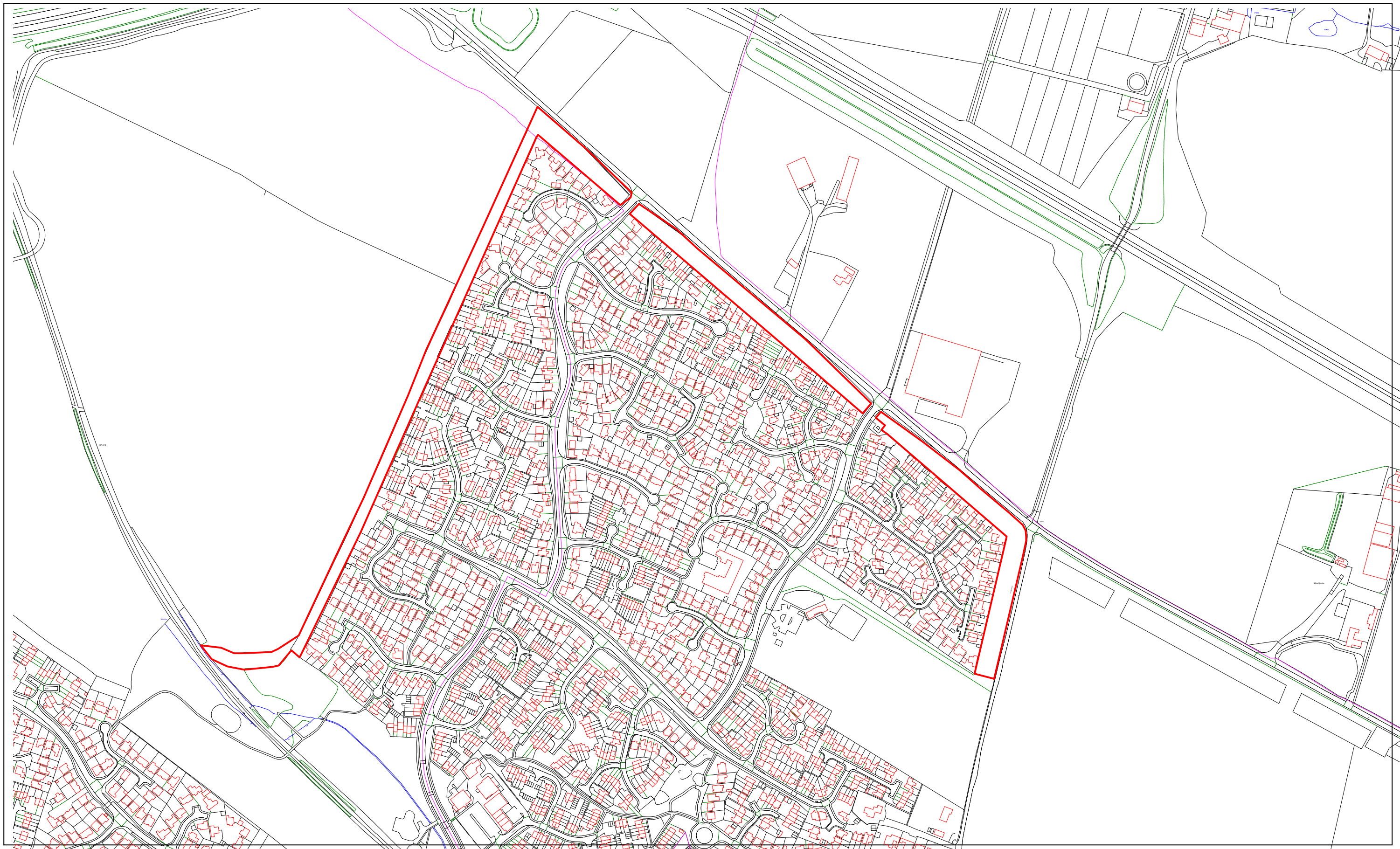
A leaflet explaining in more details what the council would expect to comply with this advice is available either from the Broadland District Council office or via the Broadland District Council website (www.broadland.gov.uk).

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 commences.

The applicant is advised that bats are protected species under the Wildlife & Countryside Act 1981 and the Conservation of Habitat and Species Regulations 2017. The granting of planning permission does not absolve the applicant / developer / successors in title from obtaining a licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitat and Species Regulations 2017 and complying with the terms and conditions of any licences. The applicant is therefore advised to contact Natural England and acquire the necessary licence/s prior to any development/works commencing on site.

The applicant is advised that the trees on site are the subject of a Tree Preservation Order and future occupants will not be permitted to undertake heavy lopping or branch removals to reduce leaf, seed, pollen and bird droppings due to the protection afforded to the trees.

The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to this development. A separate CIL Liability Notice has been issued with the decision notice.



Application No: 20181358
Reepham Road Treebelt, Thorpe Marriott

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Scale:
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Date:
15-Oct-18



AREA West

PARISH Drayton and Taverham

2

APPLICATION NO: [20181358](#)

TG REF: 617276 / 315593

LOCATION OF SITE Reephams Road Treebelt, Thorpe Marriott

DESCRIPTION OF DEVELOPMENT Creation of footpath to link Thorpe Marriott Estate, Marriott's Way, Nabour Furlong, Pendlesham Rise, Littlewood and the Broadland Northway Green Bridge

APPLICANT Broadland District Council

AGENT N/A

Date Received: 16 August 2018
8 Week Expiry Date: 17 October 2018

Reason at Committee: Broadland District Council is the applicant for the application and the majority of the application site is also owned and managed by Broadland District Council

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the creation of a public footpath which will link the Thorpe Marriott estate, Marriott's Way, Nabour Furlong, Pendlesham Rise, Littlewood (three woodlands owned by Broadland District Council) and the Broadland Northway Green Bridge, that leads to Drayton Drewray.
- 1.2 The footpath is proposed to be positioned within the tree belt that skirts around the Thorpe Marriott estate. At the farthest south west section of the route the proposed path meets a small coppice of wet woodland called Nabour Furlong. At this point the path is proposed to link up to the permissive path in the adjacent field. The route will then follow the path until it meets up with an access point leading onto Marriott's Way to the south and west. Steps or a slope will be installed where the path meets the Marriott's Way.
- 1.3 Nine access points are proposed to be installed to allow access in and out of the woodland belt; these are proposed to be in the form of wooden kissing gates. In addition, an access point is proposed to be installed on the path to allow users to cross Reephams Road, leading to a footpath and pedestrian

bridge over Broadland Northway towards Drayton Drewray. This will require a section of hedging to be removed adjacent to the crossing to allow adequate visibility splays to be provided for users of the crossing. A kissing gate and a dropped kerb are proposed to be installed on the woodland edge, as well as formal surfaced crossing points on both sides of the highway.

- 1.4 The footpath itself is proposed to span approximately 1,722m in length which is approximately 1 mile long. The path is proposed to be approximately 1.5m in width and would be created by scraping the woodland surface and underlying soil to a depth of 75mm, installing a geo-textile fabric and infilling with 75mm of 20mm hoggin to create the surface finish. The footpath will be left un-edged so as to blend into the same level as the woodland floor on either side. Where specific root protection is deemed necessary, for larger specimen trees, a cell web membrane is proposed to be installed.
- 1.5 The creation of the footpath will result in a minimum of 123 trees being removed.

2 KEY CONSIDERATIONS

- Whether the development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance.
- The impact of the proposal on neighbour amenity.
- The impact of the proposal on the character and appearance of the area.
- The impact of the proposal upon the biodiversity and habitats on the site.
- The impact of the proposal on highway safety.

3 CONSULTATIONS

3.1 Drayton Parish Council:

No objection.

3.2 Taverham Parish Council (summarised):

It was not known how many people would use the walkway especially due to the proximity to the Reepham Road and that large sections of the walks were along existing pavements. Councillors were concerned that the walkway would compromise the security of the rear gardens of the parishioners who lived nearby. It was agreed to oppose the proposed walkway as: it was considered a poor use of funds, due to concerns about security, the walkway

may not be inclusive and as a walkway so close to roads would not be beneficial to health.

3.3 Conservation Officer (Arboriculture & Landscape):

- A comprehensive Arboricultural Impact Assessment (AIA) has been undertaken by Treecare Consultants Ltd; this has assessed the tree constraints within the application site, required tree removals and the design and construction methodology that will be required, to ensure any impact on the retained trees is reduced to an acceptable level.
- The proposed 1,700m route of the dressed footpath is located within the existing woodland belt and is judged to be fully within the Root Protection Areas (RPAs) of trees which will be retained.
- A minimum of one hundred and twenty-three trees will be removed; these include those to allow construction and others on safety grounds and short sections of hedge to allow installation of the kissing gates.
- It has been specified that any tree stumps located within the footprint of the path will be ground out, prior to commencement of construction.
- As part of the site investigations, trial hole trenches have been excavated at various points along the route of the path to a depth of 75mm (750mm is shown in the report, but this is a typing error), this has shown that in the areas excavated no significant roots have been encountered.
- Due to the lack of significant roots within the test areas, it is acknowledged that a construction design for the majority of the paths route which requires excavation up to 75mm should not cause any significant root damage, if the precautions detailed within the Arboricultural Method Statement (AMS) are implemented and it is carried out under the supervision of the appointed Consulting Arboriculturist.
- Following excavation of the upper surface, using a tracked vehicle to avoid compaction of the ground, the installation of a geotextile fabric layer is proposed to create a barrier within the excavated ground and contain the infill material, this has been specified as 20mm hoggin dressing within the AIA, which should be a suitable material to maintain permeability if it is not over compacted and doesn't contain a large percentage of fines (20cm hogging is stated within the Design & Access Statement, which is a typing error).
- If any significant roots >25mm diameter are found during the excavation works, the work must cease and the advice of the consulting Arboriculturist sought and the method of construction re-evaluated.

- It has also been highlighted that there are some larger mature hedgerow trees located on the west boundary of W4 which have significant surface roots that will not allow excavation, this will require a different construction approach and a 'no-dig' design incorporating a three dimensional cellular confinement system has been specified, this will be the preferred approach and will be acceptable if the details within the AMS are followed and implemented and the works are carried out under supervision of the appointed Arboriculturist.
- To create a safe path on the uneven ground within section 5, joining up with the Marriott's Way, a system of steps have been suggested which are to be constructed using methods that will not have a detrimental effect on the trees. The methodology to achieve this is described within the document.
- It is also stated on drawing No BDC/TMG-TS/P Plan-07/18 that a structural engineer is consulted to verify the stability of this type of construction and its suitability for the location.
- Having discussed this element of the scheme with the applicant she mentioned that the steps may now be replaced with a section of ramp, this detail should be amended on the drawings and within the AMS if this is the preferred construction design.
- As the scheme requires the removal of at least one hundred and twenty-three trees and short sections of existing hedge; it would be appropriate to include a landscaping scheme with replacement planting as mitigation.
- This would also provide the opportunity to include enrichment planting on the boundaries of the properties of the residents that have expressed concerns regarding property security. Defensive planting using thorny species such as holly or thorn has been suggested.
- Ideally the landscaping scheme should be provided at the application stage; however it could be conditioned if time scales are tight, Landscape Condition T04 would be appropriate.

3.4 Green Infrastructure Officer (Public Rights of Way) (Norfolk County Council):

We have no objection in principle to the application and would welcome the links to the Marriott's Way and the wider public rights of way network.

3.5 Norfolk Constabulary (Architectural Liaison Officer) (summarised):

Communal areas may have the potential to generate crime, the fear of crime and anti-social behaviour. They should be designed to allow surveillance

from nearby dwellings with safe routes for users to come and go. The implementation of this layout opportunity is not available for the proposed change of use within the treebelt (from barrier to public amenity) as the orientation and routes to and from dwellings already exist.

With regards to surveillance, although there are windows from nearby dwellings that overlook the intended footpath these are mostly bedroom windows and not what is termed 'active windows'. *(The word 'active' in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court. Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms.)*

The initial layout of the Thorpe Marriot Estate adjacent these 'green barriers' is that of numerous short 'cul-de-sacs, which are very safe environments where residents benefit from lower crime. However research again shows that crime generated within cul-de-sacs invariably incorporates an undesirable feature such as being linked to one another by footpaths (SBD Homes 2016). Neighbourhood permeability is one of the design features most reliably linked to crime rates – more permeability, more crime, consequently it is recommended that, where possible, the layout pattern frustrates the 'searching behaviour of the criminal and his need to escape'.

- (1) The proposal does create issues of security in that the strips of woodland initially created as 'barriers' are adjacent the rear of many homes. Established principles of 'Designing out Crime' recommend that public footpaths should not run to the rear of, and provide access to, gardens or dwellings as these have been proven to generate crime (by allowing the criminal legitimate access) SBD New Homes 2016 (8.7). Many rear perimeter fences now in place may not be of a standard for their new 'task' being next to a public footpath and as such will leave the dwelling vulnerable:

- A particular concern during the site visit was noticing many garden fences have been installed with the supposedly 'interior' horizontal plinths facing outwards, creating an unintentional climbing frame over the boundary treatment.
- Also some gardens had fences well below the recommended height of 1.8m

SBD Homes 2016 recommends that side and rear boundaries for vulnerable areas, such as exposed side and rear gardens need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m.

- Occupants to consider replacing/improving boundary treatment to 1.8m (trellis toppings could be applied to increase height) and to reverse panels now providing accidental climbing features.
- (2) There is capacity within this proposed restructure (as indicated in the D&A Statement) to incorporate measures that fall within CPTED (Crime Prevention Through Environmental Design) through Defensible Space, Natural Surveillance, Territoriality and the denial of Permeability. It is strongly advised to implement such crime prevention recommendations and design features where possible within this scheme to reduce uninvited access / contact with these boundaries:
- Pedestrian routes should not undermine the defensible space of neighbourhoods.

* Defensible space has the simple aim of designing the physical environment in a way which enables the resident to control the areas around their home. This is achieved by organising all space in such a way that residents may exercise a degree of control over the activities that take place there.

Within the strip of land running north-south on the Tree Survey Protection Plan, the indicated path seems to position the route away from dwelling boundaries whereas the path adjacent Reephams Road comes closer to the rear of the gardens. This may be due to following an existing path line but ideally the path should be removed away from these fences to provide some defensible space and to remove any excuse of 'accidental' contact. Where gardens abut public footpaths, an area of defensible planting to protect boundary fencing may be required and it is understood that there are varying degrees of 'useful' vegetation cover adjacent the back gardens and cut back regimes in place.

- It is recommended that the proposer assist 'dwelling security' by defensive planting adjacent the more vulnerable boundaries. A mix of Hazel and Blackthorn is already established and needs managing to promote useful 'security growth' (thick lower growth to deter would-be offenders) along these boundaries. Brambles could also assist in keeping access away from the boundaries/accidental contact with the fences.
- Additional strength to this natural defence could be furthered by careful positioning of brushwood generated by clearance.
- The timescale of improving this vegetation cover should be taken into consideration and not to leave gardens vulnerable whilst establishing ie if it has not reached the necessary height / maturity

required when the footpath is opened, further temporary protection may be required.

- (3) Owners / operators of the amenity space should establish and maintain a safe and secure environment by a combination of management processes and physical measures.

Design features can help to identify the acceptable routes through a space, thereby encouraging their use, and in doing so enhance the feeling of safety. The footpath should be as straight and wide as possible. Where possible paths should be overlooked by surrounding buildings and activities and be devoid of potential hiding places. It is essential that they be well maintained (to avoid creating pinch points, places of concealment and unnecessary maintenance) as this facilitates natural surveillance along the route and its borders. The need for lighting will be determined by local circumstances. Footpaths that are to include possible lighting should be in accordance with the intended use of this route and be lit to the relevant levels as defined in BS 5489:2013. It is important that conflict between lighting and tree canopies is avoided.

The Design and Access statement makes reference to 9 access points in and out of the woodland belt and the proposed path being approximately 1.5 metres wide (of shingle / pebble type surface). To further assist the new footpath in achieving the security desired, I recommend the following:

- To promote clear access points and prevention of casual entry through sections not sanctioned. Construct and/or strengthen the boundary treatment as appropriate. (Physical barriers may also have to be put in place where 'desire' lines (unsanctioned direct routes) have occurred, in order to promote the preferred route / use of space.)
- Any planting should not impede the opportunity for natural surveillance and to promote reduced 'fear of crime' by keeping the approach of other path users in plain view. As a general recommendation, where good visibility is needed, shrubs can be selected to have a mature growth height, or kept no higher than 1m, and trees should have no foliage or lower branches below 2m. Adequate mechanisms and resources must also be put in place to ensure satisfactory future management.

- (4) Pedestrian routes should be designed to ensure that they are well used.

- It is important to avoid constructing underused and possibly isolated movement routes, as these may promote a 'fear of crime' or attract anti-social behaviour.
- Care should be taken at access points to facilitate welcome users and deter misuse. Therefore this amenity space should include limited/controlled access – features which prevent unauthorised motor vehicle/cycle access for example. It is understood that the access is via wooden Kissing Gates.
- Signage can also assist in promoting how you wish the space to be used and encourage use.

Officer Note: The main comments made by the Architectural Liaison Officer have been addressed in paragraphs 9.7 to 9.11 of this report.

3.6 Norfolk County Council (as Highway Authority):

I have no reason for adverse comment upon this proposal that will provide benefit in adding local pedestrian facilities.

I do note that new crossing points to Drewray Drive and Longdale are not provided in this scheme with it being assumed that pedestrians will use the existing footway crossings to cross the highway carriageway at these points.

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 Note: Two conditions relating to the pedestrian crossing point at Reepham Road to be added as requested.

3.7 Norfolk County Council as Mineral Planning Authority (Sand & Gravel):

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

3.8 Pollution Control Officer:

No comment.

4 PUBLICITY

4.1 Site Notice:

Expiry date: 24 September 2018

4.2 Press Notice:

Expiry date: 2 October 2018

4.3 Neighbour Notifications:

165 letters sent to residents of Naber Furlong; Wensum Walk; Coopers Close; Reepham Road; Jordan Close; Brancaster Close; Walsingham Drive; Century Way; Saint Margarets Close; Felsham Way; Long Dale; Pyehurn Mews; Freeland Close; Harewood Drive; Ganners Hill; Freeland Close; Drewray Drive.

Expiry date: 20 September 2018

5 REPRESENTATIONS

5.1 Twenty one letters of representation have been received (18 objections, 2 comments, 1 supporting). The representations have raised the following issues:

- Proposal will result in a security risk as people will have easier access to the rear gardens of properties adjacent to the footpath.
- An unlit footpath will provide an ideal place for drug dealing and will give rise to drug use and anti-social behaviour.
- There is already a litter problem in the area, proposal will result in increase in litter and dog mess – is there any provision for this footpath to be cleaned regularly?
- Footpath will result in increase in noise and disturbance which could be a particular issue at night. Tree removal will also increase the noise heard from nearby traffic.
- Proposal would result in a loss of privacy for residents adjacent to the footpath.

- Proposal will have a negative impact on the wildlife and biodiversity in the area.
- Loss of a number of trees and hedges.
- Poor use of money – better to spend money on improving Marriott's Way for example.
- There is no demand for the proposal, footpath is unnecessary and will not be frequently used.
- Footpath wouldn't be a safe place for people to walk.
- Concerns regarding pedestrian/vehicular conflict.
- Users of the footpath would be at risk of pollution from nearby traffic.
- Impact upon character of the area.
- Is this going to be completely wheelchair/pushchair friendly?
- Concerns that footpath will not be maintained on a regular basis.
- Conflict of interest with a member of Broadland District Council submitting the planning application.
- Proposals may mean woodland area is tidied up.
- If there is good signage it will encourage people to stay off the highway and enjoy getting some exercise safely.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2018:

- 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 and should be read as a whole but paragraphs 2, 7, 8, 38, 47, 91, 98, 130, 175, are particularly relevant to the determination of this application.

Planning Practice Guidance (SPG) 2014:

- 6.2 Web based national guidance formalised in March 2014.
- 6.3 Paragraph 002 in section 'Health and wellbeing' states that 'development proposals can support strong, vibrant and healthy communities and help create healthy living environments which should, where possible, include making physical activity easy to do.'

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

This policy sets down a number of standards that new development should achieve in its attempts to address climate change and promote sustainability; including minimising the need to travel and protecting the environmental assets of the 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 proposals will need to ensure cycling and walking friendly neighbourhoods and design out crime.

- 6.6 Policy 6: Access and transportation

States that the transportation system will be enhanced to develop the role of Norwich as a Regional Transport Node. Amongst other things it states that this will be achieved by significant improvement to the bus, cycling and walking network.

- 6.7 Policy 7: Supporting communities

Amongst other things sets out that all development will be expected to maintain or enhance the quality of life and the well being of communities. It also states that healthier lifestyles will be promoted by maximising access by walking and cycling and providing opportunities for social interaction and greater access to green space and the countryside. The Policy also states that development will be well designed, to include safe and accessible spaces where crime and fear of crime are minimised.

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

States that Green infrastructure and links between currently fragmented habitats and to the rural fringe will be protected, maintained and enhanced. It states that this will include, amongst other things, the establishment of a comprehensive cycle and walking network.

Development Management Development Plan DPD (DM 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 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 and creating safe environments addressing crime prevention and community safety.

6.11 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.

6.12 Policy EN2: Landscape

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

6.13 Policy EN3: Green infrastructure

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

6.14 Policy EN4: Pollution

Development will only be permitted where there will be no significant adverse impact upon amenity, human health or the natural environment.

6.15 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.

Drayton Neighbourhood Plan (2016):

6.16 Policy 7: Improved walking and cycling routes

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

6.17 Policy 8: Nature Conservation

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

West Broadland Green Infrastructure Project Plan:

6.18 Whilst not a policy document as such, the West Broadland Green Infrastructure Project Plan is also considered to be relevant. The Plan was endorsed at the Place Shaping Panel in October 2018.

6.19 The aim of the Plan is to make recommendations for a series of Green Infrastructure projects across the western area of the Broadland District which will enhance local recreational opportunities for residents of the area and provide enhanced habitats and connectivity for local wildlife populations. The delivery of these projects will help to mitigate the impact of future growth of the area on the natural environment.

6.20 The proposal which is the subject of this application is listed as one of 10 projects (Project 1 'Thorpe Marriott Greenway') within section 5 of the West Broadland Green Infrastructure Plan.

7 LOCATION AND DESCRIPTION OF SITE

7.1 The footpath is proposed to be located within the tree belt that borders the North, West and part of the Eastern edge of the Thorpe Marriott estate. The tree belt is currently owned and managed by Broadland District Council.

7.2 The treebelt covers an area of approximately 3,100m² and although the width varies in places, it is on average approximately 18m in width.

- 7.3 The inner tree belt adjoins directly onto the amenity area and car parks associated with the residential dwellings on Thorpe Marriott. The public highway of Reepham Road runs directly along the length of the northern section of the tree belt. The access roads of Long Dale and Drewray Drive leading off into the Thorpe Marriott estate fragment the tree belt on two sections. The public highway of School Road runs adjacent to the eastern boundary. Beyond the western boundary there are large open agricultural fields and the Marriott's Way foot and cycle path runs along the southern section.
- 7.4 There is currently no formal footpath through the belt and, although public access is not restricted, it is not currently well developed or used. There are five locked, five-bar timber gates at the access points adjacent to Long Dale and Drewray Drive. There are some pedestrian access points leading through from Felsham Way and Naber Furlong. There are also some desire line access paths leading from points along the western boundary, through to the field side path adjacent the western boundary of the tree belt.
- 7.5 The trees within the treebelt are of a uniform semi-mature age and consist of a high canopy of Scots Pine, Ash, Oak and Silver Birch. There is a fragmented shrub layer of mainly Hawthorn, Blackthorn, Hazel, Holly and Bramble. Hedges run along the outside woodland boundaries. With the exception of the recent removal of a single row of trees along the northern section of the tree belt, there has been minimal management of the tree belt since the time of planting approximately 30 years ago.

8 PLANNING HISTORY

- 8.1 There is not considered to be any recent planning history on the site specifically relevant to this planning application however the below applications have previously been approved on the site.
- 8.2 [840777](#): Residential Development Including Industrial Community And Open Space Facilities (Outline) - Thorpe Marriott, Taverham. Approved 29 January 1986.
- 8.3 [870384](#): Northern Tree Belt (Reserved Matters) – Thorpe Marriott, Taverham. Approved 20 May 1987.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against Development Plan policies and national planning guidance. In particular the impact of the proposal on residential amenity, the character of the area, biodiversity and habitats on the site and highway safety.

Whether the development accords with Policy

- 9.2 The proposed creation of the public footpath is designed to promote better greenspace and access in the area. It will also help to support healthy lifestyles by providing local residents with somewhere to exercise safely, away from the public highway. The principle is supported by Paragraph 91 of the National Planning Policy Framework (NPPF) which states that planning policies and decisions should 'aim to achieve healthy, inclusive and safe places which', amongst other things, 'enable and support healthy lifestyles'. The NPPF also gives 'the provision of safe and accessible green infrastructure' as an example of achieving this.
- 9.3 The proposed footpath will enhance green links between Marriotts's Way to the south and the Broadland Northway green bridge that leads to Drayton Drewray to the north. The footpath will also enhance links with the Thorpe Marriott housing estate as well as Naber Furlong, Pendlesham Rise and Littlewood (three woodlands owned by Broadland District Council). The application is therefore considered to accord with Paragraph 98 of the NPPF. This states that 'planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks'. The application is also considered to accord with the policies and projects within the Drayton Neighbourhood Plan which seek to enhance and expand the network of footpaths around Drayton, as well as improving access to Drayton Drewray. Policy 7 of the Drayton Neighbourhood Plan also sets out that 'development which would provide or help to provide improvements to the network of footpaths or cycling routes in Drayton will be supported'.
- 9.4 The proposal is considered to comply with Policy 7 of the Joint Core Strategy (JCS) which sets out that 'all development will be expected to maintain or enhance the quality of life and the well-being of communities.' Policy 7 continues to note that 'healthier lifestyles will be promoted by maximising access by walking and cycling and providing opportunities for social interaction and greater access to green space'.
- 9.5 The West Broadland Green Infrastructure Project Plan, although not a policy document, is also considered to be relevant in the determination of this application. The plan was endorsed at Place Shaping Committee in October 2018. Housing growth within the district provides opportunities for green infrastructure enhancements which will cater for the informal recreation requirements of new and existing populations and the migratory and habitat requirements of local wildlife. It will also help to mitigate any negative impacts on particularly sensitive environmental assets within the area (principally those that have been designated under European legislation such as the Broads. The aim of the plan is to make recommendations for a series of Green Infrastructure projects across the western area of the Broadland District which will enhance local recreational opportunities for residents of the area and provide enhanced habitats and connectivity for local wildlife

populations. The delivery of these projects will help to mitigate the impact of future growth of the area on the natural environment. The proposal is listed as one of ten projects within the plan and therefore if approved the application will see the delivery of a key green infrastructure project identified within the plan.

- 9.6 Taking the above into consideration it is therefore considered that the principle of the proposal is acceptable.

Impact upon neighbour amenity

- 9.7 The inner edge of the tree belt is immediately adjacent to residential dwellings within Thorpe Marriott which means that the footpath will be within close proximity to a number of residential properties. In most cases it is the rear amenity area associated with these properties which is closest to the treebelt. During the course of the application, a number of concerns have been raised by neighbouring residents with regards to the proposal as summarised within paragraph 5.1 of this report. One of the main concerns raised by local residents as well as Taverham Parish Council was one of safety with suggestions that the footpath would increase anti-social behaviour and drug use and impact upon the security of neighbouring properties.
- 9.8 Norfolk Constabulary's Architectural Liaison Officer, although not objecting to the proposals, has made several comments on the application. One of the comments made was that communal areas should be designed to allow surveillance from nearby dwellings. However, in this case the windows overlooking the proposed footpath would be mostly from bedroom windows which are not considered to be 'active windows'. It is noted however that the footpath is already used to a certain extent with the same surveillance and with the footpath being used more regularly this should only help to increase the surveillance of the site.
- 9.9 The Architectural Liaison Officer has also raised the point that adding new access points on to the footpath will increase the permeability of the neighbourhood which could increase the risk of crime. Although it is acknowledged that the over-provision of permeability can constitute a crime hazard, it can also more generally be considered a positive attribute of urban design as it permits ease of movement and can encourage walking and cycling within the community. It is understood that a balance should be achieved between the need to achieve clear and direct routes through settlements and the reduction of the risk of crime. In this instance, there are existing access points that lead onto the tree belt from some cul-de-sacs, which already allows for neighbourhood permeability. The plan intends to utilise existing entrance points / desire lines and will only seek to add a small number of additional access points where necessary. It is therefore not considered that this will significantly increase the risk of criminal activity.

- 9.10 It has noted by the Architectural Liaison Officer that one of the established principles of 'designing out crime' recommends that public footpaths should not run to the rear of, and provide access to, gardens or dwellings as these have been proven to generate crime. The tree belt was originally designed to provide a barrier between the housing and the road, and whilst this is a private piece of land, over time people have used the tree belt for leisure purposes. Indeed, over time, some properties that back onto the tree belt have, in some cases, altered their boundary treatments (by lowering fences and installing gates etc) to make the treebelt accessible. As noted in the Design and Access Statement, defensive planting will be carried out in areas deemed to be more vulnerable, and the comments made by the Architectural Liaison Officer are endorsed which recommend that residents install fences to a minimum height of 1.8m with the use of trellis toppings where needed. A significant point to note is that the footpath will be no closer to the rear of properties than the situation that currently exists on the nearby Marriott's Way footpath which is well used and hasn't resulted in significant levels crime and anti-social behaviour.
- 9.11 The Architectural Liaison Officer has also noted that at some points of the route adjacent to Reepham Road the proposed footpath comes closer to the garden fences than at others. Whilst this is true, the section along Reepham Road still provides a sufficient gap between the path and property boundaries. To try to move this section of the path closer to the road would require the removal of a number of healthy trees, which would not be favourable, particularly given the limited distance the path could feasibly be moved.
- 9.12 A meeting was held with the Architectural Liaison Officer on site prior to the application being made, with a discussion about the measures available to prevent crime using environmental design. Following these discussions a number of the recommendations made have been implemented such as the kissing gates, the use of defensive planting and strategically placed clearance brushwood all being incorporated into the design. There would be an ongoing maintenance schedule for the path to ensure the boundary is maintained and that the planting would not have any adverse impacts. Lighting has not been included as this contradicts the concept of a natural woodland path but clear signage will be provided and the path is designed to be as straight as possible following the existing tree belt route, whilst minimising the amount of tree removal that is required. Overall it is considered that the proposal will not result in any significant increase in crime or anti-social behaviour or result in significant security issues and the application is considered to accord with Policy of 2 the JCS and Policy GC4 of the DM DPD in this regard.
- 9.13 Another of the main concerns raised by local residents is that the proposed footpath will result in an increase in noise in the area. Whilst the additional footfall may result in some additional noise within the area, the majority of people will use the footpath for walking, cycling, dog walking, jogging etc which are all activities that do not generally generate significant noise levels. Overall, the proposal is unlikely to result in unacceptable levels of noise and

therefore complies with Policy EN4 and GC4 of the DM DPD in this regard. Several neighbouring residents have also raised concerns that the proposal will result in a loss of privacy at their property. The majority of the route is either at the same level or even on a lower level than adjacent properties. If a 1.8m fence was to be in place on the boundary between the dwelling and the footpath then it is extremely unlikely that there would be overlooking into neighbouring gardens or properties. Overall, the application is not considered to result in any significant detrimental impact upon neighbour amenity and the application complies with Policy GC4 of the DM DPD.

Impact upon character of the area

- 9.14 The proposed new footpath will result in a minimum of 123 trees being removed from the site. This has also been met with objection from some local residents. An Arboricultural Report has been submitted with the application which notes that the majority of the live trees to be removed are either suppressed or are suppressing more suitable specimens and that the removal of the trees will have a minimal detrimental impact on the surrounding landscape. The report goes on to state that there will also be some benefits of the tree removal as the woodland belt has never undergone a structured thinning programme which is necessary to create good structure and safe sustainability of trees. A condition is proposed to be added to the decision notice to ensure that the works are carried out in accordance with the recommendations set out within the Arboricultural Report. Furthermore, a condition is also proposed to be added to the decision notice which requires a landscaping scheme to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The landscaping scheme will provide replacement planting to mitigate for trees to be removed. In some cases, the additional landscaping may also provide some further screening between the footpath and adjacent properties.
- 9.15 The design of the footpath is considered to be acceptable and the hoggin finish will help to retain the sites rural appearance. Likewise, the wooden kissing gates proposed to be installed at the access points are also considered to be sympathetic to the character of the area. The proposal is unlikely to be clearly visible from the wider area and overall the proposal is not considered to cause any harm to the general character and appearance of the area.

Impact upon biodiversity and habitats

- 9.16 With regards to the impact that the proposal will have on the biodiversity and habitats on the site a Preliminary Ecological Appraisal has been submitted as part of the application. The appraisal states that 'the intrinsic value of the habitats on-site is generally considered to be of site importance only'. It continues to state that 'The habitats within the development footprint offer very few opportunities as habitat for protected or noteworthy species and the loss of these habitats from within the site is unlikely to affect the overall

assemblage of species or the conservation status of the individual species beyond the context of the site.’ The appraisal sets out that the proposal will have a minor or neutral impact on the majority of species assessed and even a positive impact on birds as the thinning management of the trees and new planting will provide nesting and foraging habitats. The appraisal did state that a bat survey should be carried out before works to certain trees which were assessed as having ‘moderate potential to support roosting bats’. A condition is therefore proposed to be added to the decision notice to ensure that this is carried out. Other recommendations within the appraisal are also proposed to be added to the decision notice as informatives to bring these to the applicant’s attention. Overall, the proposals are not considered to have a detrimental impact upon the biodiversity and habitats at the site and may even result in enhancements in this regard and the application is therefore considered to comply with Policy EN1 of the DM DPD.

Impact upon highway safety

- 9.17 With regard to the impact upon highway safety Norfolk County Council in its role as Highway Authority has raised no objection to the application which will provide benefit in adding local pedestrian facilities. Some concerns have been raised by local residents with regard to the potential conflict between pedestrians and vehicles and the close proximity of the footpath to the public highway. It is considered, however, that the application will only improve this situation by providing a separate safer walking route rather than pedestrians having to walk closer to Reepham Road or School Road for example. Furthermore, two conditions are to be added to the decision notice requiring details to be submitted and approved by the Local Planning Authority for the pedestrian crossing over Reepham Road, at the request of the Highway Authority. Overall, the application is not considered to have any detrimental impact upon highway safety and is therefore in accordance with Policy TS3 of the DM DPD.

Other issues

- 9.18 Another issue of concern that has been raised by some local residents is that the proposal will result in an increase in litter and dog waste. In general, it is actually considered that the proposals will help to tidy up the treebelt area whilst if the application is approved Broadland District Council will add the site to the regular litter picking schedule. There is also the potential for dog waste bins to be provided on the site should this become an issue in the future.
- 9.19 A further concern raised by some local residents has been that the footway will not be accessible to all potential users. Both the footpath and the kissing gates will however allow for pushchair and manual wheelchair use. Unfortunately the kissing gates are not wide enough for a mobility scooter. However in order to make the footpath as inclusive as possible, a keypad code is proposed on the access gates to allow access for individuals with mobility issues. This code will be held by Broadland District Council and

residents can contact the Council to obtain it. The code will be changed on a regular basis to ensure that the security of the path is maintained.

- 9.20 Another concern raised during the course of the application surrounds the future maintenance of the footpath and it can be confirmed that the site will be managed with monies from the woodland budget and a regular maintenance scheme will be drawn up.
- 9.21 Some local residents have also raised concerns that the proposal is a poor use of money which could be better spent, for example by maintaining existing footpaths. It should be noted that the money to deliver this project has been acquired via a successful bid to the Greater Norwich Growth Board (GNGB) from the pooled reserve of Community Infrastructure Levy monies. The budget for this project has not come from the mainstream Broadland District Council budget. The monies that have been acquired are ring-fenced for the delivery of this specific Green Infrastructure project and therefore cannot be spent elsewhere within the Parish of Drayton, Taverham or even indeed in the Broadland district. Therefore if the money is not spent on the delivery of this project it will be returned to the GNGB.
- 9.22 Finally, a flood risk assessment and drainage strategy has been submitted with the application which concludes that there does not appear to be any significant flood risk constraints that would materially affect the suitability of the site for the proposed development.

Conclusion

- 9.23 With reference to the three dimensions of sustainable development, the proposal would result in some short term economic benefits as part of any construction work for the footpath. It is accepted however that overall the scheme would bring forward only minimal economic benefit. In terms of the social role, the proposal will improve access within the local area by providing valuable recreational greenspace for walking and cycling which will in turn help to promote healthier lifestyles. The application is therefore considered to bring forward a social benefit. In assessing the environmental role, the application is located within a sustainable location and will help to offer alternative travelling options and reduce the reliance on vehicular movements. The proposal will also 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.
- 9.24 In conclusion, the proposals will create an attractive, mile-long woodland path which would provide a link to Marriott's Way and Drayton Drewray and enhance local recreational opportunities for residents in the area. The proposal will also see the delivery of a key green infrastructure project

identified within the West Broadland Green Infrastructure Plan. The application is not considered to have a detrimental impact upon neighbour amenity, the general character and appearance of the area, biodiversity and habitats or highway safety. As set out above, the application is also considered to 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) 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 Location Plan (Amended), received 09 October 2018

Arboricultural Report (Amended), received 09 October 2018

Design And Access Statement, received 16 August 2018
- (3) Prior to the first use of the development hereby permitted the pedestrian crossing points to Reepham Road shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification (Dwg. No. TRAD 4) 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.
- (4) Prior to the first use of the development hereby permitted visibility splays to the pedestrian crossing points to Reepham Road shall be provided in full accordance with the details referred to and shown in the submitted Design & Access Statement.
- (5) Prior to the commencement of the development hereby permitted full details of how the proposed footpath will link up with the Marriotts Way footpath shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be undertaken as approved.
- (6) All works shall be carried out in accordance with the requirements of the Arboricultural Report (Amended), carried out by Treecare Consultants Ltd, received 09 October 2018.

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

The scheme shall indicate:

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

The scheme as approved shall be carried out not later than the next available planting season following the commencement of development or such further period as the Local Planning Authority may allow in writing. If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- (8) No works shall be carried out to those trees assessed as having bat roost potential (Trees T755, T759 and T761 as set out in Arboricultural Report, received 09 October 2018) until a competent ecologist has undertaken further survey work to determine the presence / likely absence of roosting bats and provided written confirmation to the Local Planning Authority that no bat roosts will be harmed and/or that there are appropriate measures in place to protect bat interest on site.

Reasons:

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

- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in the interest of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (4) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015 and the principles of the NPPF.
- (5) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (6) To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interest of amenity in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (7) In the interest of maintaining the amenity value of the area in accordance with Policies GC4, EN2 and EN3 of the Development Management DPD 2015.
- (8) 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 proactive and positive approach to decision taking in accordance with the requirements of paragraph 38 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 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.

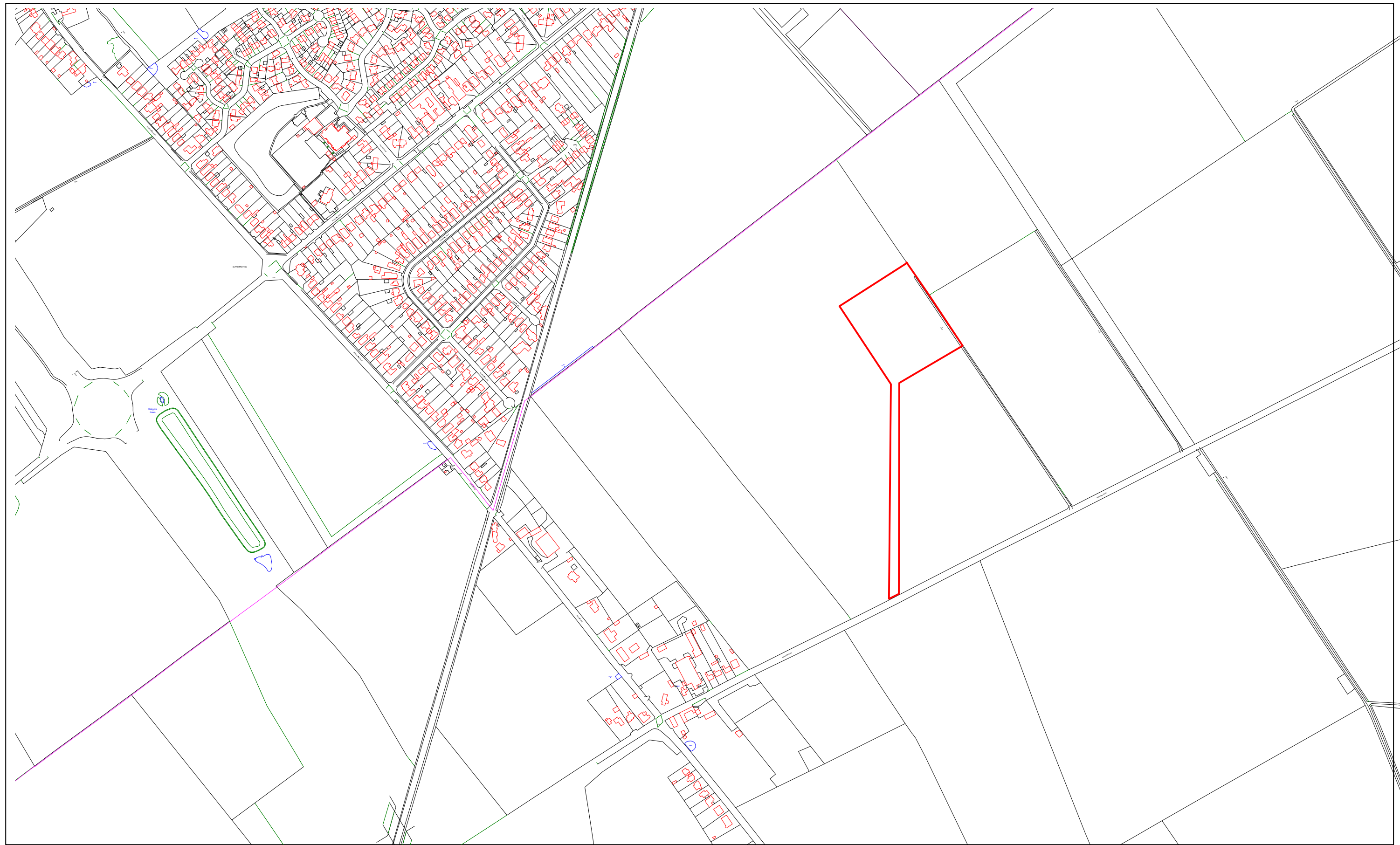
- (3) Tree T756 (as set out in Arboricultural Report, received 9 October 2018) was also assessed as having moderate potential to support roosting bats. Three knot holes were visible on the tree although no direct impacts on these knot holes are predicted and no significant pruning is proposed. However, if the proposed works were to be altered and direct impacts on these knot holes are necessary then further bat activity surveys or a climbed inspection will be necessary. Dead wood must not be removed in close proximity to these knot holes.

In the event that a bat is found during the course of the proposed works, it is advised that work stops immediately and a suitably qualified ecological consultant is contacted for advice.

As a precaution, and where possible, we recommend any works are conducted in September / October, to avoid maternity and hibernation seasons when bats are most vulnerable to disturbance.

- (4) To reduce the likelihood of impacts on nesting birds to acceptable levels there must be no removal, in full or in part, of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared.
- (5) As a precaution, to mitigate for potential impacts on amphibians, reptiles and badgers the following measures need to be implemented:
- Any trenches or excavations should be backfilled by the end of the working day, or if this is not possible, should be covered overnight to prevent accidentally entrapping terrestrial animals. Any excavations which cannot be backfilled or covered overnight should have egress boards left in them overnight. These should be boards left at an angle no steeper than 40 degrees, with one end at ground level and the other at the base of the excavation, as this would prevent any animals which do fall in from becoming trapped.
 - To limit disturbance to nocturnal mammals, construction work will be undertaken during daylight hours

- All materials and waste materials should preferably be stored above the ground, such as on pallets or in skips respectively. This measure should ensure that such materials do not provide a sheltering opportunity, attractive to invertebrates, amphibians, reptiles and small mammals.
- Before any site preparation, ground clearance or construction works commence at the site, all contractors will be briefed on the low potential for encountering great crested newts during the project. Contractors will be briefed on the appropriate course of action to take in the unlikely event of encountering great crested newts during any stage of the works.
- In the event that a great crested newt is found during the course of the proposed works, it is advised that work stops immediately and a suitably qualified ecological consultant is contacted for advice.
- There is potential for great crested to hibernate in tree roots of the woodland areas. Ideally all clearance works at the site (including vegetation removal, topsoil stripping and clearance of features such as the compost heap and summer-house) will take place when great crested newts are active (ie not hibernating). Given the time constraint relating to nesting birds noted above, this will mean clearance works should take place between September and mid-November inclusive. Alternatively, clearance works could take place between March and August inclusive, but they would need to be preceded by a nesting bird check as outlined above.



Application No: 20181261
Land North of Norwich Road, Great Plumstead

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1:5661
Date:
15-Oct-18



AREA East

PARISH Great Plumstead

3

APPLICATION NO: [20181261](#)

TG REF: 629403 / 312440

LOCATION OF SITE Land north of Norwich Road, Great Plumstead

DESCRIPTION OF DEVELOPMENT Pig rearing building

APPLICANT D & C Murrell

AGENT N/A

Date Received: 30 July 2018
8 Week Expiry Date: 26 September 2018

Reason at Committee: At the request of Councillor Vincent for the reasons stated in paragraph 3.4.

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks consent for the erection of a pig rearing building on land to the North of Norwich Road, Great Plumstead. The building will be a clear span portal frame with ventilation curtain sides with concrete panels to the lower level and fibre cement roofing sheets.
- 1.2 The building will measure 30m in length, 15m in width, 6.5m in height to the ridge and 4.5m in height to the eaves.
- 1.3 The building will be used for pig rearing using a deep straw based system. The site (together with other buildings – see planning history in Section 8) would house 2,000 pigs from 7 kgs to 100 kgs bacon weight with each batch on site for approximately 20 weeks.

2 KEY CONSIDERATIONS

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

- The impact of the development upon the character and appearance of the area.
- The impact of the development upon the amenity of nearby residents.
- Other matters.

3 CONSULTATIONS

3.1 Great and Little Plumstead Parish Council:

3.2 The Parish Council strongly objects on the following basis:

- The scale of this development.
- The need / justification for this development in this location (the applicant already has an established farm business site with adjoining land in South Walsham).
- The numbers and type of vehicle movements throughout each year, accessing onto the Norwich / Plumstead Road.
- The principle of the original applications to reduce vehicles movements and to only serve the output production from this one field, are no longer justified or relevant.
- The provision of services.
- Environmental issues – including the handling and disposal of waste; clear and foul water run-off from both the development site and the proposed concrete roadways / yard areas.
- A full Planning Statement and Design & Access statement in respect of the whole site.
- Waste and clean water management plans
- Landscape and Visual Impact Assessments
- Landscape Strategy
- Impact Assessments
- Arboricultural; Archaeological and Ecological statements & surveys
- Utility map and Statement on the provision of Services
- The development is outside any designated planning area and is not justified by either demonstrating need or providing a development of exemplary quality

3.3 Rackheath Parish Council:

Members raised the following concerns:

- (1) Environmental impact of noise and smell caused by pig rearing to the neighbouring residents in Rackheath and Great Plumstead;
- (2) Suitability of the local road network and the impact of increased traffic accessing the site by HGVs;
- (3) Need to restrict the timing of the movement of vehicles to and from the site so that neighbouring residents are not unduly disturbed; and
- (4) The need to provide adequate screening around the site.

Please note that our meeting was attended by four concerned members of the public from Broad Lane, who felt they should have been notified and consulted about these applications as neighbouring residents of the site.

3.4 Councillor Vincent:

I am calling in this application for the following reasons:

- pollution impact – smell and discharge;
- drainage and potential surface water flooding; and
- highway impact – original grant of permission for removal of hedge was based on reduced traffic movements.

3.5 Broadland District Council Environmental Services (Statutory Nuisance):

Initial comments

A 500m separation distance to dwellings is satisfactory for this type of development. I think the application should submit an Odour Management Plan ie how often they intend to replace straw bedding in pens, where the manure will be stored and for how long. It would also be useful to show the construction of the pen floors and how the drainage is achieved.

They will need a permit from the Environment Agency if they have the capacity for 2,000 pigs.

Further comments following submission of an Odour Management Plan

Further comments will be reported within the supplementary or verbally at Planning Committee.

3.6 Broadland District Council Pollution Control Officer:

No comment.

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

Initial comments

The proposed route for the new access is directly adjacent to an agricultural hedge which has a considerable number of mature Oaks standing within it along its length. The roots of these trees and the hedge would be impacted by a new concrete access road.

An Arboricultural Impact Assessment is needed to assess the impacts of the proposals on these important landscape Oaks and the hedge. This assessment should include a Tree Protection Plan to ensure these trees are safely retained and any potentially negative impacts are minimised and an Arboricultural Method Statement describing sympathetic materials and construction methods for the new access road as well as any changes in levels.

It should also be noted that the area of hedgerow highlighted for removal has already been approved via a Hedgerow Removal Notice 20180572. A detailed Landscaping Plan is also required showing how this hedge will be replaced and the location, species and size of the tree planting mentioned in the Design and Access Statement. Planting should be designed in such a way as to soften and screen the new agricultural buildings from the Norwich Road.

Further comments following submission of Landscaping Plan and amended site access

The access revision is welcomed and it will benefit the Oaks by removing any risk of root damage from the construction of the road. Due to the new distance between the road and the Oaks a TPP / AIA / AMS will not be required.

The Landscaping Plan submitted is suitable and should adequately screen the agricultural buildings from the main road whilst providing benefits to biodiversity and visual amenity for the local area. It will be important to ensure that the saplings are put in as early as possible so the trees can begin to grow in height and act as a screen. Condition T07 Landscape Plan Submitted would be appropriate on the decision notice stating that the landscaping scheme should be carried out within the first planting season following commencement of work on site. This condition will also ensure the proper maintenance of the trees and ensure replacements are planted for a period of five years after planting.

3.8 Norfolk County Council as Highways Authority:

I must admit to having some scepticism regarding the stated traffic movements of this proposal especially when added to the other proposed buildings now being considered on the site.

I also understand that two pig rearing buildings have recently been approved on the site under prior approval regulations that were not subject to Highway Authority consultation with these buildings using the existing severely sub-standard access arrangements.

However, given that the proposed new vehicular access would meet Design Manual for Roads and Bridges requirements for a 2.4 setback and be very close to 'one-step down' for a 4.5m setback with Norwich Road being expected to cater for reduced traffic numbers now that the Northern Distributor Road is open I feel, in the particular circumstances, that sustaining objection would be very difficult.

Conditions should be imposed relating to the vehicular access, closure of the existing access, gates etc, visibility splays, and an informative relating to works within the public highway.

3.9 Environment Agency:

Initial comments

The Environmental Permitting Regulations 2016 require farms stocking 2,000 production pigs over 30 kg to have an Environmental Permit. The permit application fee is £8,020.

The applicant is advised to contact us for pre application advice before submitting a permit application. They can submit a pre application request by filling in a form available at <https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form>. The applicant has provided no details regarding the management of manure and slurry on the site. Slurry including runoff from animal housing and manure pads should be collected in a sealed tank. The contents of the tanks should be pumped into a slurry tank or slurry lagoon. Water generated during the washing out of the pig sheds should also be collected. Slurry tanks and lagoons should be constructed in accordance with the Silage, Slurry and Agricultural Fuel Oil (SSAFO) Regulations. Clean water from roofs can be discharged directly to the watercourse or discharged to ground. Water from clean areas of the yard can be directed directly to the watercourse or discharged to ground. The site should be kept clean at all times to prevent surface water being contaminated with pig muck or feed.

The applicant is advised to calculate how much water pigs will require and plan how this need will be met. If the applicant plans to apply for an abstraction licence they should make a preliminary enquiry to see if this is

possible. The applicant should note that there is no guarantee that a water abstraction licence will be granted. The preliminary enquiry for abstraction licences is made up of two forms – WR328 and WR330. These can both be found on our website at <https://www.gov.uk/government/publications/water-abstraction-application-for-a-water-resources-licence>

Further comments following submission of an Odour Management Plan

We continue to have no objection to this planning application and offer the following advice to the applicant.

The requirement for an Odour Management Plan will be assessed when the applicant submits a permit application. On submission of the application, screening will be carried out to determine if there are sensitive receptors within 400m of the installation, and if so then an Odour Management Plan will be required. If additional information is required the applicant will be advised at this stage.

3.10 National Grid:

Initial comments

The proposed activity is in close proximity to National Grid's Transmission assets and place a holding objection to the proposal which will cross our High-Pressure Gas Pipeline.

The applicant will need to produce two slab designs to national grid specification T/SPCE/12 (cannot use the standard designs and will need to provide calculations showing no loading onto the pipeline). National Grid will then need to G35 approve both (cost ~£4,000 each and will take ~2 months from submission).

Further comments following revised access location

Thanks for the update to review the new access plan, which is acceptable to National Grid. Please find attached our tree planting guide for the shelter belt of trees.

3.11 Health and Safety Executive:

HSE does not advise against the proposed development.

4 PUBLICITY

4.1 Site Notice:

Date displayed: 17 August 2018

Expiry date: 7 September 2018

4.2 Press Notice:

Date displayed: 14 August 2018

Expiry date: 4 September 2018

4.3 Neighbour Notification:

Letters sent: 7 August 2018

Expiry date: 30 August 2018

5 REPRESENTATIONS

5.1 When the application was submitted 15 consultation letters were sent to residents on Reeves Corner and Broad Lane, Great Little Plumstead. The consultation resulted in 10 letters of representation being received from residents on Reeves Corner, Salhouse Road, Great Little Plumstead; and Bernard Close, Burton Drive, and Vera Road, Rackheath. The objections and comments are summarised below:

- Norwich Road is a rural road in poor condition and unsuitable for HGV traffic and will affect the general safety of this highway.
- Does not make adequate allowance for the management of noise, odour, dust, vermin, or other atmospheric pollutants.
- The application says no arrangements have been made to dispose of waste and slurry.
- The proposal would have a detrimental impact on the existing neighbours and community surrounding the site due to close proximity and concerns over the significant levels of noise, nuisance, odour, disturbance and health implications such a development would bring.
- There is no information on time restrictions for animal movements, feed suppliers or straw suppliers.
- Fail to understand why there is any compelling reason for a pig farm to be originated so close to the development triangle and existing houses.
- There is a watercourse at the end of the field.
- This has always been a green site and should remain so and not be used for brown site development.

- The proposal would impact on local house prices and could de-value properties.
- Potential contamination of adjacent land from potential effluent run-off.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2018:

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The NPPF is a material consideration and should be read as a whole but paragraphs 2, 7, 8, 9, 11, 12, 38, 47, 54, 55, 79, 83, 124, 127, 128, 170, 180, 183 are particularly relevant to the determination of this application.

National Planning Practice Guidance (NPPG):

- 6.3 This guidance is relevant to the determination of this application, specifically the sections relating to air quality, design, determining a planning application, health and wellbeing, and noise.

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

- 6.4 The Joint Core Strategy, adopted in 2011, is the development plan for the Greater Norwich Development Partnership (GNDP) area including Broadland, Norwich and South Norfolk. As discussed below, parts of the JCS have been remitted following a legal challenge and revised policies to replace the remitted parts were recently subject to examination in public. The remainder of the JCS, including general policies such as those on design and settlement hierarchy remain adopted and apply to Broadland.
- 6.5 Policy 1: Addressing climate change and protecting environment assets
- This policy sets down a number of standards that new development should achieve in its attempts to address climate change and promote sustainability; including giving careful consideration to the location of development and the impact it would have ecosystems of an area.
- 6.6 Policy 2: Promoting good design

Seeks to ensure that all development is designed to the highest possible standard. It also states that developments will respect local distinctiveness.

6.7 Policy 5: The economy

This policy states the local economy will be developed in a sustainable way to support jobs and economic growth both in urban and rural locations.

6.8 Policy 6: Access and transportation

Relates to access and transportation. Particularly it seeks to 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.

Development Management Development Plan DPD (2015) relevant policies:

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

6.10 Policy GC1: Presumption in favour of sustainable development

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

6.11 Policy GC4: Design

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

6.12 Policy EN2: Landscape

This policy seeks to ensure development proposals have regard to the Landscape Character Assessment SPD and, in particular, consider any impact upon as well as seek to protect and enhance the landscape character.

6.13 Policy EN4: Pollution

Development proposals will be expected to include an assessment of the extent of potential pollution. Where pollution may be an issue, adequate mitigation measures will be required. Development will only be permitted

where there will be no significant adverse impact upon amenity, human health or the natural environment.

6.14 Policy TS3: Highway safety

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

Site Allocations DPD (2016):

6.15 The site is located outside of any settlement limit and is not allocated.

Broadland Landscape Character Assessment SPD 2013:

6.16 The Landscape Character Assessment SPD identifies the site in question as within E4: Rackheath and Salhouse Wooded Estate lands.

6.17 The following Landscape Planning Guidelines apply to this area:

- Seek to conserve and enhance the landscape structure within the area, including blocks and belts of woodland, copses of mature trees, mature parkland trees and intact hedgerows.
- Seek to conserve the diverse and interesting landscape character, particularly in northern and western parts.
- Seek to conserve distinctive, historic architectural and landscape features including historic parkland landscapes and their setting, which contribute to the area's rich historic character and strong sense of place, particularly in northern and western parts.
- Seek to ensure the sensitive location of development involving further tall structures (such as steel pylons and telecommunication masts) in relation to prominent skyline locations both within the character area and within adjacent character areas.
- Seek to ensure that potential new small-scale development within villages is consistent with the existing settlement pattern, density and traditional built form.
- Seek to conserve the landscape setting of villages, such as Woodbastwick, Rackheath and Salhouse and seek to screen (where possible) harsh settlement edges and existing visual detractors.

- Seek to promote use of local vernacular buildings materials, including red brick, flint and pantiles.
- Seek to conserve the landscape setting of historic houses, halls (including Beeston, Salhouse and Rackheath) and churches.
- Seek to conserve the interesting landscape pattern of parkland, arable fields and woodland.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site currently forms part of an arable field measuring 26 hectares in total, which is accessed via Norwich Road to the south. The boundaries of the site consist of mature hedgerows and trees.
- 7.2 The site is bounded to the north, east and west by agricultural land, with residential dwellings beyond to the north and west. Beyond Norwich Road to the south is further agricultural land.

8 PLANNING HISTORY (all relate to land north of Norwich Road, Great Plumstead)

- 8.1 [20181515](#): Pig farm – Screening Opinion. EIA not required 4 October 2018.
- 8.2 [20181361](#): Agricultural workshop. Undetermined – for consideration as item 4 on this agenda.
- 8.3 [20181359](#): Self build stockmans house. Under consideration.
- 8.4 [20181105](#): Grain store. Approved 15 October 2018.
- 8.5 [20181104](#): Creation of new vehicular access and erection of straw storage barn. Approved 15 October 2018.
- 8.6 [20180990](#): Request for Screening Opinion for pig farm (two pig rearing buildings). EIA not required 18 June 2018.
- 8.7 [20180864](#): Two pig rearing buildings (Prior Notification). Prior approval not required 11 July 2018.
- 8.8 [20180572](#): Removal of 100 yards of hedge. Approved 1 May 2018.

9 APPRAISAL

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

- 9.1 The application seeks consent for the erection of a pig rearing building on land to the North of Norwich Road, Great Plumstead.
- 9.2 The building will be used for pig rearing using a deep straw based system. The site (altogether) would house 2,000 pigs within three pig rearing buildings from 7 kgs to 100 kgs bacon weight with each batch on site for approximately 20 weeks.
- 9.3 Paragraph 83 of the NPPF states decisions should enable the development of agricultural and other land-based rural businesses and enable the sustainable growth of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings. Paragraph 80 also states significant weight should be placed on the need to support economic growth and productivity.
- 9.4 Paragraph 5.10 of the Development Management DPD 2015 states development that is reasonably necessary for the purposes of agriculture which requires planning permission will be considered acceptable in principle where there is a justifiable need for them to be located in the countryside and provided there will be no significant adverse impact.
- 9.5 The site already has permission for two pig rearing buildings (20180864), a straw storage barn (20181104), and a grain store (20181105), which are yet to be constructed. The proposal, if approved, would result in a third pig rearing building on the site. The applicant is seeking to establish a pig farming operation on the site, which is currently arable land. The principle of agricultural development and pig rearing buildings has been established at the site and therefore the application must be seen in this context. Although the development proposed by this application currently under consideration will clearly result in a more intense form of development.
- 9.6 The proposed building would allow a pig farming operation to be established on the site, which would enable the growth of a rural agricultural business which is supported within the National Planning Policy Framework as highlighted above and therefore the principle of development is considered acceptable.
- 9.7 The applicant currently runs a pig farming operation at Church Farm, Hemblington Road, South Walsham, which is similar to the development proposed on the application site.

The impact of the development upon the character and appearance of the area

- 9.8 In terms of design, the building will be a clear span portal frame with ventilation curtain sides with concrete panels to the lower level and fibre cement roofing sheets. The proposed buildings will have a functional appearance that is common to modern agricultural buildings. Such buildings are also not uncommon within such rural landscapes.
- 9.9 Two pig rearing buildings on site were approved, under application reference 20180864, with the proposal being the same dimensions and constructed of the same materials as those approved. The buildings will be sited adjacent to each other with 9m in between each and would be surrounded on the east side by a concrete apron. To the west would be a concrete area providing access to vehicles to each building.
- 9.10 The Conservation Officer (Arboriculture and Landscape) initially requested the submission of an Arboricultural Impact Assessment (AIA) as the proposed access track would be within close proximity to an agricultural hedge with a considerable number of mature Oaks. The scheme has since been amended to relocate the access track within the site so it runs diagonally from the site access to the agricultural buildings. They also requested the submission of a Landscaping Plan to include the replacement hedge adjacent to the proposed visibility splays to soften and screen the proposed buildings from Norwich Road.
- 9.11 Following the submission of the Landscaping Plan and relocation of the access the Conservation Officer (Arboriculture and Landscape) states the plan is suitable and should adequately screen the agricultural buildings from the main road whilst providing benefits to biodiversity and visual amenity for the local area. A condition would be imposed for the landscaping scheme to be carried out within the first planting season following commencement of development. This condition would ensure the proper maintenance of the trees and ensure replacements are planted for a period of five years after planting.
- 9.12 Whilst it is noted the buildings will be visible within the surrounding landscape it is considered the proposed landscaping scheme, coupled with the existing mature boundary hedgerows and trees, will help to break up the mass and bland form of the buildings. The building would also be sited over 400m from Norwich Road and residential properties to the north and west and therefore coupled with the existing / proposed planting would not significantly impact upon the character and appearance of the surrounding landscape.

The impact of the development upon the amenity of nearby residents

- 9.13 In terms of neighbour amenity, it is considered due to existing boundary treatments, the proposed additional landscaping within the site and separation distances that the proposal would not impact unduly upon neighbour amenity.
- 9.14 Environmental Services commented on the application and stated a 500m separation distances to dwellings is satisfactory for this type of development and highlight as the operation would have the capacity for 2,000 pigs an Environment Agency permit would be required.
- 9.15 Environmental Services requested the submission of an Odour Management Plan, which has been submitted, and states all pens and buildings will be checked and cleaned out daily and states the farmyard manure will be removed on a regular basis to a field store, which will then be incorporated into arable land as fertiliser. The application states dirty water will go to a dirty water tank and will then be irrigated onto the land. Clean water will go to soakaways on site. As the operation would utilise a deep straw system no slurry is produced. Environmental Services have been re-consulted and further comments will be reported within the supplementary schedule or verbally at Planning Committee.
- 9.16 The Environment Agency also commented on the application raising no objection and stated as the operation would house 2,000 production pigs over 30 kg, an Environmental Permit would be required, which may also require the submission of an Odour Management Plan. An informative would be attached drawing the applicant's attention to the Environment Agency comments.

Other matters

- 9.17 The Highways Authority initially requested amendments to the proposed visibility splays and further information on why the applicant considers the proposed use as a pig farm as proposed would reduce vehicle numbers from the existing arable use. Following the submission of further information the Highways Authority state, in the particular circumstances, that sustaining an objection would be very difficult and therefore recommend the imposition of conditions relating to the vehicular access, closure of the existing access, gates etc, visibility splays, and an informative relating to works within the public highway.
- 9.18 A High-Pressure Gas Pipeline runs through the site and initially National Grid placed a holding objection as the proposed access track would cross over the pipeline at two points and therefore the applicant would need to produce two slab designs to National Grid specification to ensure the proposal would not result in loading onto the pipeline. The scheme has since been amended so the access track does not cross the pipeline, which is acceptable to National

Grid and therefore they have removed their holding objection. A note would be imposed drawing the applicant's attention to the National Grid's tree planting guide.

Conclusion

- 9.19 In conclusion, the erection of a pig rearing building would enable the establishment of a rural agricultural business on the site, and such a building is considered reasonably necessary for the purposes of agriculture. The proposal would also not result in any significant adverse impact and therefore it is recommended that the application is approved subject to conditions.
-

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

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) The development hereby permitted shall be constructed using the materials specified within Section 9 of the planning application form and proposed plans.
- (4) The landscaping plan produced by A T Coombes Associates Ltd, received on the 11 October 2018 shall be carried out within the first planting season following the commencement of work on site or in accordance with a programme agreed in writing with the Local Planning Authority.

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.

- (5) Prior to the first occupation / use of the development hereby permitted the vehicular access / crossing over the verge shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the Norfolk County Council Field Access

construction specification and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

- (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 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) Any access gates / bollard / chain / other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 8m from the near channel edge of the adjacent carriageway.
- (8) Prior to the first occupation/use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

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 development, in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To ensure the maintenance of screening to the site and to protect the appearance and character of the area in accordance with Policies GC4, EN2 and EN3 of the Development Management DPD 2015.
- (5) To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety 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 enabling vehicles to safely draw off the highway before the gates/obstruction is opened in accordance with Policy TS3 of the Development Management DPD 2015.
- (8) In the interests of highway safety in accordance with the principles of the National Planning Policy Framework and Policy TS3 of the Development Management DPD 2015.

Informatives:

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

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

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

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

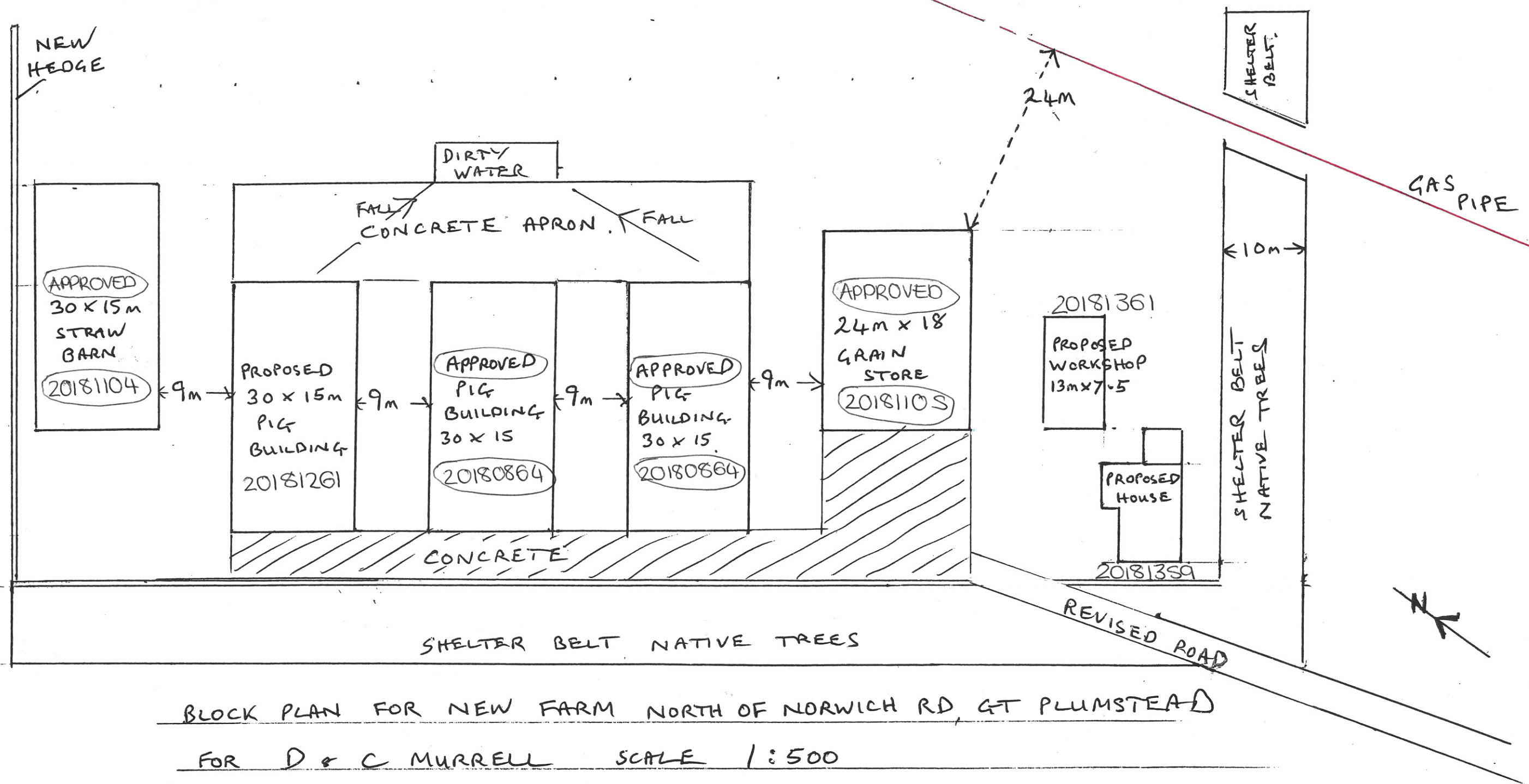
- (4) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (5) The applicant's attention is drawn to National Grid's tree planting guide which can be found on the following website: <https://www.nationalgridgas.com/land-and-assets/working-near-our-assets>.
- (6) The applicant's attention is drawn to following comments from the Environment Agency:

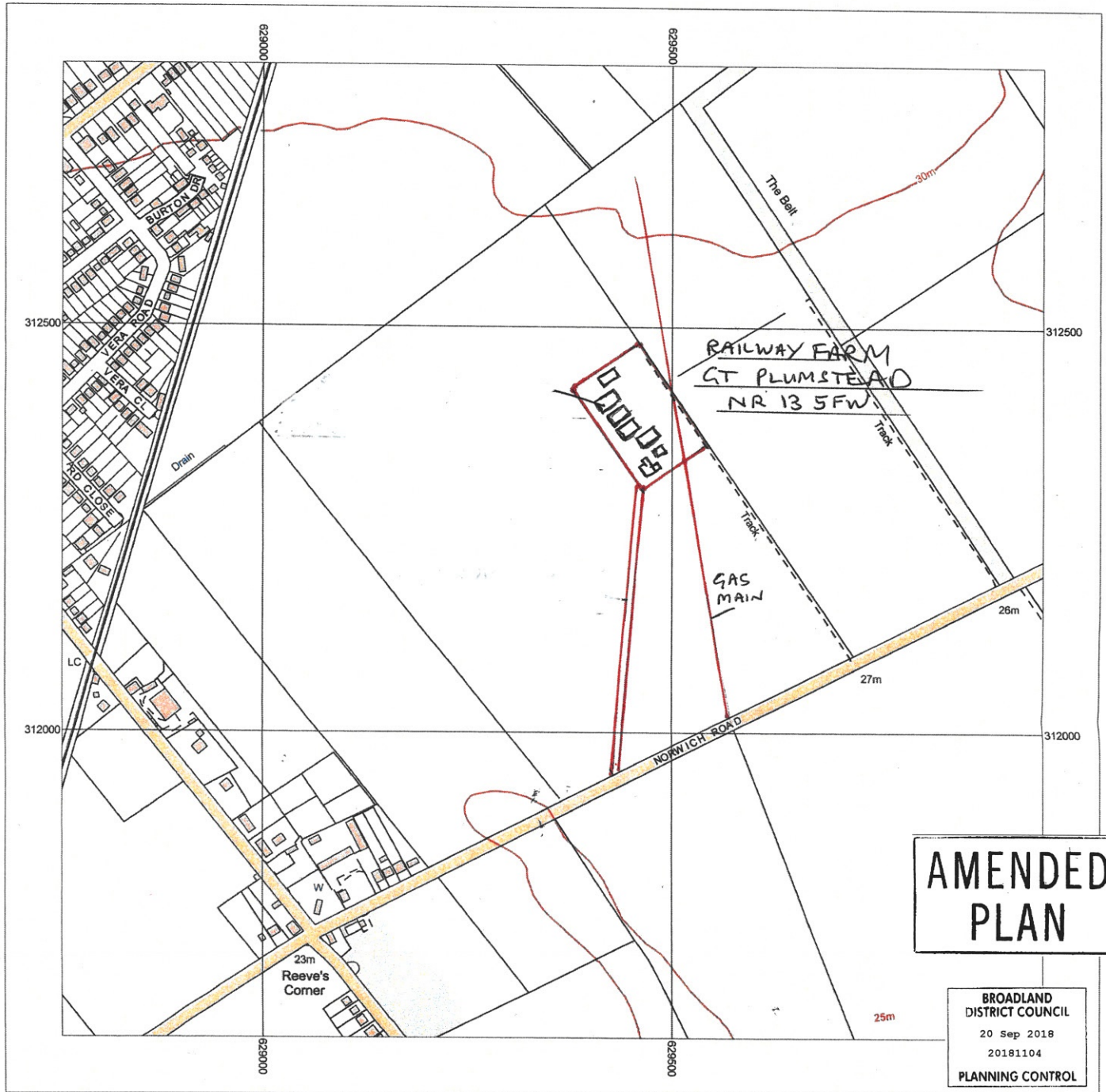
The Environmental Permitting Regulations 2016 require farms stocking 2,000 production pigs over 30 kg to have an Environmental Permit. The permit application fee is £8,020.

The applicant is advised to contact us for pre application advice before submitting a permit application. They can submit a pre application request by filling in a form available at <https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form>.

The applicant is advised to calculate how much water pigs will require and plan how this need will be met. If the applicant plans to apply for an abstraction licence they should make a preliminary enquiry to see if this is possible. The applicant should note that there is no guarantee that a water abstraction licence will be granted. The preliminary enquiry for abstraction licences is made up of two forms – WR328 and WR330. These can both be found on our website at <https://www.gov.uk/government/publications/water-abstraction-application-for-a-water-resources-licence>.

The requirement for an odour management plan will be assessed when the applicant submits a permit application. On submission of the application, screening will be carried out to determine if there are sensitive receptors within 400m of the installation, and if so then an odour management plan will be required. If additional information is required the applicant will be advised at this stage. Further information on producing an odour management plan can be found in Appendix 4 of How to Comply with your Intensive Farming Permit https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/297086/geho0110brsc-e-e.pdf.





Metres
0 25 50 100 150 200 250
Scale: 1:5000

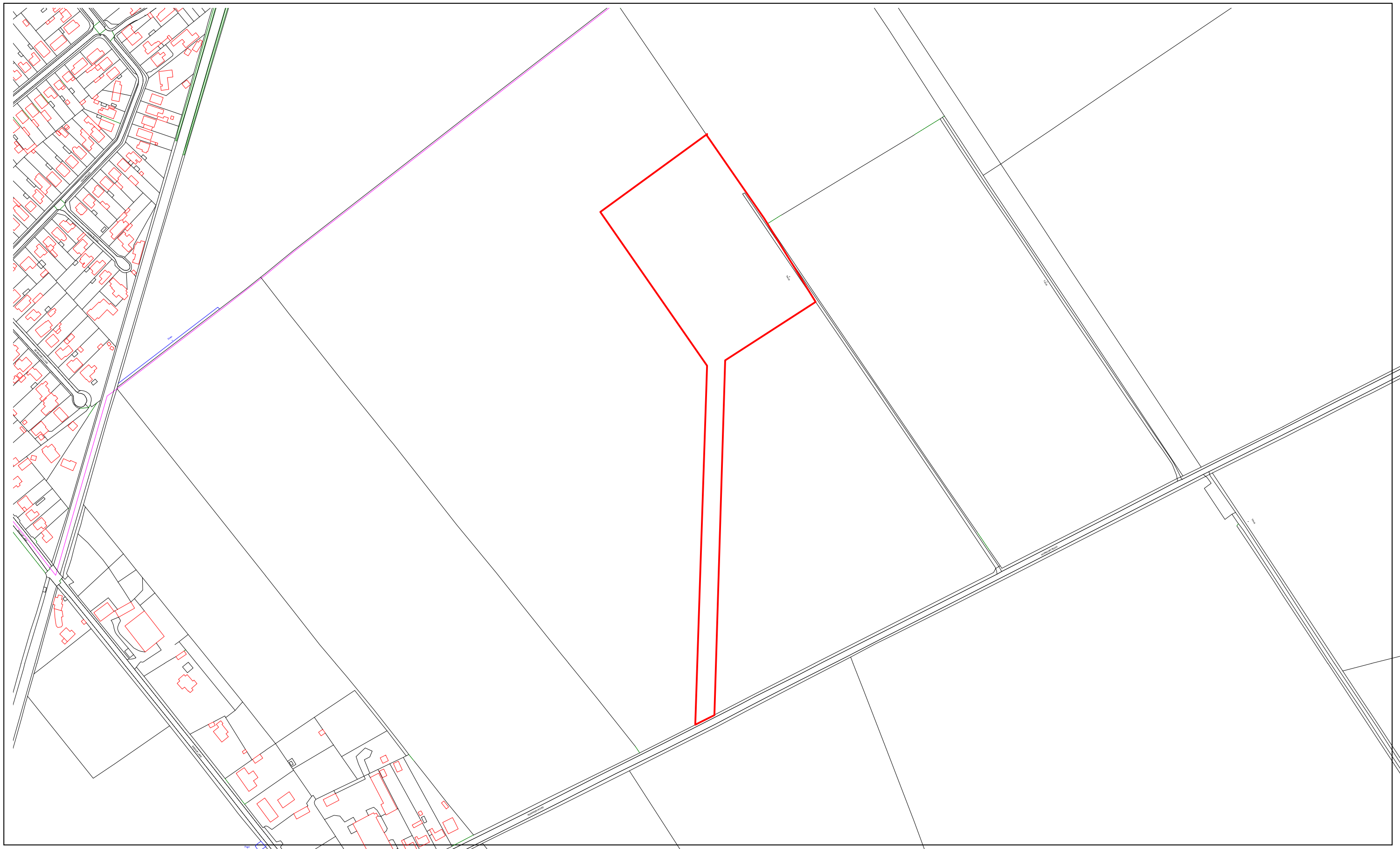


REVISED ACCESS ROAD TO AVOID GAS MAIN

FOR ILLUSTRATIVE PURPOSES ONLY

Supplied by: Hussey Knights Norwich
License number: 100031961
Produced: 15/02/2018
Serial number: 1948682

Plot centre co-ordinates: 629354.312224
Download file: NR13 5BY.zip
Project name: NR13 5BY



Application No: 20181361
Land North of Norwich Road, Great Plumstead, NR13 5BY

Scale:
1:3468
Date:
15-Oct-18



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AREA East

PARISH Great Plumstead

4

APPLICATION NO: [20181361](#)

TG REF: 629471 / 312379

LOCATION OF SITE Land north of Norwich Road, Great Plumstead

DESCRIPTION OF DEVELOPMENT Agricultural Workshop

APPLICANT D & C Murrell

AGENT N/A

Date Received: 17 August 2018
8 Week Expiry Date: 12 October 2018

Reason at Committee: At the request of Councillor Vincent for the reasons stated in paragraph 3.3.

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks consent for the erection of an agricultural workshop on land to the North of Norwich Road, Great Plumstead. The building would be used to store and repair agricultural machinery in connection with a proposed new pig farming operation on the site.
- 1.2 The building would measure 7.5m in width, 13m in length, 5.25m in height to the ridge and 4m in height to the eaves. The building would be constructed of juniper green, plastisol cladding for the walls and grey fibre cement for the roof, with access doors in one end to allow easy access for large machinery.

2 KEY CONSIDERATIONS

- Whether the development accords with the provisions of the development plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance.
- The impact of the development upon the character and appearance of the area.
- The impact of the development upon the amenity of nearby residents.

- Other matters.

3 CONSULTATIONS

3.1 Great and Little Plumstead Parish Council:

The Parish Council strongly objects on the following basis:

- The scale of this development.
- The need / justification for this development in this location (the applicant already has an established farm business site with adjoining land in South Walsham).
- The numbers and type of vehicle movements throughout each year, accessing onto the Norwich / Plumstead Road.
- The principle of the original applications to reduce vehicles movements and to only serve the output production from this one field, are no longer justified or relevant.
- The provision of services.
- Environmental issues – including the handling and disposal of waste; clear and foul water run-off from both the development site and the proposed concrete roadways / yard areas.
- A full Planning Statement and Design & Access statement in respect of the whole site.
- Waste and clean water management plans.
- Landscape and Visual Impact Assessments.
- Landscape Strategy.
- Impact Assessments.
- Arboricultural, archaeological and ecological statements and surveys.
- Utility map and statement on the provision of services.
- The development is outside any designated planning area and is not justified by either demonstrating need or providing a development of exemplary quality.

3.2 Rackheath Parish Council:

Members of the Planning Committee raised the following concerns:

- (1) Environmental impact of noise and smell caused by pig rearing to the neighbouring residents in Rackheath and Great Plumstead.

- (2) Suitability of the local road network and the impact of increased traffic accessing the site by HGVs.
- (3) Need to restrict the timing of the movement of vehicles to and from the site so that neighbouring residents are not unduly disturbed.
- (4) The need to provide adequate screening around the site.

Please note that our meeting was attended by four concerned members of the public from Broad Lane, who felt they should have been notified and consulted about these applications as neighbouring residents of the site.

3.3 Councillor Vincent:

I am calling in this application for the following reasons:

- pollution impact – smell and discharge;
- drainage and potential surface water flooding; and
- highway impact – original grant of permission for removal of hedge was based on reduced traffic movements.

3.4 Broadland District Council Pollution Control Officer:

No comment.

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

Initial comments

The proposed route for the new access is directly adjacent to an agricultural hedge which has a considerable number of mature Oaks standing within it along its length. The roots of these trees and the hedge would be impacted by a new concrete access road.

An Arboricultural Impact Assessment is needed to assess the impacts of the proposals on these important landscape Oaks and the hedge. This assessment should include a Tree Protection Plan to ensure these trees are safely retained and any potentially negative impacts are minimised and an Arboricultural Method Statement describing sympathetic materials and construction methods for the new access road as well as any changes in levels.

It should also be noted that the area of hedgerow highlighted for removal has already been approved via a Hedgerow Removal Notice 20180572. A

detailed Landscaping Plan is also required showing how this hedge will be replaced and the location, species and size of the tree planting mentioned in the Design and Access Statement. Planting should be designed in such a way as to soften and screen the new agricultural buildings from the Norwich Road.

Further comments following submission of Landscaping Plan and amended site access

The access revision is welcomed and it will benefit the Oaks by removing any risk of root damage from the construction of the road. Due to the new distance between the road and the Oaks a TPP / AIA / AMS will not be required.

The Landscaping Plan submitted is suitable and should adequately screen the agricultural buildings from the main road whilst providing benefits to biodiversity and visual amenity for the local area. It will be important to ensure that the saplings are put in as early as possible so the trees can begin to grow in height and act as a screen. Condition T07 Landscape Plan Submitted would be appropriate on the decision notice stating that the landscaping scheme should be carried out within the first planting season following commencement of work on site. This condition will also ensure the proper maintenance of the trees and ensure replacements are planted for a period of five years after planting.

3.6 Norfolk County Council as Highways Authority:

I must admit to having some scepticism regarding the stated traffic movements of this proposal especially when added to the other proposed buildings now being considered on the site.

I also understand that two pig rearing buildings have recently been approved on the site under prior approval regulations that were not subject to Highway Authority consultation with these buildings using the existing severely sub-standard access arrangements.

However, given that the proposed new vehicular access would meet Design Manual for Roads and Bridges requirements for a 2.4m setback and be very close to 'one-step down' for a 4.5m setback with Norwich Road being expected to cater for reduced traffic numbers now that the Northern Distributor Road is open I feel, in the particular circumstances, that sustaining objection would be very difficult.

Conditions should be imposed relating to the vehicular access, closure of the existing access, gates etc, visibility splays, and an informative relating to works within the public highway.

3.7 Health and Safety Executive:

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

3.8 National Grid:

Initial comments

The proposed activity is in close proximity to National Grid's Transmission assets and place a holding objection to the proposal which will cross our High-Pressure Gas Pipeline.

The applicant will need to produce two slab designs to national grid specification T/SPCE/12 (cannot use the standard designs and will need to provide calculations showing no loading onto the pipeline). National Grid will then need to G35 approve both (cost ~£4,000 each and will take ~2 months from submission).

Further comments following revised access location

Thanks for the update to review the new access plan, which is acceptable to National Grid. Please find attached our tree planting guide for the shelter belt of trees.

4 PUBLICITY

4.1 Site Notice:

Date displayed: 3 September 2018

Expiry date: 24 September 2018

4.2 Press Notice:

Date displayed: 28 August 2018

Expiry date: 18 September 2018

4.3 Neighbour Notification:

Letters sent: 21 August 2018

Expiry date: 13 September 2018

5 REPRESENTATIONS

5.1 When the application was submitted, 15 consultation letters were sent to residents on Reeves Corner and Broad Lane, Great Little Plumstead. The consultation resulted in two letters of objection being received from residents on Reeves Corner, Great Little Plumstead and Vera Road, Rackheath and are summarised below:

- The impact of the smell of a large amount of pigs on existing neighbouring properties needs to be taken into account.
- The building of a new farm by segregating each building for its own planning permission does not enable the whole development to be given sufficient analysis and review.
- This workshop would not be required, or profitable, as a standalone enterprise, and so should be refused until the need has been established.
- At what point does the public get to realise the size and impact of this new farm in its totality.
- Residents very close to the development, who will be affected by the noise, sight and smell, have not been consulted.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2018:

6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

6.2 The NPPF is a material consideration and should be read as a whole but paragraphs 2, 7, 8, 9, 11, 12, 38, 47, 54, 55, 79, 83, 124, 127, 128, 170, 180, 183 are particularly relevant to the determination of this application.

National Planning Practice Guidance (NPPG):

6.3 This guidance is relevant to the determination of this application, specifically the sections relating to air quality, design, determining a planning application, health and wellbeing, and noise.

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

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

- 6.5 Policy 1: Addressing climate change and protecting environment assets

This policy sets down a number of standards that new development should achieve in its attempts to address climate change and promote sustainability; including giving careful consideration to the location of development and the impact it would have ecosystems of an area.

- 6.6 Policy 2: Promoting good design

Seeks to ensure that all development is designed to the highest possible standard. It also states that developments will respect local distinctiveness.

- 6.7 Policy 5: The economy

This policy states the local economy will be developed in a sustainable way to support jobs and economic growth both in urban and rural locations.

- 6.8 Policy 6: Access and transportation

Relates to access and transportation. Particularly it seeks to 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.

Development Management Development Plan DPD (2015) relevant policies:

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

- 6.10 Policy GC1: Presumption in favour of sustainable development

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

6.11 Policy GC4: Design

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

6.12 Policy EN2: Landscape

This policy seeks to ensure development proposals have regard to the Landscape Character Assessment SPD and, in particular, consider any impact upon as well as seek to protect and enhance the landscape character.

6.13 Policy TS3: Highway safety

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

Site Allocations DPD (2016):

- 6.14 The site is located outside of any settlement limit and is not allocated.

Broadland Landscape Character Assessment SPD 2013:

- 6.15 The Landscape Character Assessment SPD identifies the site in question as within E4: Rackheath and Salhouse Wooded Estate lands.

- 6.16 The following Landscape Planning Guidelines apply to this area:

- Seek to conserve and enhance the landscape structure within the area, including blocks and belts of woodland, copses of mature trees, mature parkland trees and intact hedgerows.
- Seek to conserve the diverse and interesting landscape character, particularly in northern and western parts.
- Seek to conserve distinctive, historic architectural and landscape features including historic parkland landscapes and their setting, which contribute to the area's rich historic character and strong sense of place, particularly in northern and western parts.

- Seek to ensure the sensitive location of development involving further tall structures (such as steel pylons and telecommunication masts) in relation to prominent skyline locations both within the character area and within adjacent character areas.
- Seek to ensure that potential new small-scale development within villages is consistent with the existing settlement pattern, density and traditional built form.
- Seek to conserve the landscape setting of villages, such as Woodbastwick, Rackheath and Salhouse and seek to screen (where possible) harsh settlement edges and existing visual detractors.
- Seek to promote use of local vernacular buildings materials, including red brick, flint and pantiles.
- Seek to conserve the landscape setting of historic houses, halls (including Beeston, Salhouse and Rackheath) and churches.
- Seek to conserve the interesting landscape pattern of parkland, arable fields and woodland.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site currently forms part of an arable field measuring 26 hectares in total, which is accessed via Norwich Road to the south. The boundaries of the site consist of mature hedgerows and trees.
- 7.2 The site is bounded to the north, east and west by agricultural land, with residential dwellings beyond to the north and west. Beyond Norwich Road to the south is further agricultural land.

8 PLANNING HISTORY (all relate to land north of Norwich Road, Great Plumstead)

- 8.1 [20181515](#): Pig farm – Screening Opinion. EIA not required 4 October 2018.
- 8.2 [20181359](#): Self build stockmans house. Under consideration.
- 8.3 [20181261](#): Pig rearing building. For consideration under item 3 on the agenda.
- 8.4 [20181105](#): Grain Store. Approved 15 October 2018.

- 8.5 [20181104](#): Creation of new vehicular access and erection of Straw Storage Barn. Approved 15 October 2018.
- 8.6 [20180990](#): Request for Screening Opinion for pig farm (two pig rearing buildings). EIA not required 18 June 2018.
- 8.7 [20180864](#): Two pig rearing buildings (Prior Notification). Prior approval not required 11 July 2018.
- 8.8 [20180572](#): Removal of 100 yards of hedge. Approved 1 May 2018.

9 APPRAISAL

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

- 9.1 The application seeks consent for the erection of an agricultural workshop on land to the North of Norwich Road, Great Plumstead. The building will be used to store and repair agricultural machinery.
- 9.2 Paragraph 83 of the NPPF states decisions should enable the development of agricultural and other land-based rural businesses and enable the sustainable growth of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings.
- 9.3 Paragraph 5.10 of the Development Management DPD 2015 states development that is reasonably necessary for the purposes of agriculture which requires planning permission will be considered acceptable in principle where there is a justifiable need for them to be located in the countryside and provided there will be no significant adverse impact.
- 9.4 The site already has permission for two pig rearing buildings (20180864), a straw storage barn (20181104), and a grain store (20181105), which are yet to be constructed. The principle of agricultural development and a pig farming operation at the site has therefore already been established and the application must be seen in this context.
- 9.5 The erection of an agricultural workshop on the site would provide secure storage and a space to repair agricultural machinery used in association with the proposed farming operation on site and therefore it is considered reasonably necessary for the purposes of agriculture. The proposal would also enable the establishment of a rural agricultural business which is supported within the National Planning Policy Framework and paragraph 83 is of particular relevance which states:

Planning policies and decisions should enable:

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (b) the development and diversification of agricultural and other land-based rural businesses;
- (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

The impact of the development upon the character and appearance of the area

- 9.6 The building would measure 7.5m in width, 13m in length, 5.25m in height to the ridge and 4m in height to the eaves. The building would be constructed of juniper green plastisol cladding for the walls and grey fibre cement for the roof, with access doors in one end to allow easy access for large machinery.
- 9.7 The proposed workshop would have a functional appearance that is common to modern agricultural buildings and such buildings are not uncommon within rural landscapes, as is the case here.
- 9.8 The Conservation Officer (Arboriculture and Landscape) initially requested the submission of an Arboricultural Impact Assessment (AIA) as the proposed access track would be within close proximity to an agricultural hedge with a considerable number of mature Oaks. The scheme has since been amended to relocate the access track within the site so it runs diagonally from the site access to the agricultural buildings. They also requested the submission of a Landscaping Plan to include the replacement hedge adjacent to the proposed visibility splays to soften and screen the proposed buildings from Norwich Road.
- 9.9 Following the submission of the Landscaping Plan and relocation of the access the Conservation Officer (Arboriculture and Landscape) states the plan is suitable and should adequately screen the agricultural buildings from the main road whilst providing benefits to biodiversity and visual amenity for the local area. A condition would be imposed for the landscaping scheme to be carried out within the first planting season following commencement of development. This condition would ensure the proper maintenance of the

trees and ensure replacements are planted for a period of five years after planting.

- 9.10 Whilst it is noted the buildings will be visible within the surrounding landscape, it is considered the proposed landscaping scheme, coupled with the existing mature boundary hedgerows and trees, will help to break up the mass and bland form of the buildings. It is also noted the building would be similar in form and style to other farm buildings, including those already approved on site. The building would also be sited over 400m from Norwich Road and residential properties to the north and west and therefore coupled with the existing / proposed planting would not significantly impact upon the character and appearance of the surrounding landscape.

The impact of the development upon the amenity of nearby residents

- 9.11 In terms of neighbour amenity, it is considered the erection of an agricultural workshop in the located proposed would not impact unduly upon neighbour amenity given the proposed separation distances, existing boundary treatments and the proposed additional landscaping within the site.

Other matters

- 9.12 The Highways Authority initially requested amendments to the proposed visibility splays and further information on why the applicant considers the proposed use as a pig farm as proposed would reduce vehicle numbers from the existing arable use. Following the submission of further information the Highways Authority state, in the particular circumstances, that sustaining an objection would be very difficult and therefore recommend the imposition of conditions relating to the vehicular access, closure of the existing access, gates etc, visibility splays, and an informative relating to works within the public highway.
- 9.13 A High-Pressure Gas Pipeline runs through the site and initially National Grid placed a holding objection as the proposed access track would cross over the pipeline at two points and therefore the applicant would need to produce two slab designs to National Grid specification to ensure the proposal would not result in loading onto the pipeline. The scheme has since been amended so the access track does not cross the pipeline, which is acceptable to National Grid and therefore they have removed their holding objection. A note would be imposed drawing the applicant's attention to the National Grid's tree planting guide.

Conclusion

- 9.14 In conclusion, the erection of a workshop on the site to store and repair machinery used as part of the farming operation is considered reasonably necessary for the purposes of agriculture. The proposal would also not result

in any significant adverse impact and therefore it is recommended that the application is approved subject to conditions.

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

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission is granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (3) The development hereby permitted shall be constructed using the materials specified within Section 9 of the planning application form and proposed plans.
- (4) The landscaping plan produced by A T Coombes Associates Ltd, received on the 11 October 2018 shall be carried out within the first planting season following the commencement of work on site or in accordance with a programme agreed in writing with the Local Planning Authority.

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.

- (5) Prior to the first occupation / use of the development hereby permitted the vehicular access / crossing over the verge shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the Norfolk County Council Field Access construction specification and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- (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 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) Any access gates / bollard / chain / other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 8m from the near channel edge of the adjacent carriageway.
- (8) Prior to the first occupation / use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

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 development, in accordance with Policy GC4 of the Development Management DPD 2015.
- (4) To ensure the maintenance of screening to the site and to protect the appearance and character of the area in accordance with Policies GC4, EN2 and EN3 of the Development Management DPD 2015.
- (5) To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety 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 enabling vehicles to safely draw off the highway before the gates / obstruction is opened in accordance with Policy TS3 of the Development Management DPD 2015.
- (8) In the interests of highway safety in accordance with the principles of the National Planning Policy Framework and Policy TS3 of the Development Management DPD 2015.

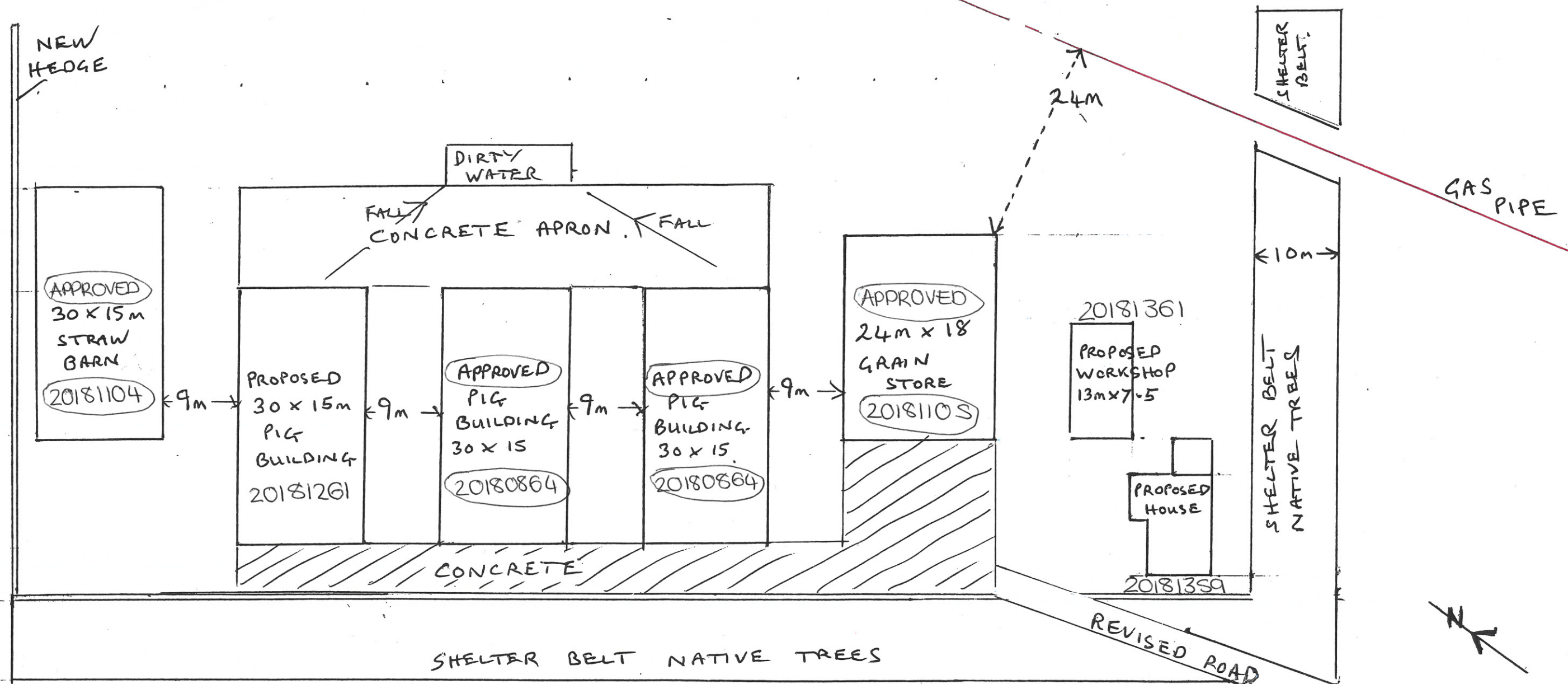
Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (3) 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.
- (4) The applicant's attention is drawn to National Grid's tree planting guide which can be found on the following website <https://www.nationalgridgas.com/land-and-assets/working-near-our-assets>
- (5) 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 430596.

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

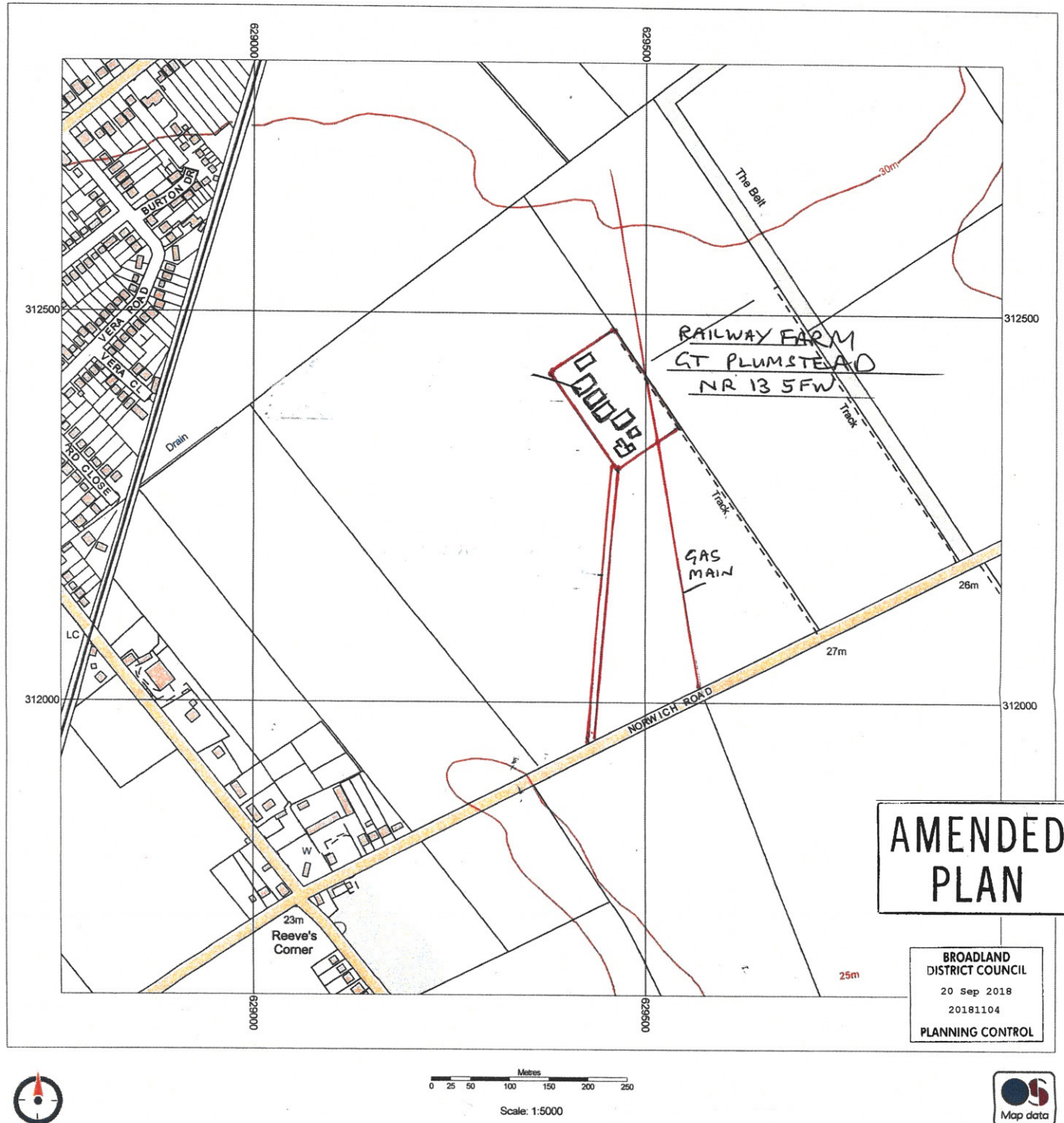
Public utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.



BLOCK PLAN FOR NEW FARM NORTH OF NORWICH RD, GT PLUMSTEAD

FOR D & C MURRELL SCALE 1:500

RAILWAY FARM NR13 5FW



REVISED ACCESS ROAD TO AVOID GAS MAIN

FOR ILLUSTRATIVE PURPOSES ONLY

Supplied by: Hussey Knights Norwich
License number: 100031981
Produced: 15/02/2018
Serial number: 1948682

Plot centre co-ordinates: 629354.312224
Download file: NR13 5BY.zip
Project name: NR13 5BY



PLANNING COMMITTEE

24 OCTOBER 2018

FINAL PAPERS

Page Nos

[Supplementary Schedule](#)

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Attached is the Supplementary Schedule showing those representations received since the agenda was published and other relevant information

DEMOCRATIC SERVICES

Broadland District Council

Thorpe Lodge, 1 Yarmouth Road, Norwich, NR7 0DU

Tel: 01603 430428

Email: cst@broadland.gov.uk

SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
1	20180236	Drayton Old Lodge, 146 Drayton High Road, Drayton	<p>Correction to paragraph 9.34 of the report:</p> <p>The width of the roadway to the east of the application site, Drayton Lodge Park, is currently 4.5m wide and it is proposed to be widened to 5.5m, this is a widening of 1.0m, not 0.6m as originally reported.</p> <p>Additional condition and reason to be imposed:</p> <p>Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority to identify the finished ground floor slab levels of the new build dwellings, garages and garden areas above ordnance datum (AOD) with reference to off-site datum points. The development shall then be undertaken as approved.</p> <p>Reason – To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.</p> <p>Revised Flood Risk Assessment & Drainage Strategy Addendum received 8 August 2018 to be added to the list of approved documents, the earlier version specified is to be removed from the list.</p>	45 - 92
2	20181358	Reepham Road treebelt, Thorpe Marriott	<p>Correction to paragraph 5.1 of the report.</p> <p>The number of representations received is incorrect. This should read that 25 letters of representation have been received (21 objections, 3</p>	93 - 118

			<p>comments and 1 support).</p> <p><u>Additional representations received.</u></p> <p>Objection received from the residents at 28 Ganners Hill. This letter reiterates concerns that the proposal will provide an ideal place for drug dealing and will give rise to drug use and anti-social behaviour as set out in their original letter.</p> <p><u>Officer response</u> This concern is reported in paragraph 5.1 of the report and paragraphs 9.7 to 9.12 of the report evaluates these concerns and concludes that it is considered that the proposal will not result in any significant increase in crime or anti-social behaviour or result in significant security issues.</p> <p>Objection received from the resident at No.19 St Margarets Close. This reiterates concerns previously raised in their original letter regarding the footpath not being well used, that the proposal will not provide any benefits, is a waste of resources and the impact of the proposal upon crime in the area. The letter also states that the footpath would have the potential to increase the noise in the area which would impact the rights of nearby residents to enjoy their property peacefully, as protected under Protocol 1, Article 1 of the Human Rights Act. It also notes that Article 8 of the Human Rights Act sets out the right to a private life and the right to enjoy my home peacefully. The letter states <i>'this can include authorities having to take positive action for a person to peacefully enjoy their home in reducing noise, whereas this application could do the complete opposite.'</i></p>	
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			<p>It continues: <i>'I believe any decision to take away these rights needs to be necessary in the public interest, objective and reasonable. I cannot see how this can apply in relation to this specific planning application. In line with the Equality and Human Rights Commission publication 'A Guide to the Human Rights Act for Public Authorities' I would expect the Council to be able to produce reasons for any decisions made in relation to this application and the requirements of the Human Rights Act.'</i></p> <p><u>Officer response:</u> Whilst not specifically referring to the Human Rights Act, paragraph 9.13 of the report does evaluate the concerns raised by residents regarding noise and privacy. It is considered that the application will not result in a significant increase in noise or loss of privacy and therefore the application is not considered to be in conflict with the requirements under the Human Rights Act.</p>	
3	20181261	Land north of Norwich Road, Great Plumstead	<p><u>Additional consultation response received</u></p> <p>Comments received from Broadland District Council Environmental Services (Statutory Nuisance):</p> <p>If the site is to be developed to accommodate 2,000 pigs then an Environmental Permit will be required. The receptors are some distance away and I have no objections to the application. I would suggest that the odour is managed in accordance with the plan.</p> <p><u>Officer response:</u> As highlighted, if the site is to be developed to accommodate 2,000 pigs an Environmental Permit from the Environment Agency would be required. The Environment Agency has reviewed the application and their comments are included within paragraph 3.9 of the Committee report. They state on the submission of an Environmental</p>	119 - 139

			<p>Permit application, screening will be carried out to determine if there are sensitive receptors within 400m of the installation, and if so then an Odour Management Plan will be required.</p> <p>It should be noted that if no more than 1,999 are accommodated on site then an Environmental Permit would not be required. The local authority would become the enforcing authority and would deal with any issues under nuisance legislation. There is a Code of Practice for pig rearing and for spreading of manure on land, which would be used as the benchmark for best practice and would be enforced to that standard if the situation required.</p> <p>A condition is therefore recommended that in the event less than 2,000 pigs are accommodated on site that the development is operated in accordance with the submitted Odour Management Plan.</p> <p>Additional condition and reason to be imposed:</p> <p>The development shall be operated in accordance with the approved Odour Management Plan, if less than 2,000 pigs are accommodated on the site.</p> <p>Reason: In the interests of the amenities of the area and local residents in accordance with Policy GC4 and EN4 of the Development Management DPD 2015.</p> <p><u>Additional policy guidance</u></p> <p>The following policies of the Great Plumstead, Little Plumstead and</p>	
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			<p>Thorpe End Garden Village Neighbourhood Plan 2014 – 2034 are of relevance to the determination of this application:</p> <p>Policy 2 New development should deliver high quality design and should in relation to this application:</p> <ul style="list-style-type: none"> - Demonstrate how they will integrate into and enhance the existing villages and communities; - Be of an appropriate scale and density to the wider Parish context; - Respect and be sensitive to the local character and natural assets of the surrounding area; and - Provide roads that meet the requirements of the Highway Authority. <p><u>Officer response:</u> An assessment of the proposals impact upon the character and appearance of the area and the design of the proposal is included within paragraphs 9.8 – 9.12 of the committee report.</p> <p>Policy 4 – Traffic New development proposals, where appropriate, will be expected to quantify the level of traffic they are likely to generate and its cumulative effect. They will also be expected to assess the potential impact of this traffic on road safety, pedestrians, cyclists, parking and congestion.</p> <p><u>Officer response:</u> The Highways Authority comments are contained within paragraph 3.8 of the Committee report. The Highways Authority raise no objection subject to the imposition of conditions relating to the vehicular access, closure of the existing access, gates etc, visibility splays, and an informative relating to works within the public highway.</p>	
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			<p>Policy 7 – Small-scale employment Outside the area covered by the Growth Triangle Area Action Plan small-scale employment uses appropriate to a rural area will be encouraged, provided they do not negatively impact on the character of the area or the amenity of residents.</p> <p><u>Officer response:</u> The proposal would provide employment and would allow a pig farming operation to be established on the site, which would enable the growth of a rural agricultural business.</p>	
4	20181361	Land north of Norwich Road, Great Plumstead	<p><u>Additional policy guidance</u></p> <p>The following policies of the Great Plumstead, Little Plumstead and Thorpe End Garden Village Neighbourhood Plan 2014 – 2034 are of relevance to the determination of this application:</p> <p>Policy 2 New development should deliver high quality design and should in relation to this application:</p> <ul style="list-style-type: none"> - Demonstrate how they will integrate into and enhance the existing villages and communities; - Be of an appropriate scale and density to the wider Parish context; - Respect and be sensitive to the local character and natural assets of the surrounding area; and - Provide roads that meet the requirements of the Highway Authority. <p><u>Officer response:</u> An assessment of the proposals impact upon the character and appearance of the area and the design of the proposal is included within paragraphs 9.6 – 9.10 of the Committee report.</p>	140 - 157

			<p>Policy 4 – Traffic New development proposals, where appropriate, will be expected to quantify the level of traffic they are likely to generate and its cumulative effect. They will also be expected to assess the potential impact of this traffic on road safety, pedestrians, cyclists, parking and congestion.</p> <p><u>Officer response:</u> The Highways Authority comments are contained within paragraph 3.6 of the committee report. The Highways Authority raise no objection subject to the imposition of conditions relating to the vehicular access, closure of the existing access, gates etc, visibility splays, and an informative relating to works within the public highway.</p> <p>Policy 7 – Small-scale employment Outside the area covered by the Growth Triangle Area Action Plan small-scale employment uses appropriate to a rural area will be encouraged, provided they do not negatively impact on the character of the area or the amenity of residents.</p> <p><u>Officer response:</u> The proposal would provide secure storage and a space to repair agricultural machinery to be used in association with the proposed pig farming operation on site.</p>	
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