

Planning Committee

Agenda

Date

Wednesday 28 March 2018

Members of the Planning Committee

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

Time

9.30am

Place

Council Chamber
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Substitutes

Conservative

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

Liberal Democrat

Mr D G Harrison*
Mr S Riley

*not met training requirement so ineligible to serve

Contact

Sara Utting tel (01603) 430428

Broadland District
Council
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich NR7 0DU
E-mail: sara.utting@broadland.gov.uk



@BDCDemServices

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 27 February 2018</u> | 3 – 20 |
| 4 | Matters arising therefrom (if any) | |
| 5 | Applications for planning permission to be considered by the Committee in the following order: | |
| | <u>Schedule of Applications</u> | 21 – 22 |
| | Planning Applications | 23 – 357 |

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 **Tuesday 27 February 2018** at **9.30am** when there were present:

Miss S Lawn – Chairman

Mr A D Adams
Mr P H Carrick
Mr G Everett

Mr R J Knowles
Mr K G Leggett

Mrs B H Rix
Mr J M Ward

Also in attendance were the Head of Planning, Area Planning Manager (West), Senior Planning Officer (GB) and the Senior Committee Officer.

93 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Graham, Mrs Hempsall and Mr Moncur.

94 MINUTES

The Minutes of the meeting held on 31 January 2018 were confirmed as a correct record and signed by the Chairman.

Meeting held on 29 November 2017 - Minute no: 60 – Application No: 20170104 – Land South of Salhouse Road, Sprowston

The Head of Planning reminded the Committee of the decision made at its meeting on 29 November 2017 and advised that it had not been possible to meet the deadline set as the agent had been out of the country for a number of weeks. However, he had attended a meeting two weeks ago with the landowner and promoters, together with the Chief Executive and Leader of the Council which had resulted in productive negotiations, the outcome of which would be reported to the Committee at its meeting on 28 March. Therefore, in view of the progress made, it was agreed that there was little merit in pursuing action at this stage.

95 APPLICATION NUMBER 20171035 – WESTON HALL, WESTON HALL ROAD, WESTON LONGVILLE

The Committee considered an application for (1) conversion of existing barn into one dwelling (including demolition works) and (2) the demolition of an existing bungalow, hardstanding, outbuildings (including sports hall, swimming pool, greenhouses, workshops and aircraft hangar) and the erection of seven dwellings in the grounds of the Grade II listed Weston Hall

in Weston Longville. The barn would be converted into a four bedroom dwelling and the former stable block to the west was to be demolished to reveal more of the barn to the river. The stables to the northwest of the barn would be retained and a triple bay garage constructed to the south-west of the barn. Three of the new properties would be located in the western section of the site on the east bank of the River Wensum and the remaining four would be located to the south of the barn within an existing, albeit extended, walled garden. Vehicular access to the site would remain from the existing entrance on Weston Hall Road and a new footpath was proposed through the grounds to provide pedestrian access to the village of Gt Witchingham.

The application was reported to committee as the officer recommendation was contrary to the provisions of the development plan.

The site was located outside of the settlement limit where development proposals would not normally be considered acceptable unless they complied with a specific allocation and / or policy of the development plan. Members noted that Policy 17 of the JCS supported the appropriate replacement of buildings in the countryside where it could be clearly demonstrated to further the objectives of the JCS. The Committee noted that a previous scheme for the conversion of the listed barn and stables into one dwelling and the erection of four new dwellings (20140374 and 20140387) granted permission in 2015 was still extant. It had been considered that the removal of several unsightly buildings around the estate and unauthorised additions to Weston Hall would enhance its setting and that of the barn. In addition, the new dwellings would have provided a source of income to allow the owners to undertake the works to improve and enhance Weston Hall. However, detailed costs had been undertaken by the surveyor employed by the applicant and he concluded that the development would not be viable which culminated in the submission of this current application.

The Committee acknowledged, however, that works at Weston Hall had already commenced and therefore, this current application did not represent enabling works. Notwithstanding this, it was considered the application sought to improve the setting of the estate and that of the hall and barn, with the removal of unattractive 20th century buildings and their replacement with new buildings which better respected the landscape setting of the site.

The comments of both the Historic Environment Officer and the Council's Design Officer were considered, in conjunction with an assessment of the proposals in regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Members considered that the demolitions would make a positive contribution to the setting of the listed barn by removing unsympathetic buildings and opening it up to its surroundings. Furthermore, the submitted drawings showed a sympathetic conversion which was considered to be appropriate to and retain its historic interest and character and appearance. Members acknowledged that the proposals would

intensify the level of development in the walled garden but considered the scale to be low key and the barn would still be seen in a predominantly open context within the wider estate. Furthermore, by grouping the dwellings together instead of spreading them across the estate, this would reduce the areas of roads, hardstanding and other built form which would otherwise result in a harmful form of development. Members also took into consideration the fact that the existing 20th century buildings within the site had become lawful through the previous granting of numerous Certificates of Lawfulness in 2011. Therefore, it was possible these structures could remain in perpetuity and even be granted planning permission to convert them into dwellings, which the Committee considered would be undesirable.

In terms of the character and appearance of the area, it was considered that overall, the development had the potential to improve and restore the landscaping setting of the hall and wider estate without having a detrimental impact on trees and biodiversity. As the application site was within a private parkland away from other residential properties, the proposals raised no concerns in relating to existing dwellings and the proposed dwellings were considered to relate appropriately to each other. Therefore, it was considered the proposals would have no detrimental impact on residential amenity.

Given the setting of the development and the size of the units being proposed, Members concurred with the officers' view that the payment of commuted sums in lieu of on-site affordable housing provision and formal and informal open space would be more appropriate. Although the site was in the parish of Weston Longville, Members acknowledged that it had a closer connection to the village of Gt Witchingham (which would be strengthened by the provision of a footpath) and therefore it would be more appropriate for the open space provision to be provided in Gt Witchingham, details of which would be secured through a S106 Agreement.

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

In conclusion it was considered that the benefits associated with the application outweighed the harm and therefore, the proposal represented an acceptable form of development. Accordingly, it was

RESOLVED:

to delegate authority to the Head of Planning to approve application number 20171035 subject to the satisfactory completion of a Section 106 Agreement relating to the following Heads of Terms and subject to the following conditions:

Heads of Terms:

- Securing a commuted sum in-lieu of providing affordable housing on site (including a clawback clause); and,
- Securing commuted sums in respect of equipped play space (Policy RL1) and informal open space (Policy EN3) (including maintenance arrangements and provision).

Conditions:

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

Drawing number 2344-06ga OS – Location Plan received 2 February 2018

Drawing number 2344-31 v16 – Proposed Site Layout received 2 February 2018

Drawing number 2344-63d – Plans, sections + elevations River House Plot 2 received 6 February 2018

Drawing number 2344-65d – Plans, sections + elevations Bankside House received 6 February 2018

Drawing number 2344-74e – Proposed Site Layout showing barn conversion and garage received 2 February 2018

Drawing number 2344-86c – Barn in Kitchen Garden showing kitchen garden plot 1 received 2 February 2018

Drawing number 2344-87c – Riverside Layout showing kitchen garden plot 4 received 2 February 2018

Drawing number 2344-88a – Riverside Layout showing kitchen garden Plot 3 received 2 February 2018

Drawing number 2344-89B – Riverside Layout showing kitchen garden Plot 2 received 2 February 2018

Drawing number 2344-96 – Elevations Hide House received 6 February 2018

Drawing number 2344-98 – Plan Hide House received 6 February 2018

Drawing number 2344-101 – Joinery and Barn Wall/Roof Details received 2 February 2018

Drawing number 2344-102 – Aluminium Joinery Details received 2 February 2018

Arboricultural Implications Assessment and Arboricultural Method Statement received 13 June 2017 and Tree Protection Plan (drawing number 2344-31. V12/Arb) received 28 August 2017

Drawing number 2344-31H/01/Arb – Landscaping Plan received 23 August 2017

Drawing number 2344-31H/02/Arb Rev. B – Landscaping Plan received 23 August 2017

Drawing number 2344-68 – Footway Access onto Norwich Road received 28 August 2017

Drawing number 2344-69 – Route of Footpath (northern section) received 23 August 2017

Drawing number 2344-70 – Route of Footpath (southern section) received 23 August 2017

Email from Chris Yardley of 23 August 2017 confirming the surfacing details of the proposed footpath shown in drawing nos: 2344-69 and 2344-70

- (3) Prior to the completion of the conversion of the barn into a dwelling and the dwellings labelled as Hide House, Bank House and River House, the following must be approved in writing by the Local Planning Authority and carried out:

Based on the remediation method statement remediation works must be carried out to ensure the properties are fit for the use permitted under this permission. The remediation work must be carried out in accordance with the above stated method statement and should it be necessary to alter from this, the details must be submitted to Broadland District Council in advance for written approval before the new method is implemented. The remediation works must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990.

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

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

- (4) Prior to the construction of the 7 new dwellings hereby approved, the demolition of the bungalow, sports hall, gym, bowling alley, swimming pool, greenhouses, workshops, aircraft hangar and areas of hardstanding shall take place and all resulting debris removed from site.

- (5) Prior to the first occupation of the barn proposed for conversion, the former stables to the west identified by the dotted line in drawing number 2344-31 v16 shall be demolished and all resulting debris removed from the site.
- (6) 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 or extensions be made to the dwellings.
- (7) Prior to the first occupation of the development hereby permitted, the pedestrian access to Fakenham Road (A1067) shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification (Dwg No. TRAD 5) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- (8) Prior to the first occupation of the development hereby permitted the internal site footpath linking through to the public footway adjacent to Fakenham Road (A1067) shall be provided and thereafter retained as shown on the approved plans.

Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To ensure that risks from land contamination for the future occupiers are minimised in accordance with Policy EN4 of the Development Management DPD 2015.
- (4-5) To ensure the site is developed in an orderly and proper manner.
- (6) To protect the character of the listed building and parkland in accordance with Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014 and Policy GC4 of the Development Management DPD 2015.

- (7) To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy TS3 of the Development Management DPD 2015.
- (8) In the interests of satisfactory development of the site and highway safety in accordance with Policy TS3 of the Development Management DPD 2015.

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (3) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provides the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (4) This development involves works within the Public Highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing. It is an offence to carry out any works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Control Group. Please contact 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.

96 APPLICATION NUMBER 20171083 – WESTON HALL, WESTON HALL ROAD, WESTON LONGVILLE

Further to Minute no: 95 above, the Committee considered a Listed Building application for consent to convert a Grade II barn into a dwelling; demolish an existing bungalow and buildings and the erection of seven contemporary designed dwellings in the grounds of the Grade II listed Weston Hall, Weston Hall Road, Weston Longville.

The application was reported to committee due to the associated planning application being contrary to the provisions of the development plan.

Members considered that the application would preserve the setting and historic importance as well as the special features of Weston Hall and associated barn, with the removal of the unattractive 20th century buildings enhancing the significance of the listed barn. It was considered that the construction of the new dwellings alongside the River Wensum and within the extended wall garden would result in less than substantial harm to the significance of the barn and Weston Hall which would be outweighed by the public benefits of revealing more of the barn to its surroundings. In assessing the proposals, Members had regard to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act, together with the NPPF and relevant policies of the development plan.

In conclusion it was considered that the proposals complied with Policies 1 and 2 of the JCS and Policy GC4 (i and ii) of the DM DPD and therefore, it was

RESOLVED:

to delegate authority to the Head of Planning to grant Listed Building Consent when the associated planning permission is in a position to be granted 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 was granted.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the plans listed below:

Drawing number 2344-06ga OS – Location Plan received 2 February 2018

Drawing number 2344-31 v16 – Proposed Site Layout received 2 February 2018

Drawing number 2344-63d – Plans, sections + elevations River House Plot 2 received 6 February 2018

Drawing number 2344-65d – Plans, sections + elevations Bankside House received 6 February 2018

Drawing number 2344-74e – Proposed Site Layout showing barn conversion and garage received 2 February 2018

Drawing number 2344-86c – Barn in Kitchen Garden showing kitchen garden plot 1 received 2 February 2018

Drawing number 2344-87c – Riverside Layout showing kitchen garden plot 4 received 2 February 2018

Drawing number 2344-88a – Riverside Layout showing kitchen garden Plot 3 received 2 February 2018

Drawing number 2344-89B – Riverside Layout showing kitchen garden Plot 2 received 2 February 2018

Drawing number 2344-96 – Elevations Hide House received 6 February 2018

Drawing number 2344-98 – Plan Hide House received 6 February 2018

Drawing number 2344-101 – Joinery and Barn Wall/Roof Details received 2 February 2018

Drawing number 2344-102 – Aluminium Joinery Details received 2 February 2018

Email from Chris Yardley of 23 August 2017 confirming the surfacing details of the proposed footpath shown in drawing nos: 2344-69 and 2344-70

- (3) Prior to the construction of the 7 new dwellings hereby approved, the demolition of the bungalow, sports hall, gym, bowling alley, swimming pool, greenhouses, workshops, aircraft hangar and areas of hardstanding shall take place and all resulting debris removed from site.
- (4) Prior to the first occupation of the barn proposed for conversion, the former stables to the west identified by the dotted line in drawing number 2344-31 v16 shall be demolished and all resulting debris removed from the site.

Reasons:

- (1) The time limit condition 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.
- (3-4) To ensure the site is developed in an orderly and proper manner.

Informatives:

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

97 APPLICATION NUMBER 20171676 – WENSUM VALLEY HOTEL, GOLF AND COUNTRY CLUB, BEECH AVENUE, TAVERHAM

The Committee considered an application for significant works at the Wensum Valley Hotel, Golf and Country Club in Beech Avenue, Taverham. It was proposed to demolish the existing swimming pool and leisure facilities on the east elevation of the hotel complex, along with the single and two storey projecting bays on the south elevation of the function and conference suite, overlooking the existing car park. The three storey hotel extension would accommodate 72 rooms and be attached to the north elevation of the existing hotel by a modest glazed link and a single storey curved reception area. The new leisure complex would have a 60 space car park to the front and would accommodate a swimming pool, beauty treatment rooms, changing rooms, a café, reception area and offices. The new entrance to the function room and restaurant facilities would replace the existing entrance referred to above and would wrap around the south elevation of the building, accommodating a new entrance lobby with glass canopy above, office and meeting room, new dance floor for an existing function room, storage areas, toilets and cloak room. The golf pro-shop would be attached to the western corner of the existing hotel and would overlook the golf courses to the west. The conservatory would fill in a space on the west elevation of the function and conference suites. The upgrade to the existing car park to the south of the complex sought to improve circulation around it, provide a drop-off area outside the new entrance and to provide landscaping; the number of spaces provided would decrease from 202 to 188. Although the existing vehicular access from Beech Avenue would be retained, a new vehicular access and entrance drive would be constructed from Fakenham Road. The new car parks for the hotel extension and new leisure complex would also be accessed from this driveway.

The application was reported to committee as the officer recommendation was contrary to the advice of the Highway Authority.

The Committee received confirmation from Norfolk County Council on its reasons for recommending refusal of planning permission as detailed in the Supplementary Schedule, together with suggested conditions should the Council be minded to approve the application. In addition, the Committee received the comments of the Historic Environment Service, together with the officer response, in relation to condition 6, also as reported in the Supplementary Schedule.

The application site was located outside of the settlement limit where development proposals would not normally be permitted unless they accorded with a specific allocation and / or policy of the development plan and not result in any significant adverse impact. The Committee took into consideration the fact that the Wensum Valley Hotel, Golf and Country Club (WVHGCC) was an existing and well-established operation having been on the site for approximately 30 years. This current application sought to enhance the facilities on site in response to sustained increased demand. Members noted that the proposed works would be on, attached or close to the existing building complex, with their appearance and layout being complementary. Furthermore, the location of the site and tree / hedge planting along Fakenham Road meant that it was not widely visible within the surrounding area. Therefore, the proposals were considered to comply with Policy 1 of the JCS insofar as it related to the protection of the countryside as an environmental asset, Policy 2 of the JCS in respect of design and Policies GC4(i and ii) and EN2 of the DM DPD. In terms of residential amenity, Members noted that the location of the buildings and car parks would be sufficiently distant from residential properties on Beech Avenue and Fakenham Road for their impact to be minimal. Whilst the new access drive would be approximately 6m at its nearest point from the rear boundary of "Green Acres", it would turn towards the hotel complex and not run parallel to the boundary. Therefore, the layout of the drive and the fact that vehicles would not continuously be travelling along it meant that there would not be significant disruption arising from its use. Therefore, the application was considered to comply with Policy GC4(iv) of the DM DPD.

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

In conclusion it was considered that the application complied with the relevant policies of the development plan and therefore, represented an acceptable form of development. Accordingly, it was

RESOLVED:

to approve application number 20171676 subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than three years beginning with the date on which this permission was granted.

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

Drawing number 15/1097/C-11A: Location Plan – Proposed received 3 January 2018

Drawing number 15/1097/C-20A: Proposed Hotel – Floor Plans received 3 January 2018

Drawing number 15/1097/C-21A: Hotel Elevations and Sections received 3 January 2018

Drawing number 15/1097/C-30A: Revised Ground Floor Plans received 3 January 2018

Drawing number 15/1097/C-31A: Function Entrance Elevations received 3 January 2018

Drawing number 15/1097/C-32A: Additional Ground Floor Plans received 3 January 2018

Drawing number 15/1097/C-40A: Leisure Complex – Ground Floor Plan received 3 January 2018

Drawing number 15/1097/C-41A: Leisure Complex – First Floor Plan received 3 January 2018

Drawing number 15/1097/C-42A: Leisure Complex Elevations received 3 January 2018

Drawing number 15/1097/C-60A: Road Entrance Details received 3 January 2018

Drawing number 15/1097/C-61A: Existing Car Park Proposals received 3 January 2018

- (3) The development shall take place in accordance with Sections 8, 9 and 10, Appendix 2 and accompanying drawing number E15869/602 of the Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement received on 11 January 2018.
- (4) No works shall take place on upgrading the existing car park until a Tree Protection Plan has been submitted to the Local Planning Authority for its written approval. The development shall then take place in accordance with the approved details.
- (5) No development shall take place on the 3-storey hotel extension, leisure complex and their associated car parks until, in accordance with the Flood Risk Assessment (FRA) and Surface Water

Drainage/SuDs Strategy Rev. A received on 18 December 2017, detailed designs of a surface water drainage scheme incorporating the measures listed below are submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the approved scheme and completed prior to the first use of the development. The scheme shall address the following matters:-

- I Detailed infiltration tests results as stated in Appendix B of the Flood Risk Assessment to be used in the design of the proposed surface water features.
- II Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change of 20% and tested up to 40%, flood event. A minimum storage volume of 370m³ will be provided in line with section 5.5.7 of the submitted FRA.
- III Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.
- IV The design of the attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances as detailed in section 5.5.8 of the FRA. Plans shall be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
- V Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding
- VI Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015),

including appropriate treatment stages for water quality prior to discharge.

VII A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development as detailed in section 5.7 of the FRA.

- (6) No works shall take place on the construction of the new access drive into the site from the A1067 (Fakenham Road) and the 3-storey hotel extension and leisure complex (and their associated car parks) hereby approved until an archaeological written scheme of investigation has been submitted to and approved in writing by the local planning authority. 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. The development shall then proceed in accordance with the approved details. Subsequently, the development hereby approved shall not be brought into use until the site investigation and post investigation has been completed in accordance with the programme set out in the approved archaeological written scheme of investigation and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- (7) No works shall take place until a scheme has been submitted to the Local Planning Authority for the provision of two fire hydrants capable of delivering a minimum of 20 litres of water per second. The scheme shall then be implemented in accordance with the approved details.
- (8) No works shall take place on the construction of the vehicular access onto the A1067 (Fakenham Road) until a detailed scheme for its construction that includes (but is not limited to) surfacing specifications, kerb, lining and drainage details is submitted to the Local Planning Authority for its written approval. The vehicular access shall then be constructed in accordance with the approved details prior to being brought into use.
- (9) Notwithstanding the details indicated on the submitted drawings, unless otherwise agreed in writing with the Local Planning Authority, no works shall take place on the new vehicular access into the site from the A1067 (Fakenham Road) until a detailed scheme for the off-site

highway improvement works for the provision of a right hand turn lane on the A1067 as indicated on drawing number CL-001 Rev P2 has been submitted to and approved in writing by the Local Planning Authority. The off-site highway improvements works shall then be completed to the written satisfaction of the Local Planning Authority prior to it being brought into use.

- (10) No works shall take place on the construction of the new access drive into the site from the A1067 (Fakenham Road) and the 3-storey hotel extension and leisure complex (and their associated car parks) hereby approved 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
- (11) No works shall take place on the construction of the new access drive into the site from the A1067 (Fakenham Road) and the 3-storey hotel extension and leisure complex (and their associated car parks) hereby approved until a Construction Traffic Management Plan and Access Route which incorporates adequate provision for addressing any abnormal wear and tear to the highway is submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic. All construction traffic shall then comply with the approved details for the duration of the construction period.
- (12) No works shall take place on the construction of the new access drive into the site from the A1067 (Fakenham Road) and the 3-storey hotel extension and leisure complex (and their associated car parks) hereby approved until details of wheel cleaning facilities for all vehicles associated with the construction of the development have been submitted to and approved in writing by the Local Planning Authority. The approved wheel cleaning facilities shall then be used for the duration of the construction period.
- (13) The gradient of the vehicular access shall not exceed 1:12 for the first 10 metres into the site as measured from the near channel edge of the adjacent carriageway.
- (14) Prior to the first use of the new vehicular access from the A1067 (Fakenham Road) hereby permitted, any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 10 metres from the near channel edge of the adjacent carriageway.

- (15) Prior to the first use of the new vehicular access from the A1067 (Fakenham Road) hereby permitted, visibility splays measuring 4.5 x 160 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- (16) Prior to the first use of the three-storey hotel extension hereby approved, the associated car park immediately to the east shall be laid out and demarcated in accordance with the approved plan and retained thereafter available for that specific use.
- (17) Prior to the first use of the new leisure complex hereby approved, the associated car park immediately to the northeast shall be laid out and demarcated in accordance with the approved plan and retained thereafter available for that specific use.

Reasons:

- (1) The time limit condition 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.
- (3-4) To ensure the continuity of amenity afforded by existing trees in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014.
- (5) To prevent and mitigate the risks of flooding in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014 and Policy CSU5 of the Development Management DPD 2015.
- (6) To enable the archaeological significance of the site to be evaluated in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014.
- (7) To ensure a satisfactory form of development in accordance with Policy GC4(vii) of the Development Management DPD 2015.
- (8) To ensure construction of a satisfactory access and in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.

- (9) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD 2015.
- (10) To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015
- (11) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (12) To prevent extraneous material being deposited on the highway in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (13) In the interests of the safety of persons using the access and users of the highway in accordance with Policy TS3 of the Development Management DPD 2015.
- (14) To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (15) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (16-17) To ensure the permanent availability of the parking / manoeuvring area and in the interests of highway safety in accordance with Policies TS3 and TS4 of the Development Management DPD 2015.

Informatives:

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

details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk

- (3) With reference to condition 7, the developer will be expected to meet the costs of supplying and installing the fire hydrants.
- (4) This development involves works within the Public Highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing. It is an offence to carry out any works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Control Group. Please contact 01603) 223273.

The meeting closed at 10:36am

SCHEDULE OF APPLICATIONS TO BE CONSIDERED

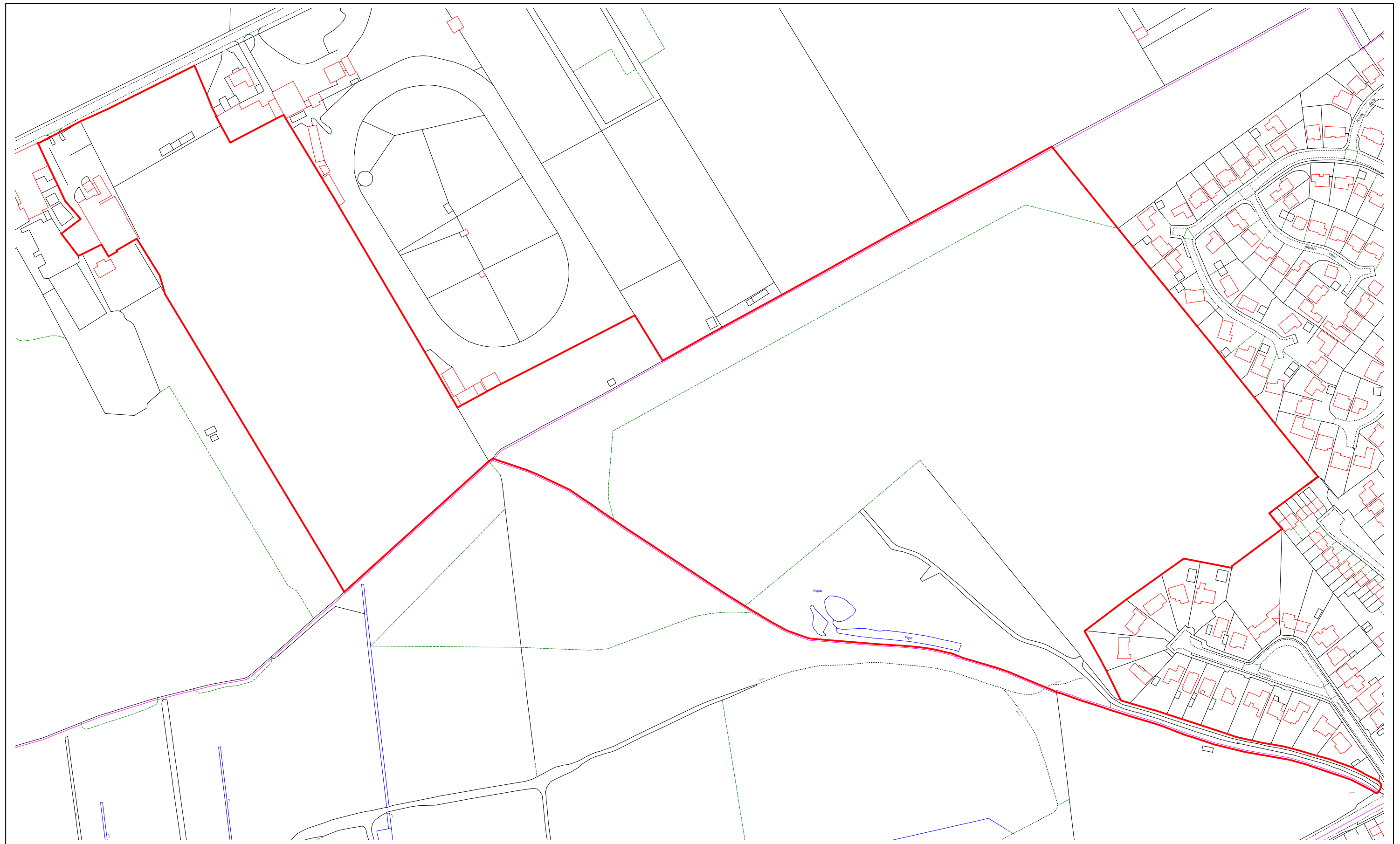
Plan No	App'n No	Location	Contact Officer	Officer Recommendation	Page Nos
1	20170104	Land south of Salhouse Road, Sprowston	BB	Delegate authority to the HoP to APPROVE subject to the satisfactory completion of a S106 Agreement and conditions	23 – 72 & 351 – 357 (exempt)
2	20161066	Land adjacent Hall Lane / School Road, Drayton	MR	APPROVE subject to conditions including additional ones requested by Norwich Airport re the attenuation lagoon and continue S106 negotiations as per agreed Heads of Terms to allow it to be completed	73 – 142
3	20170196	Former David Rice Hospital, Drayton High Road, Drayton	MR	APPROVE subject to conditions and complete the S106 as per the agreed Heads of Terms	143 – 220
4	20171008	Land at Little Plumstead Hospital, Hospital Road, Little Plumstead	NH	APPROVE subject to conditions and continue S106 negotiations as per agreed Heads of Terms to allow it to be completed	221 – 257
5	20172032	Land at Dawsons Lane, Blofield	NH	APPROVE subject to conditions and continue S106 negotiations as per agreed Heads of Terms to allow it to be completed	258 – 292
6	20172094	116 The Street, Brundall	CP	APPROVE subject to conditions	293 – 303

Planning Committee

7	<u>20180022</u>	<u>Bure House, The Street, Lamas</u>	HR	REFUSE	304 – 322
8	<u>20180060</u>	<u>Land to rear of The Cottage, Grange Road, Hainford</u>	CR	APPROVE subject to conditions	323 – 337
9	<u>20180117</u>	<u>The Old Post Office, Acle Road, Moulton St Mary</u>	CP	APPROVE subject to conditions	338 – 350

HoP = Head of Planning

Key	Contact Officer	Direct Dial No:
BB	Ben Burgess	01603 430625
MR	Matthew Rooke	01603 430571
NH	Nigel Harriss	01603 430529
CP	Cheryl Peel	01603 430550
HR	Heather Byrne	01603 430628
CR	Chris Rickman	01603 430548



Application No: 20170104
Land South of Salhouse Road, Sprowston

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Scale:
1:2500
Date:
24-Oct-17



PLAN NO: 1

APPLICATION NO: [20170104](#) – ERECTION OF UP TO 380 RESIDENTIAL DWELLINGS (INC AFFORDABLE HOUSING) WITH NEW VEHICULAR, CYCLE AND PEDESTRIAN ACCESS FROM SALHOUSE ROAD AND NEW PEDESTRIAN AND CYCLE ACCESS FROM PLUMSTEAD ROAD INCORPORATING AN EMERGENCY VEHICULAR ACCESS; THE PROVISION OF OPEN SPACE, SUSTAINABLE URBAN DRAINAGE SYSTEMS; ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND EARTHWORKS (OUTLINE) ALL ON LAND SOUTH OF SALHOUSE ROAD, SPROWSTON

1 INTRODUCTION

- 1.1 At the Planning Committee meeting on 1 November 2017 (Minute no: 60 refers) Members considered that the site which is the subject of this application benefitted from being in a sustainable location and was, in itself, a sustainable form of development. However, they were unable to make a decision on the application without having clarity on the completion of the link road between Salhouse Road and the boundary of the adjoining Council owned site, and also details of the buffer between the development and the existing dwellings at Thorpe End. Accordingly, it was resolved to:

DEFER consideration of application number 20170104 to enable negotiation to ensure compliance with Policy GT7 of the Growth Triangle Area Action Plan (GTAAP) insofar as it relates to the connection between Salhouse Road and Plumstead Road; and to seek further detail of the buffer between Thorpe End and the proposed development having regard to Policy GT7 and the Great and Little Plumstead Neighbourhood Plan.

- 1.2 The above matters have all been progressed in the subsequent period since the previous meeting, details of which are discussed in the sections below.

2 APPRAISAL

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

- 2.1 At the meeting in November, Members of the Planning Committee were concerned that the applicant was not proposing to extend a road to the boundary of their site with the site known as GT8 in the GTAAP.
- 2.2 Members were advised in the report to committee and in the officer's presentation that the policy requirement (through Policy GT7) was "A road

layout that does not prevent a direct vehicular connection between Salhouse Road and Plumstead Road, through allocated site GT8 being completed". The applicant's agent attempted to assure the committee that this policy wording would be met through the application they had before them in his presentation. However, Members remained unconvinced that the application would enable a direct vehicular connection between Salhouse Road and Plumstead Road to be secured in the future. Therefore, Members considered that officers should continue to pursue with the applicants a scheme and / or draft wording for the Section 106 Agreement which unambiguously demonstrated that it did not prevent a direct vehicular connection.

- 2.3 In the subsequent months following the November Planning Committee, officers have been in discussions with the promoter of this development to try to secure this. These discussions have resulted in a positive outcome with the applicant agreeing to show that a road would be taken directly up to the boundary with GT8. Clearly as the Council owns the site known as GT8, vehicular connection could then be made all the way through from Salhouse Road to Plumstead Road. The amended indicative plan that the applicant has provided and the agreement to put wording into the S106 Agreement is considered sufficient, in the officer's opinion, to ensure the provision of this connection.

Further detail of the buffer between Thorpe End and the proposed development having regard to the Policy GT7 and the Great and Little Plumstead Neighbourhood Plan

- 2.4 Policy GT7 of the GTAAP requires that "The open space and landscaping delivered as part of this development should provide separation between new development and Thorpe End...". Furthermore, Policy 1 of the Great and Little Plumstead Neighbourhood Plan states that "New development will respect the integrity of Great Plumstead, Little Plumstead and Thorpe End Garden Village as distinct settlements, protecting their character as individual villages and, in particular, it is important that coalescence is avoided between Thorpe End Garden Village and development related to the surrounding settlements, ensuring that Thorpe End Garden Village retains the appearance and character of a separate garden village"
- 2.5 Members were concerned that the indicative masterplan presented to them at the November meeting was not in accordance with these policies and therefore requested further detail be provided. The concern that Members had was that the indicative plan showed housing within the area that should be designated as a buffer zone to Thorpe End. In Members' opinion the plan shown would not ensure the separation between this development and Thorpe and could result in the coalescence between the two.
- 2.6 The applicant has taken note of this and has provided an updated plan showing the housing removed from this area. This added to the proposed recreation space and sustainable drainage pond would create a significant buffer between this development and Thorpe End. In the officer's opinion this

is sufficient to meet the requirements of both of the policies referred to in paragraph 2.4 of this report; subject to appropriate wording being agreed for the S106 agreement.

Affordable housing reduction to 10% on 50/50 tenure split

- 2.7 At the November Planning Committee meeting Members concluded that, following a review of the viability and supporting evidence, the case had been made to justify a reduction in the affordable housing obligation to 17.5%. However, there was the possibility that market conditions would improve during the life of the application and, therefore, an affordable housing uplift was being proposed on the basis of a viability appraisal at the start of each phase of the development. It was noted that the uplift would be the maximum of the affordable housing policy position at the time of the viability appraisal but with a minimum of 17.5% and this would be secured as part of the Section 106 Agreement.
- 2.8 Since the November meeting the applicant has revisited the viability of the scheme and has provided an updated viability assessment; the detail of which is provided in the confidential papers (attached as exempt appendices). This viability assessment now shows that the development is only viable at 10% affordable housing on a 50/50 tenure split between Affordable Rent and Intermediate Tenures.
- 2.9 The submitted viability and supporting evidence have been reviewed and considered by an independent viability consultant (Stuart Bizley), and the areas of concern were challenged. This figure of 10% (which equates to 38 affordable dwellings out of a total of 380) is significantly reduced from the policy position in the Joint Core Strategy and recommending to Members that it is a figure that should be accepted is not one that is taken lightly by officers. However, and as stated previously, the viability statements have been rigorously tested by an independent viability consultant and he has confirmed that the viability of the scheme is such that this is the highest level of affordable housing that can be achieved. Therefore, it is considered necessary to take a balanced view of the case and consider the overall viability of the scheme on this basis. In doing this 10% affordable housing at a 50/50 split is considered acceptable on this site.
- 2.10 The viability reassessment referred to in paragraph 2.5 of this report would still apply. The wording to secure this has not yet been discussed in detail with the applicant, but it is something that can be agreed during the S106 negotiations.

Letters of representation

- 2.11 Since this application was last presented at Committee four further letters of representation have been submitted from two residents of Thorpe End, The

Thorpe End Garden Village Residents Association (TEGVRA) and Great and Little Plumstead Parish Council.

- 2.12 The letters from the Thorpe End residents raise concerns regarding the increased traffic in the area leading to delays and highway safety issues, as well as the location of sewage pipes. It is considered that these matters have been addressed previously in the 1 November committee report.
- 2.13 TEGVRA have asked that their letter be presented in full to the Planning Committee and given the detail that they have gone into it has been appended to this report for Members' information. The matters it raises relate primarily to foul drainage. It should be noted that there have been no objections to this proposal from the Lead Local Flood Authority, the Environment Agency or Anglian Water. Therefore, it is considered that the concerns raised do not warrant the refusal of this application. The letter also raises concerns about the provision of the link road and the potential coalescence of this development with Thorpe End. These matters have been addressed earlier in this report. The Parish Council's letter is one of support for TEGVRA's concerns.

3 CONCLUSION

- 3.1 As outlined in this report there is now greater clarity regarding these matters. However, it is important for Members to note that there has been a reduction in the percentage and tenure split of affordable housing to 10% (50/50). As discussed the viability of this scheme has been carefully assessed independently and the figure / split is considered to be acceptable.
- 3.2 In light of the above it is considered by officers that the application is acceptable from a planning point of view.

4 RECOMMENDATION

- 4.1 Accordingly, the Committee is recommended to delegate authority to the Head of Planning to **APPROVE** subject to the satisfactory completion of a S106 Agreement and subject to relevantly worded conditions (detailed in the report attached as an appendix).

Phil Courtier
Head of Planning

For further information on this report call Ben Burgess on (01603) 430625 or e-mail ben.burgess@broadland.gov.uk

AREA West

PARISHES Sprowston, Great and Little Plumstead

1

APPLICATION NO: [20170104](#)

TG REF: [627277/311153](#)

LOCATION OF SITE Land South of Salhouse Road, Sprowston

DESCRIPTION OF DEVELOPMENT Erection of up to 380 residential dwellings (inc. Affordable Housing) with new vehicular, cycle and pedestrian access from Salhouse Road and new pedestrian and cycle access from Plumstead Road incorporating an emergency vehicular access. The provision of open space, sustainable urban drainage systems; associated landscaping, infrastructure and earthworks (Outline)

APPLICANT United Business and Leisure Limited

AGENT Barton Wilmore

Date Received: 19 January 2017
13 Week Expiry Date: 26 April 2017

Reason at Committee: Call in by Councillor Shaun Vincent as he does not consider that it aligns with the previous public consultation in relation to layout and design. He also considers that it fails to meet the policies of the Plumstead Neighbourhood Plan.

1 THE PROPOSAL

- 1.1 Outline planning permission is sought for the erection of up to 380 residential dwellings (inc. Affordable Housing) with new vehicular, cycle and pedestrian access from Salhouse Road and new pedestrian and cycle access from Plumstead Road incorporating an emergency vehicular access. The provision of open space, sustainable urban drainage systems; associated landscaping, infrastructure and earthworks.
- 1.2 The application includes details of access and all other matters are reserved.
- 1.3 Although the housing layout shown is indicative at this stage it is envisaged that the application proposals will deliver a mix of house types at a range of densities.
- 1.4 Eastgate Place Business Centre, located within the Site, provides approximately 1,500sqm of employment floorspace. The Business Centre is

proposed to be retained to provide the employment floorspace required under Growth Triangle Area Action Plan Policy GT7.

2 KEY CONSIDERATIONS

2.1 In determining this application the main matters to be taken into consideration should be:

- The local policy situation
- Housing
- Affordable Housing
- Highways
- Open space, trees and landscaping
- The Community Infrastructure Levy and S106 heads of terms
- Design and overall sustainability

2.2 It should be noted that the policies and principles contained in the National Planning Policy Framework and National Planning Policy Guidance are considered in relation to the above matters in the appraisal section of this report.

3 CONSULTATIONS

3.1 Great and Little Plumstead Parish Council/Thorpe End Garden Village Residents Association:

It remains the position of PARISH and TEGVRA that sites GT7 (South of Salhouse Road) and GT8 (North of Plumstead Road) should be comprehensively planned as a single entity to ensure the Orbital Link Road Infrastructure and the Landscape /Tree Belt separation between the development and Thorpe End is completed In accordance with the adopted GTAAP policies.

It may be seen that the proposed link road section shown in this planning application does not accord in design or in alignment with the previous planning outline consent application 20160498. It also does not reach the boundaries of GT8. PARISH and TEGVRA therefore have little confidence, justified by historical precedent, that the proposals will deliver the key infrastructure provision.

The concern remains that development will take place without the necessary infrastructure to serve it and it should be a condition that NO development should take place unless the Orbital Link Road can be constructed and the objectives of policy GT3 met.

The application proposals effectively coalesce Thorpe End into the development by proposing two storey housing to the perimeter of Thorpe End around the new open space provision shown. This coalescence is contrary to the Joint Core Strategy, Broadland Area Action Plan and Policy 1 of the adopted Plumstead Neighbourhood Plan. Policy GT2 Primary GI corridor is also impacted by the proposals, by building into the North East corner of CWS 2041, reducing the strength /width of the proposed linkage and by removing the promised landscape buffer around Thorpe End. The deletion of the Woodland Landscape Belt GT2 and the provision of development adjacent to Thorpe End is strongly objected to by the PARISH and TEGVRA.

There is no acknowledgement of the existing Neighbourhood Plans and it is noted that the ambition of extending the Woodland Walk around Thorpe End is ignored.

Although there appears to be a greater emphasis on open space provision in these outline proposals and the design approach in the design and access statement refers to visual markers and street scape identity, it should be noted that the outline design parameters refers to 4 storey elements near the community hub. These will require careful handling in an area where adjoining dwellings are single and two storey. The proposed development has a very high density – 85 dwellings per ha. We consider these proposals are a huge overdevelopment of the site in a form which is out of keeping with the character and form of the surrounding development. Even the ‘low density’ development proposed adjacent to Thorpe End is 35 dwellings per ha which is still a very high density when compared with the surrounding development on Heath Road and Padgate.

There is however, no indication (yet found) in the proposals to tell if Policy open space requirements have been met (or made up the shortfall of the adjoining developments), or how the future maintenance of the landscaped areas is to be funded and undertaken. This includes the potential swales and drainage lagoon areas. This should be specifically addressed as required under Policy 6 of the Plumstead Neighbourhood Plan.

One of the Surface Water Attenuation Lagoons is positioned close to properties to the NW of the Village. Surface Water drainage is particularly problematic in the area with flooding being an issue along the Plumstead Road at times of heavy rain. The lagoons proposed may be deep, particularly if linked to other surface water drainage. They are within an area of public open space. PARISH and TEGVRA need to be satisfied that the proposals for dealing with Surface Water will not exacerbate existing flooding problems.

Foul Water drainage in the Design and Access statement cannot as indicated be connected to or directed via Thorpe End, as the existing pumping stations in the Village are already at capacity and suffer surcharge at times of heavy rain.

The problems faced by residents at the Plumstead Hospital site, steered the Plumstead Neighbourhood Plan to require adequate parking integral with the residences and with sufficient storage for multiple bins. The larger the number of Bedrooms, the larger the parking provision required. This development is three miles from the City Centre and will have good links to the inner orbital and the NNDR. Multiple Car ownership will be a reality. Policy 4 of the Plumstead Neighbourhood Plan requires quantification of the expected traffic movements generated and the potential impact assessed and mitigated.

Policy 2 of the Plumstead Neighbourhood Plan should be studied. There is no indication of retirement or 'sheltered' housing proposed within the development and no indication of self build opportunities being encouraged.

There is no comment in the proposals of how the notifiable presence of Giant Hogweed on the site is to be dealt with, as this has to be monitored after treatment for some time.

There does not appear to be any setting of spatial design standards or design quality proposals for the dwellings themselves. Discussion of the energy performance, carbon standards and water usage seem almost deliberately avoided, when these standards are such an important factor in sustainable design. There have to be commitments made to standards and quality as part of the Planning Process.

Finally, the provision of a complete infrastructure for traffic management, schools access, medical facilities, policing, local facilities and power, water, telecoms and drainage becomes critical. Without masterplanned networks in place, the area will be subject to continuous piecemeal disruption over many years, when already affected by the major highway works of the NNDR. Mitigation measures and a CEMP will be essential to reduce the impact upon the adjoining population.

Response: It is considered that the comments raised above have been addressed later in the report through the policy summaries, the appraisal and the proposed conditions.

3.2 Sprowston Town Council:

Sprowston Town Council opposes the granting of this application on the grounds that the application cannot be considered in isolation of details being available on the east / west link road infrastructure. Further, that the indicative 4.5 heights of properties on the street scene are out of keeping with the location of the development.

3.3 Anglian Water:

No objections subject to a relevantly worded condition to ensure foul drainage is properly considered.

3.4 Arboriculture and Landscape:

A Preliminary Arboricultural Report has been undertaken by Greenlight Environmental Consultancy, which is further supplemented with an Environmental Statement (ES).

It has been acknowledged within the report that the majority of the trees on the boundary of the site have significant landscape, arboricultural and wildlife value.

Also that the hedgerows are of some considerable age, predating the woodlands and providing ecological connectivity, the woodland located adjacent which is known as Racecourse Plantation is a County Wildlife Site.

The proposals would require the removal of a small section of establishing woodland belt W4, to create the access road into the field adjacent to Salhouse Road, although the majority of the land is used from agriculture or uncultivated and has limited tree constraints, which are confined to the field boundaries.

The required Highway visibility splays may have additional tree constraints and these should be clarified at an early stage, to establish if any additional tree removals are required.

Details on the trees and hedgerows to be removed are not completely clear, at this time due to the illustrative nature of the site layout information provided, this would need to be clarified and an Arboricultural Impact Assessment (AIA), Tree Constraints Plan (TCP) and Arboricultural Method Statement (AMS) produced, this would inform the layout of the development and should aim to minimise the amount of tree and hedgerow removals required.

Sufficient space would need to be ensured from the existing trees, to prevent encroachment, leaf and seed fall or overshadowing becoming an issue to future residents.

A detailed landscaping scheme would also be required, this should include shrub planting adjacent to the existing woodlands to act as a buffering zone and provide sufficient distance between the proposed properties to establish a graded transition from open ground to the existing high forest.

The proposals should aim to provide the required Green Infrastructure and Formal Open Space area, within the site and without the need to relay on offsite provision.

3.5 Environment Agency:

No objections.

3.6 Environmental Services (Pollution):

No objections subject to a relevantly worded planning condition.

3.7 Highways:

The Highway Authority had raised a number of concerns regarding the information supplied but the majority of these have now been addressed including the assessment of the operation of the proposed traffic signal junction on Salhouse Road and the quality of the information provided.

However, concerns that were expressed by the Highway Authority regarding future linkages between the application site and adjacent sites in order the ensure permeability between the sites for all forms of transport including cars, pedestrians, cyclist and public transport have been addressed by stating that they will come forward at the reserved matters stage.

The Highway Authority considers that providing the detail of links at a reserved matters application will be acceptable but would wish to ensure that such links to adjacent development come forward and so has suggested conditions below to ensure that the site is as permeable as possible given that according to this application there will only be one main vehicular access (direct from Salhouse Road) which would be expected to serve 380 dwellings.

Provided that the conditions proposed are attached to the decision, the Highway Authority recommends no objection to the proposed development.

3.8 Historic Environment Service

An archaeological desk-based assessment which includes the current application site area has been submitted with the planning application. It concludes that the proposed development site is “considered to have a low/moderate archaeological potential for as yet to be discovered below ground archaeological assets of the late Prehistoric to Modern periods” and that “any such finds would, on balance, be considered of local significance”. Known heritage assets within the proposed development site boundary have been considered in this report to be of “local (low) significance”.

We disagree with the findings of the desk-based assessment. One of the heritage assets previously recorded at the site comprises a group of ‘entrenchments’ shown on a late 16th century map (a copy of which is included in the desk-based assessment). Although no physical evidence of these is visible as earthworks at the site, this does not preclude significant below-

ground archaeological deposits being present. Although they were present in the late 16th century, the date of construction and function of these 'entrenchments' is not known. The desk-based assessment does not attempt to further interpret this feature. Whilst medieval land-use on Mousehold Heath, such as a warren bank, is one possibility for its function, archaeological investigations elsewhere in Norfolk have revealed examples where prehistoric enclosure earthworks have survived on heathland into the post-medieval period. Without a clear understanding of the date and function of this heritage asset it is impossible to determine its significance and thus wholly inappropriate to dismiss it as being of "local (low) significance". Although the line of the 'entrenchments' themselves only pass through the eastern part of the proposed development area, the majority of the site lies within the enclosure that they define. Consequently any buried archaeological features or deposits relating to the use of the internal area of the enclosure will lie within the site boundary and would be adversely affected by the proposed development.

In addition to the archaeological potential associated with the enclosure the 'background' potential for previously unrecorded heritage assets in the area should be classed as uncertain. Although archaeological features visible on aerial photographs (as cropmarks, earthworks or structures) have been recorded in the area surrounding the proposed development site, the generally low level of recorded artefacts suggests a lack of previous field investigation (such as amateur metal detecting) rather than a genuine absence of any such heritage assets.

Further information is required about the presence, form, function date and significance of any heritage assets present at the proposed development site before a fully informed planning decision can be made. We therefore ask that the applicant submit results of an archaeological trial trenching evaluation prior to the determination of the application in accordance with *National Planning Policy Framework* para. 128. Norfolk County Council Historic Environment Service will provide a brief for the archaeological work on request.

Note: Whilst the comments are important and noted, the applicant takes the risk themselves of having further costs to pay for archaeological work if and when the development progresses. Therefore it is considered that the most appropriate way forward would be to add an appropriately worded planning condition requiring archaeological work to be undertaken prior to the commencement of development rather than for this information to be provided ahead of determination.

3.9 Natural England:

No objections subject to relevantly worded conditions.

3.10 Norfolk County Council (Ecology):

No objections subject to conditions to require a Construction Environmental Management Plan and a Landscape and Ecological Management Plan.

3.11 Norfolk County Council (Lead Local Flood Authority):

No objections subject to relevantly worded conditions.

3.12 Norfolk County Council (Minerals and Waste):

No objections subject to relevantly worded conditions to in relation to mineral resource safeguarding.

3.13 Norfolk County Council (Planning Obligations):

Made no objections, but made reference to matters that should be covered by the S106 legal agreement and the Community Infrastructure Levy.

3.14 Norfolk Wildlife Trust:

No objections subject to conditions to require a Construction Environmental Management Plan and a Landscape and Ecological Management Plan.

3.15 Sport England:

The proposal relates to the erection of up to 380 residential units and associated infrastructure on land to the south of Salhouse Road. Policy RL1 of the Development Management DPD requires 1.68 hectares of land per 1000 population for formal recreation. Given a projected population of 912 (380 units x 2.4 persons per household), this would equate to a requirement of 1.5 hectares. Provision for formal recreation is proposed at 1.4 hectares, which is broadly in line with the policy requirement. Sport England do not object to this provision, provided the detailed layout makes provision for formal outdoor sport in the form of pitches, courts, MUGA etc. Sport England reserves the right to object to the reserved matters submission if no provision is made for formal outdoor sports facilities.

If provision is made for formal sports facilities in line with the policy requirement, Sport England would consider that the proposal met our Policy Objective 3, in that the proposal provides new sports facilities to meet demand generated by the new residential development.

4 PUBLICITY

4.1 Site Notice: 15 December 2016

Expired: 5 January 2017

4.2 Notice in Local Newspaper: 7 February 2017

Expired: 28 February 2017

4.3 Neighbour Notification: 1 February 2017

Expired: 24 February 2017

5 REPRESENTATIONS

5.1 18 Letters of representation has been received regarding this application with the following objections:

- I would prefer trees and a woodland strip of land, not bushes or a cricket pitch. This would be better as a buffer and for wildlife.
- The dynamics and lifestyle of the village will be ruined.
- The proposal plans to connect Thorpe End to Sprowston which is a suburb of Norwich therefore it will no longer be a village and lose its identity as so.
- Thorpe End is a Garden village with a high percentage of executive homes and the scheme proposed would detract from the villages appeal.
- There is a small woodland walk to the north and east of Thorpe End which stops short of the village hall on the east side. IF it could be improved upon and extended around the perimeter of Thorpe End it would not only form a recreational walkway / cyclepath but also a safe footpath around the village away from the busy Plumstead Road. It will also help maintain Thorpe End's village identity with a defined boundary and help avoid private property being unnecessarily overlooked.
- I object most strongly to the alteration on the neighbourhood plan which now does not include the continuation of the woodland walk around the new development and down the existing lane onto the Plumstead Road.
- Thorpe End has the existing walk around the Bovis housing which has provided an extra benefit to the village, we would lose our identity if this was not continued.....such a small amount of land/expense into something that would benefit everyone.

- During our time living here we have seen a great increase in traffic in the village necessitating a zebra crossing to be put in on Plumstead road and speed limit signs for the safety of residents. Green lane is already very busy and we have the NDR opening shortly. We have no safe walking areas as we did in the past. More development will surely make this worse.
- The proposal conflicts with a previous proposal by Broadland Council to place an intersection or roundabout on Plumstead road before you enter the village from the East with a spur road to the north which could potentially link Salhouse and Plumstead road causing more village traffic and permanently linking the suburb to the village.
- There is no commercial infrastructure to support the large development anywhere near.
- It would be a huge burden on the local schooling populous with the potential for approximately 250 children's places required with no schools immediately near the development and the enlargement of local schools has history that the ousted ratings will suffer as a consequence.
- The impact of this development has been highlighted in the documents within the application as having a large impact on the area both with the loss of land and the impact to the wildlife such as bats, deer, birds and newts. There is also impact to the woodland surrounding the site that seems to have been glazed over in many of the document. The impact to the woodland itself seems to already be happening with the felling of trees to the north of plum stead road in recent years with no evidence to the need or plan for this activity even really happening of late.
- I believe this project to be ill conceived, does not deliver the number of affordable houses that are actually required by people in the area (with only 5.5% of low cost properties being built).
- The whole of sites GT7 (South of Salhouse Road) and GT8 (North of Plumstead Road) should be comprehensively master planned as a single entity to ensure that the Orbital Link Road between Salhouse Road and Plumstead Road and through to Postwick Hub; the landscape separation belt around Thorpe End; the key road, cycle way and green infrastructure provision and essential community facilities required by GTAAP Policies are delivered in their entirety.
- Unfortunately, the Council has manifestly failed to achieve the comprehensive master planning of the allocated sites GT7 and GT8 and this application presents yet another piecemeal development proposal with dwellings/developments being built without the key infra structure elements being delivered at the same time as the dwellings/development are constructed. Historical precedent seems to continually repeat itself in this regard since the outset of the Broadland Business Park some 25 years ago.

- BDC has spent considerable sums in the acquisition of GT8 to enable construction of the Link Road it would be a complete waste of public money if this proposal is approved without the delivery of the Link Road to the boundary of its site. The application proposals should be wholly responsible for the Link Road within their site and not leave it to others to provide the connection.
- The Link Road should be required to be constructed to the boundary of the site before occupation of any part of the development as a condition of any permission.
- The overall number of dwellings within GT7 is proposed to be 1190 dwellings, and will result in a form and character of development which will be completely out of keeping with the character of the surrounding area - 4.5 storey dwellings at a density of up to 85 dwellings per ha are inconsistent with the character of the area which has been identified on the front cover of the Design and Access Statement.
- These proposals do not demonstrate how they relates to the approved proposals for the remainder of GT7 to achieve policy compliant community facilities and overall landscape and public open space provision.
- The essential cycle route to Plumstead Road along the access track to Heath Farm is proposed to act as a secondary access into the site until the Link Road is constructed. This is unsafe given the increased volumes of traffic which will use Plumstead Road following the opening of the NNDR later this year and the proposals for the construction of the roundabout to serve GT8.
- Surface Water Attenuation Lagoons are not useable open space and appear from the Design and Access proposals to be included within the overall open space provision on the site. Open space should be clearly stated and provided in accordance with Policy GT7.
- It is for a very high density development - again against the density proposals of the Neighbourhood plan.

5.2 One letter of representation has been received making the following comments:

I am writing as representative for Anglia Restaurants the owner of the Racecourse Inn.

The proposed development runs partially alongside the eastern boundary, (the back) of The Racecourse Inn. The Racecourse Inn has rights of way and access and rights for loading and unloading etc over the existing entrance and drive way which runs from the highway to the Georgian Leisure Club properties.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF):

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration and should be read as a whole but paragraphs 14, 17, 29, 30, 32, 34, 36, 38, 39, 49, 50, 56, 61, 69, 70, 72, 74, 96, 142, 144, 186, 187 are particularly relevant to the determination of this application.

National Planning Practice Guidance (NPPG):

- 6.2 This guidance is relevant to the determination of this application, specifically the sections relating to the Community Infrastructure Levy, Design, Flood Risk, Travel Plans and Use of Planning Conditions.

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

- 6.3 Policy 1:

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

- 6.4 Policy 2:

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

- 6.5 Policy 3:

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

6.6 Policy 4:

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

6.7 Policy 6:

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

6.8 Policy 9:

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

6.9 Policy 10:

Identifies location for major new or expanded communities in the Norwich Policy Area. Of particular relevance is the identification of the Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle. It states that this location will deliver an urban extension on both sides of the Northern Distributor road. However, there is scope for partial delivery, the precise extent of which will be assessed through the Area Action Plan. It also states that the new community will take the form of inter-related new villages and gives details of what these will include, such as community facilities, schools, employment, greenspaces, transport improvements etc.

6.10 Policy 21:

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

Development Management Development Plan DPD (2015) relevant policies:

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

6.12 Policy GC1:

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

6.13 Policy GC2:

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

6.14 Policy GC4:

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

6.15 Policy EN1:

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

6.16 Policy EN2:

In order to protect the character of the area, this policy requires development proposals to have regard to the Landscape Character Assessment SPD and consider such things as gaps between settlements, the nocturnal character of the area and so forth.

6.17 Policy EN3:

Residential development consisting of five dwellings or more will be expected to provide at least 4 hectares of informal open space per 1000 population and at least 0.16 hectares of allotments per 1000 population.

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

6.18 Policy EN4:

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

6.19 Policy RL1:

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

6.20 Policy CSU1:

Encourages proposals that would improve the range of community facilities (e.g. schools, libraries, public halls and health facilities) and local services available within the district where no significant adverse impact would arise.

6.21 Policy CSU3:

Proposals for large-scale residential development will be expected to include appropriate provision for community facilities.

6.22 Policy CSU4:

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

6.23 Policy CSU5:

Mitigation measure to deal with water arising from development proposals should be incorporated to minimise the risk of flooding without increasing flood risk elsewhere.

6.24 Policy TS1:

Land required for the improvement of the transport network will be safeguarded.

6.25 Policy TS2:

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

6.26 Policy TS3:

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

6.27 Policy TS4:

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

Growth Triangle Area Action Plan (2016):

6.28 Policy GT1:

This policy relates to the form of the development. It sets down ways in which development proposals should be masterplanned and relate to other development around them. It states that mixed use developments should incorporate in the region of 1m² of employment, retail or community floorspace for each 30m² of residential development.

6.29 Policy GT2:

Makes specific reference to areas of green open space that are to be retained to preserve the landscape setting of particular element of the Growth Triangle. It identifies that biodiversity and habitat connectivity will be achieved through the delivery of specified GI corridors. It also identifies that informal and formal open space and recreational facilities should be appropriately provided within development.

6.30 Policy GT3:

New orbital road links across the Growth Triangle will be provided by development and indicative routes for potential links between Salhouse Road and Plumstead Road are identified. Seeks a new cycleway to be provided between Broadland Business Park and Norwich Airport Industrial Estate. Seeks improvements to support Bus Rapid Transit along Salhouse/Gurney Road. Requires permeable and legible street layouts which: support walking and cycling and encourage low traffic speeds; are consistent with Public

Transport Orientated Development; and, that provide connections to the Norwich Cycle Network.

6.31 Policy GT7:

Land South of Salhouse Road (approximately 56ha) is allocated for mixed use development. This development should include:

- residential development, including the provision of 33% affordable housing;
- local transport improvements as necessary to offset the impact of development, including a road layout that does not prevent a direct vehicular connection between Salhouse Road and Plumstead Road, through allocation site GT8, being completed;
- a travel plan identifying a package of measures to support sustainable transport;
- the provision of land adjacent to Salhouse Road as far as is necessary to enable the delivery of a Bus Rapid Transit corridor and cycle link;
- a local centre adjacent to Salhouse Road which provides a range of facilities, services and employment uses;
- the delivery of appropriate social infrastructure, including a site for a new primary school, a community hall (or appropriate alternative) and an appropriate site for a police beat office;
- a landscape masterplan including informal and formal recreational open space that provided separation between new development and Thorpe End and green infrastructure links between Thorpe Woodlands, Harrisons Planation and Rackheath Park; and,
- a phasing plan indicating the orderly sequence of development and how infrastructure and services are to be coordinated with development.

6.32 Policy GT8

Allocates a site of approximately 2ha for residential development north of Plumstead Road, to include: residential development, including 33% affordable housing; a road layout that takes account of the possible completion of a direct vehicular connection between Salhouse Road and Cranley Road; and, recreational open space in accordance with the council's adopted policies.

Recreational Provision in Residential Development (SPD):

- 6.33 Sets the guidance on how the requirements set out within Policies EN1, EN3 and RL1 will be applied in practice.

Norfolk Minerals and Waste Core Strategy (2011):

- 6.34 Policy CS16:

The County Council will safeguard existing, permitted and allocated mineral extraction and associated development and waste management facilities, within the following categories:

- Waste management facilities with a permitted input of over 20,000 tonnes per annum;
- Key wastewater and sludge treatment facilities (listed in the Waste Site Specific Allocations DPD);
- Waste water pumping stations;
- All mineral extraction sites that are active, and sites with planning permission and allocated sites; and
- Infrastructure located at railheads, wharves and quarries which can transport or handle minerals.

Sprowston Neighbourhood Plan (2014):

- 6.35 Policy 1:

The environmental assets of the area will be protected and opportunities taken for their maintenance and enhancement, and increasing the benefits for residents and wildlife.

- 6.36 Policy 2:

Development will be well designed to fit with the local area and contribute to creating a strong sense of place.

- 6.37 Policy 3:

Housing development will be acceptable, in principle, within settlement limits or on allocated sites, subject to meeting normal development criteria.

- 6.38 Policy 7:

Fast broadband connections will be promoted throughout the area. All new development should demonstrate how it contributes to this objective.

6.39 Policy 8:

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

6.40 Policy 10:

Development should seek to promote healthier lifestyles by maximising access by walking and cycling.

6.41 Policy 11:

Wider community use of schools will be encouraged. This will enable greater accessible education and leisure opportunities for the community.

Note: Whilst not specifically referenced these policies are considered carefully and addressed within the appraisal section of this report.

Gt and Little Plumstead Neighbourhood Plan:

6.42 Policy 1:

New development will respect and retain the integrity of Great Plumstead, Little Plumstead and Thorpe End Garden Village as distinct settlements, protecting their character as individual villages and, in particular, it is important that coalescence is avoided between Thorpe End Garden Village and development related to the surrounding settlements, ensuring that Thorpe End Garden Village retains the appearance and character of a separate "garden village".

Response: It is considered that this application provides sufficient separation between the development site and Thorpe End.

6.43 Policy 2:

New development should deliver high quality design and should:-

- 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, taking every opportunity through design and materials to reinforce a strong sense of place through individuality and local distinctiveness;

- provide a mix of housing types to meet local needs to include one and two bedroom dwellings for first time buyers and local residents seeking to downsize;
- provide roads that meet the requirements of the Highway Authority;
- provide a garage for each dwelling of a minimum size as set out in the Broadlands Parking Standards SPD with garages within dwelling house curtilages being the preferred option;
- provide, where feasible and practical, car parking for each new dwelling based on the standards highlighted in the plan;
- provide adequate external storage space for refuse, composting and recycling; and
- encourage the provision of at least 5% of land as self-build plots on developments of 20 or more dwellings.

Response: Through the wording of conditions to do with highways, phasing, materials etc it is considered that this policy is met.

6.44 Policy 3:

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

Response: This is fully addressed in the highways section of the appraisal (paragraph 9.4) and through the highways conditions.

6.45 Policy 4:

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

Response: the applicant has done this through the submission of their Transport Assessment.

6.46 Policy 5:

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

Response: the application does this in part, although as it is only in outline form the full details about how this is going to be done are not known yet.

6.47 Policy 6:

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

- a) an effective transition to the Local Authority ownership; or
- b) an effective transition to the Parish Council ownership with suitable funding grant to cover projected future upkeep costs for at least the next twenty years; or
- c) management by an established management company with a viable business case and operating model to cover projected costs for at least the next twenty years, this will be legally underwritten through the provision of a bond by the Developer.

Response: this will be agreed through appropriate wording in the S106 agreement.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site consists of two large fields, totalling 17.6 hectares, approximately 3 miles north east of Norwich City Centre. The fields are in the main undeveloped and in agricultural use and are separated by a woodland strip which runs east-west across the northern boundary of the southernmost field.
- 7.2 The northernmost field is well contained by existing boundary vegetation, including mature woodland vegetation along the majority of the southern and western boundaries of the field. A hedgerow with trees runs along the eastern boundary of the field.
- 7.3 The existing 3-storey 1980's buildings of Eastgate Place Business Centre providing circa 1,500sqm of B1 Office space and 9 residential flats are located within the north-west corner of the northernmost field of the Site. John Faircloth Cars is located adjacent to the north-east corner of the northernmost field of the Site, comprising an outdoor forecourt space, showroom and associated buildings for the service of the business together with a residential house.
- 7.4 Salhouse Road, which runs along the northern boundary of the northernmost field, is an important arterial route connecting employment and retail areas within Norwich with the villages of Salhouse and Rackheath. It also acts as an alternative through route to Wroxham / Hoveton and beyond.
- 7.5 The southernmost field is located adjacent to a non-statutory wildlife site (Racecourse Plantation County Wildlife Site) which abuts the western boundary of the field. A small area of the wildlife site is located within the field, part of which has been under long-term arable cultivation and therefore is not considered to warrant continued inclusion within the County Wildlife Site. The eastern and southern boundaries of the field adjoin the existing residential

development of Thorpe End. These boundaries consist of hedgerows, with some trees, and garden fences.

- 7.6 The site area extends south beyond the southernmost field along an existing track to an existing access gate adjoining Plumstead Road. It is split between two parishes with the northernmost field being located within Sprowston and the southernmost field being located within Great and Little Plumstead.

8 PLANNING HISTORY

- 8.1 Two applications for residential development on parts of this land were submitted but subsequently withdrawn in 1974. Their reference numbers are 740694 and 740695.
- 8.2 Other applications have been considered in and around this site, but are not relevant to the consideration of this application.
- 8.3 There is an outline application currently being considered that immediately adjoins this land and is part of the same GT7 AAP allocation ref 20160498.

9 APPRAISAL

The Policy Situation

- 9.1 The adopted Joint Core Strategy (JCS), through Policy 10, identifies locations for major new or expanded communities in the Norwich Policy Area. One of the areas identified within this policy is the Old Catton, Sprowston, Rackheath, Thorpe St Andrew growth triangle, in which at least 7,000 dwellings (rising to a total of at least 10,000 dwellings after 2026) are proposed. This application site is located in this area.
- 9.2 The adopted Growth Triangle Area Action Plan (GTAAP) takes a lead from the JCS and expands upon policy 10: allocating specific sites for different development and setting out policy that seeks to enable and co-ordinate sustainable, strategic scale development. Specifically, relevant to this site is its allocation for mixed use development through Policy GT7. For Members' information this policy allocates the whole 56ha of the GT7 site.
- 9.3 However, this application is for development of only part of this allocation, totalling 17.6ha. Two consortia of landowners are represented by different promoters and unfortunately, to date, a comprehensive scheme for the whole site has not been forthcoming. Therefore, it should be noted that the land for the primary school, which is a policy requirement of this allocation is not provided within the development. However, it has been provided on the adjoining application that makes up the rest of the allocation, which the

Planning Committee resolved to approve in January of this year (planning ref. [20160498](#)).

- 9.4 Policy GT7 also requires 'a local centre adjacent to Salhouse Road which provides for an appropriate range of facilities, services and employment uses'. Eastgate Place Business Centre, located within the Site, currently provides approximately 1,500sqm of employment floorspace. The Business Centre is to be retained and will provide the employment floorspace to meet the policy requirement for the population increase arising from this development. To ensure this is the case appropriate wording will be added to the S106 agreement.
- 9.5 The policy also requires nursery facilities, a community hall or appropriate alternative and an appropriate site for a police beat office. It is expected that the nursery facilities will be co-located with the school on the adjacent site. The applicant has expressed willingness to provide a community hall if required or a financial contribution in lieu of this if it is not required. Appropriate wording for this will be agreed within the s106 agreement. At present discussions are ongoing with the police about a site for a new beat office.

Housing

- 9.6 Consideration must be given to the supply of land for housing in the NPA. The most recent Greater Norwich statement on five-year housing land supply was published as Appendix A of the Annual Monitoring Report 2015-16 for the JCS in January 2016. This statement shows that there is only a 4.7 year housing land supply within the NPA. Given that there is not a five year housing land supply in the NPA; paragraph 49 of the NPPF is engaged. It states that "relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites". Paragraph 14 of the NPPF is also relevant and states that, where a development plan is absent, silent or out-of-date, planning permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted". This approach is reinforced by Policy 21 of the JCS relating to the implementation of proposals in the Broadland part of the NPA.
- 9.7 Given that this site is allocated through the Growth Triangle AAP it is considered that significant weight should be given to the contribution it could make to improving resilience in the NPA housing land supply, and addressing ongoing deficit.

Affordable housing

- 9.8 JCS Policy 4 requires that for a proposed scheme of this size at least 33% of the dwellings should be affordable (for each phase), with a split of 85% Affordable Rent Tenure and 15% intermediate tenure. The proportion of affordable housing sought may however be reduced where it can be demonstrated that site characteristics, including infrastructure provision, together with the requirement for affordable housing would render the site unviable in prevailing market conditions. In this case, the applicants have submitted two viability appraisals seeking to demonstrate that the viability of development does not support the delivery of affordable housing at 33% and that 17.5% is appropriate based upon a split of 70% Affordable Rent and 30% Intermediate Tenures.
- 9.9 The submitted viability and supporting evidence have been reviewed and considered by an independent viability consultant (Stuart Bizley), and the areas of concern were challenged. This figure of 17.5% (which equates to approximately 67 affordable dwellings out of a total of 380) is significantly reduced from the policy position in the Joint Core Strategy and recommending to Members that it is a figure that should be accepted is not one that is taken lightly by officers. However, and as stated previously, the viability statements have been rigorously tested by an independent viability consultant and he has confirmed that the viability of the scheme is such that this is the highest level of affordable housing that can be achieved. Therefore, it is considered necessary to take a balanced view of the case and consider the overall viability of the scheme on this basis. In doing this 17.5% affordable housing at a 70:30 split is considered acceptable on this site.
- 9.10 There is the possibility that market conditions will improve during the life of this application and therefore it is considered reasonable and appropriate to propose an affordable housing uplift on the basis of a viability reappraisal at the start of each phase of development. It is suggested that this uplift be to the maximum of the affordable housing policy position at the time of the viability reappraisal with the minimum being the 17.5% that Members are currently being asked to agree to. The wording to secure this has not yet been discussed in detail with the applicant, but it is something that can be agreed during the S106 negotiations.
- 9.11 For Members, information the viability appraisals and report produced by Stuart Bizley are attached to the agenda as confidential papers and give a more detailed analysis.

Highways

- 9.12 As stated above the adopted Growth Triangle AAP allocates this site for a mixed use development and sets out the principles for development in this location. For Members' information the policy specific to this site within the

Growth Triangle AAP is GT7, which clearly states that local transport improvements as necessary to offset the impact of the development shall include:

- A road layout that does not prevent a direct vehicular connection between Salhouse Road and Plumstead Road, through allocated site GT8 being completed;
- An internal road layout that is suitable for the passage of buses, is cycle friendly and makes allowance for on street car parking, where it occurs, is required as part of this development.

9.13 Members should be aware that this application does not show the provision of a link road right through from Salhouse Road to the AAP allocation of GT8. This is unfortunate and it would certainly be preferable if the plans did show this. However, the application is not contrary to the provisions of the development plan as it 'does not prevent a direct vehicular connection'. To ensure that this is the case appropriate wording will be included in the S106 agreement to ensure that free and unencumbered access is provided to this land, ie no ransom is created. This wording will also apply to allow access between this site and the rest of the GT7 allocation for all modes of transport.

9.14 Further to the above a major strand of the Norfolk Area Transportation Strategy (NATS) is a bus based public transport system linking major facilities called Bus Rapid Transit (BRT). Salhouse Road/Gurney Road has been identified as one of six BRT corridors and it is required through the AAP to provide land to enable the delivery of the BRT. The provision of land adjacent to Salhouse Road as far as is necessary to enable the delivery of a BRT corridor and cycle link along Salhouse Road is therefore key. As with the adjoining application, the applicant has shown a willingness to allow a sufficiently appropriate area of land to be left for provision of a BRT corridor. This will be agreed through appropriate wording in the S106 Agreement.

Open Space, Trees and Landscaping

9.15 Policies RL1 and EN3 of the Development Management DPD are the relevant development plan policies relating to formal and informal open space and green infrastructure. Policy RL1 sets the standards for the formal recreation space which is split between sports provision and children's play space. The policy requirement is on five or more dwellings and equates to 1.68ha per 1,000 population on formal recreation space and 0.34ha per 1,000 population of children's play space. Based on these standards and an assumed population generated by the development of 878 (380 x 2.31 average household size in Broadland) this development should provide 1.47ha of formal recreation and 0.55ha of children's play space, totalling 2.02ha. In addition, Policy EN3 requires 4ha per 1,000 population of informal open space and 0.16ha per 1000 population of allotments. Based on these standards this development should provide 3.5ha of informal open space and 0.14ha of

allotments, totalling 3.64ha. In total there would need to be 5.66ha of open space across the site to meet these policy requirements (please note that these figures are approximates at the moment given that this site is in outline only).

- 9.16 Policy EN3 and RL1 of the Development Management DPD (2015) state a requirement for 4 hectares of informal open space per 1,000 population (including 0.16ha of allotments) and 1.68 hectares of formal recreational space per 1,000 population (including 0.34ha of children's play space) respectively. This equates to a total requirement of 4.77 hectares of informal open space and formal recreational space for the proposed 380 dwellings (based on 2.21 persons per dwellings, which are figures that the applicant has assumed). The Illustrative Masterplan identifies 6.94 hectares of Green Infrastructure, of which 3.76 hectares is informal open space and 1.4 hectares of formal recreational space. Therefore, as currently proposed, this complies with the requirements of Policy EN3 and RL1 of the Development Management DPD.
- 9.17 Clearly these calculations are based on an indicative plan, but the applicant has demonstrated that the open space requirement for the number of dwellings proposed can be made on site. This is almost always the preference, but it is also accepted that the following options are available to ensure that if any deficit of open space does occur due to a change in layout then these other options are available:
- The application is viewed in the context of the whole GT7 allocation and the sports provision and informal spaces which will be provided across the whole allocation site;
 - A site is found close to the application site of the identified deficit size to deliver the remaining space; or
 - An off-site financial contribution is provided.
- 9.18 This is an approach that is considered to be policy compliant and has been used for other applications when there has been a deficit (including the adjoining application for the rest of the GT7 allocation). Therefore, it is proposed that this approach be enshrined in the S106 Agreement.
- 9.19 In addition, Policy EN3 aims to ensure that the recreational needs of future residents are met and to mitigate the potential impacts of visitor pressure upon sensitive internationally designated sites. Within 15km of the site there are 4 European ecological designations which are the Broads Special Area of Conservation (SAC), Broadland Special Protection Area and Ramsar site, Norfolk Valley Fen SAC and River Wensum SAC. At the EIA scoping stage the potential pressures on the Broads designations was identified so an

assessment to inform a Habitats Regulations Assessment has been carried out by Aspect Ecology and accompanies this application.

- 9.20 Further to this the applicant has considered the likelihood of any significant effects on these European-level ecological designations, which could arise from the proposed development. This work undertaken by the applicant also assesses the need for further work to be undertaken by the Competent Authority at the application stage, in the form of an Appropriate Assessment (which is currently being undertaken by the District Ecologist).
- 9.21 These issues effectively relate to the potential for any recreational pressure on the Broads. There are a considerable number of studies and a documented evidence base to inform local policy on how visitor pressures on The Broads resulting from growth in the Norwich area can be adequately mitigated. Whilst acknowledging the inherent draw of The Broads, provision of high quality formal and informal GI should result in no likely significant effects, by drawing visitors to alternative sites for everyday recreation. If possible the quantum should be met on-site but off-site provision can also be considered, in line with the NEGTA AAP. It is unlikely that there will be any shortfall of on-site GI, but if in the future it is then off-site GI should be provided in order that the requisite amount is reached, ideally as close to the site as possible. This will be secured in the planning process via the S106 agreement. Provision of on-site GI could also be secured via Section 106 to ensure the final design offers a high quality recreational resource for residents. With the above measures in place, the proposed development would be in pursuance with local Policy and as such no likely effects on The Broads designations are anticipated.

The Community Infrastructure Levy and S106 heads of terms

- 9.22 Broadland District Council implemented the Community Infrastructure Levy (CIL) on 1 July 2013. Therefore, should this development be approved then any subsequent reserved matters applications will be considered as being CIL liable. Given the scale of this development it will attract a sizeable CIL contribution with charges as follows (these are current CIL figures and are subject to change for a combination of reasons including changing indices):
- Residential dwellings - £95.76 per net square metre of development.
 - As the employment areas are to be retained and include no extensions there is no associated CIL charge.
- 9.23 A rough calculation of the CIL contribution therefore (with 17.5% of the affordable housing removed as it is exempt) would see this site pay approximately £3m.
- 9.24 Further to this there is still a requirement for a S106 Agreement to accompany this application. At present there is no agreement drafted but it is expected that the heads of terms will be as follows:

- Affordable housing.
- Play Areas (laying out and maintenance) local equipped areas for play and neighbourhood equipped areas for play.
- Open Space (laying out and maintenance).
- An off-site contribution to formal recreation should it not be provided on site.
- The setting up of a management company for managing and maintaining the Open Spaces and Play Areas and Green Infrastructure Assets (as appropriate and relevant).
- An allowance for unencumbered access to and from the site from neighbouring land for all forms of vehicular traffic and pedestrians/cycles.
- The retention of Eastgate Lace Business Centre.
- A community hall or off site contribution in lieu of it.
- A police beat office (if required).
- Land for the provision of a BRT corridor along Salhouse Road.
- A travel plan.

9.25 All other matters not included in the S106 agreement such as the building of the school and library contribution will have to be funded through CIL monies or other sources of funding.

Design and Overall Sustainability

9.26 Sustainability is the key term in current national planning legislation and is defined in the NPPF as having three dimensions, which give rise to the need for the planning system to perform a number of roles:

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- A social role – supporting strong, vibrant and healthy communities, but providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

9.27 This site offers the opportunity to develop new neighbourhoods on the edge of the existing urban fringe. The site is well located in relation to local employment at Broadland Business Park, Rackheath and Salhouse Road.

The development of this site (as part of the full allocation) offers the opportunity to increase the range of services and facilities available locally, to the benefit of both existing and new residents.

- 9.28 The site is also well located to benefit from proposed local transport improvements including a Bus Rapid Transit (BRT) route along the Salhouse Road/Gurney Road corridor and improvements to the Norwich Cycle Network as part of the Pink Pedalway. Included within this development is land allocated for the delivery of the BRT route across its frontage.
- 9.29 As Members will have noted this application is for only part of the GT7 allocation within the GTAAP. Significant officer time and effort has been put into trying to secure the submission of a comprehensive development across the whole of the allocation, but for a number of reasons this has not proved possible. However, this Planning Committee has [resolved to approve the other part of the allocation](#) and care has been taken to ensure that the two separate applications join up to make a cohesive scheme.
- 9.30 That said, this application has to be considered on its merits. Given this (and the other paragraphs in this appraisal) it is considered that the site benefits from being in an appropriately sustainable location and is in itself a sustainable development.

10 CONCLUSION

- 10.1 Whilst it would undoubtedly be preferable for the GTAAP policy allocation of GT7 to have come forward as a comprehensive development it is considered that this application for a large part of the allocation is acceptable in planning terms.
- 10.2 Furthermore, it would have been preferable for the application to be providing a full 33% of affordable housing at the appropriate tenures. However, Policy 4 of the JCS does allow for the proportion of affordable housing sought to be reduced and the balance of tenures amended where it can be demonstrated that site characteristics, including infrastructure provision, together with the requirement for affordable housing would render the site unviable. That is the case with this application and as discussed in paragraph 9.3 the viability of this scheme has been independently assessed on the Council's behalf.
- 10.3 Given the discussion above and the fact that this application will deliver a large part of the housing and the school site for this allocation, it is considered that this development is appropriate from a planning point of view.

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

subject to the satisfactory completion of a S106 Legal Agreement and the following conditions:

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

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

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

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

- (3) Prior to the submission of any Reserved Matters applications an Implementation Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority.
- (4) No development shall commence on a phase or parcel until details of the proposed arrangements for future management and maintenance of the proposed streets within that phase or parcel of the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details for that phase or parcel until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- (5) Prior to the commencement of each phase or parcel of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following for that phase or parcel:

- i) Roads, footways, cycleways, foul and on-site water drainage

- ii) Roads and footway
 - iii) Foul and surface water drainage
 - iv) Visibility splays
 - v) Access arrangements
 - vi) Parking provision in accordance with adopted standard
 - vii) Loading areas
 - viii) Turning areas
 - ix) Driveway length
 - x) Garage sizes
 - xi) Cycle parking
- (6) Development shall not commence on each phase or parcel of development until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period for that phase or parcel has been submitted to and approved in writing by the Local Planning Authority. The scheme for that phase or parcel shall be implemented throughout the construction period of that phase or parcel of development.
- (7) Prior to the commencement of any works for a phase or parcel a Construction Traffic Management Plan for that phase or parcel shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- (8) For the duration of the construction period for a phase or parcel all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' for that phase or parcel and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.
- (9) No works shall commence on each phase or parcel of the development until the details of wheel cleaning facilities for construction vehicles for that phase or parcel have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (10) For the duration of the construction period for a phase or parcel all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in condition 9.
- (11) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme demonstrating appropriate highway links to adjacent developments to ensure vehicular, pedestrian and cycle permeability have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

- (12) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on Create Consulting drawing number 00/002 for a 4-arm signalised junction have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (13) Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 12 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- (14) Prior to the commencement of the construction of the first dwelling on each phase or parcel hereby permitted an Interim Travel Plan for that phase or parcel shall be submitted, approved and signed off by the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with Norfolk County Council document 'Guidance Notes for the Submission of a Travel Plan'.
- (15) No part of the development on each phase or parcel hereby permitted shall be occupied prior to implementation of the Interim Travel Plan referred to in condition 14 for that phase or parcel. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.
- (16) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, garage accommodation on the site shall be provided with minimum internal dimensions measuring 3 metres x 7 metres.
- (17) The driveway length in front of the garage(s) shall be at least 6 metres as measured from the garage doors to the highway boundary.
- (18) No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.
- (19) All footway(s) and cycleway(s) shall be fully surfaced in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority in consultation with the Highway Authority.

- (20) Prior to the commencement of development a detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be implemented as approved.
- (21) Prior to the commencement of development a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall meet the requirements of BS 42020:2013 Biodiversity – Code of Practice for Planning and Development. The LEMP shall be implemented as approved.
- (22) As part of any reserved matters application, a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the submitted FRA and include:
- I. Further detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the proposed SuDS structures.
 - II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period including allowances for climate change flood event plus additional storage for a subsequent 1:10 rainfall event. The design should use the lowest infiltration rates and an appropriate freeboard, as standard protection to allow them to contain a subsequent rainfall event that occurs before the first has drained away.
 - III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site and 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development
 - IV. The design of the attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
 - V. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
 - VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
 - VII. If the use of infiltration is not possible at these depths, then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to below the existing Greenfield runoff rates in the equivalent

1 in 1 year, 1 in 30 year and 1 in 100 year rainfall events, including climate change as specified in the FRA.

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

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

- (23) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

- (24) Prior to the commencement of the development, a Materials Management Plan-Minerals (MMP-M) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Mineral Planning Authority:

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

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

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

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

The developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant, through the MMP-M. The developer shall provide an annual return of these amounts to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or Mineral Planning Authority.

- (25) Prior to the commencement of any parcel or phase of development a scheme for the provision of fire hydrants as maybe required for said phase or parcel shall be submitted to and approved in writing by the Local Planning Authority in consultation with Norfolk County Council.

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

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

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

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

- (28) The plans and particulars submitted in accordance with condition 27 above shall include:
- (a) a plan showing the location of, and allocating a reference number to every tree on the site which has a stem with a diameter, measured over the bark at a point 1.5metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread and Root Protection Area of each tree to be retained. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area (para. 4.6.1 of BS5837 2012 Trees in relation to design, demolition and construction - Recommendations) or general landscape factors) must be shown.
 - (b) the details of each tree as required at para 4.4.2.5 of BS5837: 2012 in a separate schedule.

- (c) a schedule of tree works for all the trees in paragraphs (a) and (b) above, specifying those to be removed, pruned or subject to other remedial or preventative work.
- (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within 5m of the Root Protection Area (para. 4.6.1 of BS5837: 2012) of any retained tree including those on neighbouring ground.
- (e) details of the specification and position of all appropriate tree protection measures for the protection of every retained tree from damage before and for the entire duration of the course of the development.
- (f) a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.

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

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

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

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

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

- (C) Based on the findings of the site investigation a detailed remediation method statement must be submitted for approval. Remediation must bring the phase or parcel to a condition suitable for the intended use. The method statement must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that

the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990. Remediation work cannot commence until written approval of the proposed scheme is received from the Local planning Authority.

- (D) Following the completion of the remedial measures identified in the approved remediation method statement a verification report (D) (also called a validation report) that scientifically and technically demonstrates the effectiveness and success of the remediation scheme must be produced. Where remediation has not been successful further work will be required.
 - (E) In the event that previously unidentified contamination is found during the development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken as per Part (B) above, and where remediation is necessary a remediation method statement and post remedial validation testing must be produced and approved in accordance with parts (C) and (D) above.
- (30) Prior to the commencement of development of any parcel or phase of development a geophysical survey of the phase or parcel shall be undertaken in accordance with a recognised methodology and the findings submitted to the Local Planning Authority. Based on the findings of the geophysical survey, a Scope and Programme of Works for appropriate further archaeological site investigations, including inter alia trial trenching, shall be prepared and submitted for written approval by the Local Planning Authority and works carried out in accordance with the approved scope and programme for the relevant phase or parcel.
- (31) No development shall take place on any phase or parcel of development until a Written Scheme of Investigation for a programme of archaeological works for that phase or parcel has been submitted to and approved by the local planning authority in writing. The scheme shall include:
- 1. An assessment of the significance of heritage assets present
 - 2. The programme and methodology of site investigation and recording
 - 3. The programme for post investigation assessment of recovered material
 - 4. Provision to be made for analysis of the site investigation and recording
 - 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - 6. Provision to be made for archive deposition of the analysis and records of the site investigation
 - 7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

Reasons

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Article 3 of the Town and country Planning (General Development Procedure) Order 1995.
- (3) To ensure an orderly and well designed development in accordance with Policy GT7 of the Growth Triangle Area Action Plan 2016.
- (4) To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policy TS3 of the Development Management DPD.
- (5) In the interest of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (6) To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD.
- (7) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD.
- (8) In the interests of maintaining highway efficiency and safety in accordance with Policy TS3 of the Development Management DPD.
- (9) To prevent extraneous material being deposited on the highway in the interests of maintaining highway safety in accordance with Policy TS3 of the Development Management DPD.
- (10) To prevent extraneous material being deposited on the highway in the interests of maintaining highway safety in accordance with Policy TS3 of the Development Management DPD.
- (11) 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.
- (12) To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the

environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD.

- (13) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy TS3 of the Development Management DPD.
- (14) To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with Policy TS2 of the Development Management DPD.
- (15) To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with Policy TS2 of the Development Management DPD.
- (16) To minimise the potential for on-street parking and thereby safeguard the interest of safety and convenience of road users in accordance with Policy TS3 of the Development Management DPD.
- (17) To ensure parked vehicles do not overhang the adjoining public highway, thereby adversely affecting highway users Policy TS3 of the Development Management DPD.
- (18) To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway Policy TS3 of the Development Management DPD.
- (19) To ensure satisfactory development of the site Policy TS3 of the Development Management DPD.
- (20) To ensure appropriate ecological mitigation for protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (21) To ensure appropriate ecological mitigation for protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (22) To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development To avoid causing future amenity problems.
- (23) To prevent environmental and amenity problems arising from flooding in accordance with National Planning Policy Framework paragraph 103 and 109.

- (24) To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026.
- (25) In order to secure a satisfactory form of development in accordance with Policy GC4 of the Development Management DPD 2015.
- (26) To ensure an energy efficient development in accordance with Policy 3 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (amendments adopted 2014).
- (27) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policy EN2 of the Development Management DPD 2015.
- (28) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policy EN2 of the Development Management DPD 2015.
- (29) To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EN4 of the Development Management DPD 2015.
- (30) To secure appropriate field evaluation and, thereby, mitigation of impact on archaeological and heritage assets in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk.
- (31) To enable the archaeological value of the site to be properly recorded before development commences in accordance with Policy EN2 of the Development Management DPD 2015.

Informatives

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

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

- 2) This development involves a Travel Plan to be implemented within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Town and Country Planning Act 1990 or Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

For residential development, Norfolk County Council offers a fully inclusive package covering the writing, implementation, on-going management and annual monitoring of a Travel Plan for 5 years post completion of the development. Developers are expected to enter into a Section 106 Agreement to secure the necessary funding before planning permission is granted.

- 3) The applicant is advised that to discharge certain highways conditions the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
- 4) The applicant is advised that to discharge condition 4 that the Local Planning Authority requires a copy of a completed agreement between the applicant and the Local Highway Authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
- 5) The off-site works will be delivered by a Section 278 Agreement and the precise delivery mechanism will be determined as the works are brought forward. The applicant should be aware that there may be additional costs relating to the off-site works which will include a commuted maintenance amount as well as various fees including administration and supervision. The completed works will be subject to a Safety Audit and additional works may be required.
- 6) Please be aware it is the applicants responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicants title plan. Please contact the highway research team at highway.boundaries@norfolk.gov.uk for further details.
- 7) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at

https://www.broadland.gov.uk/info/200153/planning_permission/277/community_infrastructure_levy_cil

- 8) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- 9) This development has been considered through full accordance with Environmental Impact Assessment Regulations 1999 and subsequent amendments.

Thorpe End Garden Village Residents Association

Further Objections by TEGVRA to Application 2017: Land to South of Salhouse Road

FOA Mr Ben Burgess

At the meeting of TEGVRA on 17 January 2018 it was agreed that I write to you as Chair of the Unadopted Roads Committee of TEGVRA and on behalf of TEGVRA, to set out our objections to the proposals to route all foul drainage generated by the 1645 dwellings and 0.5ha of other uses to be constructed on the 56ha Salhouse Road Housing Allocation (GT7), through the existing foul sewerage network passing underneath the adopted and unadopted residential roads in Thorpe End, to the north and south of Plumstead Road. These proposals, contained in the addendum report to Anglian Water's Pre-Planning Assessment Report, located deep within Appendix B of the applicant's Flood Risk Assessment, are a wholly unacceptable drainage solution resulting from the inability of the GT7 landowners to agree a comprehensive drainage solution for their development proposal of the whole site.

TEGVRA request that our objections to the scheme's foul drainage proposals are set out in full to the Planning Committee when reconsidering the deferred application and that a comprehensive solution to the drainage of the GT7 allocation, which requires the sewers to be laid beneath the Link Road with a direct connection to the sewers in Plumstead Road. In addition as TEGVRA have consistently stated, the residential roads within the whole of the GT7 allocation should all connect to The Link Road, which should be constructed to the boundary of the GT7 and GT8 allocations, before any permission is granted.

The unadopted roads of The Boulevard, Woodland Drive, Lawn Crescent and South Walk, within Thorpe End Garden Village are all privately owned and maintained by the 73 residents living on the unadopted roads. Residents own to the centre line of the section of road adjoining their property. The existing foul pumping station serving the village is located beneath the turning circle at the end of Woodland Drive. The land forming the turning circle is also owned by the adjoining individual residential properties.

The unadopted roads have no sub-base and are a tarmac/rolled gravel surface, they have been regularly maintained to a high standard by the Roads Committee on behalf of residents since first being surfaced in the 1950's, with the foul sewers and pumping station constructed in the late 1960's when properties were connected to mains drainage. The roads are not constructed to an adoptable standard. The unadopted roads committee recently organized the latest resurfacing of the roads and upgrading of the surface water drainage arrangements in April/May 2015 at a total cost of £45,666 to residents. The private roads are a key element of the character of the Garden Village and should not be dug up to provide the foul drainage for the GT7 allocation.

All the foul sewers from development to the north and south of Plumstead Road drain by gravity to the low point at the turning circle at the eastern end of Woodland Drive where the existing pumping station is located. This pumping Station is at capacity and in periods of heavy rainfall regularly causes sewage to back up into manholes in residents' gardens and into toilets within the properties. Anglian Water has fitted many non-return valves to toilets in the adjacent dwellings to prevent foul sewage

entering into people's dwellings. The result is that people are unable to use their bathrooms or put foul drainage into the system until AW has pumped out the pumping station. The pumps also regularly fail requiring regular attendance by AW engineers.

This situation is wholly unacceptable and as stated by AW there is no capacity for any more dwellings from the development to connect to the existing system.

Anglian Water has confirmed in the pre development report that the existing system is not able to cater for any additional development and that direct connection to the public foul sewer is likely to have a detrimental effect on the existing sewage network.

The proposals, set out by Create Consulting, are to connect the foul drainage from the whole of the GT7 56ha development to the existing Thorpe End Bovis Pumping Station which would be upgraded from the existing 4l/s to 28l/s, the Bovis 'wet well' adjacent to Padgate would be upsized from 11m³ to 183m³ capacity, an 8 –fold upgrading/upsizing of the existing sewers on Broadland Drive, The Boulevard and Woodland Drive and the more than 7-fold increase in the size/capacity of the Woodland Drive Pumping Station, are wholly unacceptable.

The scale of works proposed would cause significant and detrimental damage to the Conservation Area; the residential and privately owned and maintained roads in the village; the trees and grass verges. The Developers, their Agents or Anglian Water have made no contact regarding these proposals with the Residents Association or private owners of the roads in respect of their proposals, nor sought to obtain any permission from/serve notice on the residents as landowners.

Specifically the proposals would result in the unadopted roads being dug up and existing 150mm (6 inch) sewers being replaced by up to 1200mm (4 foot) diameter sewers and a more than 7-fold increase in the pumping station capacity from 13m³ to 94m³ as detailed below.

Extract from Create Consulting FRA Appendix B setting out the details of the Foul Drainage Works proposed

- **Upgrade the existing THORPE END-BOVIS SITE pumping station from 4l/s to 28l/s. This may also require relocation of the pumping station within the proposed development site.**
- **Upsize the existing wet well from a volume of 11m³ to 182m³.**
- **Upsize 310m length of 100mm diameter rising main to 175mm to achieve a velocity of approximately 1.2m/s.**
- **Upsize 530m length of 150mm diameter sewer to 225mm along Broadland Drive and The Boulevard.**
- **Upsize 100m length of 150mm diameter sewer to 600mm along The Boulevard.**

- **Upsize 83m length of 150mm diameter sewer to 600mm along Woodland Drive.**
- **Provide two parallel sewers of 1200mm diameter sewer for a length of 75m each (total length = 150m) replacing the single existing 150mm sewer along Woodland Drive.**
- **Upsize 50m length of 150mm diameter sewer to 1200mm along Woodland Drive.**
- **Upsize the existing wet well at THORPE END-WOOD D DR pumping station from a volume of 13m³ to 94m³.**

The GTAAP required that the GT7 allocation be masterplanned to allow for comprehensive solutions to the development of the allocation. This has not happened in respect of either of the 2 planning applications for the GT7 allocation.

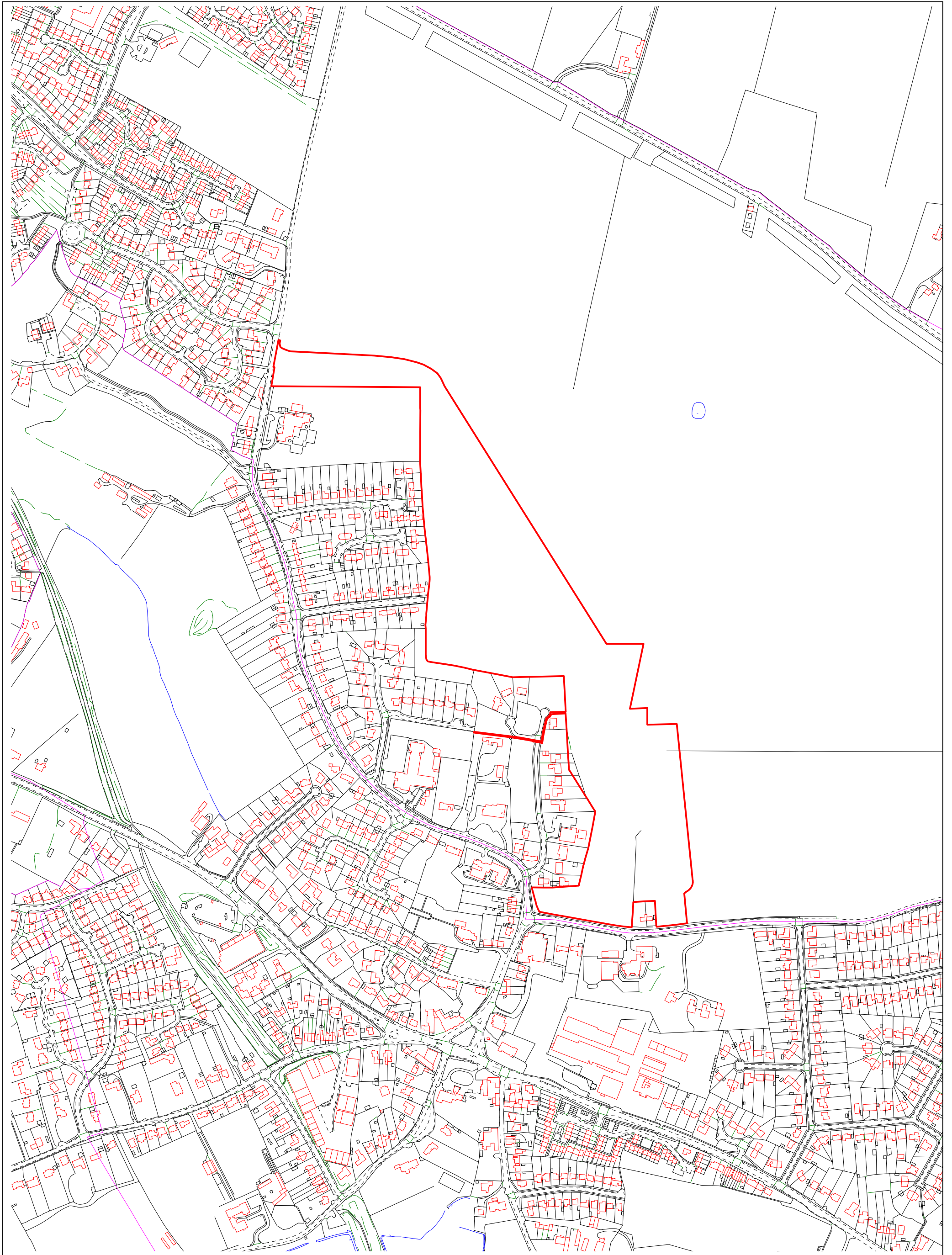
The proposals for the foul drainage to connect into the existing system will result in residents of Thorpe End bearing the unacceptable and detrimental consequences of the landowners' inability to agree comprehensive development solutions for the whole site. This is in addition to the applicant's proposals, which seek to avoid construction of the link road to the boundary of the GT7/GT8 allocation to allow for the construction of this entire section of the Link Road, the reduction in the landscape separation belt as set out in the Neighbourhood Plan, to avoid coalescence between the development allocations and Thorpe End and reductions in the amount of affordable housing to be provided.

The Council and Planning Committee members are requested to refuse this application and not to agree to the development proposals on the site until such time as comprehensive highway and drainage solutions are negotiated between all GT7 landowners, which provide the Link Road and avoid the digging up of roads for the construction of sewers through Thorpe End village to serve this development.

Kind regards,

Julian Shelley
Chair of Unadopted Roads Committee TEGVRA
and Ray Walpole Chair of TEGVRA

CC to
Phil Courtier - Director of Planning and Development
Mr J Mellor - Barton Willmore
Cllr S Vincent
Rob Morris – Senior Engineer Anglian Water
Cllr I Mackie
GP and LP PC



Application No: 20161066
Land Adj. Hall Lane/School Road, Drayton

Scale:
1:5000

Date:
6-Sep-16

N

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PLAN NO: 2

APPLICATION NO: [20161066](#) – DEVELOPMENT OF UP TO 250 HOMES, ALLOTMENTS, ACCESS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE (OUTLINE) ON LAND ADJACENT TO HALL LANE / SCHOOL ROAD, DRAYTON

1 BACKGROUND

- 1.1 At its meeting on 14 September 2016 (Minute 50 refers), Planning Committee resolved to delegate authority to the Head of Planning to grant outline approval as the development was considered to contribute to the housing supply deficit in the Norwich Policy Area (NPA) subject to the satisfactory conclusion of the issue of the lagoon raised by Norwich airport; the satisfactory completion of a S106 Agreement and subject to conditions as set out in the original report (attached as an appendix).
- 1.2 Following the Committee meeting negotiations continued between the applicant's agent, officers and Norwich airport about the potential for birds being attracted to the open water of the attenuation lagoon which is close to the flight path for the airport, as the airport was concerned that this will increase the likelihood of birds flying into aeroplanes. In response a Bird Hazard Risk Assessment and Bird Hazard Management Plan (BHRA&BHMP) was submitted by the applicant and Norwich Airport agreed to raise no objection to the proposals subject to three additional conditions being imposed which require that works are carried out and monitoring undertaken in accordance with the BHRA&BHMP, that use of cranes meets Civil Aviation guidance and that restrictions are placed on the type and level of external lighting on site. These additional conditions will be imposed and the matter is therefore considered to be satisfactorily concluded.
- 1.3 On 9 August 2017 Planning Committee considered and approved a revision to the affordable housing clause of the S106 to allow for a lower percentage of affordable housing to be provided in the event that a future developer can demonstrate via a viability assessment that 33% affordable housing cannot viably be delivered, as a result a claw-back clause will also need to be inserted into the S106 (see Minute attached as an appendix).
- 1.4 The details of the S106 Agreement are still being negotiated and are due to be completed but the S106, to date, is unsigned.
- 1.5 On 14 March 2018 the Greater Norwich Growth Board published the Joint Core Strategy draft annual monitoring report. Members are advised that a key material consideration in regards housing land supply in the Norwich Policy Area (NPA) is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June

2017. This is significant new evidence and forms part of the [Joint Core Strategy for Broadland, Norwich and South Norfolk: Draft Annual Monitoring Report 2016-17](#) published on 14 March 2018. For the NPA there is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.

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

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

In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits where it accords with a specific allocation and/or policy of the development plan and does not result in any significant adverse impact.

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

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

The 2017 Greater Norwich Area Housing Land Supply Assessment, published as Appendix A of the Joint Core Strategy Annual Monitoring Report, shows that against the JCS requirements there is 4.61 years supply in the combined NPA, a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be

considered up-to-date and applications for housing should continue to be determined within the context of paragraph 14 of the NPPF.

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

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

- 1.6 It is therefore necessary for Planning Committee to re-consider those applications in the Norwich Policy Area that it previously resolved to approve where the decision has not been issued. 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.

2 THE ISSUES

- 2.1 The site is allocated in the Council's adopted Site Allocations DPD for 200 dwellings, allotments and open space and the allocation specifies that the site is to be developed in accordance with (the previous) planning permission ref: [20130885](#). It should however be noted that the allocation includes a sentence on delivery as it states: 'It is expected that development will commence within 3-5 years from the date planning permission was granted. If the development is not progressing in accordance with this timescale the specific policy will no longer apply, and alternative sites may be considered to replace this'. The outline approval for 200 dwellings was dated 13 August 2015, meaning that development is expected to commence by August 2020.

- 2.2 In June 2016 the current application was submitted to increase the number of houses up to 250, within the same application site.
- 2.3 The Council's housing forecast data, which has been used to inform the current housing supply figures, has taken account of the housing from the current application, this estimates that 250 houses would be built over a 6-7 year period and that 175 houses would be built within the 5 year land supply period. Therefore the Council has assumed that this site will deliver 175 houses over the next 5 years.
- 2.4 In summary the current planning application for up to 250 homes in outline form provides the following:

Affordable housing

- 2.5 The planning application has been submitted in outline form with access for consideration at this stage, therefore the layout and the size of the dwellings has not been specified. The submitted supporting information with the application indicates that the intention is that the development will deliver 33% affordable housing which equates to 83 units based on a development of 250 houses. The S106 as drafted sets out that the affordable housing provision should be 33% of the total number of houses (or such other % as the Council may agree) with a tenure mix of 60% rented housing and 40% intermediate housing; the location, type and size of affordable dwellings are to be agreed with the Council. As a result of the decision of Planning Committee on 9 August 2017 it is noted that a clause has been inserted into the S106 Agreement that allows for a lower percentage of affordable housing to be provided in the event that a future developer can demonstrate via a viability assessment that 33% affordable housing cannot viably be delivered, as a result a claw-back clause will also need to be inserted into the S106. Any reduction in the provision of affordable housing below 33% would be reported to Planning Committee for its determination of a reserved matters or full application together with a detailed viability assessment.

On-site provision

- 2.6 An equipped children's play area of appropriate size and standard will be provided at the applicant's expense and will be maintained by a management company.
- 2.7 An area of 1,000m² of allotments will be provided by the applicant, including connection to the water supply, with plots being marked out, access paths created and a parking area provided. The maintenance requirement will be transferred to a management company.
- 2.8 Informal areas of amenity space are shown to be provided across the development which includes paths which connect to the off-site green

infrastructure paths. The maintenance requirement will be transferred to a management company.

Off-site provision

- 2.9 An extensive green infrastructure network of footpaths / cycle ways are to be provided on the applicant's adjoining agricultural land to the north and north east of the site. This will provide a 1.8m wide path from the site along the east side of School Road to Reephram Road which then runs to the south of Reephram Road to the new roundabout at the junction of Drayton Lane and Reephram Road. A path will also run from Reephram Road (roughly in the position of the sub-station) across the agricultural field and connects back to the eastern boundary of the application site. A sum of £114,932 (to be index linked) is to be paid to the District Council for the long term maintenance of the network of footpaths / cycle ways.

Commuted sums

- 2.10 The applicant is proposing to pay £157,027 (to be index linked from January 2015 figures) towards the provision of formal recreation within the parish (the Parish Council has agreed to pass up to £66,096 to Drayton Junior School for their continued programme to improve the swimming pool). The sum will be passed to the Parish Council for it to spend on improving and maintaining the formal recreation facilities in the parish.
- 2.11 A payment of £31,500 (to be index linked) is to be paid as a public transport improvement contribution to be used for the improvement and maintenance of public transport facilities in the area including the provision of a feeder bus service to serve the development.
- 2.12 A payment of £30,000 (to be index linked) is to be paid as a traffic calming contribution to be used for the provision and maintenance of a traffic management scheme in the Carter Road / George Drive area of Drayton.

Other benefits

- 2.13 Surface water run-off from the agricultural fields, which are at a higher level than the village, has in the past caused surface water flooding especially around the area at the mini roundabout at Hall Lane and School Road. A significant element of the proposals is the proposed drainage works which include a large attenuation lagoon on the eastern boundary of the site; the applicant's intention is that they take account of the proposed new development and to also improve the existing situation through the use of SuDS, it is proposed to divert the overland flows that would have crossed the site and instead be directed to the lagoon, therefore providing betterment in terms of surface water drainage. Conditions will be imposed in this respect to ensure that the drainage elements are suitably designed and implemented.

- 2.14 The proposals include an area of land measuring approximately 55m wide x 25m deep (1,375m² approximately) to the rear of the doctor's surgery on Manor Farm Close, Drayton which is to be set aside for the potential expansion of the surgery or its car park, this requirement forms part of the S106. This would not be possible on private land without the approval of the planning application.
- 2.15 The red line of the planning application includes a footpath from the application site to the west through Manor Farm Close and connecting to the end of Vawdrey Road, this will encourage a safe walking route from the development to Drayton Junior school and the doctors surgery and vice versa.
- 2.16 The open space that this development will secure is an important part of the wider green infrastructure proposals for the area that will provide footpaths and cycle ways within the countryside and connect to Drayton village centre and provide links to other provision towards Horsford, as advocated in the draft West Broadland Green Infrastructure Project Plan and the adopted Drayton Neighbourhood Plan.

3 ASSESSMENT

- 3.1 As stated at paragraph 1.6 it is necessary to assess the benefits of the planning application and any harm that would be caused in the context of the relevant development plan policies and the NPPF, and in particular with reference to the three dimensions to sustainable development (economic role, social role and environmental role). In this case the key benefits of the planning application are set out in section 2 of this report and it should be noted that the previous committee report set out in detail the comments received in respect of the application together with a detailed assessment of the issues within the appraisal section including an evaluation against the development policies and the NPPF, at its meeting on 14 September 2016 Planning Committee concluded that any adverse impacts of the development did not significantly and demonstrable outweigh the benefits.

- 3.2 In turning to the three dimensions to sustainable development:

Economic role

- 3.3 The NPPF confirms the economic role as: *"contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure."*
- 3.4 The development of the site would result in some short term economic benefits as part of the construction work which will support growth in the area.

In the longer term the economy will benefit from local spending from the future occupants of up to 250 dwellings. It is therefore considered that the scheme would bring forward a level of economic benefit.

Social role

- 3.5 The NPPF confirms the social role as *“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”*
- 3.6 The development proposes an affordable housing provision at a policy compliant level which will deliver 83 affordable housing units, with a tenure mix and house sizes that meet the Council’s Housing Enabler’s requirements. It is noted that an additional clause has been added to the agreement to allow consideration of a reduced provision in the event that a future developer can demonstrate via a viability assessment that 33% affordable housing cannot viably be delivered, with a claw-back clause. If this situation arises Planning Committee will decide if the affordable housing provision can be reduced below 33%.
- 3.7 As part of the development an area of children’s play space will provided together with allotments on-site which will be available for use by residents and the local community, a path will be established to the west of the site to allow access to Manor Farm Close, in proximity to the doctors surgery with a further pedestrian connection provided to Vawdrey Road allowing access to the Junior School. The southern part of the site itself is located in close proximity to the existing amenities and facilities of Drayton and the northern part of the site is close to the Infant School. These elements are considered to support healthy and accessible communities.
- 3.8 As set out in paragraph 2.9 the development proposes a significant network of footpaths / cycle ways across the adjoining fields as part of the green infrastructure provision which will also allow linkages with the wider green infrastructure network. A commuted sum will be paid to allow improvements to the public transport provision in the area including a link into the site. A further commuted sum will be paid as a traffic calming contribution to be used for the provision and maintenance of a traffic management scheme in the Carter Road / George Drive area of Drayton. These elements of the development combine to improve healthy and accessible communities.
- 3.9 An important element of the development is the area of land that is to be set aside for the doctor’s surgery to expand into. This expansion will support the needs of the community and will support a healthy community.
- 3.10 The development will be liable for CIL and a commuted payment will be made to the Parish Council for them to improve and maintain a wide range of

recreational facilities within the parish. These improved facilities will be available for the residents of the development and the residents of the parish to use.

- 3.11 For the reasons set out above, it is considered that the proposals support the health, social and well-being needs of residents and reflects the wider needs of the community; the proposals meet the social dimension to sustainable development.

Environmental role

- 3.12 The NPPF confirms the environmental role as *“contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”*
- 3.13 The nature of the site does not raise any biodiversity issues as part of the development of the site; the key issue in this respect is the proposals in respect of the surface water drainage proposals including the on-site provision of a large attenuation lagoon to take account of the proposed new development and to also improve the existing situation through the use of SuDS, it is proposed to divert the overland flows that would have crossed the site and instead be directed to the lagoon, therefore providing betterment in terms of surface water drainage in the area. This allows conditions to be imposed which may not otherwise have been possible on private land.
- 3.14 It is considered that the proposals reflect the environmental dimension to sustainable development.

4 CONCLUSION

- 4.1 Whilst the housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process, this factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery. Notwithstanding this, in this case there are considered to be limited adverse impacts associated with the development and there are clear and significant economic, social and environmental benefits associated with the development and in the circumstances the resolution of Planning Committee on 14 September 2016 is maintained and the outline application should be approved.

5 RECOMMENDATION

- 5.1 Accordingly, it is **RECOMMENDED** that officers continue to negotiate the S106 as per the agreed Heads of Terms to allow it to be completed and the

outline application be approved as per the conditions as agreed by Planning Committee on 14 September 2016 with the addition of the conditions requested by Norwich Airport in respect of the attenuation lagoon (as detailed in the Minutes of the meetings held on 14 September 2016 and 9 August 2017 attached as appendices).

Phil Courtier
Head of Planning

Background Papers

Planning application 20161066

For further information on this report call Matthew Rooke 01603 430571 or email matthew.rooke@broadland.gov.uk

AREA West
PARISH Drayton

1

APPLICATION NO: [20161066](#) **TG REF:** 618152/314184
LOCATION OF SITE Land adjacent to Hall Lane, Drayton, NR8 6ET
DESCRIPTION OF DEVELOPMENT Up to 250 homes, allotments, access, public open space and associated infrastructure (outline)
APPLICANT Drayton Farms Ltd, c/o Code Development Planners Ltd, Oak House, Brinkley Road, Carlton, Cambridgeshire
AGENT Michael Carpenter, Code Development Planners Ltd, 17 Rosemary House, Lanwades Business Park, Kentford

Date Received: 10 June 2016
13 Week Expiry Date: 12 September 2016

1 THE PROPOSAL

- 1.1 The application seeks outline planning permission for the erection of up to 250 dwellings, associated roads and parking, footpaths, allotments, an attenuation lagoon, open space and landscaping.
- 1.2 The application is in outline with access included. It should be noted that the information submitted includes detailed layout plans but that these are indicative only and do not form part of the proposal.
- 1.3 The site is a 12.4 hectare site to the east of School Road and north of Hall Lane, adjacent to the village of Drayton.
- 1.4 The application is accompanied by a planning statement, a design and access statement, a statement of community involvement and a series of technical reports as follows; arboricultural impact assessment, archaeological assessment, contamination report, ecology reports, flood risk assessment and drainage strategy, landscape and visual impact assessment, transport assessment and a travel plan.
- 1.5 It is proposed that the site would be served by two points of vehicular access, one onto Hall Lane to the south and one onto School Road to the north.
- 1.6 The provision of open space will be a combination of informal areas and play space. Some discussions have taken place with the Parish Council and the

applicant regarding the local requirements (see paragraph 9.21 and 9.22 below) but as this is an outline application the precise details are not yet known and this would be dealt with in a Reserved Matters application.

- 1.7 If Members resolve to grant planning permission, the development will be liable for a Community Infrastructure Levy (CIL) payment and will also be the subject of a S106 Agreement. The S106 will secure the delivery of affordable housing, the provision and maintenance of open space and play equipment, allotments, an attenuation lagoon and a travel plan. Through consultation with the Highway Authority the applicant has agreed to include the payment of £31,500 towards the bus stop improvements on School Road and £30,000 towards Norfolk County Council implementing a suitable traffic calming scheme on Carter Road. Contributions towards library provision and education are included in the CIL payment.
- 1.8 The applicant has confirmed that, if permission is granted, the intention is to submit the first Reserved Matters application in 2017 with commencement of development taking place as soon as possible in 2017/18.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provision of the Development Plan and the National Planning Policy Framework (NPPF)
- Whether the proposal is acceptable when considered against the Site Allocation Development Plan Document adopted in 2016.
- The lack of a five year housing land supply in the NPA.
- Whether the application as submitted adequately demonstrates that the proposed development will not result in a detrimental impact on highway safety, flood risk, the character and appearance of the surrounding area, biodiversity and landscape and the residential amenity of neighbouring properties and of potential future occupants.

3 CONSULTATIONS

Internal Consultations:

3.1 Planning Policy Officer:

I refer you to the NPPF (2012), the JCS (adopted) (2011)(2014), the Development Management DPD (adopted) (2015) , the Site Allocations and policies maps (Adopted) (2016) and the Recreational Provision in Residential Development (SPD) (Adopted) (2016). Furthermore, Drayton Parish Council is currently preparing a Neighbourhood Plan which is expected to be adopted on 26 July, 2016. Planning permissions must be determined in accordance with

the development plan, unless material considerations indicate otherwise as outlined in the Planning Practice Guidance ID 41-004-20140306.

- (1) There is not currently a five year land supply in the NPA (which includes Drayton), therefore, paragraphs 14 and 49 of the NPPF apply.
- (2) Under DRA1: Specific Policy in the Site Allocations DPD (2016), the site is to be developed in accordance with planning permission 20130885 which includes up to 200 dwellings, allotments, open space and associated infrastructure in the Site Allocations DPD (2016). The application (outline) seeks to increase the number of dwellings to 250 dwellings.
- (3) JCS Policy 1: Addressing climate change and protecting environmental assets states that development is encouraged to make the most efficient use of land; therefore there would not be a conflict with policy in principle. In turn the increase in density will need to provide additional affordable housing per JCS4, recreational open space as well as green infrastructure as a result. See above for details.
- (4) JCS Policy 4: Housing Delivery states that on sites for 16 dwellings or more 33% should be provided therefore, this site should provide 83 affordable dwellings.
- (5) The Drayton Neighbourhood Plan was adopted on 25 July, 2016 therefore the policies referred to above apply.
- (6) The development proposal will contribute to the 5 year land supply in the NPA, as well as, make efficient use of land as per JCS1.
- (7) The requirements for affordable dwellings as per JCS 4 as well as Open Space and Green Infrastructure are delivered per DM Policies RL1 and EN3, will need to be met.
- (8) Other relevant policies that apply include: DM: EN2, TS4, CSU4, CSU5.

3.2 Conservation Officer (Arboriculture and Landscape):

The Arboricultural Impact Assessment (AIA) undertaken by James Black Associates appears to be of a preliminary nature, presumably because the layout is indicative and likely to be subject to future changes. A revised AIA will be required once the layout has been formalised.

Thirty-nine trees or groups have been categorised as 'C1' trees of low quality, 4 individual trees as 'B1' trees of moderate quality and 1 individual as 'A1' tree of high quality.

Part of hedge H7 has been shown for removal to facilitate the development; I have no objections to this proposal as long as replacement planting is conditioned as mitigation.

The Tree Protection Plan (TPP) shows the majority of the Root Protection Areas (RPAs) behind the line of protective fencing, any offset barriers would require additional ground protection measures to ensure the trees roots are safeguarded or the layout amending to respect the RPAs.

No details of the predicted shadow patterns have been provided, this information will be required to give a full picture of the tree constraints and inform any future layouts, to try to minimise the overshadowing to the proposed dwellings.

As the development proposals will include a comprehensive landscape strategy, which will include significant tree and shrub planting, it will be essential to protect the existing soil structure from compaction, to ensure the new planting has the optimum growing environment to establish, once the areas for new planting have been decided, these will require protective fencing to form Construction Exclusion Zones (CEZ), prior to the commencement of any development and be included on the TPP.

Landscaping conditions will be required to ensure the development meets the required Green Infrastructure objectives specified within the Landscape and Visual Impact Assessment and required by EN1 & EN2 & EN3. Conditions T01, T08, T10 should be used.

3.3 Housing Development Officer:

On this site the applicant proposes delivery of up to 250 residential dwellings and suggests appropriate delivery of affordable housing within the application. Therefore up to 83 affordable units should be provided, which is the correct Policy requirement of 33% on a site of this size.

The site layout indicates that housing may be delivered in several different phases that would appear to be segregated off from the adjoining homes. I would seek reassurance from the applicant that the affordable housing will be equally dispersed between the phases and not all delivered in one part of the site.

From the application form there is no indication of the proposed number or mix of affordable units. However I can see previous communication with

enabling regarding this site in which percentages for delivery were suggested. These percentages were:

Affordable Rent Tenure (60%)

1b2p flats or houses – 40%

2b4p houses – 29%

2b4p disabled bungalows – 4%

2b4p lifetime homes bungalows (or wheelchair adaptable) – 2%

3b6p houses – 24%

4b8p house – 1%

Intermediate tenure (40%)

Shared equity or shared ownership split between 2 and 3 bedroom houses (and possibly to include a small number of 4 bedroom houses).

On this proposed mix I would also add that we would expect (a maximum) of up to half of the 1 bedroom (2 person) units to be delivered as flats. These would preferably be units with their own front door and separate garden space rather than in a large single block of flats. This is to avoid the large parking areas that accompany blocks of flats and the potential ASB issues.

Similarly if flats are proposed in blocks these should be small (maximum 6-9 units per block). I would also suggest the inclusion of a small number of 1 bedroom (2 person) bungalows within the proposed mix to better meet the needs of an increasingly elderly population (as predicted for all Districts) or those with a disability requiring level access.

We would expect all of these ART units to be built to level 1 space standards (as per the HCA guidance within the housing standards review). This will enable the Housing Allocation Officers to achieve maximal occupation of the ART units. This will also mean that the affordable rental units will meet the design and space standards required by RPs working within the district.

The proposed affordable housing mix takes into account both the current local and districtwide housing need. For this site 'up to a third' of the ART units will be for those with a local connection to Drayton (current resident, working or caring connection) – as per the Housing Allocation Policy.

3.4 Section 106 Monitoring Officer:

We estimate that as a stand-alone development of 250 houses to satisfy our policy the developer should provide around 2,100m² of play space, 1.6 ha of Formal recreational space, 1,000m² of allotments and 2.53 ha of Green Infrastructure Space.

We do not expect this development to deal with all the identified shortfall in recreational provision in Drayton but are seeking the following provision from this development:

- One combined LAP (Toddler)/LEAP (Junior) Play area on site and at the request of the Parish Council a contribution to improve play facilities at the Florence Carter Memorial Park.
- Contributions towards improvements of sporting facilities at one or both of the existing recreation grounds (King George V Playing Field and Longdale Park)
- The developer is looking to provide an allotment site that far exceeds our minimum requirement for this development.
- The bulk of the Green Infrastructure requirement will hopefully be provided on-site with any additional requirement provided off-site to create linkages to the broader Green Infrastructure network

3.5 Pollution Control Officer (Contaminated Land):

Further to the desk study submitted the consultants have suggested further assessment work is appropriate for the site and I can see no reason to object to this proposal. The site was previously granted permission under application 20130885 which included a condition to require an SI under condition 25. A suitably worded condition should be granted in this case as well.

3.6 Environmental Contracts Team

At the moment there is not enough detail to make specific comments in relation to the development site, but I would ask that the developers follow the attached "Planning Guidance Notes" with regards to planning public open space, waste and recycling services and street care. We would very much welcome a dialogue with the developers to ensure services can be provided on this development at the earliest opportunity.

3.7 District Ecologist:

The application is supported by a preliminary ecological assessment (Ecology Consultancy, dated 8 June 2016) which references the ecology work undertaken for the previously consented application and is fit for purpose.

There are two main issues deriving from the report. Firstly, it notes that a check for active badger setts is required immediately prior to commencement. This could be conditioned as per the earlier consented application. However, the preliminary assessment also recommends further surveys for great crested newts. This is potentially an issue as the great crested newt is fully 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 it a European Protected Species, and as such, the presence/absence of this species should be determined before consent is granted.

However, in this case, given that the pond in question was found not to support great crested newts in 2013, and is not within the redline of the development (being >250m distant), we are of the opinion is that adverse impacts are unlikely. As such we would consider that the surveying of this pond could be conditioned subject to a requirement to also condition a Biodiversity Method Statement. The BMS should be in line with BS42020:2013 Biodiversity – Code of Practice for Planning and Development and be agreed in writing by the LPA prior to commencement. It should include details of actions to mitigate any potential impacts on great crested newts during both construction and the use of the site.

External Consultations:

3.8 Drayton Parish Council:

Drayton Parish Council objects to the planning application 20161066 for up to 250 dwellings, but would support the application if the dwelling numbers were limited to 200 for the reasons attached at the Appendix.

3.9 Anglian Water

Assets Affected: Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

Wastewater Treatment: The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows.

Foul Sewerage Network: Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures to be covered by a condition requiring the drainage strategy covering the issue(s) to be agreed.

Surface Water Disposal: From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

3.10 Lead Local Flood Authority:

The applicant has provided a Flood Risk Assessment (FRA) and Drainage Strategy as a re-submission of the application that was previously approved in August 2014. We are not aware of any material changes to the principle or layout of the development that have the potential to substantially alter the outline drainage strategy. We welcome that the applicant has considered the performance of the proposed drainage strategy with the amended climate change allowances from the Environment Agency. We also welcome that Sustainable Drainage Systems (SuDS) have been retained in the development layout.

No objection subject to conditions being attached to any consent if this application is approved. We note that two conditions relating to surface water drainage and flood risk were placed on the previous permission.

We note that the site is located within a Critical Drainage Catchment identified as part of the Norwich Surface Water Management Plan (Norfolk County Council, 2011). Figure A10 of the Surface Water Management Plan identifies a flow path that originates to the north of the development area and crosses the development. Interceptor ditches are proposed along the north-eastern site boundary to divert overland flow that would have crossed the site and instead direct it towards an attenuation lagoon. We expect further detail of this arrangement to be submitted during detailed design to demonstrate that there will be no adverse impact on the downstream risk of flooding within Drayton and, where possible, provide betterment to the downstream risk of flooding.

3.11 National Grid:

In the vicinity of the proposed works: low or medium pressure gas pipes and equipment.

3.12 Norfolk County Council (Highway Authority):

Extensive discussions have taken place with the applicant's advisors and an acceptable access strategy for the site and off-site mitigation package has been agreed.

The current application is for access only with all matters reserved. The current application increases the number of dwellings from 200 to 250. The Highway Authority considers that this increase in numbers will not significantly increase the impact on the highway network and that in accordance with the National Planning Policy Framework, the increase in impact is not severe.

It is proposed that there will be three points of access to the adopted highway network at Hall Lane, School Road and Cator Road. The Hall Lane access is acceptable subject to the extension of the 30 mph speed limit (this can be dealt with by a condition). The access to School Road is to the north of the primary school. It is intended that a turning head will be provided within the development site at the end of Cator Road for the use of the Cator Road residents as there is no facility at present but that there will be no through vehicular link to the new development estate roads. The design of the extension of Cator Road into the site can be resolved at reserved matter stage.

As was previously identified in our response to application 20130885, Carter Road is the subject of an "Access Only" Traffic Regulation Order and there is evidence that the order is flouted. Given that non-compliance with the Order is likely to increase with the proposed development, it is considered that its use as a 'thorough route' must be further discouraged by the introduction of traffic calming. The applicant has agreed a contribution of £30,000 towards an NCC implemented scheme with funding secured by S106 agreement. However as part of the mitigation works arising from the Northern Distributor Road, the Highway Authority is investigating potential traffic calming/road closure options in this area. Should the applicant bring their development forward before the NCC potential schemes have been constructed, then a contribution of a maximum of £30,000 will be required. Should the NCC scheme come forward first, then this requirement will not be needed. This requirement will be secured via a S106 Agreement with appropriate wording to reflect the either/or.

The development will also require a Travel Plan. This can either be delivered by the developer or by Norfolk County Council on behalf of the developer.

The Travel Plan is covered by condition below with funding to be secured by S106 Agreement.

School Road is served by buses albeit on an infrequent basis. The associated bus stops require upgrading and an additional stop needs to be provided in the vicinity of the Doctors' surgery. The applicant has agreed a contribution of £31,500 towards an NCC implemented scheme which will be secured by S106 agreement. Bus services of greater frequency are available along Drayton High Road in the village centre. Whilst the recommended desirable walk-distance to a bus stop is 400m, the distance to bus services in Drayton High Road is not considered so great that it would give rise to an highways objection.

Pedestrian links are to be provided via Hall Road, School Road, Cator Road and Vawdrey Road. These links will encourage walking to both the Infant and Junior Schools and to the Doctors' surgery. The Cator Road link could act as an emergency access with collapsible bollards of a type to be agreed but this can be resolved at reserve matters stage when road design is considered.

In summary, it is considered that the proposal is acceptable given that the residual impact of the development on the highway network can be mitigated by:

- A Travel Plan secured by condition and funding secured by S106.
- Section 106 contribution of £31 500 towards the bus stop improvements on School Road as defined above.
- Section 106 contribution of £30,000 towards Norfolk County Council implementing a suitable traffic calming scheme on Carter Road – precise wording to be determined through the S106.

In light of the above, the Highway Authority recommends no objection subject to a S106 Agreement being completed to secure the above mentioned contributions/travel plan funding and the conditions and informatives listed below.

Previously an amount of £45,000 was required towards the upgrade of the A1067 signalised junction, however this has already taken place and so the contribution is no longer required.

3.13 Norfolk County Council (Historic Environment Service):

An archaeological desk-based assessment and geophysical survey have been carried out for the proposed development site. The geophysical survey identified anomalies possibly relating to archaeological features of uncertain

date and form. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework paragraph 141. A condition can be imposed to deal with this.

In this case the programme of archaeological work will commence with archaeological trial trenching (in accordance with a brief to be issued by Norfolk County Council Historic Environment Service) to inform the archaeological mitigation works.

3.14 Norfolk County Council (Mineral & Waste Planning Authority):

The site is partly underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Norfolk Minerals and Waste Core Strategy, and Core Strategy policy CS16 'Safeguarding' is applicable.

The site is the same as application 2013/0885/O which the Mineral Planning Authority responded to on 21 October 2013, objecting to the application unless measures were undertaken to comply with Norfolk Minerals and Waste Core Strategy Policy CS16 – safeguarding. The current application has also not carried out investigations and assessment of the mineral resource. I have attached the response to application 2013/0885/O for information (not attached to this report). A duty is placed upon Local Planning Authorities to ensure that mineral resources are not needlessly sterilised, as indicated in National Planning Policy Framework paragraph 143, and the guidance on safeguarding minerals published jointly by DCLG and the BGS. Paragraph 144 states that "When determining planning applications, local planning authorities should: not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes".

The adopted Joint Core Strategy contains within objective 9 and Policy 1, requirements to ensure the efficient use of mineral resources. It is considered that the evaluation of whether onsite resources could be utilised as part of the construction of a development would be key to efficient use.

The policy section of the Planning Statement does not include reference to the adopted Norfolk Minerals and Waste Core Strategy or JCS Policy 1 (relating to mineral resources), which forms part of the development plan; or those parts of the NPPF which relate to mineral safeguarding. Therefore, these requirements in relation to mineral safeguarding have not been assessed in the application.

Having established that Policy CS16 is applicable to this site, this would normally, as a minimum, require investigation into the mineral resources on site. Glacio-fluvial sand and gravel deposits are identified on the BGS mapping as underlying the site and a borehole record held by BGS confirms that a deposit containing sand and gravel occurs close to the surface adjacent to the site. However, the information is limited and a more thorough investigation, together with a mineral assessment to provide an estimate of the mineral resource, and the proportion that is likely to be workable prior to the proposed permanent development, is required.

The County Council in its capacity as the Mineral Planning Authority (MPA) objects to the planning application unless:

- The applicant carries out investigations/assessment to confirm the viability of the resource for mineral extraction, and
- If the mineral resource is proved to be viable, the applicant considers whether it could be extracted economically prior to development taking place.

There may be opportunities for the sand and gravel from on-site resources (such as groundworks) to be used in the construction phases of developments. This will improve the sustainability of the project by reducing the need to extract sand from other locations, reducing the carbon cost of the project by reducing the quantity of aggregate needing to be transported to the site, reducing the quantities of material removed from the site as part of the groundworks operations, and ensuring that resources in other areas are not unnecessarily extracted, so that they can be available to sustain future growth. There are also opportunities on restoration for areas in which mineral has been extracted to form part of sustainable drainage systems, areas for recreation/open space, and/or renewable energy schemes, such as ground source heat pumps.

3.15 Norfolk County Council (Planning Obligations):

The following infrastructure will need to be funded through CIL:

Education: Early Education, Infant and Junior places

Library: £75 per dwelling towards expansion of library service

Education:

Children generated from this development:

Nursery school age:24	High School age:43
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Primary school age: 65 (infant 30 and junior 35)	Sixth form age:4
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Current situation at the local schools:

School	Capacity	Numbers on Roll (January 2016)	Spare capacity no of places
Early Education sector (2-4)	123	103	+20
Drayton Community Infant School (4-7)	240	252	-12
Drayton CE VC Junior School (7-11)	299 (excluding mobiles)	330	-31
Taverham High School (11-18)	1221 (1100 + 121 6 th Form) (with scope to grow to over 1300 places)	1122 (944 + 178 6 th Form)	+99

Fire Service: This development will require 1 fire hydrant per 50 dwellings at a cost of £816 per hydrant, which should be dealt with through condition.

Library Provision: A development of 250 dwellings would place increased pressure on the library service and mitigation is required to increase the capacity of the library.

3.16 Norfolk Constabulary Architectural Liaison Officer:

There is no reference in the D&A to security and crime prevention measures. Advice given on layout and design of vehicular and pedestrian routes, lighting, parking and security and security at the allotment site.

3.17 Norwich International Airport:

Outstanding safety issue relating to the potential for the proposed lagoon to attract birds, on-going discussions.

4 PUBLICITY

4.1 Site notices: Expired 7 July 2016

4.2 Press notice: Expired: 12 July 2016

4.3 Neighbour notifications: Expired: 8 July 2016

5 REPRESENTATIONS

5.1 Cllr Foulger:

As Portfolio Holder for Communities and Housing and Member for the neighbouring ward I wish this application to be considered by the Planning Committee. There is an extant outline permission which runs out shortly and this indicative application is in effect a renewal albeit with some beneficial refinements. There is considerable local interest in this major application for the village.

5.2 Felthorpe Flying Group

No flight safety issues.

5.3 181 properties adjacent to the site were notified and 34 residents have submitted letters of representations to the consultation, of which 31 were objections and the remaining 3 were raising comments to be taken into account. The objections can be summarised as follows:

- The increase in numbers from 200 to 250 is not acceptable; there is no justification for this.
- This is not a sustainable development in the broader sense, ie well-being of the existing community, character of the settlement, protection of the natural environment.
- Other brownfield sites should be developed first; there are several in the village and areas owned by the same landowner.
- The immediate area suffers from surface water drainage issues and severe flooding which will be made worse.
- The village cannot accommodate additional traffic. There is already congestion in the village centre, on Hall Lane with vehicles queuing back from the mini roundabout, in Manor Farm Close which already has problems because of the surgery and on School Road particularly around the schools. Access onto Hall Lane is dangerous as vehicles speed there, there are already parking problems in the village.
- The severe congestion already on School Road at school opening and closing times will be worsened.

- Carter Road and George Drive already suffer from people cutting through. Carter Road is supposed to be 'access only' but is used as a cut through and this will make it worse.
- The local schools are at capacity and the proposal will make this worse.
- The Doctor's surgery cannot take any additional patients and the associated car-parking. The car-park at the surgery is already congested. The proposed expansion area for the surgery is too small.
- Capacity of services (such as gas, electricity, water etc).
- The profile of the housing mix increases the larger house types which does not meet the need for smaller starter homes.
- A higher density will adversely affect the overall design/layout. It is not appropriate in this area.
- The development will adversely impact on the character of the village and its rural setting and spoil Drayton.
- It does not fully comply with the Drayton Neighbourhood Plan. It contravenes the following; the objectives, housing density, impact on natural environment, flooding.
- How will the balancing lagoon deal with flooding, it is at the highest point of the site.
- It will affect local wildlife through loss of habitats. Badgers have been seen in the area.
- The value of adjacent properties will go down.
- There is no definitive detail on the type of housing. Existing properties must not be overlooked.
- Where are the additional jobs for the extra people?
- It will change Drayton forever.
- Impact on nearby listed buildings, such as Old Hall Farmhouse.
- The site has been used as a foot and mouth burial site in the past.

- Drayton Farms unsuccessfully tried to build here 30 years ago.
- How will the developer access the site during construction.
- The application lacks adequate community consultation, particularly in comparison with the previous application.

5.4 Comments not included above were as follows:

- Carter Road is a 'rat-run'
- There must be a car-park at the top of School Road
- Due regard should be paid to the archaeological research of the area
- The managing partner of the Doctor's Surgery stated they are pleased to see an expansion area for the surgery but are concerned that the surgery will need to be extended and further land will be required.

5.5 One letter was received signed by 9 signatories of Vawdrey Road with the following additional comments:

If there is to be a footpath through then there should be double yellow lines on that part of the road. A barrier should be used to prevent motor bike riders using it as a cut through.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012:

- 6.1 Paragraph 11 states that 'planning law requires that applications for planning permission must be in accordance with the development plan unless material considerations indicate otherwise'.
- 6.2 Paragraph 49 states that 'housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'. According to the AMR 2014-15 the land supply for the NPA was 4.39 years (including allowing for an additional buffer of 20% in accordance with NPPF) or 87.8% of the required supply, and therefore this paragraph applies.

- 6.3 Paragraph 14 states at the heart of the NPPF there is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay. In addition, where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse effect impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole. As this site is located in the NPA where there is not a 5 year supply this paragraph applies.

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

- 6.4 Policy 1 – Climate Change and Environmental Assets:

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

- 6.5 Policy 2 – Promoting Good Design:

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

- 6.6 Policy 3 – Energy and Water:

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

- 6.7 Policy 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. On sites for 16 dwellings or more (or over 0.6ha) the proportion of affordable housing target is 33%.

- 6.8 Policy 6 – Access and Transportation:

Seeks to concentrate development close to essential services and facilities to encourage walking and cycling as the primary means of travel with public transport for wider access. Seeks also to protect the function of strategic transport routes (corridors of movement).

6.9 Policy 7 – Supporting Communities:

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

6.10 Policy 9 – Growth in the NPA

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

6.11 Policy 12 – The remainder of the Norwich Urban area:

Identifies Drayton as an urban fringe parish capable of accommodating small and medium scale housing growth. Settlements identified in this policy that are also within the Norwich Policy Area may be considered for additional development, if necessary, to help deliver the 'smaller sites in the NPA allowance.

Site Allocations DPD (2016):

- 6.12 This site is allocated as DRA1 Specific Policy: to be in accordance with planning permission [20130885](#) which includes up to 200 dwellings, allotments, open space and associated infrastructure.

Development Management DPD (2015)

6.13 Policy GC1 – Presumption in favour of sustainable development:

The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Planning applications that accord with the policies in the DPD (and where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

6.14 Policy GC2 – Location of new development:

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

- 6.15 Policy CSU4 – Waste collection and recycling facilitates within major development:

Appropriate provision will be included in developments.

- 6.16 Policy CSU5 – Surface water drainage:

Within critical drainage catchments and other areas at significant risk of flooding as identified by the lead local flood authority, all development proposals involving new buildings, extensions and additional areas of hard surfacing should ensure that adequate and appropriate consideration has been given to mitigate surface water flood risk. Drayton is identified within the critical drainage area as defined in the Norwich Water Surface Management Plan therefore this policy applies.

- 6.17 Policy EN3 – Green infrastructure:

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

- 6.18 Policy RL1 – Provision of formal recreational open space:

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

- 6.19 Policy TS2 – Travel plans and transport assessments:

In the case of major developments a transport assessment and/or Travel Plan will be required. Developers will need to maximise access by foot, cycle and public transport.

- 6.20 Policy TS3 – Highway safety:

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

- 6.21 Policy TS4 – Parking guidelines:

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

car modes.

- 6.22 Three Supplementary Planning Documents on Affordable Housing and recreational Open Space are also relevant in the determination of this planning application.
- 6.23 Affordable Housing (SPD) 2008:
- 6.24 Recreational Provision in Residential Development (SPD) (2016). This document sets the guidance on how the requirements set out in policies RL1 Provision of formal recreational open space and EN3 Green Infrastructure will be applied in practice.
- 6.25 The Landscape Character Assessment SPD (2013) identifies the site as being in Landscape Character E3: Spixworth Wooded Estate lands where the Landscape Planning Guidelines seek to conserve for the restoration of fragmented hedgerows as well as conserve and screen (where possible) existing and potential harsh settlement edges.

Drayton Neighbourhood Plan:

Relevant policies are:

- 6.26 The Plan was adopted on 26 July 2016. As a result, it forms part of the Development Plan. Planning permissions must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The following policies are of relevance to this application:
- 6.27 Policy 1A: Proposals for development must show how development would achieve a high standard of design, sustainability and innovation. Development which reflects the historic character of Drayton will be supported.
- 6.28 Policy 2A: Proposals for development which use traditional building materials found in Drayton will be supported.
- 6.29 Policy 3: Maintaining important Views – relevant to this application – views across open land from top of School Road to the South East towards Hall Lane.
- 6.30 Policy 5: Flooding – Development identified within the critical drainage area as defined in the Norwich Water Surface Management Plan must be accompanied with a flood risk assessment which considers surface water flooding.
- 6.31 Policy 7: Development which would provide or help to provide improvements to the network of footpaths in Drayton will be supported.

- 6.32 Policy 9: Developments which would provide new or improved facilities likely to increase the use of the King George V Playing Field will be supported.

Community Infrastructure Levy Regulations 2010 (CIL):

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

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site is to the north-west of Norwich in the village of Drayton and is outside the settlement limit which has been defined for Drayton by the Development Management DPD 2015.
- 7.2 The site has an area of 12.4 hectares and is in agricultural use, for the growing of crops. It is bounded to the north and east by arable farmland. To the south the site is bounded by Hall Lane and along the road to the east are two residential properties. A variety of residential dwellings including detached and semi-detached two storey houses and bungalows bound the site to the west. These include the partially developed cul-de-sac, Manor Farm Close, Vawdrey Road, Cator Road, Glebe Close and Highfield Road.
- 7.3 The site is not level and undulates in a number of directions, predominantly sloping up Hall Lane to the east and upwards towards the north, with the highest point being close to Highfield Road. There is also a shallow valley running through the site north-south.
- 7.4 To the east there is a mature hedge running from Hall Lane northwards until it almost meets the newer but substantial tree belt which runs up to a large pond situated outside of the site. Where the site cuts diagonally back towards Drayton Infant School the boundary is open to the fields beyond to the north. To the south there is a low bank between the site and the public footpath. There are a variety of boundary treatments on the west where the site butts up to the existing houses, including some substantial trees, fences and hedging.

8 PLANNING HISTORY

- 8.1 [20130885](#): Development of up to 200 Homes, allotments, access, public open space and associated infrastructure (outline). Approved by Committee, Decision issued 13 August 2015 with S106 Agreement.

- 8.2 [20130867](#): An Environmental Impact Assessment screening opinion was issued by the Local Planning Authority on 12 July 2013 concluding that the development proposed by the current application did not require an Environmental Impact Assessment.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the Development Plan and the National Planning Policy Framework (NPPF). Also whether the application contributes towards achieving sustainable development and the deficit in the five-year housing land supply.
- 9.2 The Development Plan for the area comprises the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 the Development Management DPD (DM DPD), the Site Allocations DPD and the Drayton Neighbourhood Plan.
- 9.3 The application site is located outside of the settlement limit that has been defined for Drayton by the Site Allocations DPD and therefore there is a presumption against development proposals unless they comply with a specific allocation and/or policy of the Local Plan. However, the application site is allocated for residential development under policy DRA1 of the Site Allocations DPD following the approval of the previous planning application. The JCS states that approximately 33,000 new homes will be built within the Norwich Policy Area by 2026 and Policy 9 states that smaller sites within the NPA must contribute 2,000 dwellings towards this target. This figure is a material consideration. Policy 12 of the JCS identifies Drayton as an urban fringe parish capable of accommodating small and medium scale housing growth.
- 9.4 Drayton is well-served and has a range of facilities, the majority within walking distance. These include: a doctors surgery, dentists, infant school, junior school, various convenience and specialist shops, butchers, public houses, the Bob Carter Centre with social club and public recreational facilities, a children's nursery, garage, commercial units, place of worship and more than one residential care home. Secondary education is provided for at Taverham High School around 2km from the site. It also has access to public transport direct into Norwich.
- 9.5 The allocation recognises that this is a sustainable location for new residential development and the principle is acceptable.
- 9.6 An application has previously been approved for up to 200 new homes and the main issue is the increase in proposed numbers up to 250 dwellings. Therefore, alongside Policy 12 of the JCS and the DRA1 housing allocation consideration should be given to the supply of land for housing in the NPA.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites. The JCS Annual Monitoring Report 2014-2015 explains that there is 87.8% of the required supply in the NPA or 4.39 years of a 5 year supply. In this regard, the policies of the JCS and the Site Allocations DPD relating to residential development have to be treated as out-of-date.

- 9.7 Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development and sets out that for decision taking, this means that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 9.8 A public exhibition was carried out by the applicant which up-dated local residents on the changes proposed since the approval of the previous application. The previous Statement of Community Involvement is also included as part of the submission. The main change is the increase in the proposed numbers of dwellings from up to 200 to up to 250. Because of this further detailed discussion has taken place with the Parish Council regarding the local concerns listed in section 5 above, these are dealt with below.
- 9.9 Through the consultation process residents have responded that the infrastructure in Drayton is not adequate to cope with the proposed increased development, with particular regard to the road network, the surface water drainage and flooding, capacity at the local schools and the Doctor's surgery.
- 9.10 Norfolk County Council has confirmed that both the infant and junior schools are indicating pressure on capacity and therefore contributions would be claimed to provide this through the CIL. They state that there is capacity at Taverham High School for the 11-18 year olds. The CIL would be required to mitigate pressure on the library service and fire hydrants would be secured through a condition of any approval.
- 9.11 Drayton surgery was consulted and has responded in support of the inclusion of an area of land adjacent to its building which was shown as being intended for future expansion but raised concern that this would not be sufficient. The applicant has been in discussion with the Practice Manager and as a result the proposed area to be set aside for expansion has now been increased in line with figures supplied by them. The indicative plan has been amended to show this and the Practice Manager has confirmed that this is acceptable. It is therefore considered that the medical centre would be able to meet the additional demand resulting from the development, the land could be used for additional car parking and/or an expansion of the building as the surgery

practice considers appropriate. Given the concerns this addresses it should be secured through the S106 with details required by a condition.

- 9.12 Anglian Water has advised that at present there is available capacity at Whitlingham Sewerage Treatment Works and there are no indications that the local electricity or gas supplies would be unable to serve the development proposed.
- 9.13 Concern has been expressed by local residents at the ability of the local highway network to cope with the increase in vehicular movements associated with the proposed development and the impact of the development on highway safety. In the determination of the previous application the proposal originally had a single point of vehicular access onto Hall Lane and following residents' representations and discussions with the Parish Council the applicant agreed to add a second point of access to the north of the site on to School Road, the current application retains both points of vehicular access.
- 9.14 The proposed development of up to 250 dwellings would significantly increase the number of dwellings served by Hall Lane and School Road and consequently increase the number of vehicular movements at the junction onto Fakenham Road and Reepham Road. However, a traffic assessment has been undertaken by the applicant which has shown there to be sufficient capacity at this junction to accommodate the development proposed. The Highway Authority has not challenged these findings and has raised no objection in principle to the scale or location of the development.
- 9.15 The presence of Drayton Community Infant School and Drayton Junior School on School Road means there is localised congestion when the schools open and close for the day and at lunchtime with the nursery change over. It is acknowledged by the Highway Authority that localised congestion and inconvenience occurs and the proposal would add to this but as this is only temporary and gone within approximately half an hour it is not considered that this forms a robust objection on highway safety grounds as required by paragraph 32 of the NPPF. It is not considered that the impact on residential amenity would be so severe that refusal on these grounds could be justified.
- 9.16 Pedestrian links are to be provided via Hall Road, School Road, Cator Road and Vawdrey Road. These links will encourage walking to both the Infant and Junior Schools and to the doctors' surgery. The Cator Road link would act as an emergency access with collapsible bollards of a type to be agreed but this can be resolved at reserved matters stage when road design is considered.
- 9.17 In response to some of the issues raised by local people and to mitigate against any additional highway impact which may result from the development a number of measures are required by the Highway Authority:

- A Travel Plan secured by condition and funding secured by S106.
- Section 106 contribution of £31,500 towards the bus stop improvements on School Road as defined above.
- Section 106 contribution of £30,000 towards Norfolk County Council implementing a suitable traffic calming scheme on Carter Road.

9.18 Significant concerns have been raised by local residents and the Parish Council relating to the existing drainage as localised flooding occurs in the vicinity. Given that the area of the site exceeds 1 hectare, the applicants were required to submit a Flood Risk Assessment with the application. The site is within Flood Zone 1, where the risk of flooding is considered to be low, but the applicant was still required to demonstrate that the development would not increase the risk of flooding elsewhere. A detailed flood risk assessment has been submitted with the application and proposals include a large attenuation lagoon to be constructed to the east of the site. The applicant has stated that the intention is to take account of the proposed new development and to also improve the existing situation through the use of SuDS therefore providing betterment in terms of drainage. A detailed design will need to be submitted with the reserved matters and the developers state that this will include further detail of the interceptor ditches proposed along the north-eastern site boundary to divert overland flow that would have crossed the site and instead direct it towards an attenuation lagoon. This will need to demonstrate that there will be no adverse impact on the downstream risk of flooding within Drayton and, where possible, provide betterment to the downstream risk of flooding. The Local Lead Flood Agency has considered the details and has no objection to the application in flood risk terms subject to the detailed conditions previously required by the Environment Agency being attached.

9.19 It is therefore considered that Drayton has the infrastructure capacity to accommodate the development proposed.

9.20 In developments of 16 or more dwellings, 33% affordable housing is required under Policy 4 of the JCS and therefore a development of 250 houses would equate to 83 dwellings. As the application is in outline the precise figures and the mix of type and tenure cannot yet be agreed. The applicant has agreed to meet this requirement and this can be secured through the S106 agreement. It is the intention that the affordable housing will be dispersed between phases and not all delivered in one part of the site. Should the application be approved, the Housing Officer has detailed what would be expected and the details would be finalised when the reserved matters application is submitted.

9.21 The indicative plans show areas of open space are to be provided on site and in addition Policy RL1 requires play equipment to be provided. The Council's Section 106 Monitoring Officer has calculated the requirements in terms of open space and equipped play areas as set out in paragraph 3.4 above. The

Parish Council has reiterated its previous request that some of this requirement could be used to provide a toddlers' play area at the existing Florence Carter Memorial Park. Given that this is very close to the southern part of the development and it is in the centre of the village adjacent to the nursery it was considered reasonable and secured in the previous S106 with a link to inflation. The figure would be based on the final number of approved dwellings.

- 9.22 Since the previous approval the DM DPD has been adopted and this places additional requirements on the developer. Policy EN3 requires mitigation of the impact of people visiting the protected natural areas further afield by encouraging access and recreation in the local area. Norfolk County Council has drawn up the aspirations for this area which includes increasing access to the wider area from the Parish of Drayton. Initial discussions with the Parish Council have suggested that a footpath should be provided from the infant school up to Reepham Road which would pass Longdale Park allowing safer access along School Road. The applicant has also indicated that footpaths could be incorporated along the north-east perimeter of the site, continuing along the tree belt and up to Reepham Road, then along Reepham Road to connect further to the north or back down School Road. These measures would allow existing and new residents to easily access the wider areas, including the woodlands to the north and can be required through the S106.
- 9.23 Given that the application is in outline the concerns raised about possible overlooking to existing properties cannot be addressed at this stage but will be considered in the Reserved Matters if the application is given approval.
- 9.24 In respect of the impact of the development on the character of the surrounding area, the site is on the edge of the existing built-up area and is an extension of this to the east. It is an agricultural field with few distinguishing features within it but it does have hedge and trees around the perimeter. To the south-west of the site are residential dwellings whilst agricultural land extends to the north and east. To the west of the site the dwellings are of varied form and appearance and it is suburban in character up to the Infant School, beyond which it becomes rural in character being an open field up to Reepham Road. The tree belt to the north which runs towards Reepham Road will remain and the proposal is to use this to create a new footpath link as part of the green infrastructure requirements. In addition the applicant has agreed to add a tree belt to the far eastern boundary around this side of the lagoon.

It is acknowledged that the proposed development would change this part of the village in terms of its character however views of the site from public vantage points are generally localised given the fall of the land down towards the village. It is considered that any visual impact will be local and that the development will have a neutral impact on the character and appearance of the wider landscape. As this is an outline application no details of the layout of the proposal are being considered, this along with all other details would be

required by condition to be submitted as Reserved Matters if Members resolve to grant planning permission.

The issue of density has been raised by local residents and the Parish Council. Whilst there is now no density requirement set out in planning guidance the Government's previous advice was that a density of 30 dwelling per hectare (dph) should be sought in residential development. In terms of considering sustainability of a site density should be maximised where the impacts are acceptable. The applicant has supplied the following density comparisons to the previous application; site area excluding lagoon is 11.9 hectares which results in 250 dwellings at 21 dph and 200 dwellings at 17dph. Site excluding lagoon, public open space and allotments is 9.03 hectares which results in 250 dwellings at 27dph and 200 dwellings at 22dph. This demonstrates that the density previously approved was low and the proposed increase is within the expected parameters for the site.

- 9.25 An ecological appraisal was submitted with the application however no comments were received by the District Ecologist. Notwithstanding this it is considered that the submitted ecology report is fit for purpose and officers agree with the conclusion that the site is of negligible to low value in ecology potential. As required previously and highlighted by local residents it is necessary to require further survey work in relation to possible impact on badgers. Also, in accordance with the NPPF, the development is required to provide ecological enhancements and accordingly the Reserved Matters should include additional landscaping to enhance the biodiversity and green corridors.
- 9.26 The submitted planning statement identifies that the site would provide at least 10% of the scheme's energy requirements from renewable or low carbon energy sources as required by Policy 3 of the JCS.
- 9.27 An archaeological desk-based assessment submitted with the previous planning application identified that there is some potential for heritage assets with archaeological interest of prehistoric and medieval to post medieval date to be present at the site and that their significance could be affected by the proposed development. There has been no change in circumstance which would affect archaeological remains therefore the previous condition requiring a programme of archaeological work to be carried out prior to the commencement of development should be attached to the current application.
- 9.28 There is one currently out-standing issue which relates to the consultation response from Norwich International Airport which has concern that the proposed balancing lagoon would be a major bird attractant and may result in a safety hazard. Discussions have been taking place between the airport and the applicant and it is understood a resolution should be possible as similar situations have occurred within the major developments proposed within the growth triangle. The Committee will be up-dated and the recommendation is

to delegate approval to the Head of Planning subject to a satisfactory resolution of this matter.

9.29 If Members resolve to grant planning permission, the application will need to be accompanied by a Section 106 Agreement to secure planning obligations in connection to the development. These include heads of terms to cover contributions towards and/or agreements to provide:

- Provision of affordable housing.
- Provision of on site allotments.
- Provision and maintenance of open space and play areas.
- Provision of Green Infrastructure.
- Securing an area of land to be reserved for an agreed period of time for the expansion of the Doctor's surgery.
- Maintenance of the attenuation lagoon.
- Highway Requirements: A Travel Plan funding, contribution of £31,500 towards the bus stop improvements on School Road, contribution of £30,000 towards Norfolk County Council implementing a suitable traffic calming scheme on Carter Road.

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

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

9.31 In this particular case, it is considered that the matters set out above meet the tests set out within the CIL Regulations. These benefits can therefore be taken into account in determining the application. The allotments are being offered following the public consultation and discussions with the Parish Council and are directly related to the development, they will therefore be secured through the S106 agreement. The Parish Council has requested contributions to the middle school swimming pool refurbishment and St Margaret's Church Hall refurbishment however these do not comply with the test set out above and the developer cannot be required to make a contribution.

- 9.32 In having regard to all matters raised, it is considered that this application will not have a significantly detrimental impact on the character and appearance of the area, residential amenity or highway safety. It is also considered that it will not result in increased flood risk.
- 9.33 Account must also be given to other material considerations in considering whether the increase in the number of dwellings is significant: Drayton is a sustainable location for new development given the level of services which it offers; there is not a five year supply of land for housing in the NPA and this development will contribute towards the shortfall in supply while also providing affordable housing. It is considered that all of these items are sufficient to justify approving the application.
- 9.34 The application is reported to Planning Committee as (1) the application is contrary to policy and (2) it has been called in by a Member for the reasons stated in paragraph 5.1 of this report.
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RECOMMENDATION: Delegate authority to the Head of Planning to **APPROVE** the application subject to the satisfactory conclusion of the issue of the lagoon raised by Norwich International Airport and drawing up of a Section 106 Agreement and subject to the conditions set out below:

Section 106 Heads of Terms:

- Provision of affordable housing.
- Provision of on site allotments.
- Provision and maintenance of open space and play areas.
- Provision of Green Infrastructure.
- Securing an area of land to be reserved for an agreed period of time for the expansion of the Doctor's surgery.
- Maintenance of the attenuation lagoon.
- Highway Requirements: A Travel Plan funding, contribution of £31,500 towards the bus stop improvements on School Road, contribution of £30,000 towards Norfolk County Council implementing a suitable traffic calming scheme on Carter Road

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) Prior to the submission of any reserved matters application for each phase or parcel of land an Implementation Phasing Plan for the whole site shall be submitted to and approved in writing by the Local Planning Authority. This will identify the phases of infrastructure, structural landscaping, boundary planting to the east and north of the site including around the perimeter of the lagoon, development parcels and details required in relation to any relevant conditions below. The development will be carried out in accordance with this plan.
- (3) Application for the approval of the "reserved matters" for each phase of the proposal shall include the relevant plans and descriptions of the:
 - (i) details of the layout;
 - (ii) scale of each building proposed;
 - (iii) levels across the site in relation to proposed and existing dwellings/buildings;
 - (iv) the appearance of all building(s) including the precise details of the type and colour of the materials to be used in their construction;
 - (v) details of the area of land adjacent to the doctor's surgery shall be identified for its future expansion;
 - (vi) detailed layout of the new allotments and associated car parking spaces, servicing and the means of enclosure;
 - (vii) details of the attenuation lagoon;
 - (viii) layout of the open space and play space to be provided on-site;
 - (ix) details of the footpath link to Vawdrey Road and the footpaths within the site;
 - (x) details of the bollards to be used at the emergency exits;
 - (xi) details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources.

Approval of these Reserved Matters must be obtained from the Local Planning Authority in writing before any development is commenced on the residential element of the proposal and the development shall be carried out in accordance with the details as approved.

- (4) The residential development hereby permitted must be begun in accordance with the Reserved Matters as approved not later than the expiration of ONE

year 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.

- (5) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below. The development shall be generally in accordance with the submitted Design and Access Statements.
- (6) No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.
- (7) Before any dwelling is first occupied the roads, footways and cycleways shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (8) All footways and cycleways shall be fully surfaced in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority in consultation with the Highway Authority.
- (9) Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:
 - (i) Visibility splays
 - (ii) Access arrangements
 - (iii) Parking provision in accordance with adopted standard
 - (iv) Loading areas
 - (v) Turning areas.
- (10) Prior to the first use of the access points to the adopted highway hereby permitted visibility splays at the access point shall be provided in full accordance with the details indicated on the approved plans numbered

B10062/TATP/006 Rev A and B10062/TA/001. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

- (11) No works shall commence on the site until the Traffic Regulation Order for the extension of the 30 mph along Hall Lane from the mini roundabout to a point past the proposed site access has been promoted by the Highway Authority.
- (12) 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.
- (13) Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- (14) 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 use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.
- (15) No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided.
- (16) Prior to the commencement of the construction of the first dwelling hereby permitted an Interim Travel Plan shall be submitted, approved and signed off by the Local Planning Authority in consultation with the Highway Authority.

No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to above shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

- (17) As part of each reserved matters application a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, and the drainage strategy outlined in the FRA by Kingdom Transport Planning Limited dated July 2013 and the updated FRA dated May 2016, shall be submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate that the surface water run-off generated up to and including the 1% (1 in 100) annual probability critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Infiltration testing in the locations of the proposed infiltration features, in accordance with BRE365, with the lowest infiltration rate used to model and design the nearby features.
 - Plans and drawings of the on-site infiltration features, along with modelling to demonstrate that they have been sized to contain the 1 in 100 year rainfall event including 40% additional rainfall to account for the impacts of climate change over the 100 year lifetime of the development (in accordance with the amended Environment Agency guidance).
 - Plans and drawings of the offsite interceptor ditches and infiltration basin and modelling to demonstrate that they are designed to contain and drain the offsite surface water flows in the 1% rainfall event without increasing flood risk elsewhere, even in more extreme rainfall events.
 - Plans and drawings of the overland flow routes in the extreme rainfall event along with details of where the water will flow and be stored to prevent flooding of buildings and prevent an increase in offsite flood risk.
- (18) Prior to the commencement of development details of the maintenance of the surface water drainage scheme for the lifetime of the development along with the future maintenance plan in accordance with The SUDS Manual (CIRIA C753) recommendations shall be submitted to and approved by the Local Planning Authority.
- (19) Development shall not 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 agreed foul water strategy unless otherwise approved in writing by the Local Planning Authority.

- (20) Prior to commencement of development the applicant shall carry out investigations/assessment of the whole site to confirm the viability of the on-site mineral resource for mineral extraction to the satisfaction of the Local Planning Authority. If the mineral resource is proved to be viable, the applicant considers whether it could be extracted economically prior to development taking place.
- (21) Prior to the commencement of each phase of the development a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - (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 4.2.6 of BS5837: 2005), 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 each phase of the 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. The development shall not take place otherwise than in accordance with the approved scheme.

- (22) As part of the reserved matters application further badger surveys and an assessment of these with any mitigation necessary shall be undertaken and submitted to the Local Planning Authority.

A Biodiversity Method Statement shall be submitted in line with BS42020:2013 Biodiversity – Code of Practice for Planning and Development and be agreed in writing by the Local Planning Authority prior to commencement. It should include details of actions to mitigate any potential impacts on great crested newts during both construction and the use of the site.

The landscaping scheme required by Condition 20 shall include details of the biodiversity enhancements as set out in the ecology report 'Phase 2 Surveys' paragraph 4.6 submitted 2 July 2013.

The mitigation and enhancements shall be carried out in accordance with a timetable agreed in writing with the Local Planning Authority.

- (23) For each phase of development, prior to the commencement of any work 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".

- (24) For each phase of development no works shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 – Trees in relation to design, demolition and construction - Recommendations (section 5.5 the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:
- (a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (paragraph 4.6.1) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

- (b) the details of each retained tree as required at paragraph 4.4.2.5 in a separate schedule.
- (c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree Work -Recommendations.
- (d) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 6.2).
- (e) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 para 6.2.2 and Figure 2), identified separately where required for different phases of construction work (eg demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- (f) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6.2).
- (g) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7).
- (h) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (paragraph 4.6.1) of any retained tree, including those on neighbouring or nearby ground.
- (i) the details of any special engineering required to accommodate the protection of retained trees (Annex A General advice for other interested parties), (eg in connection with foundations, bridging, water features, surfacing)
- (j) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees.
- (k) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of 'No-Dig' construction.

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.

- (25) Prior to the commencement of the development details of the installation of fire hydrants for that phase shall be submitted to and agreed by the Local Planning Authority. There must be 1 fire hydrant per 50 dwellings (rounded to the nearest 50th dwelling where necessary) which shall be on a minimum 90mm main and installed to the satisfaction of the Local Planning Authority in consultation with the Norfolk Fire Service.
- (26) For each phase of development, prior to the commencement of works a site investigation and detailed risk assessment must be completed to assess the nature and extent of any contamination on the eastern boundary of the site, whether or not it originated on the site. The report must include:
- (1) A survey of the extent, scale and nature of contamination.
 - (2) An assessment of the potential risks to:
 - Human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes.
 - Adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
 - The report must also include a revised and updated conceptual site model and detailed risk assessment. There must be an appraisal of the remedial options, and proposal of the preferred remedial option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and other accepted good practice guidance.

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

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

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

- (27) 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.

No development shall take place other than in accordance with the written scheme of investigation approved under this condition.

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 approved archaeological written scheme of investigation and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

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) 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.

- (4) 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.
- (5) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (6) 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.
- (7) 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.
- (8) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (9) To ensure satisfactory development of the site and a satisfactory standard of highway design and construction as required by policies GC4 and TS3 of the Development Management DPD 2015 and Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (10) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (11) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (12) 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.
- (13) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.

- (14) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (15) To prevent extraneous material being deposited on the highway in the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (16) To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with policy TS2 of the Development Management DPD 2015.
- (17) To prevent the increased risk of flooding, both on and off site for the lifetime of the development in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (18) To prevent the increased risk of flooding, both on and off site for the lifetime of the development in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (19) To prevent environmental and amenity problems arising from flooding in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (20) To ensure consideration of any safeguarded mineral resource in accordance with the Norfolk Minerals and Waste Core Strategy Policy CS16.
- (21) As part of the reserved matters application further badger surveys and an assessment of these with any mitigation necessary shall be undertaken and submitted to the Local Planning Authority.
- (22) To ensure the protection of wildlife in accordance with policy EN1 of the Development Management DPD 2015.
- (23) To ensure the protection of trees in accordance with policy EN2 of the Development Management DPD 2015.
- (24) To ensure the protection of trees in accordance with policy EN2 of the Development Management DPD 2015.
- (25) To secure a properly planned development (R: To ensure a properly planned development in accordance with policy GC4 of the Development Management DPD 2015.
- (26) To identify any possible contamination and ensure a properly planned development in accordance with policy GC4 of the Development Management DPD 2015.

- (27) To ensure a properly planned development in accordance with policy EN2 of the Development Management DPD 2015.

Informatives:

- (1) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (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. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 and the New Roads and Street Works Act 1991 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.
- (3) Public utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer. If required, street furniture will need to be repositioned at the applicant's own expense.
- (4) This development involves a Travel Plan to be implemented within the scope of a Legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Town and Country Planning Act 1990 or Highways Act 1980 are also obtained. The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority also requires a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge are secured by a Section 106 Legal Agreement. This is in addition to the sum payable for Planning Obligations covering infrastructure, services and amenities requirements. For residential development, Norfolk County Council offers a fully inclusive package covering the writing, implementation, on-going management and annual monitoring of a Travel Plan for 5 years post completion of the development. Developers are expected to enter into a Section 106 Agreement to secure the necessary funding before planning permission is granted.
- (5) Street lighting is a concurrent power of the County, District and Parish Councils. However, it is the County Council after consultation with the Local Lighting Authority (District or Parish Council) who decides whether street lighting is required on proposed public highways. Norfolk County Council will

challenge any automatic assumption that street lighting needs to be provided on part or all of the new development.

- (6) The applicant is advised that to discharge the condition relating to the proposed arrangements for future management and maintenance of the proposed streets that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
- (7) It has been brought to the LPA's attention that the site may have been used as a foot and mouth burial site in the past, it is not known if this is the case but it is the landowner's responsibility to ensure that the site is fit for development.

- (8) Main Plans and Documents (others available online):

Site Location Plan

Design and Access Statement

Planning Statement

AIA

Flood Risk Strategy Part 1

Flood Risk Strategy Part 2

Ecological Appraisal

Ecological Survey

The following plans are indicative only:

Indicative Site Layout

50 APPLICATION NUMBER 20161066 – LAND ADJACENT TO HALL LANE, DRAYTON

The Committee considered an outline application for the erection of up to 250 homes, allotments, access, public open space and associated infrastructure on land adjacent to Hall Lane, Drayton. It was proposed that the site would be served by two points of vehicular access: one onto Hall Lane to the south and one onto School Road to the north. If permission were to be granted, a Section 106 Agreement would be needed to secure the delivery of affordable housing (equating to 83 units for a maximum 250 dwellings); provision and maintenance of open space and play equipment; allotments; attenuation lagoon and travel plan. Furthermore, the applicant had agreed to include the payment of £31,500 towards the bus stop improvements on School Road and £30,000 towards Norfolk County Council implementing a suitable traffic calming scheme on Carter Road.

The application was reported to committee as (1) it was contrary to policy and (2) it had been called in by Mr Foulger for the reasons stated in paragraph 5.1 of the report.

The Committee received the verbal views of Mr Hall, Clerk to Drayton Parish Council and Mr Everett of 2a Manor Farm Close, Drayton both objecting to the application and Mr Carpenter, the agent, at the meeting. Mr Ray-Mortlock (Ward Member) and Mr O'Neill (Ward Member for Blofield & with South Walsham) both spoke against the number of properties being proposed.

The Committee took into account the fact that planning permission had been granted for up to 200 new homes and, therefore, the main issue was the increased in proposed numbers up to 250 dwellings.

The application site was located outside of the settlement limit which had been defined by the Site Allocations DPD and therefore, there was a presumption against development proposals unless they complied with a specific allocation and / or policy of the Local Plan. However, the application site was allocated for residential development under Policy DRA1 of the Site Allocations DPD following the approval of the previous planning application (ref: 20130885). The Committee acknowledged that the JCS stated that approximately 33,000 new homes would be built within the Norwich Policy Area by 2026 and Policy 9 stated that small sites within the NPA must contribute 2,000 towards this target. Therefore, this was a material consideration, with Policy 12 of the JCS identifying Drayton as an urban fringe

parish capable of accommodating small and medium scale housing growth.

The Committee took into consideration the supply of land for housing in the NPA and, in particular, Paragraph 49 of the NPPF which stated that relevant policies for the supply of housing should not be considered up to date if the LPA could not demonstrate a five year supply of deliverable housing sites. It was noted that there was currently 87.8% of the required supply in the NPA (equating to 4.39 years of a five year supply). Accordingly, the policies of the JCS and Site Allocations DPD relating to residential development had to be treated as out of date.

Also of significance was Paragraph 14 of the NPPF which set out a presumption in favour of sustainable development and where relevant policies were out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole.

Whilst concern had been expressed at the increase from 200 to 250 dwellings, the Committee noted that the density would equate to 27 dwellings per hectare which was similar to other major developments within the district (eg Pinebanks site) and was within the expected parameters for this site.

It was noted that a number of concerns had been raised on the infrastructure within Drayton with particular regard to the road network, surface water drainage and flooding, capacity and the local schools and doctors' surgery. The Committee took into account that all of these concerns had either been addressed by the appropriate consultee / statutory authority or would be dealt with through the imposition of conditions or the S106 legal agreement. Of particular note was the size of the area of land indicated for the expansion of the doctors' surgery, which was double the size under the previous planning permission.

However, there was one outstanding issue relating to the consultation response from Norwich International Airport and the proposed balancing lagoon which it considered would be a major bird attractant and may result in a safety hazard. The Committee noted that discussions were ongoing between NIA and the applicant and the officer recommendation was one of delegated authority to enable a satisfactory conclusion to be reached before planning permission was granted.

In conclusion, the Committee considered that, having regard to all matters raised, the proposal would not have a significantly detrimental impact on the character and appearance of the area, residential amenity or highway safety nor result in increased flood risk. Accordingly, the proposal represented an acceptable form of development in a sustainable location and there was justification to approve the application. Accordingly, it was

RESOLVED:

to delegate authority to the Head of Planning to approve application number 20161066 subject to the satisfactory conclusion of the issue of the lagoon raised by Norwich International Airport and drawing up of a Section 106 Agreement and subject to the conditions set out below:

Section 106 Heads of Terms:

- Provision of affordable housing.
- Provision of on site allotments.
- Provision and maintenance of open space and play areas.
- Provision of Green Infrastructure.
- Securing an area of land to be reserved for an agreed period of time for the expansion of the Doctor's surgery.
- Maintenance of the attenuation lagoon.
- Highway Requirements: A Travel Plan funding, contribution of £31,500 towards the bus stop improvements on School Road, contribution of £30,000 towards Norfolk County Council implementing a suitable traffic calming scheme on Carter Road

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) Prior to the submission of any reserved matters application for each phase or parcel of land an Implementation Phasing Plan for the whole site shall be submitted to and approved in writing by the Local Planning Authority. This will identify the phases of infrastructure, structural landscaping, boundary planting to the east and north of the site including around the perimeter of the lagoon, development parcels and details required in relation to any relevant conditions below. The development will be carried out in accordance with this plan.
- (3) Application for the approval of the "reserved matters" for each phase of the proposal shall include the relevant plans and descriptions of the:

- (i) details of the layout;
- (ii) scale of each building proposed;
- (iii) levels across the site in relation to proposed and existing dwellings/buildings;
- (iv) the appearance of all building(s) including the precise details of the type and colour of the materials to be used in their construction;
- (v) details of the area of land adjacent to the doctor's surgery shall be identified for its future expansion;
- (vi) detailed layout of the new allotments and associated car parking spaces, servicing and the means of enclosure;
- (vii) details of the attenuation lagoon;
- (viii) layout of the open space and play space to be provided on-site;
- (ix) details of the footpath link to Vawdrey Road and the footpaths within the site;
- (x) details of the bollards to be used at the emergency exits;
- (xi) details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources.

Approval of these Reserved Matters must be obtained from the Local Planning Authority in writing before any development is commenced on the residential element of the proposal and the development shall be carried out in accordance with the details as approved.

- (4) The residential development hereby permitted must be begun in accordance with the Reserved Matters as approved not later than the expiration of ONE year 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.
- (5) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below. The development shall be generally in accordance with the submitted Design and Access Statements.
- (6) No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and

approved in writing by the Local Planning Authority in consultation with the Highway Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

- (7) Before any dwelling is first occupied the roads, footways and cycleways shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (8) All footways and cycleways shall be fully surfaced in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority in consultation with the Highway Authority.
- (9) Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:
 - (i) Visibility splays
 - (ii) Access arrangements
 - (iii) Parking provision in accordance with adopted standard
 - (iv) Loading areas
 - (v) Turning areas.
- (10) Prior to the first use of the access points to the adopted highway hereby permitted visibility splays at the access point shall be provided in full accordance with the details indicated on the approved plans numbered B10062/TATP/006 Rev A and B10062/TA/001. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- (11) No works shall commence on the site until the Traffic Regulation Order for the extension of the 30 mph along Hall Lane from the mini roundabout to a point past the proposed site access has been promoted by the Highway Authority.
- (12) 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.

- (13) Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- (14) 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 use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.
- (15) No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided.
- (16) Prior to the commencement of the construction of the first dwelling hereby permitted an Interim Travel Plan shall be submitted, approved and signed off by the Local Planning Authority in consultation with the Highway Authority.

No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to above shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

- (17) As part of each reserved matters application a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the

development, and the drainage strategy outlined in the FRA by Kingdom Transport Planning Limited dated July 2013 and the updated FRA dated May 2016, shall be submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate that the surface water run-off generated up to and including the 1% (1 in 100) annual probability critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Infiltration testing in the locations of the proposed infiltration features, in accordance with BRE365, with the lowest infiltration rate used to model and design the nearby features.
 - Plans and drawings of the on-site infiltration features, along with modelling to demonstrate that they have been sized to contain the 1 in 100 year rainfall event including 40% additional rainfall to account for the impacts of climate change over the 100 year lifetime of the development (in accordance with the amended Environment Agency guidance).
 - Plans and drawings of the offsite interceptor ditches and infiltration basin and modelling to demonstrate that they are designed to contain and drain the offsite surface water flows in the 1% rainfall event without increasing flood risk elsewhere, even in more extreme rainfall events.
 - Plans and drawings of the overland flow routes in the extreme rainfall event along with details of where the water will flow and be stored to prevent flooding of buildings and prevent an increase in offsite flood risk.
- (18) Prior to the commencement of development details of the maintenance of the surface water drainage scheme for the lifetime of the development along with the future maintenance plan in accordance with The SUDS Manual (CIRIA C753) recommendations shall be submitted to and approved by the Local Planning Authority.
- (19) Development shall not 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 agreed foul water strategy unless otherwise approved in writing by the Local Planning Authority.
- (20) Prior to commencement of development the applicant shall carry out investigations/assessment of the whole site to confirm the viability of

the on-site mineral resource for mineral extraction to the satisfaction of the Local Planning Authority. If the mineral resource is proved to be viable, the applicant considers whether it could be extracted economically prior to development taking place.

- (21) Prior to the commencement of each phase of the development a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- (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 4.2.6 of BS5837: 2005), 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 each phase of the 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. The development shall not take place otherwise than in accordance with the approved scheme.

- (22) As part of the reserved matters application further badger surveys and an assessment of these with any mitigation necessary shall be undertaken and submitted to the Local Planning Authority.

A Biodiversity Method Statement shall be submitted in line with BS42020:2013 Biodiversity – Code of Practice for Planning and

Development and be agreed in writing by the Local Planning Authority prior to commencement. It should include details of actions to mitigate any potential impacts on great crested newts during both construction and the use of the site.

The landscaping scheme required by Condition 20 shall include details of the biodiversity enhancements as set out in the ecology report 'Phase 2 Surveys' paragraph 4.6 submitted 2 July 2013.

The mitigation and enhancements shall be carried out in accordance with a timetable agreed in writing with the Local Planning Authority.

- (23) For each phase of development, prior to the commencement of any work 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".

- (24) For each phase of development no works shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 – Trees in relation to design, demolition and construction - Recommendations (section 5.5 the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:
- (a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (paragraph 4.6.1) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

- (b) the details of each retained tree as required at paragraph 4.4.2.5 in a separate schedule.
- (c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree Work - Recommendations.
- (d) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 6.2).
- (e) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 para 6.2.2 and Figure 2), identified separately where required for different phases of construction work (eg demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- (f) the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6.2).
- (g) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7).
- (h) the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (paragraph 4.6.1) of any retained tree, including those on neighbouring or nearby ground.
- (i) the details of any special engineering required to accommodate the protection of retained trees (Annex A General advice for other interested parties), (eg in connection with foundations, bridging, water features, surfacing)
- (j) the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees.
- (k) the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of 'No-Dig' construction.

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.

- (25) Prior to the commencement of the development details of the installation of fire hydrants for that phase shall be submitted to and agreed by the Local Planning Authority. There must be 1 fire hydrant per 50 dwellings (rounded to the nearest 50th dwelling where necessary) which shall be on a minimum 90mm main and installed to the satisfaction of the Local Planning Authority in consultation with the Norfolk Fire Service.
- (26) For each phase of development, prior to the commencement of works a site investigation and detailed risk assessment must be completed to assess the nature and extent of any contamination on the eastern boundary of the site, whether or not it originated on the site. The report must include:
- (1) A survey of the extent, scale and nature of contamination.
 - (2) An assessment of the potential risks to:
 - Human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes.
 - Adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
 - The report must also include a revised and updated conceptual site model and detailed risk assessment. There must be an appraisal of the remedial options, and proposal of the preferred remedial option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and other accepted good practice guidance.

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

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

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

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

- (27) 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.

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

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.

- (2-4) 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.
- (5-9) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (10-11) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (12) 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.
- (13-14) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (15) To prevent extraneous material being deposited on the highway in the interests of highway safety in accordance with policy TS3 of the Development Management DPD 2015.
- (16) To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with policy TS2 of the Development Management DPD 2015.
- (17-18) To prevent the increased risk of flooding, both on and off site for the lifetime of the development in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (19) To prevent environmental and amenity problems arising from flooding in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (20) To ensure consideration of any safeguarded mineral resource in accordance with the Norfolk Minerals and Waste Core Strategy Policy CS16.
- (21) As part of the reserved matters application further badger surveys and an assessment of these with any mitigation necessary shall be undertaken and submitted to the Local Planning Authority.

- (22-24) To ensure the protection of wildlife in accordance with policy EN1 of the Development Management DPD 2015.
- (25) To secure a properly planned development in accordance with policy GC4 of the Development Management DPD 2015.
- (26) To identify any possible contamination and ensure a properly planned development in accordance with policy GC4 of the Development Management DPD 2015.
- (27) To ensure a properly planned development in accordance with policy EN2 of the Development Management DPD 2015.

Informatives:

- (1) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (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. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 and the New Roads and Street Works Act 1991 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.
- (3) Public utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer. If required, street furniture will need to be repositioned at the applicant's own expense.
- (4) This development involves a Travel Plan to be implemented within the scope of a Legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Town and Country Planning Act 1990 or Highways Act 1980 are also obtained. The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority also requires a Bond to ensure that the Travel

Plan targets are met. Both the Bond and the monitoring charge are secured by a Section 106 Legal Agreement. This is in addition to the sum payable for Planning Obligations covering infrastructure, services and amenities requirements. For residential development, Norfolk County Council offers a fully inclusive package covering the writing, implementation, on-going management and annual monitoring of a Travel Plan for 5 years post completion of the development. Developers are expected to enter into a Section 106 Agreement to secure the necessary funding before planning permission is granted.

- (5) Street lighting is a concurrent power of the County, District and Parish Councils. However, it is the County Council after consultation with the Local Lighting Authority (District or Parish Council) who decides whether street lighting is required on proposed public highways. Norfolk County Council will challenge any automatic assumption that street lighting needs to be provided on part or all of the new development.
- (6) The applicant is advised that to discharge the condition relating to the proposed arrangements for future management and maintenance of the proposed streets that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
- (7) It has been brought to the LPA's attention that the site may have been used as a foot and mouth burial site in the past, it is not known if this is the case but it is the landowner's responsibility to ensure that the site is fit for development.
- (8) Main Plans and Documents (others available online):
 - Site Location Plan
 - Design and Access Statement
 - Planning Statement
 - AIA
 - Flood Risk Strategy Part 1
 - Flood Risk Strategy Part 2
 - Ecological Appraisal
 - Ecological Survey
 - The following plans are indicative only:
 - Indicative Site Layout

The Committee adjourned at 11:03am and reconvened at 11:30am when all of the Members listed above were present for the remainder of the meeting.

APPLICATION NO: [20161066](#) – LAND ADJACENT TO HALL LANE / SCHOOL ROAD, DRAYTON

DEVELOPMENT OF UP TO 250 HOMES, ALLOTMENTS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE (OUTLINE)

1 BACKGROUND

- 1.1 At its meeting on 14 September 2016 (Minute no: 50 refers) Planning Committee resolved to approve outline planning permission for up to 250 homes on land adjacent to Hall Lane, Drayton, subject to a S106 Agreement which secured *inter alia* affordable housing. In paragraph 9.20 of the committee report the case officer stated that the applicant had agreed to meet the policy requirement to provide 33% affordable housing as part of the development.
- 1.2 Since the Committee's resolution to approve the application, there have been lengthy negotiations regarding the S106 Agreement and these negotiations are now reaching a conclusion. However, it is evident that current pressures on the housing market require potential flexibility in the provision of affordable housing. The applicant is therefore asking for a clause in the agreement that allows for a lower percentage of affordable housing in the event that a future developer can demonstrate, via a viability assessment, that 33% cannot be viably delivered.
- 1.3 Such a clause is consistent with Policy 4 of the adopted Joint Core Strategy (JCS) which states: *"The proportion of affordable housing sought may be reduced and the balance of tenures amended where it can be demonstrated that site characteristics, including infrastructure provision, together with the requirement for affordable housing would render the site unviable in prevailing market conditions..."*

2 OFFICER COMMENTS

- 2.1 The applicant's request to have greater flexibility in the S106 rather than a definitive requirement for 33% affordable housing is consistent with Local Plan Policy, notably Policy 4 of the JCS and the National Planning Policy Framework. However, Members are reminded that if the Planning Committee agrees to the clause referred to in paragraph 2.2 it does not automatically approve a reduction in the affordable housing provision. Instead, if a future developer wanted to pursue such a reduction, it would have to be subject to a separate viability appraisal, which will be assessed in the normal way.
- 2.2 Furthermore, officers are minded to introduce an additional revision to the S106 Agreement which will establish a 'clawback' clause. In the event that there is a reduction in the provision of affordable housing, this clause will

require a commuted sum to be paid towards the provision of off-site affordable housing if the profit arising from the development ultimately exceeds a pre-agreed profit margin.

3 CONCLUSION

- 3.1 Having regard to the above points it is considered that the proposed clauses are consistent with Local Planning Policy and National Planning Guidance and the inclusion of a clawback clause will also prevent any future developer benefitting from 'extra' profit if the future affordable housing provision is reduced.
- 3.2 It is therefore recommended that, notwithstanding paragraph 9.20 of the original Planning Committee report, the S106 Agreement is worded to enable greater flexibility in the provision of affordable housing subject to an appropriate viability appraisal. Furthermore, it is recommended that a clawback clause, as described in paragraph 3.2, is included in the S106 Agreement.

4 RECOMMENDATION

- 4.1 The Committee is **RECOMMENDED** to agree to revise the Section 106 as suggested in paragraph 3.2 above.

Phil Courtier
Head of Planning

Background Papers

Planning application [20161066](#)

For further information on this report call Matthew Rooke on 01603 430571 or e-mail matthew.rooke@broadland.gov.uk

28 APPLICATION NUMBER 20161066 – LAND ADJACENT TO HALL LANE / SCHOOL ROAD, DRAYTON: DEVELOPMENT OF UP TO 250 HOMES, ALLOTMENTS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE (OUTLINE)

Further to Minute no: 50 of the meeting held on 14 September 2016, the Committee considered a report by the Head of Planning outlining a request by the applicant for a clause in the Section 106 Agreement which would allow for a lower percentage of affordable housing in the event that a future development could demonstrate, via a viability assessment, that 33% could not be viably delivered.

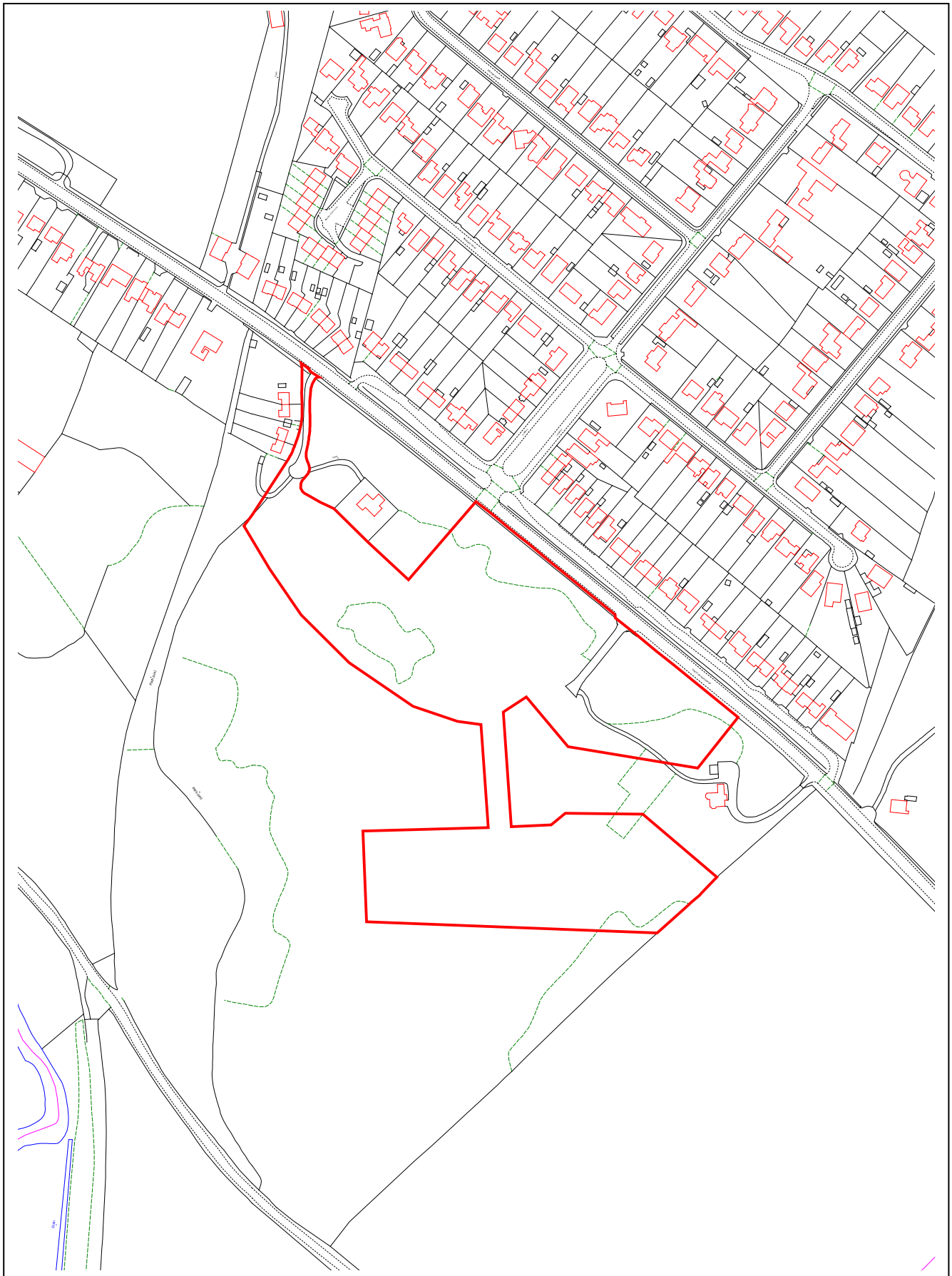
The Committee noted that such a clause was consistent with Policy 4 of the JCS and the NPPF. However, Members were mindful that agreeing to the revision would not mean an automatic approval in the reduction of affordable housing provision. If any future developer wanted to pursue such a reduction, it would have to be subject to a separate viability appraisal which would be assessed in the normal way.

In addition, Members concurred with the officers' view that an additional revision should be made to the S106 Agreement which would establish a "clawback" clause. This would mean that, in the event of a reduction in the provision of affordable housing, a commuted sum would be required to be paid towards the provision of off-site affordable housing if the profit arising from the development ultimately exceeded a pre-agreed profit margin.

Accordingly, it was

RESOLVED:

to agree to revise the Section 106 Agreement as outlined above.



Application No: 20170196

Former David Rice Hospital Site, Drayton High Road, Drayton

**Scale:
1:3500**

**Date:
22-Sep-17**



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PLAN NO: 3

APPLICATION NO: [20170196](#) – ERECTION OF 29 DWELLINGS AND ASSOCIATED ACCESS – INCLUDING 10 AFFORDABLE DWELLINGS (OUTLINE) – REVISED PROPOSAL AT FORMER DAVID RICE HOSPITAL, DRAYTON HIGH ROAD, DRAYTON

1 BACKGROUND

- 1.1 At its meeting on 4 October 2017 (Minute 48 refers), Planning Committee resolved to delegate authority to the Head of Planning to grant outline approval as the development was considered to contribute to the housing supply deficit in the Norwich Policy Area (NPA), subject to no adverse comments in respect of the outstanding issues; the satisfactory completion of a S106 Agreement with heads of terms specified and subject to conditions as set out in the original report (attached as an appendix).
- 1.2 The outstanding issues at the time of considering the original report were that the comments of Natural England were awaited and that officers needed to secure suitable refuse collection proposals. Taking these in turn, Natural England raised no objection, as reported in the supplementary schedule. Following the Committee meeting revised plans showing the refuse collection proposals were submitted which have been considered and accepted by the Council's Contracts officer. It is considered that there are no adverse comments in these respects. The details of the S106 Agreement have been negotiated and are not disputed; the Agreement is very close to being completed but the S106 to date is unsigned.
- 1.3 On 14 March 2018 the Greater Norwich Growth Board published the Joint Core Strategy draft annual monitoring report. Members are advised that a key material consideration in regards housing land supply in the Norwich Policy Area (NPA) is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence and forms part of the [Joint Core Strategy for Broadland, Norwich and South Norfolk: Draft Annual Monitoring Report 2016-17](#). For the NPA there is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.

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

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

In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits where it accords with a specific allocation and/or policy of the development plan and does not result in any significant adverse impact.

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

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

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

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

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

- 1.4 It is therefore necessary for the Planning Committee to re-consider those applications in the Norwich Policy Area that it previously resolved to approve where the decision has not been issued. 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.

2 THE ISSUES

- 2.1 The site has not been allocated for housing and is outside but adjacent to the settlement limit as defined for Drayton and is considered to be in a sustainable location being accessed from Drayton High Road, on a main bus route to and from Norwich and close to the amenities and facilities of Drayton and Hellesdon. The site itself benefits from an extant planning permission for a church / community building of 2,020m² and the land in the applicant's ownership to the south of the application site represents a significant area of publically accessible informal open space.

- 2.2 In summary the current planning application for 29 houses, in outline form provides the following elements:

Affordable housing

- 2.3 The affordable housing provision is marginally above the policy requirement at 34% of the total development (10 units) and the house sizes, mix and tenure of the affordable housing meet the Council's Housing Enabler request, which is:

Affordable Rent Tenure – 6 units (60%)

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

Intermediate Tenure – 4 units (40%)

3 x 2 bedroom houses
1 x 3 bedroom house

Commuted sum

- 2.4 As the proposals are submitted in outline form it is not possible to specify the precise commuted sum that the development will generate as this is calculated on the total number of bed spaces which will be set at the reserved matters stage. However it is estimated that the development is likely to generate approximately £47,490.22 (to be index linked from January 2015 figures). This sum will be passed to Drayton Parish Council for it to spend on improving and maintaining facilities for children's play, formal recreation and allotments within the parish.

Other benefits

- 2.5 The applicant has confirmed that the large area of open space to the south of the application site will be retained as publically accessible informal open space and this will form the green infrastructure provision for the development required by Council policy. In addition pathways are proposed from Drayton High Road through the housing development to the open space so that it is accessible to residents and non-residents of the development. The open space and pathways will be provided and maintained in perpetuity at the applicant's expense.
- 2.6 The open space that this development will secure is an important part of the wider green infrastructure proposals for the area that will provide footpaths and cycle ways within the countryside and connect to Drayton village centre and Hellesdon, as advocated in the draft West Broadland Green Infrastructure Project Plan and the adopted Drayton Neighbourhood Plan.
- 2.7 The development allows detailed conditions to be imposed which require the submission of ecological and landscape enhancement proposals for the application site and the adjoining large open space which set out a long term management programme to secure the necessary enhancements which the wider community will benefit from. This would not be possible on private land without the approval of the planning application.
- 2.8 It is noted that the proposals are in outline form and the final designs of the houses are not yet submitted however officers expect that they will represent a high quality individually designed, contemporary housing scheme within an attractive landscape setting which will raise the standards of design and architecture within the district and beyond. To assist with the Council's supply of self-build / custom build plots, the applicant has agreed that a proportion of the market houses will be available as self-build / custom build housing which will assist the Council in meeting this government requirement.

3 ASSESSMENT

- 3.1 As stated at paragraph 1.4 it is necessary to assess the benefits of the planning application and any harm that would be caused in the context of the relevant development plan policies and the NPPF and in particular with reference to the three dimensions to sustainable development (economic role, social role and environmental role). In this case the key benefits of the planning application are set out in section 2 of this report and it should be noted that the previous committee report set out in detail the comments received in respect of the application together with a detailed assessment of the issues within the appraisal section including an evaluation against the development plan policies and the NPPF, at its meeting on 4 October 2017 Planning Committee concluded that any adverse impacts of the development did not significantly and demonstrably outweigh the benefits.

- 3.2 In turning to the three dimensions to sustainable development:

Economic role

- 3.3 The NPPF confirms the economic role as: *“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.”*
- 3.4 The development of the site would result in some short term economic benefits as part of any construction work which will support growth in the area. The development represents a high quality individually designed, contemporary housing scheme within an attractive landscape setting and will encourage innovative design techniques which will raise the standards of design and architecture within the district and beyond. In the longer term the economy will benefit from local spending from the future occupants of the dwellings. It is therefore considered that the scheme would bring forward a level of economic benefit.

Social role

- 3.5 The NPPF confirms the social role as *“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”*
- 3.6 As set out in paragraphs 2.5 – 2.6 the development proposes a significant area of publically accessible open space associated with the development and the wider green infrastructure linkages to the surrounding area together with the location of the site next to a main bus route to and from Norwich in a

location close to the existing facilities and amenities of Drayton are considered to support the health, social and well-being of residents and meets the social dimension to sustainable development.

- 3.7 The development proposes an affordable housing provision that is marginally above the policy requirement and includes a tenure mix and house sizes that meet the Council's Housing Enabler's request, this is an important element of the social aspect of the development.
- 3.8 The development will be liable for CIL and a commuted payment will be made to the Parish Council for them to improve and maintain a wide range of recreational facilities within the parish. These improved facilities will be available for the residents of the development and the residents of the parish to use.
- 3.9 For the reasons set out above, it is considered that the proposals give strong support to the health, social and well-being needs of residents and reflects the wider needs of the community; the proposals meet the social dimension to sustainable development.

Environmental role

- 3.10 The NPPF confirms the environmental role as *"contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."*
- 3.11 In assessing the environmental role the development includes detailed requirements for landscape and ecological enhancements as part of the development so that the biodiversity interests of the site will be carefully considered and be protected, low carbon technologies will be utilised as part of the development and in combination it is considered that the proposals meet the environmental dimension to sustainable development.

4 CONCLUSION

- 4.1 Whilst the housing land supply that is apparent in relation to the most up-to date evidence of housing needs should be given weight in the decision making process, this factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery. Notwithstanding this, in this case there are considered to be limited adverse impacts associated with the development and there are clear and significant economic, social and environmental benefits associated with the development and in the circumstances the resolution of Planning Committee on 4 October 2017 is maintained and the outline application should still be approved.

5 RECOMMENDATION

- 5.1 Accordingly, it is **RECOMMENDED** that officers complete the S106 Agreement as per the agreed Heads of Terms to allow the outline application to be approved as per the conditions as agreed by Planning Committee on 4 October 2017 (detailed in the Minutes attached as an appendix).

Phil Courtier
Head of Planning

Background Papers

Planning application 20170196

For further information on this report call Matthew Rooke 01603 430571 or email matthew.rooke@broadland.gov.uk

AREA West
PARISH Drayton

1

APPLICATION NO: [20170196](#) **TG REF:** 618971/313031
LOCATION OF SITE Former David Rice Hospital, Drayton High Road, Drayton, NR8 6BH
DESCRIPTION OF DEVELOPMENT Erection of 29 dwellings and associated access – including 10 affordable dwellings (outline) – revised proposal
APPLICANT The Lind Trust, Drayton Hall, Hall Lane, Drayton, Norwich NR8 6DP
AGENT Les Brown Associates, 1A Church Field, Attlebridge, Norwich, NR9 5TH

Date Received: 2 February 2017
13 Week Expiry Date: 4 May 2017

Reasons at Committee: (1) Call in by Councillor Foulger as he considers that this is a sensitive application with considerable local community interest and (2) as the recommendation to approve is contrary to the Development Plan.

1 THE PROPOSAL

- 1.1 The application seeks outline approval for 29 dwellings of which 10 are to be affordable houses (34% affordable housing). For consideration at the outline stage are matters of access, layout and scale, with appearance and landscaping, reserved for future consideration under a reserved matters application. In terms of access the proposed development is to be served from an upgraded junction in the position of the existing access. In terms of layout, plans have been submitted to identify the position of the proposed dwellings and their plots are shown in a low density arrangement mainly across the northern margin of the former hospital site, interspersed between trees and woodland and are positioned outside of the most sensitive ecological parts of the site. The dwellings are indicated to be designed in a contemporary form with angular, split level forms and modern external materials. The scale of the housing development has been specified in the Design & Access Statement as not exceeding two storeys (8.7m).
- 1.2 The proposed 10 affordable housing units have a tenure split of six units for affordable rent tenure (ART) comprising 3 x 1 bedroom (2 person) houses; 2 x 2 bedroom (4 person) houses and 1 x 3 bedroom (6 person) house which are

to be located in the north eastern part of the site, arranged as three semi-detached houses (plots 24-29), with four intermediate tenure units comprising 3 x 2 bedroom houses and 1 x 3 bedroom house which are located in the central part of the site (plots 20-23). The intermediate tenures will be shared ownership or shared equity dwellings.

- 1.3 The applicant has agreed that up to two of the market plots could be provided as self-build or custom build units.
- 1.4 The application is in its amended form as the internal road hierarchy has been changed together with revisions to the vehicular access on Drayton High Road incorporating a new 2m wide footway to part of the site frontage linking to a re-located bus stop on the south side of Drayton High Road to the west of the access and an additional pedestrian refuge is provided to the east of the access to assist crossing of Drayton High Road. The proposals include a right turn lane into the site and road widening within the site frontage.
- 1.5 In addition, further revised plans and information has been submitted which has removed a separate private drive on the western part of the site and re-positioned 3 of the ART units (previously plots 20-22) to be combined with the three other ART units in the north eastern part of the site. An addendum tree report has been submitted which details the arboricultural implications of the alterations to the site frontage with the road widening and footway works and a revised drainage report.
- 1.6 Revised plans have been submitted to identify the refuse bin collection proposals which allow collections from the adopted County highways and provide communal collection points at the start of the respective private drives.

2 KEY CONSIDERATIONS

- Whether the proposed development accords with the provisions of the development plan including the Drayton Neighbourhood Plan and the Minerals and Waste Plan, the National Planning Policy Framework (NPPF) and Planning Practice Guidance.
- The lack of a five-year housing land supply in the Norwich Policy Area (NPA).
- The planning history of the site.
- Whether the proposed development results in a significant detrimental impact upon the character and appearance of the surrounding area, ecology and biodiversity, highways issues, residential amenity, trees, drainage and the high pressure gas pipeline.

3 CONSULTATIONS (in summarised form)

3.1 Drayton Parish Council:

Reluctantly supports the application to a maximum number of 29 dwellings, subject to the following:

- The rear of the site is safeguarded from future developments by being handed over to a statutory body such as, but not limited to, Norfolk Wildlife Trust by a legal and binding agreement in perpetuity.
- The two footpath access points and access through the site as proposed is strictly adhered to and allowed in perpetuity.
- A further Highways consultation takes place regarding the access, speed limits on the A1067 and consideration is given to relocating the bus stop further away from the main vehicular access serving the development.
- Should this application gain approval, the Parish Council reiterates its position in that it does not require footway lighting on this development, nor would it manage, maintain or pay the energy costs should footway lighting be provided by another party.

Comments on revised submission:

No objection to amendments and support the application.

Comments on further revised submission:

No objection, would like to raise the issue of who will be responsible for the maintenance of the landscaping? Also the new hedging either side of the permissive footpath is appreciated but this should not be allowed to grow too tall so that it becomes intimidating.

3.2 Highway Authority:

Does not wish to object to the principle of the proposal, but requests revisions to specific points.

Comments on revised submission:

No objection subject to the imposition of highways conditions and an informative.

3.3 Lead Local Flood Authority:

The proposal falls below the LLFA threshold for detailed comment. It is for less than 250 dwellings or 5 ha in size & it's not within a surface water flow path. The LPA should satisfy itself that the applicant has demonstrated compliance with:

- Paragraph 103 of the NPPF by ensuring that the proposal will not increase flood risk elsewhere,
- Written Ministerial Statement HCWS 161 by ensuring that Sustainable Drainage Systems for the management of run-off are put in place.

The applicant should also demonstrate how the proposal accords with national standards and guidance. If the proposal does not accord with these the applicant should state their reasoning. The key guidance is within the PPG (Flood Risk & Coastal Change), non-statutory standards for sustainable drainage systems & the SuDS Manual. See also the County Council's standing advice.

Comments on revised submission:

No objection to the revised FRA and drainage strategy subject to the imposition of conditions in respect of flood risk and drainage.

3.4 County Ecologist:

The development will inevitably lead to some reduction in ecological value, there are clear opportunities to enhance the remaining areas for biodiversity. On balance, the development as proposed is probably acceptable provided suitable conditions to protect and enhance biodiversity are in place. Recommends conditions for a Construction Ecological Management Plan and a Landscape & Ecological Management Plan.

Comments on further revised submission:

No additional comments to make, previous comments still apply.

3.5 County Minerals & Waste Team:

Object, the site is underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Norfolk Minerals & Waste Strategy and Core Strategy, CS16 is applicable as are paras. 143 & 144 of the NPPF. The objection stands until:

- The applicant carries out an investigation / assessment across the site including particle size distribution testing to confirm the viability of the resource for mineral extraction, and
- If the mineral resource is proved to be viable, the applicant considers whether it could be extracted economically prior to development taking place.

The documents submitted in support of the application should be updated to include the assessment of the presence of safeguarded mineral resources on site and consideration of prior mineral extraction with reference to the NPPF, the JCS and the adopted Minerals and Waste Core Strategy.

Further comments:

Mineral safeguarding operates to prevent needless sterilisation of mineral resources by non-mineral development. Therefore it would be entirely appropriate to limit site investigations to areas which would be permanently developed, as undeveloped areas are not sterilised for potential use by future generations. There remains potential for sand and gravel extracted from areas such as groundworks to be re-used. Request the imposition of a suitably worded pre-commencement condition.

3.6 Historic Environment Service:

There is potential for surviving heritage assets with archaeological interest (buried archaeological remains) of prehistoric date to be present and for significance to be affected by the development. If permission is granted request condition to secure a programme of archaeological mitigatory work in accordance with NPPF paragraph 141.

3.7 National Grid:

It appears that that the pipeline easement / building proximity distances have been considered, therefore we have no objections subject to the imposition of this condition:

‘All works within the easement are to be notified to National Grid plant protection.’

3.8 Health & Safety Executive:

Does not advice, on safety grounds against the granting of planning permission in this case.

3.9 Natural England:

Comments awaited.

3.10 Anglian Water:

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development that may affect the layout. There is considered to be available capacity for foul drainage. Development will lead to an unacceptable risk of flooding downstream. Request a condition requiring compliance with the drainage strategy. The submitted surface water strategy / FRA is acceptable and requests that the planning approval reflects them and that conditions are imposed in respect of a foul water strategy and treatment of hardstanding areas in accordance with the surface water strategy.

3.11 County Infrastructure and S106 Team:

Funding for the resulting early education places, school places and library improvements will be expected through CIL. A planning condition is requested for the provision of a fire hydrant (currently at a cost of £816). In addition connections into the local Green Infrastructure (GI) network, including public rights of way and ecological features, should be considered alongside the potential impacts of development. Direct mitigation and GI provision should therefore be included within the site proposal. Mitigation for new and existing GI features identified as strategic shall be funded by the development. These requirements for consideration and implementation, for both on and off-site GI provision, will help the local GI network to facilitate the development without receiving negative impact and equally allow the development to integrate and enhance the existing network.

GI within this proposal should respond to the Greater Norwich Green Infrastructure Strategy (2007) which informs the JCS, adopted January 2014. Development proposals are expected to fit with strategic visions for the area and respond to corridors as outlined in the JCS. In line with the requirements of the JCS and the Greater Norwich Green Infrastructure Strategy (2007), the application needs to provide specific footpath links between existing public rights of way, specifically Drayton FP18 through Drayton Woods to the north-east of the site, and Drayton FP02 to the western boundary. This access in particular needs to be considered in light of existing and long-standing informal access over the site from which it is likely that public rights could have been established and be claimed under Section 31 of the Highways Act (1980).

Such a link would help to deliver the objectives of an enhanced GI corridor in the north-west zone of greater Norwich and is fully compliant with paragraph 75 of the NPPF '*Planning policies should protect and enhance public rights of*

way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks'. Provision of these links would help to integrate the site with the existing GI network, respond to the objectives of the Drayton Neighbourhood Plan and formalise existing informal access.

District Council Consultees:

3.12 Conservation Officer (Arboriculture & Landscape):

Drawing No. 8186-SKO8- Rev 02 - Shading Plan & Proposed Site Plan and the details within Appendix 4, has been provided and this demonstrates the potential overshadowing to the dwellings and garden space, it appears that no units would encounter excessive amounts of shade and the overshadowing experienced is considered to be acceptable and would not impact on the quality of life of any future residents.

- The position of plot 12 has been moved northwards and the layout changed to reduce its proximity to the adjacent trees, whilst this change has taken account of my previous comments, I am not convinced that this area of the site is suitable for a dwelling, due to the topography and large mature trees.
- Changes have been made to plot 14, previously shown as plot 15, with the layout being altered, the changes appear subtle, although additional space has been achieved between the existing trees and the dwelling.
- Plot 17 now sits south west of where plot 18 was located and within the area that will be created after T46 is removed.
- Plot 19 is located west of the previous location of plot 20 and within the area that will be created after the removal of T12.
- The area previously shown for plot 22 is now clear of development.
- Appendix 3 of the Tree Survey covers the replacement planting, and the plans proposed are acceptable as mitigation for the trees to be removed and also as an enhancement to the site, the inclusion of existing saplings as 'volunteer trees' would be welcomed to supplement the aims of the scheme.
- Details of the specific plant specifications, materials and maintenance regime will be required as part of the landscaping scheme.

Comments on further revised submission:

- The changes proposed to the relocation of the plots 20-22 to the clearing at the north eastern corner of the site are an improvement and resolve the issues we anticipated with the creation of a new access off the private road to the north west of the site and associated tree constraints.
- Having read through the addendum to the Tree Survey which relates to arboricultural matters and the proposed road widening to facilitate the right turn lane and required highway visibility splays, the loss of 226m of existing established hedgerow is regrettable but appears to be a key element of the delivery of the development and is required by the Highway Authority on safety grounds.
- The replacement planting scheme proposed as mitigation for the loss of the existing hedge and T37a; appears to be comprehensive and would adequately replace the trees removed once they have established and would provide an increase of 34m of additional hedgerow within the site.
- The additional visibility requirements can be achieved with the remedial pruning works specified within the tree surgery section of the report.

3.13 Design Adviser:

The revised scheme has rationalised the layout and results in a form of development which responds better in design terms to the existing ecological, arboricultural features and landscape quality. The treatment of the private garden spaces will need to be clarified at this stage. The contemporary approach is considered to be appropriate in this sensitive location. The low density, low visual impact approach will need to be followed through to the reserved matters proposal.

3.14 Environmental Contracts Officer:

Do not expect the refuse collection vehicle (RCV) to leave the type 3 and 4 (adopted) roads on this site, the developer needs to look again at collections on the private driveways as we would expect a communal collection point at the start of each private drive. The developer should make provision for shared private driveways as in the planning guidance section 4.6.4, there should be a communal collection point nearest the highway and as a general rule this collection point should not be more than 5 metres from the position where the RCV will park to empty the bin. It should also take into account that each property may have 2 bins collected on a given day. I can see no exceptional reason for the collection crew to walk 15 metres up a private driveway when collection points can be placed within 5 metres of the adoptable highway surface. Potential buyers should be made aware of this waste collection arrangement by the developer.

Request the following:

- Detail of the waste collection point for plots 20, 21 and 22 as the access to these is not shown.
- New collection points for plots 01, 02, 03, 04, 05, 06, 07, 08, 11, 12, 18, 19, 23, 24, 25, 26, 27, 28 and 29 at a point close to the adoptable highway.

Can the developer confirm that the type 3 and 4 roads can accommodate a 12.5m long vehicle as specified in the planning guidance notes?

Comments on revised submission:

The plan still shows bin collection points along private drives (although the plan states '*private drives to be constructed to adoptable standards suitable for refuse vehicle access and turning*'). The RCV will not go onto any private drives and communal collection points need to be provided on the adopted roads where this is the case. An updated plan to show this would be good.

Comments on further revised submission:

Comments awaited.

3.15 Housing Enabling Team:

Encouraged that the applicant now proposes the correct number of affordable units for this site. Using housing list data for Drayton it can be seen that the predominant affordable housing need is for one & then two bedroomed units for affordable rent tenure (ART). All units for ART will need to meet level 1 space standards to achieve the space requirements of RPs working within the District. For this site up to a third of the ART units will be for those with a local connection to Drayton (current resident, working or caring connection) as per the housing allocation policy.

Comments on further information:

All the affordable units will meet the minimum space standards required by RP's. We would generally include the local lettings within the S106 as part of the affordable housing standard clause. Since the changes to the housing allocation policy (2012) all sites should include 'up to a third for local lettings' for ART units. Unless it is an exception site in which case the more extensive cascade is used with adjoining parishes.

Comments on revised submission:

No objection to the revised positions of the affordable housing which retains the agreed tenure mix and house sizes.

3.16 Section 106 Officer:

The proposals don't include any on-site formal recreation provision or allotments and therefore the policy requirements in these respects will have to be provided by a commuted sum to be paid so that the Parish Council can improve existing facilities or provide new facilities. It is understood that the green infrastructure provision will be provided on-site and maintained at the applicant's expense. The total commuted sum arising from this development is £47,490.22 to be increased by the inflation provision.

3.17 Pollution Control Officer:

There is no assessment of the ground conditions submitted with the application. Upon further consideration the requested details can be dealt with by condition.

Other consultees:

3.18 Norfolk Wildlife Trust:

We previously highlighted the need for further consideration of impacts on the Lizard Orchid and the need to give further consideration of adjacent habitats, within the blue line. We note that a Preliminary Ecological Assessment (PEA) has been submitted that goes some way to addressing the concerns previously expressed. Greater consideration has been given to the need to protect the Lizard Orchid in the location where it has flowered in previous years. We still have some concerns regarding the limited area to be protected during construction and managed into the future. The PEA makes the assessment that the habitats of the wider site are of medium value at the County scale, which accords with our view that the major portion of the site is of County Wildlife Site value. Although we are pleased that the areas of botanical interest around the footprint of the previous building have in the main been avoided, the value of the site should be taken as a whole and the presence of the housing further into the site will have an impact on areas outside of the red line. As a consequence there will inevitably be some loss of ecological value. In order to ensure that this loss is mitigated, the whole area outside of the red line should be managed in order to protect and enhance its biodiversity value.

If approved this should be in the context of the ecological value of the whole site (red & blue land). Any approval will need to ensure that measures are put

in place to ensure mitigation of impacts across the whole site, including impacts on the Lizard Orchid. Conditions should be imposed to ensure the following:

- A Construction Ecological Management Plan (CEMP) is put in place before works commence in order that biodiversity is protected during the construction phase. The CEMP needs to take full account of measures required to protect the Lizard Orchid.
- A Landscape Ecological Management Plan (LEMP) is produced for the whole area. This should include costed measures to ensure the ongoing management of the site and should also address access as the site is well used by the general public. In parallel there should be a clear mechanism put in place setting out the bodies that will be responsible for overseeing the plan and how management will be funded.

We strongly recommend that the owners are encouraged to agree to designation of the blue land as a County Wildlife Site. NWT is able to advise on the procedures for taking forward designation.

3.19 Norfolk Constabulary – Police Liaison:

The developers are clear that they want to maintain the local community links with present amenities but it is important to provide secure perimeters to the rear and side of the dwellings as unfortunately offenders can use these same access points. For more secluded side and rear boundaries it is recommended that a suitable 1.8m boundary treatment be implemented to prevent uninvited access – if post & wire fencing is used it should incorporate hedging at an appropriate density and height. The development should seek to achieve standards set out by ‘Secured by Design’ which reduces the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments.

3.20 Campaign for the Protection of Rural England – CPRE:

Object, consider that the proposals contravene various objectives, themes and policies within the Drayton Neighbourhood Plan being objective 1; Policies 1b, 1c & paragraph 4.18.

3.21 Taverham Parish Council:

- The number of affordable houses has increased and is more widely distributed through the development.
- Only the main road would be adopted and concern was raised whether there would be lighting along the un-adopted roads.

- The areas for bat roosting would be unaffected and the remaining land, not part of the proposal, would be given to Norfolk Wildlife Trust and it was felt that the view from the Wensum Valley needed to be carefully considered.
- Drayton High Road should be widened slightly to allow for a right turn lane into the site.
- The car parking provision for each dwelling would be inadequate for modern standards and any garages must be constructed large enough for modern cars.

Comments on revised submission:

- Revised proposal was very similar to previous application.
- Drayton High Road was to be slightly widened but concern was raised as to the position of the relocated bus stop and the pedestrian crossing, it was felt that they should be located closer together to interrelate.
- It was felt that the roadway leading to the affordable housing should be fully adopted.

4 PUBLICITY

4.1 Site Notice:

Expired: 8 March 2017

4.2 Press Notice:

Expired: 14 March 2017

4.3 Neighbour Notification:

60 letters sent to addresses on Drayton High Road, Hurn Road, Howell, Road, Magnay Road and Delane Road, Drayton and addresses from beyond Drayton that commented on the previous application.

Expired: 8 March 2017

Re-consultation on further revised submission:

Expired: 12 September 2017

5 REPRESENTATIONS (in summarised form)

5.1 43 letters received objecting to the proposals on the following grounds & 17 letters raising the following comments:

- There is enough development taking place across Norwich and the development of this site is not needed.
- The public services ie hospital, schools and doctors can't cope with the extra housing.
- The County's roads are of a low standard, Drayton High Road is often gridlocked now, and will be more so especially if this development together with others including the Royal Norfolk Golf course development goes ahead. It is hard enough to get onto that road during rush hour without more cars adding to the problem.
- Development should be on brownfield sites.
- The road junction with Hurn Road together with the bus stops, pedestrian refuge island and proposed right turn lane are all very dangerous when combined with the extra cars using the proposed access raises grave concerns. This contravenes objective 3 of the Neighbourhood Plan which 'facilitates improvements in traffic'.
- The site is at present used by dog walkers, joggers and walkers and the valuable, natural and beautiful green space should be retained for them.
- The site is home to the rare Lizard Orchid this is the first time in 60 years that it has been found in Norfolk and has flowered the last two years.
- The unspoilt views of the Wensum Valley will be lost.
- There isn't going to be any green places left in Drayton soon if houses keep being put up everywhere.
- No changes have been made to the previous application which was turned down and this should be the same.
- The design of the buildings has not changed from the first application; the modular 'pile of boxes design' is not in keeping with the surrounding area, traditional brick under tile for the houses would be more aesthetically pleasing.

- Development would have a serious impact on our standard of living and our beautiful village.
 - There are protected and priority species on the site as well as important habitats, other biodiversity features and trees the subject of TPOs which should be retained.
 - The proposals are in conflict with the Drayton Neighbourhood Plan which is to maintain the quality of life in the parish by preserving the balance between built and green environments. Also contrary to objectives 1, 2 & 6 and contravene policies 1B, 1C & 1E.
 - Concerned that this will open the door to further development of the land towards Low Road.
 - Norwich should be provided by a green belt and an ideal wildlife corridor / green belt for the west of Norwich should be left through Drayton Wood, the David Rice site, Green Lane and across into the Wensum Valley.
 - The Office of National Statistics has shown that the number of new houses provided for in Local Plans greatly exceeds requirements.
 - The provision of paths through the development and the public access should be legally binding on the developer / landowner.
- 5.2 On-line petition received of 333 names 'to save the site from having 29 houses being built', of which 36 are from addresses in Norwich plus a further 11 from UK addresses – 293 international addresses.
- 5.3 2 letters received supporting the proposals for the following reasons:
- The development will maintain the public access across the site.
 - The proposals are less damaging and potentially less negative upon the community.
 - With local demand for affordable housing and a lack of a 5 year supply this application should be granted.
 - There has been an ecological survey undertaken by a qualified person I'm sure their information is more than accurate and valid points made.

5.4 Cllr Foulger:

Notes that issues raised earlier have largely been addressed including the provision of affordable housing and protection of the rare orchid. This is a sensitive application with considerable local community interest and for these reasons I wish it to be considered by the Planning Committee if you are minded to approve. If you are minded to refuse I am content to leave it for an officer decision.

Comments on revised submission:

5.5 Seven letters of objection received on the following grounds:

- Nothing should be permitted until all the other sites in Drayton have been considered and built and the proposal to ruin this beautiful site can be properly assessed.
- The proposed bus stop is to be located opposite the existing bus stop, although we appreciate that they are not timetabled to be both at the same time, this could happen with implications for traffic congestion.
- The new bus stop is close to the Hurn Road junction and vehicles overtaking a bus could be in the path of cars pulling out of Hurn Road.
- The new pedestrian crossing is on a brow of the hill and will be hidden from view by the bend in the road to approaching traffic and also query where the crossing is allowing access to. The proposed crossing removes the functions and benefits of the current crossing but doesn't replace them. Query whether the new position would be used by the residents of Hurn Road.
- Concerned about the footpath which is proposed to the new bus stop at the front of the site, this should be within the applicant's land and will require the removal of the hedge but there is no reference to this in the application. Will more trees need to be removed to widen the road?
- Object to plots 20-22 being built, the heavy construction and refuse vehicles entering the site will damage trees 91, 93 & 94 and the habitat, the view of the Wensum Valley for the owner of 210 Drayton High Road will be blocked and the existing property will lose its quiet location with garage and storage buildings on the boundary. This section should not even be considered. When considering the refuse vehicle the steep incline on this part of the site should not be allowed.
- The southern boundary to plots 5-12 should be specified to prevent owners creating entrances onto the sensitive field beyond.

- Surface water and sewage should not be allowed to damage the sensitive area leading to the Wensum Valley.
- The proposed protection of the Lizard Orchid is not sufficient either during or after construction.

Comments on further revised submission:

5.6 Four letters of objection received on the following grounds:

- Previous objections about any development of this highly sensitive ecological site which is covered by a tree preservation order still stand.
- Although we are pleased that plots 20-22 have been re-located and all 29 properties will now be accessed from the main entrance, we have reservations regarding the replacement hedgerow planting not being along the site frontage but instead internally elsewhere within the site.
- The new FRA refers to soakaways for drainage and the likelihood for the requirements to use a private sewage pumping station for the disposal of sewage but we note that there are no details regarding the locations or the ecological impact of these in the submitted details.
- The re-positioning of plots 20-22 does not address the issue that toads are across the whole area where the houses are to be built and will be adversely affected by the development. Does not agree with the proposed ecologically mitigation in this respect.
- There are huge bat numbers roosting on site after dusk and the amount of light pollution from the proposed houses will damage their habitat.
- Roman coins and a Saxon bracelet were found on the lower and upper parts of the site, it is believed that the battle of St Edmund took place on the lower field and many more artefacts are buried there, there should be test digs carried out on this area.
- It will be a travesty to local wildlife and the local community that over 3,000 houses are being built just down the road that should be enough for us to keep what little greenery and local wildlife and local common interests we have left.
- Concerned that the housing proposals are contrary to the Drayton Neighbourhood Plan which was put together through the strength of the community, in particular Policy 1C states *'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.'

- There is a rare Lizard Orchid on the site which must not be disturbed, this is a wonderful local spot for children, adults and animals alike and is one of the few we have left. Local people have made it clear that they don't want this site to be developed and I fail to understand why this matter has not been finalised.
- Concerned that the property owners and the Highway Authority will be responsible for maintenance of the soakaway system draining from the roads and roofs and this could lead to overflows which could impact the ecology of the site and the River Wensum valley.

5.7 One letter received raising the following comments:

- The re-positioned Taverham bound bus stop appears to be opposite the city bound bus stop, therefore when buses are at both stops there is unlikely to be sufficient room for an emergency vehicle to pass.
- Proposed new hedgerows will do little to obscure the view of the loathsome house designs.
- Who will be responsible for the annual maintenance of the hedgerows? The proposed new permissive path through the development is to be flanked by a hedgerow, if allowed to grow too tall walkers could feel threatened.

6 RELEVANT POLICY GUIDANCE

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

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

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

6.2 Policy CS16: Safeguarding minerals and waste sites and mineral resources

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

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

6.3 Policy 1: Addressing climate change and protecting environmental assets

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

6.4 Policy 2: Promoting good design

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

6.5 Policy 3: Energy and water

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

To help achieve this all development proposals of a minimum of 10 dwellings or 1000m² of non-residential floorspace will be required to include sources of decentralised and renewable or low carbon energy to secure at least 10% of their energy requirement, unless demonstrated through the Design and Access Statement that this is not viable or practicable.

6.6 Policy 4: Housing delivery

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

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

6.7 Policy 6: Access and transportation

Seeks to concentrate development close to essential services and facilities to

encourage walking and cycling as the primary means of travel with public transport for wider access.

6.8 Policy 7: Supporting communities

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

6.9 Policy 9: Strategy for growth in the NPA

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

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

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

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

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

Broadland Development Management DPD 2015 – (DM DPD):

6.12 Policy GC1: Presumption in favour of sustainable development

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

6.13 Policy GC2: Location of new development

New development will be accommodated within settlement limits defined on the proposals map. Outside of these limits, development which does not

result in any significant adverse impact will be permitted where it accords with a specific allocation and / or policy of the development plan

6.14 Policy GC4: Design

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

6.15 Policy EN1: Biodiversity and habitats

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

6.16 Policy EN2: Landscape

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

6.17 Policy EN3: Green infrastructure

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

6.18 Policy EN4: Pollution

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

6.19 Policy RL1: Provision of formal recreational space

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

6.20 Policy TS2: Travel Plans and Transport Assessment

In the case of major development or where a particular need is identified, a Transport Assessment and / or Travel Plan will be required. Developers will

need to include proposals to deal with any consequences of their development in terms of maximising access by foot, cycle and public transport and the means by which this will be secured in perpetuity.

6.21 Policy TS3: Highway safety

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

6.22 Policy TS4: Parking guidelines

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

6.23 Policy CSU5: Surface water drainage

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

Site Allocations DPD – (SA DPD):

6.24 The site is not allocated.

Landscape Character Assessment SPD:

6.25 Identifies the application site as falling within the River Wensum River Valley landscape character area.

Recreational Provision in Residential Development SPD:

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

Community Infrastructure Levy (CIL) Regulations 2010:

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

Drayton Neighbourhood Plan 2016 – (DNP):

6.28 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.

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 of pedestrians and cyclists.

6.29 Policy 1A – Design

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

6.30 Policy 1B – Housing and employment

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

6.31 Policy 1C – Natural environment

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

6.32 Policy 1E – Traffic congestion

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

6.33 Policy 2A – Building materials

Proposals for development which would use traditional building materials

found in Drayton will be supported.

6.34 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.

6.27 Policy 8 – Nature conservation

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

6.28 Policy 9 – King George V Playing Field

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

7 LOCATION AND DESCRIPTION OF SITE

7.1 The application site is located between Drayton High Road (A1067) to the north and Low Road to the south, the village of Drayton is to the north west of the site. The application site is an irregular shape which mainly comprises the northern section of the site adjacent to Drayton High Road with an additional area towards the eastern boundary of the site which is connected to the main site by a narrow margin. The remaining open space is within the applicant's ownership and is shown as 'blue land' on the plans.

7.2 Since the hospital buildings were demolished from across part of the northern section of the site and resulting debris removed, the site has the appearance of a parkland comprising groups of mature trees and open space. Pedestrian access has been permitted across the site from three points of access on Drayton High Road and one point on Low Road. The site has a gated vehicular access onto Drayton High Road with a bus stop immediately on the radii of the access.

7.3 The site is on the upper part of the northern valley side of the River Wensum and there are extensive views across the valley from across the site. There are residential properties on the opposite side of Drayton High Road, to the north west of the site are 3 pairs of semi-detached houses (Nos: 190 – 196) accessed off a private drive together with a detached bungalow (no: 210) which adjoins the application site on all sides. An agricultural field adjoins the eastern boundary of the site.

- 7.4 Across part of the frontage of the site to Drayton High Road is a narrow footway; beyond this is an overgrown mixed hedge. An underground high pressure gas pipeline runs through the application site roughly from a point opposite Hurn Road to the south crossing Low Road.
- 7.5 The site is considered to be environmentally sensitive and although not formally designated, parts of the wider site are understood to be of County Wildlife Site quality on the basis of its botanical interest. The site contains areas of acid grassland, neutral grassland and woodland which support a variety of uncommon and rare plants including a Lizard Orchid. There is evidence that the site is used by protected species. The entire application site is subject to an area Tree Preservation Order even though there are large parts of the site that are open space.

8 PLANNING HISTORY

- 8.1 [20161341](#): Erection of 29 dwellings and associated accesses (including 7 affordable) (outline). Withdrawn 21 October 2016.
- 8.2 [20151543](#): Approval of details reserved by conditions 3, 4, 7 & 9 of planning permission 20131072.
- 8.3 [20150213](#): Residential development – EIA screening opinion. Not EIA development 12 March 2015.
- 8.4 [20131072](#): Application for new planning permission to replace extant planning permission. Approved 14 October 2013.
- 8.5 [20101789](#): Erection of building to replace demolished hospital and change of use of building and land from Class C2 to Class D1 – non-residential institution (Reserved Matters - related to 20071707). Approved 24 August 2011.
- 8.6 [20091117](#): Erection of church and community facility (3,100m²) with associated access and car parking. Refused 10 December 2009.
- 8.7 [20081210](#): Erection of church and community facility (3,900m²) with associated access and car parking. Withdrawn 3 December 2008.
- 8.8 [20071707](#): Renewal of outline permission. Approved 20 February 2008.
- 8.9 [20041710](#): Erection of building (2,020m²) to replace demolished hospital and change of use of building and land from residential institution (Class C2) to Class D1 non-residential institution (Class D1) (outline). Approved 27 January 2005.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the development plan including the Drayton Neighbourhood Plan (DNP), the NPPF and Planning Practice Guidance, the planning history of the site, whether the proposed development will result in a significant detrimental impact upon the character and appearance of the surrounding area, ecology and biodiversity, highways issues, residential amenity, trees, drainage, the high pressure gas pipeline and mineral resource. Other matters to consider are whether the application contributes towards achieving sustainable development and whether it, in addition to existing residential permissions / applications in Drayton, would prejudice the spatial strategy and settlement hierarchy of the JCS.

Policy Framework

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This point is reinforced by the NPPF, which is a material consideration as is the Planning Practice Guidance. The parts of the Development Plan that are relevant to this application are the JCS, DM DPD, SA DPD, the Landscape Character Assessment SPD, the Recreational Provision in Residential Development SPD, the Drayton Neighbourhood Plan and Norfolk Minerals and Waste Core Strategy.

- 9.2 Policy GC2 of the DM DPD states that new development will be accommodated within defined settlement limits. Outside of these limits, development that does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan. The site has not been allocated for housing and is outside but adjacent to the settlement limit that has been defined for Drayton, the southern extent of the settlement limit is on the opposite side of Drayton High Road and the north western corner of the site adjoins part of the settlement limit. The application therefore conflicts with Policy GC2 of the DM DPD.
- 9.3 Drayton is within the defined Norwich Policy Area (NPA) and the JCS states that approximately 33,000 new homes will be built within the NPA by 2026. Policy 12 of the JCS states that the smaller sites allowance as set out in Policy 9 of the JCS, within the Broadland part of the NPA outside of the Growth Triangle, must contribute 2,000 dwellings towards this target and allocations to deliver these sites will be made in accordance with the settlement hierarchy and local environment and servicing considerations. Drayton is located within the group of Norwich fringe parishes under Policy 9 of the JCS.

- 9.4 It was intended that land for housing development to meet the targets in the JCS would be identified through the SA DPD. The application site has not been allocated but the site at Hall Lane / School Road has been allocated for housing and outline planning permission has been granted for 200 houses under ref: [20130885](#), subsequently Planning Committee has resolved to approve ref: [20161066](#) for 250 houses on this site and the S106 is being negotiated. There is a mixed use allocation on land to the north of Barclays Bank under Policy DRA2 for a commercial / residential scheme which is indicated could accommodate approximately 20 dwellings. No planning application has been submitted for this site. In addition, a full planning application for 71 dwellings ref: [20170212](#) has been submitted but is undetermined on a site to the south of Drayton High Road, to the rear of Lodge Breck.
- 9.5 However, consideration must be given to the supply of land for housing in the NPA. The most recent Greater Norwich statement on five-year housing land supply was published as Appendix A of the Annual Monitoring Report 2015-16 for the JCS in January 2016. This statement shows that there is only a 4.7 year housing land supply within the NPA. Given that there is not a five year housing land supply in the NPA; paragraph 49 of the NPPF is engaged. It states that “relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”. Paragraph 14 of the NPPF is also relevant and states that, where a development plan is absent, silent or out-of-date, planning permission should be granted “unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted”. This approach is reinforced by Policy 21 of the JCS relating to the implementation of proposals in the Broadland part of the NPA.
- 9.6 Drayton has a good level of local services and facilities; it has a doctors’ surgery, dentist, infant school, junior school, Post Office, two pharmacies, various food / retail units, a supermarket, two Public Houses / restaurants, village hall, sports centre, public recreational facilities, hair salon, a petrol filling station, commercial units, places of worship, residential care homes and access to public transport. The majority of these services are located within the centre of Drayton or within a short walk of the centre. The catchment school for secondary education is Taverham High School, which is approximately 2.8 miles to the north west of the site.
- 9.7 Therefore, and when having regard to the deficit in the supply of land for housing within the NPA and the planning policy approach that should be taken in such instances, it is considered that Drayton is a sustainable location for new residential development of the scale proposed by this application.
- 9.8 It is noted that Drayton has a Neighbourhood Plan (DNP) which was adopted in July 2016 and forms part of the Development Plan. The contents of the

Plan therefore are a material consideration in the determination of the application. The Plan contains visions and objectives for the village as well as specific policies to guide development. The vision for the Parish is *'for the community of Drayton to maintain the quality of life in their Parish by preserving the balance between the built and green environment, improving negative elements of the built environment and infrastructure whilst developing and strengthening opportunities for the people of the parish, encouraging increased prosperity and building up the facilities available to residents and those that work here'*.

- 9.9 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 relevant objectives to this proposal are summarised in paragraph 6.28 of this report.
- 9.10 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. These are details that will be submitted under the reserved matters but the indication is that the development will deliver a high standard of design, sustainability and innovation. Policy 1C is a relevant policy as it requires that development which would have an impact on the natural environment will not be permitted unless it can be shown that the natural environment would not be harmed. In this case the County Ecologist and Norfolk Wildlife Trust are on balance, content with the proposals subject to the imposition of relevant conditions. 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 retention of public access through the site to the open space to the south and the connections to the wider network of footpaths in the area that the proposal allows is a key element of the proposals. Policy 8 requires that development which would undermine the integrity of the river Wensum Special Area of Conservation and SSSI, or the Marriott's Way green infrastructure corridor will not be permitted. Development which would enhance the nature conservation interests of these areas will be supported. The proposals are not considered to undermine the integrity of the stated conservation zones. Finally, Policy 9 states that proposals for development which would provide new or improved facilities likely to increase the use of the King George V playing field will be supported. Through a commuted sum to be paid the development will generate funds for improved facilities within the Parish, potentially to include the nearby King George V Playing Field.
- 9.11 It is therefore considered that the proposals meet objectives 1, 2, 4 & 6 and specific policies of the adopted DNP as detailed above. It is recognised that the proposals don't comply with Policies 1E or 2A as it does not directly alleviate traffic congestion in the village centre and the development as explained in the Design & Access Statement is unlikely to use traditional

building materials that are found in Drayton. In addition, it is not clear at this stage whether the part of policy 1A that requires that development reflects the historic character of Drayton is met, as the appearance of the development is a reserved matter, this will be considered under the reserved matters application.

- 9.12 It is therefore considered that the above assessment of the proposals against the DNP responds to the comments of the CPRE at paragraph 3.20 and those objections that consider that the proposals conflict with the objectives and policies of the Drayton Neighbourhood Plan.
- 9.13 The Norfolk Core Strategy and Minerals & Waste DPD is an adopted document and forms part of the Development Plan. The site is partly underlain by sand and gravel and the comments of the County Council's Minerals team were sought as part of the application. They have referred to Policy CS16 of the Plan which is concerned with safeguarding minerals and waste sites and mineral resources. The comments of the minerals team are presented at paragraph 3.5 and in summary they have requested the imposition of a condition that requires prior to the commencement of development, a plan is to be submitted of the area to be developed together with a written methodology for an intrusive site investigation, including particle size distribution testing. A Materials Management Plan (MMP), informed by the findings of the intrusive site investigations/testing; shall be submitted to and approved in writing. This will ensure that the development does not sterilise the mineral resources within the areas to be developed ie the roads and footprints of the dwellings, and at the same time identifies that the sensitive ecological parts of the site do not form part of the investigation. This approach is considered to be appropriate and meets the requirements of Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management DPD 2011.

Planning History

- 9.14 Historically, the northern part of the site comprised the David Rice Hospital buildings which were two storey and part of the nearby Hellesdon Hospital. It is understood that the buildings on-site were demolished in 2003. In respect of the planning history of the site, as set out in section 8 of the report, it can be seen that since 2004 a number of planning applications have been submitted to build a place of worship in the northern part of the site utilising an upgraded vehicular access in the current position. The proposal initially received outline planning consent under planning ref: [20041710](#) for the erection of building to replace the demolished hospital and change of use of building and land from residential institution (Class C2) to Class D1 non-residential institution (Class D1). The building comprised a church / community building with meeting rooms, crèche and restaurant with a total floor area of 2,020m²; this was renewed in 2008 under ref: [20071707](#). Following this two full applications were submitted but withdrawn and refused respectively for a larger church building.

- 9.15 A reserved matters application was submitted in 2010 and approved under planning ref: [20101789](#); this was subsequently replaced by application ref: [20131072](#) which was approved in October 2013. A legitimate commencement of development is deemed to have been made on-site before the expiry of this consent. Therefore extant consent exists to build a church / community centre building of up to 2,020m² on part of the application site.
- 9.16 The recent outline application that was submitted under ref: [20161341](#) for 29 dwellings and associated accesses was withdrawn in October 2016 for a number of reasons including the under provision of affordable housing, that the proposals were adversely effected by a high pressure gas pipeline, the Lizard Orchid was not adequately protected and insufficient information was submitted in respect of the highway matters.

Site Specific Matters

- 9.17 Parts of the application site are considered to be ecologically sensitive due to identified botanical interests. A Preliminary Ecological Appraisal has been submitted with the application which identifies that the site contains areas of acid grassland, neutral grassland and woodland which support a variety of uncommon and rare plants including a Lizard Orchid. There is also evidence that the site is used by protected species, see paragraph 9.19 below. In terms of the botanical interest the site is assessed as having 'higher value' at the national scale for flowering plants based on the presence of the Lizard Orchid; for other species the value is considered to be 'medium' at a County scale. Following careful siting of the development proposals away from the areas of botanical diversity, the impacts of the development are reported as 'moderate adverse'. A small area of uncommon short-turf grassland plant species will be lost to form part of the access road; this route has been chosen to avoid areas of greatest interest. The area supporting the Lizard Orchid will be protected during and after the construction stage. These measures are noted as reducing the impact upon areas of botanical value to 'minor adverse' and taking account of the proposed enhancements / compensatory measures referred to in the ecology report, then the development is noted as having a 'neutral impact'.
- 9.18 Ecological enhancements are proposed in two forms; habitat enhancements and species enhancements which aim to have a combined affect to improve the quality of the site and the immediate vicinity for native flora and fauna. In terms of habitat enhancements the following are examples; implementation of an ecological management plan, the eastern boundary of the site should be strengthened by further planting, structural native tree and shrub planting could provide cross-site corridors and foraging for a variety of species. In terms of species enhancements the following are examples; installation of bat boxes, bird nesting boxes and stacks of branches retained in specific locations for a range of species including hedgehogs, reptiles and amphibians.

- 9.19 The Ecological Appraisal includes an evaluation of the presence of protected species on site. There is evidence that the site is used by bats for foraging, but there is no evidence that the site is used as a bat roost, although 13 trees were classed as having low roost potential, 12 were classed as having moderate potential and one as high potential. Of these 2 trees classed as 'of moderate potential' are trees that the tree report has identified for felling as they have extensive die back, probably caused by honey fungus disease. One record was returned for a Slow Worm on site and there are records of nesting birds across the site. In terms of terrestrial mammals there are records of fox, hedgehog, rabbit, grey squirrel, stoat, vole and common shrew being present on site. There are no records of badgers or their setts and the site is considered to be sub-optimal for amphibians other than common toads. A photograph of a Common Toad has been provided with a suggestion that significant numbers of Common Toad have been seen on site at certain times of the year.
- 9.20 The County Ecologist and Norfolk Wildlife Trust have been consulted on the proposals and both have considered the submitted ecological appraisal. Comments from Natural England are awaited. In summary they note that the areas of botanical interest around the footprint of the previous hospital building have in the main been avoided, the value of the site should be taken as a whole and the presence of the housing further into the site will have an impact on areas outside of the red line. As a consequence they consider that there will inevitably be some reduction of ecological value. In order to ensure that this is mitigated, the whole area outside of the red line should be managed in order to protect and enhance its biodiversity value. They recommend that conditions for a Construction Ecological Management Plan and a Landscape & Ecological Management Plan are included, these conditions will be imposed to secure the appropriate ecological protections both during construction and afterwards to ensure the appropriate landscape management of the application site and 'blue land' in perpetuity.
- 9.21 In respect of the tree issues the entire application site and land associated with the former David Rice Hospital site is covered by a Tree Preservation Order which dates from 2001. The position of the vehicular access, the internal roads and the positions of the dwellings are included for consideration under the outline application. A detailed tree survey and Arboricultural Implications Assessment (AIA) was submitted with the application and an addendum to the AIA has also been submitted to detail the landscape implications of the formation of the vehicular access, the widening of the Drayton High Road to incorporate the right turn lane and the formation of the footway across part of the site frontage including replacement planting proposals. Across the site 18 trees have been identified in the lowest retention category and are proposed to be felled, together with a further 24 individual trees in the 'C' category and a group (G5) of approximately 50 ornamental Cherry trees which are classed in the 'C' category. These will be replaced by species in more appropriate locations in the landscaping scheme. The Council's Conservation Officer (Arboriculture & Landscape) has considered the implications of the proposals and his comments are presented

at para. 3.11 of the report. In summary he has no objections to the revised proposals subject to the imposition of conditions in respect of tree protection and the landscaping of the site. The landscaping of the site will be a reserved matter and the submission of the other details relating to trees will be secured by way of planning conditions. Tree protection measures and details of the boundary treatments of individual plots will also be secured by the imposition of conditions. In response to the question that has been raised by the Parish Council and neighbours about who will be responsible for the maintenance of all the landscape works, condition 7 sets out the requirements for a Landscape Ecological Management Plan (LEMP) to be imposed which requires that written details are submitted to and approved by the Local Planning Authority which identifies a clear mechanism of how the application site and the 'blue land' is to be managed including the bodies that will be responsible for overseeing the implementation and ongoing programme of the LEMP in perpetuity.

- 9.22 Turning to the highways aspects the site has an existing vehicular access onto Drayton High Road which in its amended form is to be used to serve the entire development. The Highway Authority requested revisions be made to the proposals to include a re-positioned bus stop, an additional pedestrian crossing refuge and footway across part of the site frontage together with revisions to the internal roads. Revised plans were submitted and the Highway Authority has confirmed that it has no objection subject to the imposition of relevant conditions, which are to be imposed. It is noted that neighbour concerns have been received in respect of the position of the proposed re-located bus stop being approximately opposite the existing bus-stop and that this could prevent emergency vehicles from passing when buses are present at the same time. In response the buses are not timetabled to be present on both sides of Drayton High Road at the same time and even if they are an emergency vehicle could pass within the hatched area. In addition concerns have been received that the position of the proposed additional pedestrian refuge is on a brow of the hill and will be hidden from view by the bend in the road. In response it is considered that the position of the crossing is far enough away from the brow of the hill and the bend in the road, the speed limit is 40 mph and the position is considered to be appropriate and will be a benefit to pedestrians in the area which has been accepted by the Highway Authority. Therefore it is considered that the proposals in their amended form comply with Policies TS3 and TS4 of the DM DPD.
- 9.23 The comments of the Council's Design Adviser are reported at paragraph 3.12, in summary he considers that the proposals have rationalised the layout and results in a form of development which responds better in design terms to the existing ecological, arboricultural features and landscape quality. The contemporary approach is considered to be appropriate in this sensitive location. The low density, low visual impact approach will need to be followed through to the reserved matters proposal.

- 9.24 In terms of an assessment of the proposals against the Council's Landscape Character Assessment, the site is located within an area described as the River Wensum River Valley this is characterised as a 'mature landscape structure including substantial blocks of woodland, mature trees, intact hedgerows and riparian vegetation on the valley floor forming a distinct mosaic of meadow and marsh habitats including extensive reedbeds....'. The landscape planning guidelines seek amongst other things to conserve the generally undeveloped rural character of the area, the related strong sense of intimacy and tranquillity and seeks to ensure that potential new development comprise a fully integrated landscape and urban design strategy which is consistent with the local landscape character and screen potential harsh settlement edges. In response, the proposals are considered to take account of these criteria as reflected in the comments of the ecologists the Conservation Officer (Arboriculture and Landscape) and Design Adviser. The conditions that are to be imposed will ensure that the development will result in fully integrated landscape and ecological management plans.
- 9.25 In assessing the character and appearance issues it is recognised that the development will inevitably alter the character and appearance of the site itself as it is currently undeveloped, however it is considered that the special character of the site has been carefully taken into account in the layout of the proposals so that small groups of housing are proposed away from the most sensitive botanical areas and are located in the clearings between the highest category protected trees. The predominant mature tree belt across the site frontage to Drayton High Road will be retained as a buffer, so that the majority of the proposed houses will not be visible from the road. It should be noted that although the positions of the dwellings are for consideration at this stage, the house designs will be considered at the reserved matters stage, although the Design & Access Statement indicates that they will be contemporary in form with external materials comprising timber boarding, cladding and glazing. It is not considered that the proposals will have an unacceptable impact on the character and appearance of the area.
- 9.26 In respect of residential amenities a detailed assessment cannot yet be made as the appearance and form of the dwellings is not known. However the layout is known and the nearest neighbouring property no: 210 Drayton High Road is not affected by the proposals now that plots 20-22 have been re-located. The detached house to the east of the site (no: 250 Drayton High Road) is not considered to be adversely affected by the proposals due to the orientation of the property; this dwelling is the ownership of the applicant and is currently rented to tenants. Therefore it is not considered that the proposals have any detrimental effect on the residential amenities of neighbours.
- 9.27 The Historic Environment Service has considered the proposals, in summary they consider that there is potential for buried archaeological remains of prehistoric date to be present and for significance to be affected by the development. If permission is granted they request a condition be imposed to

secure a programme of archaeological mitigatory work in accordance with para 141 of the NPPF. A condition is suggested in this respect. It is noted at the sixth bullet point of paragraph 5.6 that a neighbour has suggested that the land to the south of the application site should be subject to archaeological test digs. However this is not considered to be necessary as there are no proposals for development in this area and it would be more harmful to ecological interests. The suggested condition therefore is in respect of only the areas of the application site which are to be developed.

- 9.28 A high pressure gas pipeline runs through the western part of the site, the layout of the development has taken this into account and a clear zone is provided. National Grid has commented in this respect and has no objections as they state *'it appears that the pipeline easement/building proximity distances have been considered'*. They have requested that a condition is imposed which requires that all works within the easement are notified to National Grid plant protection team. It is considered that this is more appropriately dealt with by an informative, which will be added.
- 9.29 In respect of flood risk, the site is identified as being within Flood Zone 1 where the risk of flooding is considered to be at its lowest. However, because of the site area, a Flood Risk Assessment (FRA) was submitted with the application. Norfolk County Council (as Lead Local Flood Authority) considered this and objected to the proposals as they considered that the assessment had not adequately demonstrated that the site will be able to drain via infiltration. A revised FRA with a drainage strategy has been submitted, which proposes that the surface water from the dwellings and adopted roads will drain to soakaways and private hardstanding areas will be formed from permeable paving such as gravel or a block system. The Lead Local Flood Authority has confirmed that it has no objection to the revised details subject to the imposition of conditions in respect of flood risk and drainage which are to be imposed. It is considered that the further details comply with the requirements of Policy CSU5 of the DM DPD.
- 9.30 The site has no records of ground contamination and the former use as a hospital is not considered to be a high risk, but as no details have been submitted which demonstrate that there is no risk the Council's Pollution Control Officer has requested the imposition of a condition to require in the first instance, a desk study and risk assessment to ensure compliance with Policy EN4 of the DM DPD. The suggested condition is to be imposed.
- 9.31 Concerns have been expressed over the capacity of the local infrastructure to be able to cope with the amount of development being proposed and approved in Drayton, in terms of schools and the doctor's surgery. Whilst these concerns are recognised, the Community Infrastructure Levy will be used to fund strategic infrastructure such as school places. In respect of medical services, the responsibility for health provision remains with the health providers, primarily with NHS England who provide funding for doctors based on the population / number of patients in an area. The residents in new

developments will contribute to this national funding through taxes in the same way as existing residents. Consequently, in general terms the impact of a new residential development on existing medical facilities is managed by health providers.

- 9.32 Policy 3 of the JCS sets out that all development proposals of a minimum of 10 dwellings or 1,000m² of non-residential floorspace will be required to include sources of decentralised and renewable or low carbon energy providing at least 10% of the scheme's expected energy requirements. A condition is suggested in this respect to meet the requirements of Policy 3 so that the dwellings are required to be fitted with renewable technologies that will generate a minimum of 10% of the energy consumption of the development.
- 9.33 Anglian Water has confirmed that they have assets within or close to the site, but that there is available capacity for foul drainage arising from the development. They request conditions in respect of the foul water strategy and the timing of the creation of hardstanding areas to ensure compliance with a surface water strategy. The condition in respect of the foul water strategy will be imposed, together with a linked informative but the requirement for details in respect of the creation of hardstanding areas are not considered to be required individually as will be incorporated into the detailed drainage condition (no: 20) that the Lead Local Flood Authority has requested be imposed as this includes consideration of all surface water features.
- 9.34 To take account of the request from the County Council's Infrastructure & S106 Team that a fire hydrant is installed on site for firefighting purposes a condition is proposed.
- 9.35 It is noted that further revised plans have been submitted in response to the comments of the Council's Contracts officer presented at paragraph 3.13 in respect of refuse bin collection proposals. Members will be updated on the further comments of the Council's Contracts Officer either in the supplementary schedule or verbally at the Committee meeting.
- 9.36 Many of the reasons for objection / issues that were raised as part of the consultation process have been responded to through the appraisal section; however it is noted that no response has been given to the concern about public access being prevented as a result of the development. Neighbours have mentioned that the site is an important location for walkers, joggers and dog walkers and there is a concern that the development of the site will prevent this. The site is in private ownership but the applicant has stated that public access from Drayton High Road through the site will be retained via two points of access as identified in the Design & Access Statement, the 'blue land' to the south of the application site will be retained for public access as part of the green infrastructure requirements and the whole area will be included in the landscape management plan. It is considered that the

proposed conditions will set an appropriate mechanism for facilitating this, rather than including it as a clause in the S106 agreement.

- 9.37 The applicant has confirmed that he is prepared to accept a condition which sets out that at least 10% of the market dwellings across the site, equating to a minimum of 2 dwellings are to be constructed as self-build or custom build units. This is considered to comply with the duty placed on local authorities under the Self-build and Custom Housebuilding Act 2015 to grant planning permission for enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. It is noted that alongside this a housing design code will be required to provide a set of written and illustrated rules that establish the design parameters of the specified plots so that the high quality of the wider development is not diminished. A condition is suggested in this respect.
- 9.38 Permitted development rights are proposed to be removed by condition due to the special nature of the site and the need to assess individual impacts of householder proposals on the dwellings themselves, the surrounding trees and landscape works and the other sensitivities of the site as a result of extensions and outbuildings being built, parking areas being created and walls / fences being installed across the development and the combined impact that this could have.
- 9.39 It is suggested that the time limit for the submission of the reserved matters application should be reduced from the standard three years to two years from the date of the decision, as the outline application has been submitted on the basis that the Council cannot demonstrate a 5 year supply of housing land, it is considered that the delivery of the housing should be brought forward to reflect this. The time limit for commencement of the development after the approval of the last of the reserved matters will be retained at two years. This would not prevent the applicant from submitting a reserved matters application before these time limits if they wish.

Planning Obligations

- 9.40 If Members resolve to grant outline consent, the permission will need to be accompanied by a Section 106 agreement to secure planning obligations in connection with the development. This would need to cover the following:
- Affordable housing
 - Provision of a commuted sum for off-site children's play, formal sports facilities and allotments.
- 9.41 The Community Infrastructure Levy (CIL) Regulations 2010 require that planning benefits secured through Section 106 agreements must meet the three tests set out at Regulation 122 if they are to be a reason for granting planning permission. These tests are that the benefits must be:

- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and,
 - Fairly and reasonably related in scale and kind to the development.
- 9.42 In developments of 16 or more dwellings, Policy 4 of the JCS sets the target that 33% of the units will be provided for affordable housing. The proposals marginally exceed the policy requirement. The Housing Enabler's comments at paragraph 3.14 states that the proposed further revised layout of the site and the details within the revised Design & Access Statement which specify the breakdown of the affordable housing provision meets the Council's requirements and comply with Policy 4 of the JCS. These requirements will be included in a S106 agreement to ensure delivery of the affordable housing element.
- 9.43 In respect of open space, Policy RL1 of the DM DPD aims to provide formal recreation while Policy EN3 seeks to provide informal open space to offset the potential impact on European sites. In respect of formal recreation which includes children's play and sports facilities there are no proposals for any on-site children's play space or formal sports facilities. The applicant proposes to meet these requirement through a commuted sum, which could be spent for example on providing / improving the existing children's play space and sports facilities at the King George V Playing Field which is approximately 360m to the north west of the site on the opposite side of Drayton High Road. Payment of a commuted sum via a Section 106 agreement would ensure compliance with Policy RL1 of the DM DPD.
- 9.44 Policy EN3 of the DM DPD requires the applicant to provide informal open space in order to meet the recreational needs of existing and future residents and to mitigate the potential impacts of visitor pressure on sensitive internationally designated sites. In this respect the remainder of the undeveloped part of the site will be retained as informal open space over which the public have access and will allow connection to the existing public right of way to the western boundary of the David Rice site which connects Drayton High Road to Low Road to the south, and the public right of way beyond towards the river Wensum. The land to the south of the application site which is within the applicant's ownership will be subject to a Landscape Ecological Management Plan and negotiations with the landowner will be entered into with the Parish Council and Norfolk Wildlife Trust about this area being managed and maintained to ensure that its long term use as informal recreation is retained. The site has been identified as an important hub in terms of the green infrastructure strategy for this part of the District as green infrastructure linkages are being sought from the east and west of the site, with a connection being provided to Drayton Woods to the north east via the proposed pedestrian crossing refuge. The green infrastructure requirements therefore will be provided on-site and maintained at the applicant's expense. The provision of allotments also falls under this policy as there are no proposals for the provision of allotments on site, a commuted sum will be paid

via a S106 agreement to meet this element of the policy. The requirements of Policy EN3 of the DM DPD are therefore complied with and the proposals also link with the objectives of an enhanced GI corridor in the north-west zone of greater Norwich and existing public rights of way as referred to in the comments of the County Council's infrastructure team at paragraph 3.10.

- 9.45 It is considered that the matters relating to affordable housing, open space / recreational requirements and allotments meet the tests set out within the CIL Regulations. These benefits can therefore be taken into account in determining the planning application.

Planning Balance

- 9.46 The planning balance should consider whether the benefits associated with the development outweigh the harm. Although the site is located outside of the settlement limit and is not allocated for any purpose, the parish of Drayton is located within the Norwich Policy Area where the Council is unable to demonstrate a 5 year supply of housing land and this development will contribute towards the shortfall in supply while also providing affordable housing at marginally above a policy compliant level and open space proposals to meet Council Policy. Drayton is considered to be a sustainable location for new development given the level of services which it offers. The planning history of the site has been evaluated and concludes that extant planning permission exists for a church/community building to be constructed with a total floor area of 2,020m² within Class D1 on part of the site.
- 9.47 It is noted that significant consultation has been undertaken in respect of all relevant planning matters arising from the development proposals and in each case the statutory consultee or Council officer has raised no objection subject to the imposition of appropriately worded conditions.
- 9.48 The objections that have been received from neighbouring properties in respect of the proposals are noted and care has been taken to respond to the points raised. The implications of the development on the ecological aspects of the application site and the land to the south are a key consideration and it is noted that the County ecologist and Norfolk Wildlife Trust recognise there will be some resulting reduction in ecological value, however both are content to recommend that conditions are imposed to require the submission of an Construction Ecological Management Plan and a Landscape & Ecological Management Plan which it is considered will ensure the appropriate management of the development and establish a long term landscape management plan for the whole site which will off-set any reduction in ecological value.
- 9.49 It is considered that all of these material considerations are sufficient to justify approving the application and that any adverse impacts do not significantly and demonstrably outweigh the benefits. Given the suggested Heads of

Terms for a Section106 Agreement and the planning conditions suggested it is considered that on balance, the proposals in their further revised form represent an acceptable form of development.

- 9.50 It is noted that comments are awaited from Natural England and the Council's Contracts Officer; Members will be updated and any outstanding issues will be negotiated to ensure compliance.
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RECOMMENDATION: Delegate authority to the Head of Planning to grant **OUTLINE APPROVAL** subject to: no adverse comments in respect of the outstanding issues; the satisfactory completion of a S106 Agreement with the following heads of terms and the following conditions:

Heads of Terms:

- Affordable housing as proposed with a tenure split 60:40 ART: Intermediate tenure.
- Provision of a commuted sum to be paid for off-site open space, recreational provision and allotments.

Conditions:

- (1) Details of the appearance of the buildings and landscaping of the site (hereinafter called 'the Reserved Matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- (2) Application for approval of the Reserved Matters shall be made to the local planning authority not later than TWO years from the date of this permission.
- (3) The development hereby permitted shall be commenced no later than TWO years from the date of approval of the last of the Reserved Matters to be approved.
- (4) The development hereby permitted shall not be carried out otherwise in accordance with the plans and documents listed below.
- (5) No development shall commence on site until details of all external materials to be used in the development have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

- (6) Prior to the commencement of development a Construction Ecological Management Plan (CEMP) should be submitted to and approved in writing by the Local Planning Authority in order that biodiversity is protected during the construction phase of the approved development. The CEMP needs to take full account of measures required to protect the Lizard Orchid and any further species surveys that are required. All works shall then take place in accordance with the approved CEMP.
- (7) Prior to the commencement of development a Landscape Ecological Management Plan (LEMP) should be produced for the whole area (comprising the 'red' and 'blue land', shown on the approved location plan) to be submitted to and approved in writing by the Local Planning Authority. This should include costed measures to ensure the ongoing management of the whole area and should also address the need to maintain public access across the whole area. In parallel, written details are to be submitted to and approved by the Local Planning Authority which identifies a clear mechanism of how the whole area is to be managed which identifies the bodies that will be responsible for overseeing the implementation and ongoing programme of the LEMP in perpetuity.
- (8) Prior to the commencement of development the following 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 stage 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 stage B above, and where remediation is necessary a remediation method statement and post remedial validation testing must be produced and approved in accordance with stages C & D above.
- (9) (SHC01) No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.
 - (10) (SHC28) 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.
 - (11) (SHC39A) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing no: 207679-SK500-P3 have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
 - (12) (SHC39B) Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 11 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

- (13) (SHC02) No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.
- (14) (SHC03a) Before any dwelling is first occupied the roads/footways shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (15) (SHC20) Prior to the first occupation of the development hereby permitted a visibility splay measuring 4.5 x 120 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- (16) (SHC25) Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the site to enable 3 x standard size family cars to park for each 4 bedroom dwelling. They shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and retained thereafter available for that specific use.
- (17) (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 (i) The programme and methodology of site investigation and recording; (ii) The programme for post investigation assessment; (iii) Provision to be made for analysis of the site investigation and recording; (iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation; (v) Provision to be made for archive deposition of the analysis and records of the site investigation, and (vi) Nomination of a competent person or persons / organisation to undertake the works set out within the written scheme of investigation; and,
 - (B) No development shall take place other than in accordance with the written scheme of investigation approved under part A; 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 Written Scheme of Investigation approved under part 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 commence with informative trial trenching within the previously unsurveyed areas to determine the scope and extent of any further mitigatory work that may be required (eg an archaeological excavation or monitoring of groundworks during construction).

A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service upon request.

- (18) Prior to the commencement of the development hereby permitted, and notwithstanding the submitted/approved Flood Risk Assessment and Drainage Strategy the following measures shall be submitted to and agreed in writing with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The determination and approval of the 'flood risk' condition as set out in condition 19 at the reserved matter stage should be undertaken concurrently with the 'drainage' condition as set out in condition 20.

Flood risk

- (19) As part of the reserved matters application the proposed/agreed layout should ensure that properties have been removed from the surface water flow path or sufficient information / evidence is submitted to confirm that properties placed within the existing surface water flow path have had the risk removed.

Drainage

- (20) The scheme shall address the following:
- (i) Detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the infiltration features as identified,
 - (ii) Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.

- (iii) Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
 - (iv) 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.
 - (v) 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.
- (21) 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.
- (22) Prior to the commencement of development a borehole/trial pit location plan of the area to be developed together with a written methodology for an intrusive site investigation, including particle size distribution testing will be submitted to and approved in writing by the Local Planning Authority in consultation with the Mineral Planning Authority. An intrusive site investigation for mineral resources will be carried out in accordance with the approved methodology and borehole / trial pit location plan. A Materials Management Plan (MMP), informed by the findings of the intrusive site investigations/testing; shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Mineral Planning Authority. The MMP will consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through testing and assessment. The MMP should quantify the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement as far as possible by return run to an aggregate processing plant.
- The development hereby permitted shall be carried out in accordance with the MMP. The developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant through the MMP. The developer shall provide an annual return of these amounts to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or the Mineral Planning Authority.
- (23) No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning indicating the positions, design, materials and type of boundary treatment to be erected on each plot. The boundary treatments shall then be completed before the dwellings are first

occupied. Development shall be carried out in accordance with the approved details.

- (24) No development shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate:

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 first occupation of the development or such other period as the Local Planning Authority may allow in writing. If within a period of FIVE years from the date of the planting of 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.

- (25) No works or development shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 - Trees in relation to design, demolition and construction - Recommendations (section 5.5 the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:

- (a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (paragraph 4.6.1) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

- (b) the details of each retained tree as required at paragraph 4.4.2.5 in a separate schedule.
 - (c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree Work – Recommendations.
 - (d) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 6.2).
 - (e) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 paragraph 6.2.2 and Figure 2), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- (26) Development shall not commence on site until full details have been submitted to and approved in writing by the Local Planning Authority to specify the finished floor level of each of the dwellings hereby approved and the respective plot / garden levels to be shown against the existing site level. The development shall then be carried out in accordance with the approved details.
- (27) Concurrently with the reserved matters application being submitted details of the footpaths that are to be provided across the application site into the land to the south shall be submitted to and approved in writing by the Local Planning Authority. The footpaths shall provide public pedestrian access across the site and shall be retained in perpetuity.
- (28) None of the dwellings shall be occupied until the development hereby permitted has incorporated a fire hydrant for the purposes of firefighting.
- (29) Concurrently with the reserved matters application being submitted full details of the proposals in respect of the provision of the self-build or custom build elements of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an identification of those plots to be developed for these purposes together with details of the housing design code that the respective dwellings will be constructed to comply with.
- (30) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and

renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The details as approved shall be completed prior to the first occupation of any of the dwellings hereby permitted and thereafter shall be maintained.

- (31) Notwithstanding the provisions of Schedule 2 Part 1 and Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no buildings, walls, fences or other structures shall be erected within the site curtilage, nor alterations or extensions be made to the dwelling.

Plans and documents:

Drawing no. XXXX rev. 01 - Site layout, received 2 February 2017

Drawing no. 207679-SK500-P((TBC)) - Adoptable highway layout, received TBC

Drawing no. SK01 rev. 10 - Proposed buildings plan, received 23 August 2017

Drawing no. SK02 rev. 06 - Tree constraints & tree groups plan, received 26 April 2017

Drawing no. SK03 rev. 11 - Tree constraints & tree groups plan & proposed site plan, received 19 September 2017

Drawing no. SK04 rev. 04 - Bat roost plan, received 2 February 2017

Drawing no. SK05 rev. 06 - Bat roost plan & proposed site plan, received 19 September 2017

Drawing no. SK06 rev. 02 - Ecology plan, received 2 February 2017

Drawing no. SK07 rev. 09 - Ecology plan & proposed site plan, received 19 September 2017

Drawing no. SK08 rev. 02 - Shading plan & proposed site plan, received 2 February 2017

Drawing no. TBC Proposed refuse plan, received TBC

Revised Design and Access Statement, received 8 September 2017

Bat Roost Potential Survey 2016 report

Tree Survey 2016, received 2 February 2017

Ecological Impact Assessment, received 2 February 2017

Revised Flood Risk Assessment and Drainage Strategy, received 30 August 2017

Addendum to the tree survey – Drayton High Road widening & vision splay, received 4 August 2017

Reasons:

- (1) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (2) The period for the commencement of the development has been reduced to bring forward the delivery of housing in a sustainable location where the relevant planning policies for the supply of housing are not considered to be up to date, in accordance with the requirements of paragraph 49 of the National Planning Policy Framework.
- (3) The time limit 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.
- (4) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (5) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (6) To ensure that the development has no adverse effects on the biodiversity and habitats on site and the presence of protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (7) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies GC4, EN1, EN2 and EN3 of the Development Management DPD 2015.
- (8) To 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.
- (9) In the interests of satisfactory development and highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD.
- (10) To ensure adequate off street parking during construction in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD.

- (11) 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.
- (12) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy TS3 of the Development Management DPD.
- (13) In the interests of satisfactory development and highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD.
- (14) In the interests of satisfactory development and highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD.
- (15) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD.
- (16) In the interests of satisfactory development and highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD.
- (17) 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.
- (18) To prevent flooding in accordance with the National Planning Policy Framework.
- (19) To prevent flooding in accordance with National Planning Policy Framework paragraph 103 by ensuring the satisfactory management of local sources of flood risk and ensure there is no adverse impact from flooding on the development or an increased risk of flooding elsewhere.
- (20) To prevent flooding in accordance with National Planning Policy Framework paragraphs 103 and 109 by ensuring the satisfactory management of local sources of flooding surface, water flow paths, storage and disposal of surface water from the site in the range of the rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.
- (21) To prevent environmental and amenity problems arising from flooding in accordance with National Planning Policy Framework.
- (22) 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.

- (23) To ensure the satisfactory development of the site in accordance with Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014 and Policy GC4 of the Development Management DPD 2015.
- (24) To ensure the satisfactory development of the site in accordance with Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014 and Policy GC4 of the Development Management DPD 2015.
- (25) 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.
- (26) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (27) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (28) To ensure the satisfactory development of the site.
- (29) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (30) To ensure the satisfactory development of the site in accordance with Policies GC4 and GC5 of the Development Management DPD 2015.
- (31) 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 and site in the interests of amenity, in accordance with Policy GC4 of the Development Management DPD 2015.

Informatives:

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

- (3) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Building Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk.
- (4) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site in due course. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (5) It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.
- Public utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.
- If required, street furniture will need to be repositioned at the applicant's own expense.
- (6) The applicant / developer and any subsequent occupier is advised that all works within the high pressure gas pipeline easement are to be notified to the National Grid plant protection team – contact plantprotection@nationalgrid.com telephone 0800 688 588.
- (7) The applicant is advised that the foul water strategy as required by condition 21 needs to take account of the environmental sensitivities of the site and positions of the trees to be retained.

SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Additional Comments	Page Nos
1	20170196	Former David Rice Hospital, Drayton High Road, Drayton.	<p>Further comments of the <u>Council's Contract's Officer</u>:</p> <p>The revised plan is now looking much more workable. However requests that the bin collection points for plots 1-8, 11-12, 17-19 & 20-23 should be closer to the adoptable standard roads.</p> <p>Comments from <u>Natural England</u> (summarised):</p> <ul style="list-style-type: none"> - No objection in respect of statutory nature conservation sites, the LPA should apply our 'standing advice' in respect of protected species. Natural England encourages the incorporation of green infrastructure into this development. General advice in respect of priority habitats identified on section 41 list of the Natural Environmental and Rural Communities Act 2006, local sites, biodiversity and landscape enhancements and sites of special scientific interest impact risk zones. <p>Lizard Orchid survey submitted 28 September 2017. This states that on 26 September 2017 a walk over survey of the area known to previously support the Lizard Orchid was examined by the applicant's ecology consultant, but showed a seeming absence of the Lizard Orchid in its previous position; however it is unable to rule out the possible below ground presence. Mitigation measures are proposed in case the Lizard Orchid is present in the area of its previously identified location.</p>	21 - 71

			<p>Additional neighbour objections in respect of the further amended plans.</p> <ul style="list-style-type: none"> - Concerned that the failure of the SuDs maintenance and foul water dispersal will threaten the vulnerable site, also without a foul water pumping station, foul water will leak onto the lower parts of the area especially the sensitive sites to the south of plots 1-12. - Although scale is one of the matters for consideration at the outline stage, we are concerned that the Committee report provides insufficient information in this respect. - Will the applicant be required to gift the undeveloped parts of the site to a conservation group? <p><u>Officer comments:</u></p> <p>In respect of the refuse collection proposals this will continue to be negotiated with the applicant should delegated authority to the Head of Planning to approve the application be given.</p> <p>The SuD's maintenance will be carried out by owners of the properties in terms of surface water run-off from the market dwellings and the Highway Authority in respect of the adopted roadway. In respect of foul water proposals condition 21 requires details to be submitted and approved. No dwellings are to be occupied until the foul water strategy has been carried out.</p> <p>In respect of the proposed scale of the development, the report states that the height of the housing development will not exceed two storeys, with an height limit of 8.7m specified. As layout of the development is for consideration the lengths and widths of each of the dwellings are</p>	
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		<p>established if approval is granted.</p> <p>In respect of the undeveloped blue land to the south of the application site, it is considered that the Council cannot require that the land is gifted to a conservation group and if this is the applicant's intention than that is a private matter. However the implementation of the Landscape Ecological Management Plan (LEMP) together with the specification of the mechanism to manage the whole area is required by suggested condition 7 and this is considered to be an appropriate approach in this case. An additional final sentence to condition 7 is set out below to ensure that the details of the agreed LEMP are carried out.</p> <p>It is noted that a Lizard Orchid survey has recently been submitted as required by the Ecological Impact Assessment, which concludes that the survey findings show a seeming absence of the Lizard Orchid in its previous position, but is unable to rule out the possible below ground presence. As the recommendation is to provide secure fencing around the area supporting the Lizard Orchid both during and post construction together with further survey work at 5 yearly intervals for up to 10 years, together with the submission of a CEMP. It is considered that the planning situation is unchanged in this respect.</p> <p><u>Addition to condition 7:</u></p> <p>All works shall then take place in accordance with the approved LEMP.</p>	
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48 APPLICATION NUMBER 20170196 – FORMER DAVID RICE HOSPITAL, DRAYTON HIGH ROAD, DRAYTON

The Committee considered an outline application for the erection of 29 dwellings and associated access at the former David Rice Hospital site, Drayton High Road, Drayton. Access, layout and scale were for determination at the outline stage with appearance and landscaping for future consideration at the reserved matters stage. Of the 29 dwellings, 10 would be affordable housing with six units for affordable rent tenure and four intermediate tenure properties (shared ownership or shared equity). Indicative drawings showed the design of the dwellings as contemporary form with angular, split level forms and modern external materials. The Design and Access Statement identified development not exceeding two storeys (8.7m). The proposed development would be served from an upgraded junction in the position of the existing access.

The application was reported to committee (1) at the request of Mr Foulger for the reasons identified in the report and (2) as the recommendation was contrary to the Development Plan.

The Committee received the further comments of the Council's Contracts Officer; summarised comments from Natural England and additional neighbour objections in respect of the further amended plans, together with the officer response (including an additional sentence to condition 7), all as reported in the Supplementary Schedule. In addition, the Committee received the verbal views of Mr Everett representing Drayton Parish Council; Mrs Robinson of 12 Harlington Avenue and Joy Ramsey of 151 Drayton High Road both objecting to the application and Les Brown, the agent, at the meeting.

The site was located outside of the settlement limit and therefore, the application conflicted with Policy 1 of the JCS and Policies GC1 and GC2 of the DM DPD. However, the site was within the Norwich Policy Area and the Committee was reminded that there was not currently a five year housing land supply. Accordingly, the relevant local policies for the supply of housing could not be considered up to date and applications for housing should be

considered in the context of the presumption in favour of sustainable development, as prescribed by Paragraph 49 of the NPPF. Therefore, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies as a whole. Drayton had a good level of local services and facilities (eg doctors' surgery, dentist, infant school, junior school, Post Office, various food and retail units, supermarket, village hall, sports centre, petrol filling station) and access to public transport. Therefore, it was considered that Drayton was a sustainable location for new residential development of the scale being proposed.

Members took into account the Neighbourhood Plan for Drayton and considered that the proposal met objectives 1, 2, 4 & 6 and the relevant policies.

Also relevant was the planning history; since 2004 there had been a number of planning applications to build a place of worship in the northern part of the site and Members noted an extant consent existed to build a church / community centre building of up to 2,020m² on part of the application site.

In terms of the specifics of the site, the Committee noted that an Ecological Appraisal submitted with the application had identified that the site contained areas of acid grassland, neutral grassland and woodland which supported a variety of uncommon and rare plants, including a Lizard Orchid. It was noted that the development proposals had deliberately been sited away from the areas of botanical diversity and therefore, the impacts of the development were reported as "moderate adverse". Of particular note was the fact that the area supporting the Lizard Orchid would be protected both during and after the construction stage. The measures taken were noted as reducing the impact to "minor adverse" and, taking account of the proposed enhancements / compensatory measures referred to in the ecology report, then the development was noted as having a "neutral impact".

In respect of the tree issues, the Committee noted that the Council's Conservation Officer (Arboriculture & Landscape) had no objections to the revised proposals subject to the imposition of conditions in respect of tree protection and the landscaping of the site (the latter being a reserved matter).

The Committee noted that, in response to the comments of the Highway Authority, the proposals had been revised to include a re-positioned bus stop, additional pedestrian crossing refuge and footway across part of the site frontage. Accordingly, the proposal was considered to be in accordance with Policies TS3 and TS4 of the DM DPD.

In assessing the character and appearance issues, the Committee recognised that the development would inevitably alter the character and appearance of the site itself as it was currently undeveloped. However, it was

considered that the special character of the site had been carefully taken into account in the layout of the proposals and as the predominant mature tree belt across the site frontage would be retained as a buffer, the majority of the proposed houses would not be visible from the road.

Members noted that during the consultation process concerns had been raised about public access to the site being prevented as a result of the development. Although the site was in private ownership, the applicant had stated that public access from Drayton High Road through the site would be retained via two points of access identified in the Design & Access Statement to the land south of the application site, as part of the green infrastructure requirements and the whole area would be included in the landscape management plan and Members noted this could be secured through appropriate conditions.

In terms of the open space requirements, it was noted that the applicant was proposing to meet the formal recreation requirement through a commuted sum which could be spent, for example, on providing / improving existing children's play space and sports facilities elsewhere in Drayton and this would be secured through a Section 106 Agreement. The informal open space requirement would be met through retaining public access to the remainder of the undeveloped part of the site, connecting to the existing public rights of way. The land would be subject to a Landscape Ecological Management Plan and it was noted negotiations would take place to secure the future management and maintenance of the land and its long term use as informal recreation. There was also no provision of allotments on site (as required by Policy EN3 of the DM DPD) and, therefore, a commuted sum would also be paid to meet the policy requirement, secured through the S106.

It was noted that permitted development rights were proposed to be removed by condition due to the special nature of the site and the need to assess individual impacts of householder proposals and Members concurred with this.

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

In conclusion it was considered that there was justification to approve the application and that any adverse impacts did not significantly and demonstrably outweigh the benefits. Therefore, the proposal was considered to represent an acceptable form of development and accordingly, it was

RESOLVED:

to delegate authority to the Head of Planning to grant outline approval for application number 20170196, subject to: no adverse comments in respect of

the outstanding issues; the satisfactory completion of a S106 Agreement with the following heads of terms and the following conditions:

Heads of Terms:

- Affordable housing as proposed with a tenure split 60:40 ART: Intermediate tenure.
- Provision of a commuted sum to be paid for off-site open space, recreational provision and allotments.

Conditions:

- (1) Details of the appearance of the buildings and landscaping of the site (hereinafter called 'the Reserved Matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- (2) Application for approval of the Reserved Matters shall be made to the local planning authority not later than TWO years from the date of this permission.
- (3) The development hereby permitted shall be commenced no later than TWO years from the date of approval of the last of the Reserved Matters to be approved.
- (4) The development hereby permitted shall not be carried out otherwise in accordance with the plans and documents listed below.
- (5) No development shall commence on site until details of all external materials to be used in the development have been submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.
- (6) Prior to the commencement of development a Construction Ecological Management Plan (CEMP) should be submitted to and approved in writing by the Local Planning Authority in order that biodiversity is protected during the construction phase of the approved development. The CEMP needs to take full account of measures required to protect the Lizard Orchid and any further species surveys that are required. All works shall then take place in accordance with the approved CEMP.
- (7) Prior to the commencement of development a Landscape Ecological Management Plan (LEMP) should be produced for the whole area (comprising the 'red' and 'blue land', shown on the approved location

plan) to be submitted to and approved in writing by the Local Planning Authority. This should include costed measures to ensure the ongoing management of the whole area and should also address the need to maintain public access across the whole area. In parallel, written details are to be submitted to and approved by the Local Planning Authority which identifies a clear mechanism of how the whole area is to be managed which identifies the bodies that will be responsible for overseeing the implementation and ongoing programme of the LEMP in perpetuity. All works shall then take place in accordance with the approved LEMP.

- (8) Prior to the commencement of development the following 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 stage 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 stage B above, and where remediation is necessary a remediation method statement and post remedial validation testing must be produced and approved in accordance with stages C & D above.
- (9) No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.
- (10) 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.
- (11) Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing no: 207679-SK500-P3 have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (12) Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 11 shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- (13) No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.

- (14) Before any dwelling is first occupied the roads/footways shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (15) Prior to the first occupation of the development hereby permitted a visibility splay measuring 4.5 x 120 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- (16) Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the site to enable 3 x standard size family cars to park for each 4 bedroom dwelling. They shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and retained thereafter available for that specific use.
- (17)
 - (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 (i) The programme and methodology of site investigation and recording; (ii) The programme for post investigation assessment; (iii) Provision to be made for analysis of the site investigation and recording; (iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation; (v) Provision to be made for archive deposition of the analysis and records of the site investigation, and (vi) Nomination of a competent person or persons / organisation to undertake the works set out within the written scheme of investigation; and,
 - (B) No development shall take place other than in accordance with the written scheme of investigation approved under part A; 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 Written Scheme of Investigation approved under part 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 commence with informative trial trenching within the previously

unsurveyed areas to determine the scope and extent of any further mitigatory work that may be required (eg an archaeological excavation or monitoring of groundworks during construction).

A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service upon request.

- (18) Prior to the commencement of the development hereby permitted, and notwithstanding the submitted/approved Flood Risk Assessment and Drainage Strategy the following measures shall be submitted to and agreed in writing with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The determination and approval of the 'flood risk' condition as set out in condition 19 at the reserved matter stage should be undertaken concurrently with the 'drainage' condition as set out in condition 20.

Flood risk

- (19) As part of the reserved matters application the proposed/agreed layout should ensure that properties have been removed from the surface water flow path or sufficient information / evidence is submitted to confirm that properties placed within the existing surface water flow path have had the risk removed.

Drainage

- (20) The scheme shall address the following:
- (i) Detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the infiltration features as identified,
 - (ii) Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (eg pumping station or electricity substation) within the development.
 - (iii) Finished ground floor levels of properties are a minimum of

300mm above expected flood levels of all sources of flooding.

- (iv) 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.
 - (v) 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.
- (21) 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.
- (22) Prior to the commencement of development a borehole/trial pit location plan of the area to be developed together with a written methodology for an intrusive site investigation, including particle size distribution testing will be submitted to and approved in writing by the Local Planning Authority in consultation with the Mineral Planning Authority. An intrusive site investigation for mineral resources will be carried out in accordance with the approved methodology and borehole / trail pit location plan. A Materials Management Plan (MMP), informed by the findings of the intrusive site investigations/testing; shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Mineral Planning Authority. The MMP will consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through testing and assessment. The MMP should quantify the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement as far as possible by return run to an aggregate processing plant.

The development hereby permitted shall be carried out in accordance with the MMP. The developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant through the MMP. The developer shall provide an annual return of these amounts to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or the Mineral Planning Authority.

- (23) No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning indicating the positions, design, materials and type of boundary treatment to be erected on each plot. The boundary treatments shall then be completed before the dwellings are first occupied. Development shall be carried out in accordance with the approved details.
- (24) No development shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate:

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 first occupation of the development or such other period as the Local Planning Authority may allow in writing. If within a period of FIVE years from the date of the planting of 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.

- (25) No works or development shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 - Trees in relation to design, demolition and construction - Recommendations (section 5.5 the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:

- (a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (paragraph 4.6.1) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
 - (b) the details of each retained tree as required at paragraph 4.4.2.5 in a separate schedule.
 - (c) a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree Work – Recommendations.
 - (d) the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 6.2).
 - (e) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 paragraph 6.2.2 and Figure 2), identified separately where required for different phases of construction work (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.
- (26) Development shall not commence on site until full details have been submitted to and approved in writing by the Local Planning Authority to specify the finished floor level of each of the dwellings hereby approved and the respective plot / garden levels to be shown against the existing site level. The development shall then be carried out in accordance with the approved details.
- (27) Concurrently with the reserved matters application being submitted details of the footpaths that are to be provided across the application site into the land to the south shall be submitted to and approved in writing by the Local Planning Authority. The footpaths shall provide public pedestrian access across the site and shall be retained in perpetuity.
- (28) None of the dwellings shall be occupied until the development hereby permitted has incorporated a fire hydrant for the purposes of firefighting.

- (29) Concurrently with the reserved matters application being submitted full details of the proposals in respect of the provision of the self-build or custom build elements of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an identification of those plots to be developed for these purposes together with details of the housing design code that the respective dwellings will be constructed to comply with.
- (30) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The details as approved shall be completed prior to the first occupation of any of the dwellings hereby permitted and thereafter shall be maintained.
- (31) Notwithstanding the provisions of Schedule 2 Part 1 and Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no buildings, walls, fences or other structures shall be erected within the site curtilage, nor alterations or extensions be made to the dwelling.

Plans and documents:

Drawing no. XXXX rev. 01 - Site layout, received 2 February 2017
Drawing no. 207679-SK500-P((TBC)) - Adoptable highway layout, received TBC
Drawing no. SK01 rev. 10 - Proposed buildings plan, received 23 August 2017
Drawing no. SK02 rev. 06 - Tree constraints & tree groups plan, received 26 April 2017
Drawing no. SK03 rev. 11 - Tree constraints & tree groups plan & proposed site plan, received 19 September 2017
Drawing no. SK04 rev. 04 - Bat roost plan, received 2 February 2017
Drawing no. SK05 rev. 06 - Bat roost plan & proposed site plan, received 19 September 2017
Drawing no. SK06 rev. 02 - Ecology plan, received 2 February 2017
Drawing no. SK07 rev. 09 - Ecology plan & proposed site plan, received 19 September 2017
Drawing no. SK08 rev. 02 - Shading plan & proposed site plan, received 2 February 2017
Drawing no. TBC Proposed refuse plan, received TBC
Revised Design and Access Statement, received 8 September 2017
Bat Roost Potential Survey 2016 report
Tree Survey 2016, received 2 February 2017
Ecological Impact Assessment, received 2 February 2017
Revised Flood Risk Assessment and Drainage Strategy, received 30 August 2017

Addendum to the tree survey – Drayton High Road widening & vision splay, received 4 August 2017

Reasons:

- (1) The application is submitted in Outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (2) The period for the commencement of the development has been reduced to bring forward the delivery of housing in a sustainable location where the relevant planning policies for the supply of housing are not considered to be up to date, in accordance with the requirements of paragraph 49 of the National Planning Policy Framework.
- (3) The time limit 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.
- (4) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (5) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (6) To ensure that the development has no adverse effects on the biodiversity and habitats on site and the presence of protected species in accordance with Policy EN1 of the Development Management DPD 2015.
- (7) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies GC4, EN1, EN2 and EN3 of the Development Management DPD 2015.
- (8) To 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.

- (9) In the interests of satisfactory development and highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD.
- (10) To ensure adequate off street parking during construction in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD.
- (11) 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.
- (12) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy TS3 of the Development Management DPD.
- (13) In the interests of satisfactory development and highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD.
- (14) In the interests of satisfactory development and highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD.
- (15) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD.
- (16) In the interests of satisfactory development and highway safety in accordance with Policies GC4 and TS3 of the Development Management DPD.
- (17) 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.
- (18) To prevent flooding in accordance with the National Planning Policy Framework.
- (19) To prevent flooding in accordance with National Planning Policy Framework paragraph 103 by ensuring the satisfactory management of local sources of flood risk and ensure there is no adverse impact from flooding on the development or an increased risk of flooding elsewhere.

- (20) To prevent flooding in accordance with National Planning Policy Framework paragraphs 103 and 109 by ensuring the satisfactory management of local sources of flooding surface, water flow paths, storage and disposal of surface water from the site in the range of the rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.
- (21) To prevent environmental and amenity problems arising from flooding in accordance with National Planning Policy Framework.
- (22) 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.
- (23) To ensure the satisfactory development of the site in accordance with Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014 and Policy GC4 of the Development Management DPD 2015.
- (24) To ensure the satisfactory development of the site in accordance with Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011/2014 and Policy GC4 of the Development Management DPD 2015.
- (25) 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.
- (26) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (27) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (28) To ensure the satisfactory development of the site.
- (29) To ensure the satisfactory development of the site in accordance with Policy GC4 of the Development Management DPD 2015.
- (30) To ensure the satisfactory development of the site in accordance with Policies GC4 and GC5 of the Development Management DPD 2015.

- (31) 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 and site in the interests of amenity, in accordance with Policy GC4 of the Development Management DPD 2015.

Informatives:

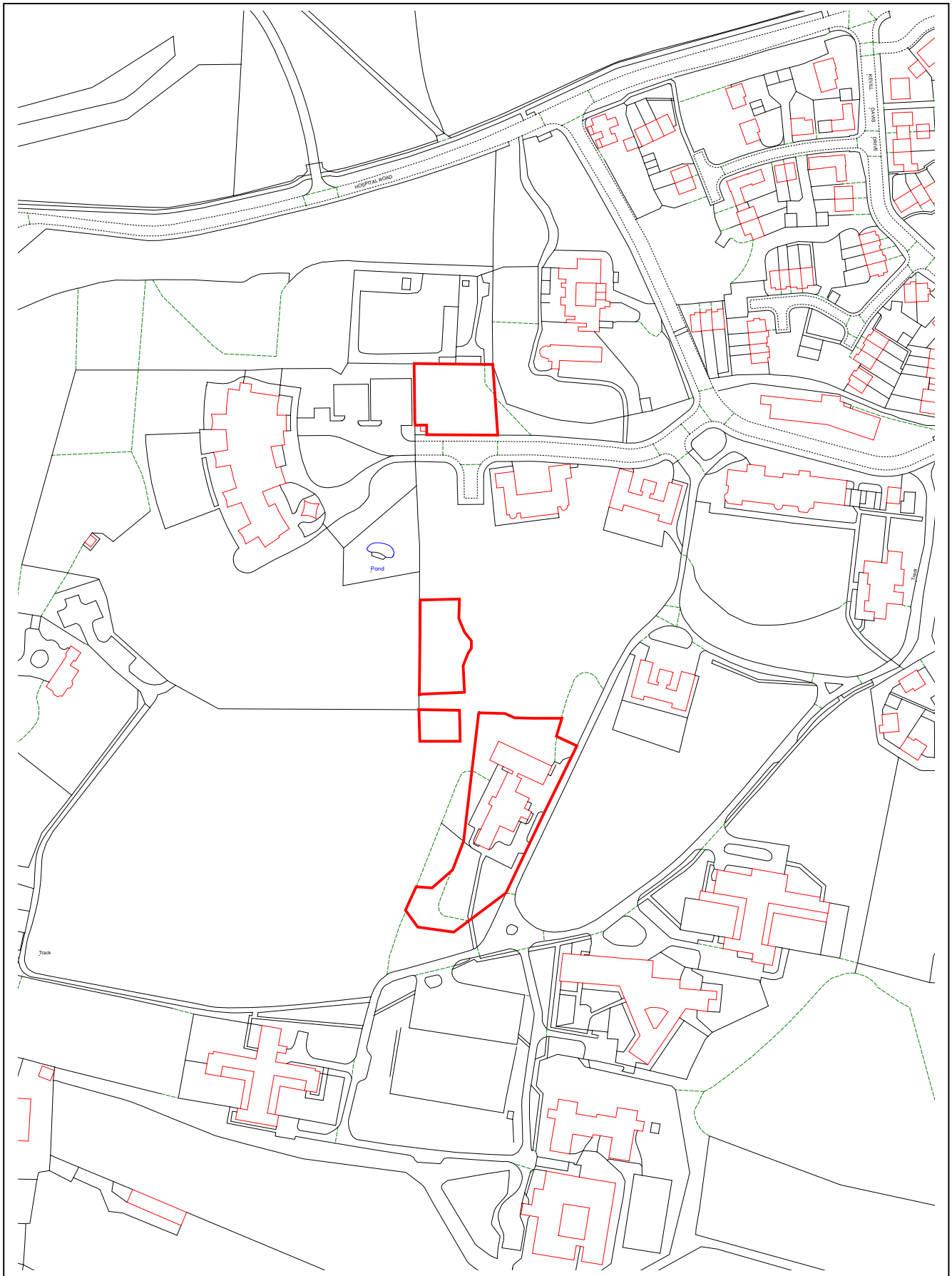
- (1) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (2) The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (3) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Building Regulations can be obtained from CNC Building Control Consultancy who provides the Building Control service to Broadland District Council. Their contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk.
- (4) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site in due course. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (5) It is an offence to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

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

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

- (6) The applicant / developer and any subsequent occupier is advised that all works within the high pressure gas pipeline easement are to be notified to the National Grid plant protection team – contact plantprotection@nationalgrid.com telephone 0800 688 588.
- (7) The applicant is advised that the foul water strategy as required by condition 21 needs to take account of the environmental sensitivities of the site and positions of the trees to be retained.

Mr Adams did not participate in the discussion or voting on this item.



Application No: 20171008

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

**Scale:
1:2500**

**Date:
22-Jan-18**



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PLAN NO: 4

APPLICATION NO: [20171008](#) – ERECTION OF 20 TWO-STOREY DWELLINGS, EXPANSION OF CAR PARKING FOR SCHOOL AND CAR PARKING AND ACCESS ROAD TO WALLED GARDEN ONLAND AT LITTLE PLUMSTEAD HOSPITAL WEST, HOSPITAL ROAD, LITTLE PLUMSTEAD

1 BACKGROUND

- 1.1 At its meeting on 31 January 2018 (Minute no: 89 refers) Planning Committee resolved to delegate authority to the Head of Planning to approve the application for full planning permission subject to the satisfactory resolution of surface water drainage; no new material issues being raised during the re-consultation period (expired 2 February 2018); completion of a Section 106 Agreement (Heads of Terms set out below); and subject to conditions:

S106 Heads of Terms:

- Provision of commuted sums for formal and informal recreation space;
 - Provision of 4 affordable housing units (3 Affordable Rent Tenure and 1 Shared Equity);
 - Land swap / transfer with Norfolk County Council;
 - Provision of serviced access road to southern boundary of walled garden;
 - Transfer of walled garden, serviced access road and additional land to Great & Little Plumstead Parish Council.
- 1.2 The S106 agreement has been instructed on but is not completed. Parties to this include the council as Local Planning Authority; the developer as landowner; Norfolk County Council; and Gt & Lt Plumstead Parish Council.
- 1.3 On 14 March 2018 the Greater Norwich Growth Board published the Joint Core Strategy annual monitoring report. Members are advised that a key material consideration in regards housing land supply in the Norwich Policy Area (NPA) is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence and forms part of the [Joint Core Strategy for Broadland, Norwich and South Norfolk: Draft Annual Monitoring Report 2016-17](#) For the NPA there is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.

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

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

In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits where it accords with a specific allocation and / or policy of the development plan and does not result in any significant adverse impact.

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

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

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

The JCS housing requirement is, however, now several years old (the JCS was adopted in March 2011, with amendments in January 2014). The evidence on which the requirement is based has now been superseded. In June 2017 an updated Strategic Housing Market Assessment (SHMA) was published for Central Norfolk (the Greater

Norwich authorities plus, North Norfolk and Breckland). The SHMA assesses the Objectively Assessed Need for housing between 2015 and 2036 using the most recent evidence available. Unlike the evidence underpinning the JCS, the SHMA also includes an assessment of the contribution made by student accommodation in line with the Planning Practice Guidance.

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

- 1.4 It is therefore necessary for the Planning Committee to re-consider those applications in the NPA that it previously resolved to approve where the decision has not been issued. 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.

2 THE ISSUES

- 2.1 The site has not been allocated for housing and is outside but adjacent to the settlement limit that has been defined for Great and Little Plumstead. The site is located on the remaining part of the former hospital which in total has provided over 300 dwellings as redevelopment with a further 88 dwellings now under construction by the current applicant – Reserved Matters [RM] Approval ref: [20160808](#).
- 2.2 It is to be noted that the dwellings proposed are located within the larger site area currently being developed as part of the RM Approval ref: [20160808](#).
- 2.3 In summary the current planning application for 20 dwelling provides the following:

S106 Requirements

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

Affordable housing at 20%

- 4 x 2 bed 4 person affordable units (3 Affordable Rent Tenure and 1 Shared Equity)

Commuted sums

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

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

Other benefits

- 2.5 The proposal also provides for a land swap between the applicant and Norfolk County Council to facilitate a better located car park in relation to proposed expansion of the primary school; and to provide for a serviced access road and additional land to the walled garden and to transfer the walled garden to the Parish Council for community purposes.

3 ASSESSMENT

- 3.1 As stated at paragraph 1.4 it is necessary to assess the benefits of the planning application and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions to sustainable development (economic role, social role and environmental role). In this case the key benefits of the planning application are set out in section 2 of this report and it should be noted that the previous committee report set out in detail the comments received in respect of the application together with a detailed assessment of the issues within the appraisal section including an evaluation against the development plan policies and the NPPF. At its meeting on 31 January 2018 Planning Committee concluded that any adverse impacts of the development did not significantly and demonstrably outweigh the benefits.

Economic role

- 3.2 The NPPF confirms the economic role as: *“contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure.”*
- 3.3 The development would result in some short term economic benefits as part of any construction work and in the longer term by local spending from the

future occupants of the dwelling. Furthermore, the associated transfer of land to other parties is likely to bring forward other economic benefits associated with school expansion and development of community assets. It is therefore considered that the scheme would bring forward a level of economic benefit.

Social Role

- 3.4 The NPPF confirms the social role as *“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”*
- 3.5 As part of the discussions referred to in paragraph 9.7 of the report to Planning Committee on 31 January 2018, there has been much focus on the walled garden. A particular opportunity identified by the Parish Council has been to secure a serviced access road up to the walled garden and some land for car parking in order to enhance its potential community use (there have been draft plans produced for a community building within the walled garden including café / shop etc.). Provision of the land and serviced road is not a requirement of the existing S106 Agreement but the applicant has responded positively to this request and is willing to provide this. The cost of provision of this will be met by a reduction in the affordable housing provision from 6 down to 4 affordable housing units (representing 20% on site provision) as referred to in 2.4 above. Whilst the reduction in affordable housing provision is regrettable, the community benefit that will be derived from this off-setting is a significant material consideration.
- 3.6 As explained in paragraph 9.6 of the report to Planning Committee on 31 January 2018, the current application, seeks approval for the 16 dwellings omitted from the RM application, plus a further 4 dwellings on land identified in the current S106 as land for school expansion. In terms of the 16 dwellings, their location within an existing residential development currently under construction means they have no significant or demonstrable harm and in policy terms with regard to the deficit in the supply of land for housing they are of specific benefit. In terms of the four dwellings, whilst there would be harm associated with building on land earmarked for school expansion, the proposed mitigation for this as examined in paragraphs 9.7 and 9.8 of the same report [summarised in paragraph 2.5 above] is considered to be a material consideration of significant benefit.
- 3.7 It should be noted that NPS Property Consultants on behalf of NCC Children’s Services has now submitted a planning application to Norfolk County Council for the school expansion including car park on the land to be transferred as part of this current planning application 20171008. The application has been registered with application number [Y/5/2018/5005](#) and can be viewed on the County Council’s website.

- 3.8 The development will be liable for CIL and there are significant material considerations identified in the paragraphs above relating to the proposed expansion of the primary school and bringing forward the early transfer of the walled garden as well as provision of related infrastructure, all of which is not provided for as part of the existing obligations of development on this site.
- 3.9 For the reasons set out above, it is considered that there are significant social benefits of the proposal and limited harms.

Environmental Role

- 3.10 The NPPF confirms the environmental role as *“contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”*
- 3.11 Paragraphs 9.10 – 9.14 of the report to Planning Committee on 31 January 2018, dealt with on site matters relating to: heritage assets; layout; design; drainage; access; open space; trees etc. and no objections were received to the consultation on revised plans.
- 3.12 In terms of the environmental role, no harms are identified that cannot be mitigated through condition and on balance it is considered that the scheme fulfils this requirement.

4 CONCLUSION

- 4.1 Whilst the housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision making process and that this factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery; there are limited adverse impacts associated with the development and there are clear and significant other benefits associated with the development and in the circumstances the resolution of Planning Committee on 31 January 2018 is maintained as one of approval.

5 RECOMMENDATION

- 5.1 Accordingly, it is **RECOMMENDED** that officers continue to negotiate the S106 as per the agreed Heads of Terms to allow it to be completed and the full application be approved as per the conditions as agreed by Planning Committee on 31 January 2018 (detailed in the Minutes attached as an appendix).

Phil Courtier
Head of Planning

Background Papers

Planning application 20171008

For further information on this report call Nigel Harriss 01603 430529 or email
nigel.harriss@broadland.gov.uk

AREA East

PARISH Great & Little Plumstead

5

APPLICATION NO: [20171008](#)

TG REF: 630750/310958

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

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

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

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

Date Received: 9 June 2017

13 Week Expiry Date: 11 September 2017

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

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

1 THE PROPOSAL

1.1 The application in its revised form seeks full planning permission for 20 dwellings, of which 4 are to be affordable housing (20%) and includes provision for a land swap for expansion of school car parking and car parking and access road to walled garden for transfer to a nominated body.

1.2 The dwellings (semi-detached houses with one detached house) comprise:

- 4 x 2 bed 4 person affordable units (3 Affordable Rent Tenure and 1 Shared Equity)
- 6 x 3 bed 6 person open market units
- 6 x 3 bed 4 person open market units
- 3 x 3 bed 5 person open market units

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

2 KEY CONSIDERATIONS

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

3 CONSULTATIONS

3.1 Great & Little Plumstead Parish Council:

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

Consultation on revised plans:

Comments awaited.

3.2 Norfolk County Council (as Highway Authority):

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

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

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

Consultation on revised plans:

Comments awaited.

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

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

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

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

3.4 Anglian Water:

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

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

3.5 Norfolk County Council (Planning Obligations):

The following infrastructure will need to be funded through CIL:

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

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

Education: Children generated from this development

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

Current situation at the local schools:

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

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

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

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

Consultation on revised plans:

Comments awaited.

3.6 BDC Pollution Control Officer:

No comments.

3.7 BDC Section 106 Officer:

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

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

3.8 BDC Housing Enabling Officer:

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

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

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

4 PUBLICITY

4.1 Site Notice:

Expired: 25 July 2017

Revised Site Notice:

Expiry date: 2 February 2018

4.2 Press Notice:

Expired: 18 July 2017

4.3 Neighbour Notification:

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

Expired: 14 July 2017

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

Comments awaited

5 REPRESENTATIONS

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

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

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

5.3 The points raised in support were:

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

5.4 The points raised in objection were:

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

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012:

- 6.1 Sets out the overarching planning policies on the delivery of sustainable development for rural communities through the planning system. It also reinforces the position that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2 Planning Practice Guidance (web based national guidance formalised on 6 March 2014) <http://planningguidance.planningportal.gov.uk/blog/policy/>

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

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

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

- 6.4 Policy 2: Promoting good design

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

- 6.5 Policy 3: Energy and water

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

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

- 6.6 Policy 4: Housing delivery

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

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

6.7 Policy 5: The Economy

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

6.8 Policy 6: Access and transportation

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

6.9 Policy 7: Supporting communities

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

6.10 Policy 15: Service Villages

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

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

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

Broadland Development Management DPD 2015 – (DM DPD):

6.12 Policy GC1: Presumption in favour of sustainable development

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

6.13 Policy GC2: Location of new development

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

6.14 Policy GC4: Design

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

6.15 Policy EN1: Biodiversity and habitats

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

6.16 Policy EN2: Landscape

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

6.17 Policy EN3: Green infrastructure

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

6.18 Policy EN4: Pollution

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

6.19 Policy RL1: Provision of formal recreational space

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

6.20 Policy TS3: Highway safety

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

6.21 Policy TS4: Parking guidelines

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

6.22 Policy CSU1: Additional community facilities

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

6.23 Policy CSU5: Surface water drainage

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

Site Allocations DPD – (SA DPD):

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

Landscape Character Assessment SPD:

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

Recreational Provision in Residential Development SPD:

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

Community Infrastructure Levy (CIL) Regulations 2010:

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

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

Great & Little Plumstead Neighbourhood Plan 2015:

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

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

6.29 Objectives 1 – 6 (relevant ones summarised):

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

6.30 Policy 1 – Growth:

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

6.31 Policy 2 – Design:

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

6.32 Policy 3 – Transport:

All new development should maximise opportunities to walk and cycle.

6.33 Policy 6 – Green Infrastructure:

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

6.34 Policy 7 – The Local Economy:

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

Planning (Listed Buildings and Conservation Areas) Act 1990:

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

7 LOCATION AND DESCRIPTION OF SITE

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

8 PLANNING HISTORY

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

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

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

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

WALLED GARDEN LAND

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

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

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

9 APPRAISAL

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

Policy Framework

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

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

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

Site Specific Considerations:

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

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

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

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

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

S106 Heads of Terms:

- Provision of commuted sums for formal and informal recreation space.

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

Conditions:

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

20171008 Design and Access Statement.pdf

20171008 Additional Dwg No 4918_84_C MaterialsPlan.pdf

20171008 Amended DwgNo 4918_80_B LocationPlan.pdf

20171008 Amended Dwg No 4918_81_C Site Plan recd 150118.pdf

20171008 Dwg No 4918_82_01 House Types Garages.pdf

20171008 Dwg No 4918_82_02 House Types AD 2b_4p Elevations & Floor Plans.pdf

20171008 Dwg No 4918_82_03 House Types B4 3b_6p Elevations & Floor Plans.pdf

20171008 Dwg No 4918_82_04 House Types B5 3b_6p House 1 of 2 Elevations & Floor Plans.pdf

20171008 Dwg No 4918_82_05 House Types B5 3b_6p House 2 of 2 Elevations & Floor Plans.pdf

20171008 Dwg No 4918_82_06 House Types C 3b_4p Elevations & Floor Plans.pdf

20171008 Dwg No 4918_82_07 House Types D 3b_5p Elevations & Floor Plans.pdf

20171008 Dwg No 4918_82_08 House Types D1 3b_5p Elevations & Floor Plans.pdf

20171008 Dwg No 4918_82_09 House Types F 4b_7p Elevations & Floor Plans.pdf

- (3) Highway condition(s) as recommended by the Highways Authority.
- (4) Surface Water drainage condition(s) as recommended by the Lead Local Flood Authority.
- (5) Details of energy efficient design and the construction of on-site equipment to secure at least 10% of the development's energy from decentralised and renewable or low-carbon sources shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The details as approved shall be completed prior to the first occupation of any of the dwellings hereby permitted and thereafter shall be maintained
- (6) No works or development shall take place until a scheme for the protection of the retained trees to comply with the relevant sections of BS5837:2012 - Trees in relation to design, demolition and construction – Recommendations (section 5.5 the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:
 - (a) A plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (paragraph 4.6.1) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
 - (b) The details of each retained tree as required at paragraph 4.4.2.5 in a separate schedule.
 - (c) The details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 6.2).
 - (d) The details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 paragraph 6.2.2 and Figure 2), identified separately where required for different phases of construction work (eg demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
 - (e) The details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6.2).

- (f) The details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7).
- (g) The details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 4.6.1) of any retained tree, including those on neighbouring or nearby ground.
- (h) The details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of 'No-Dig' construction.

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

- (7) No development shall commence until a foul water drainage strategy has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the works have been carried out in accordance with the foul water drainage strategy so approved unless otherwise approved in writing by the local planning authority.
- (8) Development shall not proceed above slab level until a scheme has been submitted for the provision of a fire hydrant in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service. The fire hydrant shall be available for use prior to the first occupation of any dwelling

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) In the interests of Highway Safety.
- (4) In order to prevent flooding.
- (5) To ensure the development incorporates sufficient energy efficiency measures in accordance with policy 3 of the JCS.

- (6) To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interest of amenity in accordance with Policies GC4, EN2 and EN3.
- (7) To prevent environmental and amenity problems arising from flooding in accordance with GC4 of the DM DPD.
- (8) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with policy GC4 of the Development Management DPD 2015.

Informatives:

- (1) The local planning authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (3) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provides the Building Control service to Broadland District Council. Their contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk

SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
5	20171008	Land at Little Plumstead Hospital West, Hospital Road, Great and Little Plumstead	<p>Correction: In paragraph 9.4 on page 192 of the agenda, the date of publication of the five-year housing land supply should be January 2017 not January 2016 as stated.</p> <p>Comment from Mr Adrian Nagle - The Walled Garden Community Shop and Café As the community group that propose to fund raise, build and run the shop and cafe within the Walled Garden we are delighted that it has been possible to accommodate the school's expanding car park needs whilst leaving car parking and a vehicle access road to the Walled Garden.</p> <p>We are in agreement with the amended plan but do hope that the eastern-most red line can be moved eastwards along the line of the church wall boundary by approx 6 mts to encompass this small piece of frontage in respect of land for transfer to the Parish Council. This will enable us to fully utilise the maximum car parking potential for the walled garden, sharing a single point of vehicle access with the schools car parking. We have undertaken a site visit with Mark Symonds, conservation officer, to ensure our hopes would be possible with regard to tree TPO's.</p>	170 - 200

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLVED:

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

S106 Heads of Terms:

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

Conditions:

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

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

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

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

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

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

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

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

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) In the interests of highway safety.
- (4) In order to prevent flooding.
- (5) To ensure the development incorporates sufficient energy efficiency measures in accordance with policy 3 of the JCS.
- (6) To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interest of amenity in accordance with Policies GC4, EN2 and EN3.
- (7) To prevent environmental and amenity problems arising from flooding in accordance with GC4 of the DM DPD.
- (8) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with policy GC4 of the Development Management DPD 2015.

Informatives:

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

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

Minutes 31.1.18
Appendix



Application No: 20172032

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

**Scale:
1:1250**

**Date:
22-Jan-18**



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PLAN NO: 5

APPLICATION NO [20172032](#) – RESIDENTIAL DEVELOPMENT OF 8 DWELLING HOUSES (OUTLINE) ON LAND AT DAWSONS LANE, BLOFIELD, NR13 4SB

1 BACKGROUND

- 1.1 At its meeting on 31 January 2018 (Minute no: 88 refers) Planning Committee resolved to delegate authority to the Head of Planning to grant outline planning permission subject to the satisfactory completion of a S106 Agreement with the following heads of terms and subject to conditions.

Heads of Terms:

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

- 1.2 The S106 Agreement has been instructed on but is not completed.

- 1.3 On 14 March 2018 the Greater Norwich Growth Board published the Joint Core Strategy annual monitoring report. Members are advised that a key material consideration in regards housing land supply in the Norwich Policy Area (NPA) is the Central Norfolk Strategic Housing Market Assessment (SHMA), the most recent version of which was published in June 2017. This is significant new evidence and forms part of the [Joint Core Strategy for Broadland, Norwich and South Norfolk: Draft Annual Monitoring Report 2016-17](#) published on 14 March 2018. For the NPA there is an 8.08 year housing land supply against the SHMA assessment of the Objectively Assessed Need (OAN) for housing. The following paragraphs explain why this effectively diminishes the weight attached to the benefits of increased housing supply.

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

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

In this regard, consideration should be given to DM DPD Policy GC2 which makes provision for development to be granted outside of settlement limits where it accords with a specific allocation and / or policy of the development plan and does not result in any significant adverse impact.

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

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

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

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

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

in the context of DM DPD Policy GC1 and NPPF Paragraph 14.

- 1.4 It is therefore necessary for the Planning Committee to re-consider those applications in the NPA that it previously resolved to approve where the decision has not been issued. 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.

2 THE ISSUES

- 2.1 The site has not been allocated for housing and is outside but adjacent to the defined settlement limit of Blofield Heath.
- 2.2 In summary the current planning application for 8 dwellings provides the following:

S106 Requirements

- 2.3 When taking account of Policy 4 of the Joint Core Strategy and Policies EN3 and RL1 of the Development Management DPD, the number of dwellings being proposed triggers contributions to be made towards affordable housing, equipped children's play space, formal recreational space and informal open space.

Commuted sums

In respect of open space, the Council would not seek the provision of open space on site as it is unlikely to be meaningful given the small scale of development. Instead, it would seek the payment of commuted sums. There is a deficit in equipped children's play areas and informal open space within the parish of Blofield and contributions would be sought towards these items and the following approximate figures apply. Exact figures cannot be quoted as the scheme is in outline and the number of bed spaces is not known at this stage:

- Play/Sport/Allotments £17,000
- Green Infrastructure £21,000

Affordable housing

Given the scale of development proposed (8 dwellings), the Ministerial Statement of 28 November 2014 is relevant and which states that affordable housing contributions and tariff style contributions should not be sought for sites of 10 units or less and which have a maximum combined gross floor space of 1,000m². Therefore, no affordable housing will be delivered by this scheme.

Other Benefits

As part of the development a new length of footway is proposed from Dawsons Lane, extending eastwards across the frontage of seven properties on Blofield Corner Road to link up with Skedge Way and existing footpath infrastructure to the east.

3 ASSESSMENT

- 3.1 As stated at paragraph 1.4 it is necessary to assess the benefits of the planning application and any harm that would be caused in the context of the relevant development plan policies and the NPPF, with reference to the three dimensions to sustainable development (economic role, social role and environmental role). In this case the key benefits of the planning application are set out in section 2 of this report and it should be noted that the previous committee report (including related matters in the Supplementary Schedule and IDB letter reported by the Area Planning Manager) set out in detail the comments received in respect of the application together with a detailed assessment of the issues within the appraisal section including an evaluation against the development plan policies and the NPPF. At its meeting on 31 January 2018 Planning Committee concluded that the development would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits.

Economic role

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

Social Role

- 3.4 The NPPF confirms the social role as *“supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”*
- 3.5 Although the proposal does not contribute to local affordable housing need due to the quantity of development proposed, it can provide for a range of dwelling types and is in a relatively sustainable location being adjacent the built up area and within walking distance of local services and facilities. The development is proposed to connect with existing footway infrastructure providing a new length of public footpath (referred to as a benefit in paragraph 9.15 of the report to Planning Committee on 31 January 2018) and in addition, this development would be liable for Community Infrastructure Levy (CIL) and will contribute to formal and informal recreation by way of commuted payments.

Environmental Role

- 3.6 The NPPF confirms the environmental role as *“contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”*
- 3.7 The site is adjacent existing residential dwellings located within the settlement limit and as explained in paragraph 9.5 of the report to Planning Committee on 31 January 2018 the proposal was considered to be sustainable development. Paragraph 9.17 of the report to Planning Committee on 31 January 2018 is important in that it stated the following:

“In summary, officers consider that the application proposes an acceptable use in a relatively sustainable location (in transport terms) without causing harm to residential amenity, the character and appearance of the surrounding area or highway safety and will not undermine the aims and objectives of the development plan.”

- 3.8 In terms of the environmental role, no harms are identified that cannot be mitigated through condition and on balance it is considered that the scheme fulfils this requirement.

4 CONCLUSION

- 4.1 Whilst the housing land supply that is apparent in relation to the most up-to-date evidence of housing needs should be given weight in the decision

making process and that this factor effectively diminishes the weight that would otherwise be attached to the benefits of increased housing delivery; there are limited adverse impacts associated with the development and there are clear other benefits associated with the development; and in the circumstances the resolution of Planning Committee on 31 January 2018 is maintained as one of approval.

5 RECOMMENDATION

- 5.1 Accordingly, it is **RECOMMENDED** that officers continue to negotiate the S106 as per the agreed Heads of Terms to allow it to be completed and the outline application be approved as per the conditions as agreed by Planning Committee on 31 January 2018 (detailed in the Minutes attached as an appendix).

Phil Courtier
Head of Planning

Background Papers

Planning application 20170196

For further information on this report call Cheryl Peel 01603 430550 or email cheryl.peel@broadland.gov.uk

AREA East

PARISH Blofield

4

APPLICATION NO: [20172032](#)

TG REF: 632139 / 311318

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

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

APPLICANT PPAP Investments c/o Agent

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

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

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

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

1 THE PROPOSAL

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

2 KEY CONSIDERATIONS

- Development outside of settlement limit

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

3 CONSULTATIONS

3.1 Blofield Parish Council:

Objects.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3.2 Highways:

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

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

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

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

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

3.3 Spatial Planning:

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

3.4 Environmental Health Officer (Contamination):

No comments to make.

3.5 Architectural Liaison & Crime Reduction Officer:

No objections.

3.6 Lead Local Flood Authority:

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

3.7 Anglian Water:

No response.

3.8 Norfolk Fire & Rescue Service:

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

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

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

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

4 PUBLICITY

4.1 Site Notice: 24 November 2017

Expiry date: 17 December 2017

4.2 Press Notice: 28 November 2017

Expiry date: 21 December 2017

4.3 Neighbour Notification

44 properties on Blofield corner Road and Skedge Way.

Expired: 14 December 2017

5 REPRESENTATIONS

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

5.2 Summary of concerns:

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

5.3 Cllr O' Neill:

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

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) March 2012:

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

National Planning Practice Guidance:

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

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

6.5 Policy 1:

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

6.6 Policy 2:

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

6.7 Policy 4: Housing delivery

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

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

6.8 Policy 9: Strategy for growth in the NPA

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

6.9 Policy 15: Service Villages

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

6.10 Policy 17: Smaller rural communities and the countryside

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

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

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

Development Management (DPD) Proposed Submission 2014

6.12 Policy GC1:

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

6.13 Policy GC2:

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

6.14 Policy GC4:

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

6.15 Policy EN1: Biodiversity and habitats

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

6.16 Policy EN2: Landscape

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

6.17 Policy EN3: Green infrastructure

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

6.18 Policy EN4: Pollution

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

6.19 Policy RL1: Provision of formal recreational space

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

6.20 Policy TS3: Highway safety

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

6.21 Policy TS4: Parking guidelines

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

6.22 Policy CSU5: Surface water drainage

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

Blofield Parish Neighbourhood Plan 2016

6.23 Policy HOU1: Local housing needs

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

6.24 Policy HOU4: Rural image, heights and massing

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

6.25 Policy HOU5: Parking for new developments

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

6.26 Policy ENV2: Soft site boundaries and trees

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

6.27 Policy ENV3: Drainage

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

6.28 Policy ENV4: Agricultural land

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

6.29 Policy TRA1: Local traffic generation

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

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

6.30 Policy TRA3: Walking and cycling

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

Landscape Character Assessment SPD

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

Recreational Provision in Residential Development SPD

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

Written Ministerial Statement of 28 November 2014

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

7 LOCATION AND DESCRIPTION OF SITE

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

8 PLANNING HISTORY

- 8.1 None.

9 APPRAISAL

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

Policy Framework

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

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

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

Site Specific Considerations

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

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

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

Planning obligations

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

Planning Balance

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

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

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

Heads of Terms:

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

Conditions:

- (1) Details of the appearance, landscaping, layout, access and scale (hereinafter called the “reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- (2) Application for approval of the all of the reserved matters shall be made to the local planning authority not later than TWO years from the date of this permission. The development hereby permitted shall not begin later than TWO years from the date of approval of the last of the reserved matters to be approved.
- (3) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents:
- (4) As part of the reserved matters application, details of the surface water drainage scheme to serve the residential dwellings and access shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following:

- (a) Calculations of the existing greenfield run-off rates for the proposed impermeable area and modelling to demonstrate that the surface water runoff will be restricted to the existing greenfield run-off rates in the equivalent rainfall events.
- (b) Modelling of the surface water drainage scheme to show that the attenuation features will contain the 1 in 100 year rainfall event including climate change.
- (c) Modelling of the conveyance system to demonstrate that there would be no above ground flooding in the 1 in 30 year rainfall event, and to detail the volumes of flooding in the 1 in 100 year climate change event, along with plans and drawings to show where any flood volumes would flow and be stored to prevent flooding of buildings and offsite flows.
- (d) Plans depicting the exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system.
- (e) Details of who will maintain each element of the surface water system for the lifetime of the development, and submission of a maintenance schedule.

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

- (5) **SHC 10 (Variation)** Prior to any works starting on site the junction of Dawsons Lane with Blofield Corner Road shall be upgraded / widened to a minimum width of 5 metres and provided with kerb radii of 6 metres in accordance with the Norfolk County Council residential access construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- (6) **SHC 39A** Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the highway improvement works (new section of 1.8m wide footway linking from Dawsons Lane to existing footway on Blofield Corner Road to the east) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

- (7) **SHC 39B** Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- (8) **SHC 05** Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following: -
 - (i) Access arrangements.
 - (ii) Parking provision in accordance with adopted standard.
- (9) The development hereby approved shall have a maximum combined floorspace (including garaging) of no more than 1,000m² (gross internal area).
- (10) No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service. The fire hydrant shall be available for use prior to the first occupation of any dwelling.

Reasons:

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

environment of the local highway corridor in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.

- (7) To ensure that the highway network is adequate to cater for the development proposed in accordance with Policies GC4 and TS3 of the Development Management DPD 2015.
- (8) In the interests of highway safety and to ensure the provision of adequate off-road parking spaces in the interests of highway safety in accordance with policies TS3 and TS4 of the Development Management DPD 2015.
- (9) This application is not seeking to provide affordable housing and this condition has been imposed to ensure compliance with the Ministerial Statement of 28 November 2014.
- (10) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with policy GC4 of the Development Management DPD 2015.

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site in due course. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (4) It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to

ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact Stephen Coleman on 01603 430596.

- (5) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (6) With reference to condition no: 10, the developer will have to meet the costs of supplying and installing the fire hydrant.

SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update	Page Nos
4	20172032	Land at Dawsons Lane, Blofield Heath	<p>Norfolk County Council Historic Environment Service:</p> <p>The application was reviewed directly from the planning list and we do not consider that the proposed development will have any significant impact on the historic environment. Therefore we do not wish to make any recommendations for archaeological work.</p> <p>Two additional comments received:</p> <p>Cllr David Ward – The access road is a private road and is not suitable for two-way traffic. The site is agricultural land outside of the settlement limit.</p> <p>Mr G Coghlan, Bella Vista, Blofield Corner Road – We bought our property as it adjoined agricultural land and we love the wildlife. Dawsons Lane is not suitable for more properties or traffic. We would be concerned if the farmer cannot access the remainder of the agricultural land from Dawsons Lane as access from Laundry Lane would not be suitable.</p>	158 - 178

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLVED:

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

Heads of Terms:

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

Conditions:

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

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

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

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

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

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

Reasons:

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

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

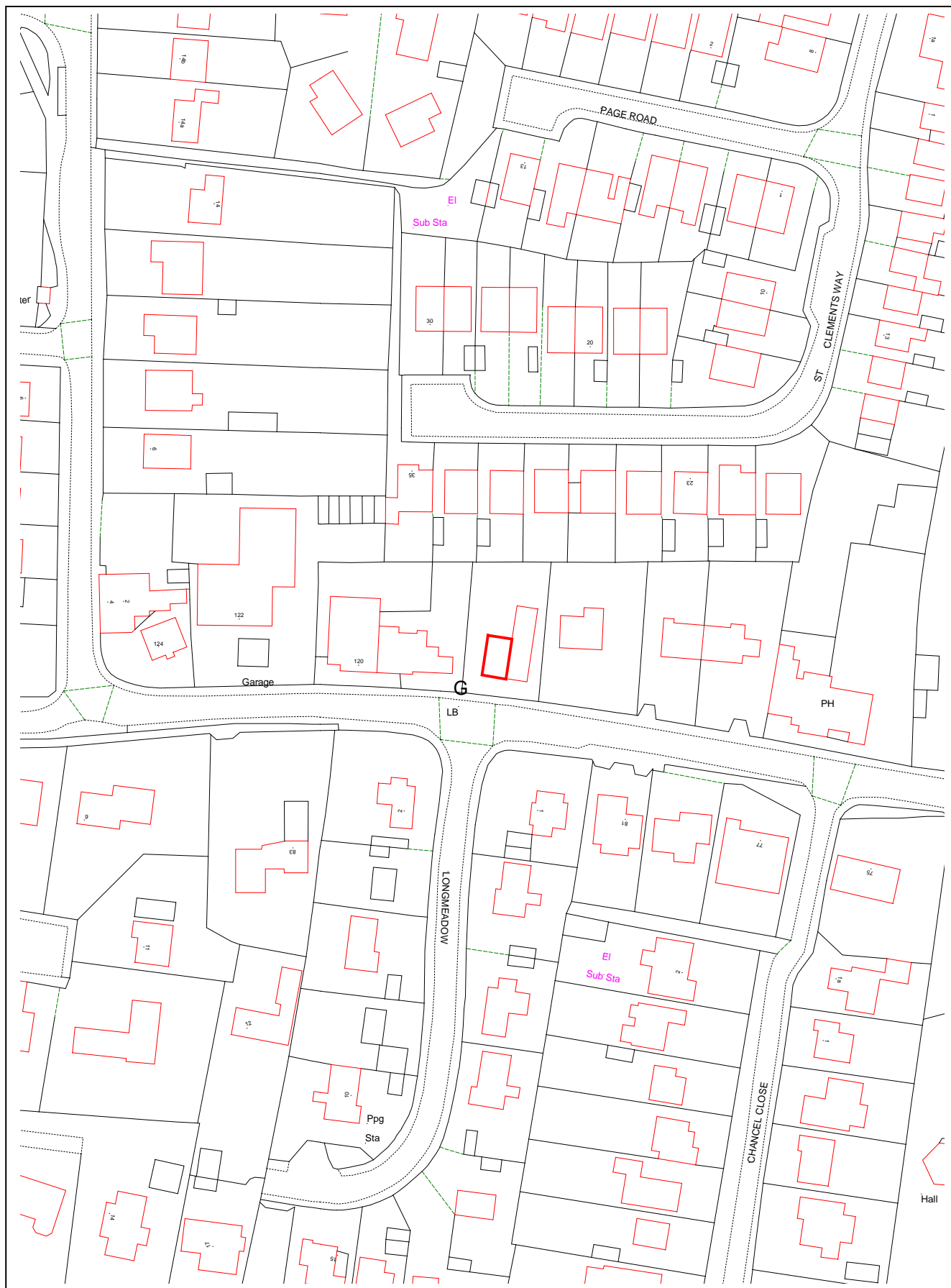
- (9) This application is not seeking to provide affordable housing and this condition has been imposed to ensure compliance with the Ministerial Statement of 28 November 2014.
- (10) To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire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

Informatives:

- (1) The Local Planning Authority has taken a positive and proactive approach to reach this decision in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site in due course. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp
- (4) It is an offence to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact Stephen Coleman on 01603 430596.

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

Minutes 31.1.18
Appendix



Application No: 20172094
116 The Street, Brundall, NR13 5LP

Scale:
1:1250
Date:
19-Mar-18



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AREA East

PARISH Brundall

6

APPLICATION NO: [20172094](#) **TG REF:** 632045/308580

LOCATION OF SITE 116 The Street, Brundall, Norwich, NR13 5LP

DESCRIPTION OF DEVELOPMENT Change of use from existing optician shop (A1) to pizza takeaway (A5) and external flue to rear

APPLICANT Mr Aleksandar Olinov Singartiliev, 9 Timber Hill, Norwich, NR1 3JZ

AGENT ADA Group, FAO Mr B Uzun, 103 Stoke Newington High Street, London, N16 0PH

Date Received: 29 November 2017
8 Week Expiry Date: 24 January 2018

Reason at Committee: At the request of Cllr Proctor for the reasons set out in Paragraph 4.2 of this report.

Recommendation (summary): To approve the application subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks permission to change the use of the existing ground floor retail (A1) unit (currently operating as an opticians) to a hot food takeaway (A5).
- 1.2 The proposed opening hours are from 11:00hrs to 21:00hrs, 7 days a week.

2 KEY CONSIDERATIONS

- The impact on residential amenity in terms of general noise and disturbance and odour
- The impact on the character and appearance of the area
- Highway considerations

3 CONSULTATIONS

3.1 Brundall Parish Council: Object.

The Parish Council object for the following reasons:

- Noise / anti-social behaviour extending the hours will bring.
- The increase in traffic movements.
- Insufficient off-road parking spaces causing an increase in on-road parking on The Street.
- There are other takeaways in Brundall already.

3.2 Environmental Health Officer:

In relation to noise and odour: No objections subject to the mitigation measures within the Acoustic Design Review being adhered to. It would be prudent to prohibit chargrilling as the smoke is difficult to attenuate. It would also be useful to stipulate that the filtration / ventilation and sound insulation is installed as proposed and that it is maintained in accordance with the manufacturer's recommendations.

3.3 Highways Authority:

No objections.

You will be aware of Highway Authority concern regarding a number of recent applications for development adjacent to this site (application [20141214](#) at Brundall Garage, 122 The Street and [20150789](#) at 114 The Street). These applications being subject to highway objections on the grounds of the particular proposed change of use and the extensions leading to further and unacceptable on-street parking.

Application 20141214 was subsequently allowed on appeal (the premises is now operating as The Co-operative) with the appeal inspector stating that he was mindful of additional parking arising from the proposal adding to existing restriction but that there was no evidence that any additional on-street parking 'would result in a severe hazard to highway safety'. Application 20150789 was allowed by your Authority contrary to the highway advice offered (Honeycomb Dental Surgery which is no longer operating from this site).

The present proposal has very limited on-site parking (with spaces being shared with adjacent hairdressing business and presumably flats above and it

is therefore the case that car borne customers of the proposed pizza takeaway would likely park on The Street adjacent to the site.

Whilst this is undesirable and potentially detrimental to highway safety; in making a decision on this application I have to be mindful of the permitted A1 use of the shop and its potential permitted changes, the location of the proposal within a heavily built up area where customers can walk to and from the site and the conclusion of the appeal inspector in regard to the Garage site.

Adjacent junctions and accesses are protected by no waiting restrictions with The Street being well aligned at this point.

Taking account of all the above, I conclude that any objection would not be sustainable at appeal.

3.4 Environmental Health Officer (Contamination):

No objections.

3.5 Environmental Health (Food Safety):

No objection to the amended plan.

3.6 Economic Development:

Subject to concerns relating to residential amenity and highways being adequately addressed, I would support the proposal which creates some additional local employment opportunities as well as providing an additional food outlet for the village.

3.7 Community Safety Manager:

I am aware that there has been some youth anti-social behaviour but NOT associated directly with such premises.

3.8 Site Notice: 12 December 2017

Expired: 2 January 2018

3.9 Neighbour Notification 5 December 2017

Expired: 28 December 2017

77, 79, 81, 83, 110, 114, 116B, Flats 1, 2, 3 116, 118, 118A, 120, 120A The Street

19, 21, 23, 25, 27, 29, 31, 33 & 35 St Clements Way

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15 & 17 Longmeadow

4 REPRESENTATIONS

- 4.1 Representations have been received from B P Gates (no address given); 4 Mill Road, Salhouse; and the following addresses in Brundall: 37 Beverley Road; 29 & 31 St Clements Way; 1, 2, 5, 6, 8, 9, 10, 15 Longmeadow; The Street nos: 77, 84b (Linden House), 108 (The Ram Inn – petition with 65 signatures), Flats 1 & 3 at 116, 116b (Divine Hair Salon), 120a.

Summary of representations:

- Brundall does not require another takeaway as there are four already.
- Increase in traffic problems from on-road parking.
- Lack of off-road parking spaces.
- Noise and disturbance from vehicles using the takeaway.
- Noise and odours from the cooking.
- Increased litter.
- Anti-social behaviour outside.
- No space on site for additional litterbins.
- No details of additional fire protection.
- The shops currently close at 7pm and this proposal will lead to additional disturbance in the evening for the residential properties above.

- 4.2 Cllr Proctor:

This proposal raises issues of potential adverse impact on neighbour amenities, not just in The Street but other nearby roads including Longmeadow and highway safety problems.

For those reasons, if you are minded to approve the application I would wish for it to be determined by the Planning Committee.

RELEVANT POLICY GUIDANCE

National Planning Policy Framework 2012:

- 4.3 Sets out the Government's planning policies for England and how these are expected to be applied. The NPPF sets out a clear presumption in favour of sustainable development and supports economic growth.

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

- 4.4 Policy 2: Promoting Good Design

Requires all development to be designed to the highest possible standard creating a strong sense of place.

- 4.5 Policy 6: Access and Transportation

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

- 4.6 Policy 14: Key Service Centres

Key Service Centres have a range of facilities enabling them to meet local needs of residents of surrounding areas.

Planning Practice Guidance 2014 (Web based informal guidance formalised 6 March 2014:

<https://www.gov.uk/government/collections/planning-practice-guidance>

- 4.7 Paragraph: 002 Reference ID: 30-002-20140306: Noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.
- 4.8 Paragraph 123. Planning policies and decisions should aim to:
- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development
 - mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

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

- 4.9 The policies set out within the Development Management DPD do not repeat but seek to further 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.

4.10 Policy GC1:

Presumption in favour of sustainable development.

4.11 Policy GC2:

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

4.12 Policy GC4:

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

4.13 Policy EN4:

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.

4.14 Policy TS3:

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

4.15 Policy TS4:

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

Brundall Neighbourhood Plan (2016):

4.16 Policy 1: Improving Local Centres and Gateways

The protection and enhancement of the environmental quality and public realm along The Street for pedestrians, cyclists and local businesses.

5 LOCATION AND DESCRIPTION OF SITE

- 5.1 The site is located within the village of Brundall and within the Settlement Limit. The site is on the northern side of The Street, within an existing commercial area that consists of a Co-op supermarket, pharmacy, hairdressers and a public house. Among these businesses there are residential properties.
- 5.2 The existing building is divided into two retail units on the ground floor (the opticians and the hairdressers) and three residential flats on the first floor. There is off-road parking at the frontage for two vehicles and an access drive leading to the back where there is additional parking for two vehicles.

6 PLANNING HISTORY

- 6.1 None on this unit.

7 APPRAISAL

- 7.1 The main issues to consider in relation to the application are the impact of the proposed change of use on the amenity of neighbouring properties, the character of the area and highway concerns.
- 7.2 There are concerns that the proposal will result in an unacceptable level of on-street car parking in relation to the hot food takeaway use. Highways have confirmed that in light of previous appeal decisions and applications granted contrary to their objections, that they do not object to this proposal on highway safety grounds. It is agreed that customers are likely to park on the road along The Street as is the current situation for uses of the adjacent pharmacy and hairdressers. Furthermore, recently the adjacent dentist has closed and is being converted to residential accommodation thus reducing the commercial units in the immediate locality. This section of The Street has waiting restrictions in place and is well aligned and so the change of use proposed is not considered to result in an unacceptable impact on the satisfactory functioning of the highway network in the locality and is in accordance with Policy TS3. Any associated Highway impacts are unlikely to result in severe hazard to highway safety (Paragraph 32 of the NPPF).
- 7.3 The pharmacy and hairdressers are open between 09:00hrs and 18:30hrs and 09:00 – 18:00hrs (two late nights until 19:30hrs) respectively. The nearby Co-operative supermarket is open 07:00hrs – 22:00hrs daily and the public house (The Ram) is open until 23:00hrs Monday – Saturday. There is

therefore already an element of noise and disturbance from these businesses operating between 07:00hrs and 23:00hrs on a daily basis. It is not considered that the change of use of this small unit to a takeaway with hours restricted to 11:00hrs – 21:00hrs is likely to result in a substantial increase of noise and disturbance to nearby residential properties, contrary to Policy GC4.

7.4 There are existing takeaway restaurants within Brundall Village. The Ram Public House and The Lavender House restaurant have an ancillary takeaway business in association with their main use. Further along The Street there is Brundall Chip Shop (5 The Street) granted permission in October 2000 ([001090](#)) and the New World Chinese Takeaway (72 The Street), an application allowed on appeal in April 2001 ([000834](#)). The Chip Shop has opening restrictions until 22:00hrs weekdays and 23:00hrs at weekends (20:30hrs Sundays) and the New World Chinese is permitted to open until 23:00hrs, 7 days a week. Both of these premises are close to residential properties but within small, commercial areas.

7.5 The agent has provided details with regards to the extraction flue and noise insulation within the building in order to minimise disturbance to the residential flats located above the unit. The Environmental Health Officer has confirmed that he is satisfied with the conclusions of the Acoustic Design Review and Amended Plan (received 6 February 2018) which recommend:

- GAH-1 resilient hangers are installed to the underside of the concrete floor to create a void of 150mm
- 100mm acoustic mineral wool (density 45kg/m³) installed within the void
- 2 x 15mm SoundBloc plasterboard as the new underfloor soffit.

Subject to their implementation, the EHO considers there will be no adverse noise impacts on the residential amenity of these properties and the proposal therefore accords with Policies GC4 and EN4 of the DM DPD.

7.6 The Environmental Health Officer has also advised that in this particular location, it would be prudent to restrict the cooking methods permitted within the unit, particularly chargrilling as the smoke is difficult to attenuate. This can be done by condition.

7.7 In summary, officers consider that the application will provide a local facility in a sustainable location without causing harm to existing residential amenity, the character and appearance of the locality or the satisfactory functioning of the local highway network. Although noting the concerns of the neighbours, on balance it is not considered that a refusal of planning permission could be substantiated on the grounds of highway safety or an adverse impact on neighbour amenity.

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

- (1) The development to which this permission relates must be begun not later than THREE years beginning with the date on which this permission was granted.
- (2) The development hereby permitted shall be carried out in accordance with the plans and documents listed below.
- (3) The hours of opening of the takeaway hereby approved shall be restricted to 11:00hrs to 21:00hrs Monday to Sunday.
- (4) Prior to the first operation of the use hereby approved the floor construction recommendations as described in Section 2.2 of the Acoustic Design Review Report received 6 February 2018 and shown on the accompanying drawing (Dwg No. REVD—TS-2711-1 received 6 February 2018) shall be implemented and retained unless otherwise agreed in writing with the Local Planning Authority.
- (5) The use hereby permitted shall be limited to producing hot food through the use of multi-deck or conveyor feed, gas or electric, 'Pizza' style convection ovens only, with no additional cooking (including chargrilling) or food reheating equipment being operated at the premises, without the prior written approval of the Local Planning Authority.
- (6) The filtration, ventilation and sound insulation detailed within the Acoustic Design Review and Amended Plan dated 6 February 2018 shall be:
 - (a) installed as proposed within the Acoustic Design Review and Amended Plan dated 6 February 2018 prior to the first use of the development hereby permitted;
 - (b) maintained in accordance with the details contained within the Acoustic Design Review and Amended Plan dated 6 February 2018 and the manufacturer's recommendations and;
 - (c) retained as proposed within the Acoustic Design Review and Amended Plan dated 6 February 2018

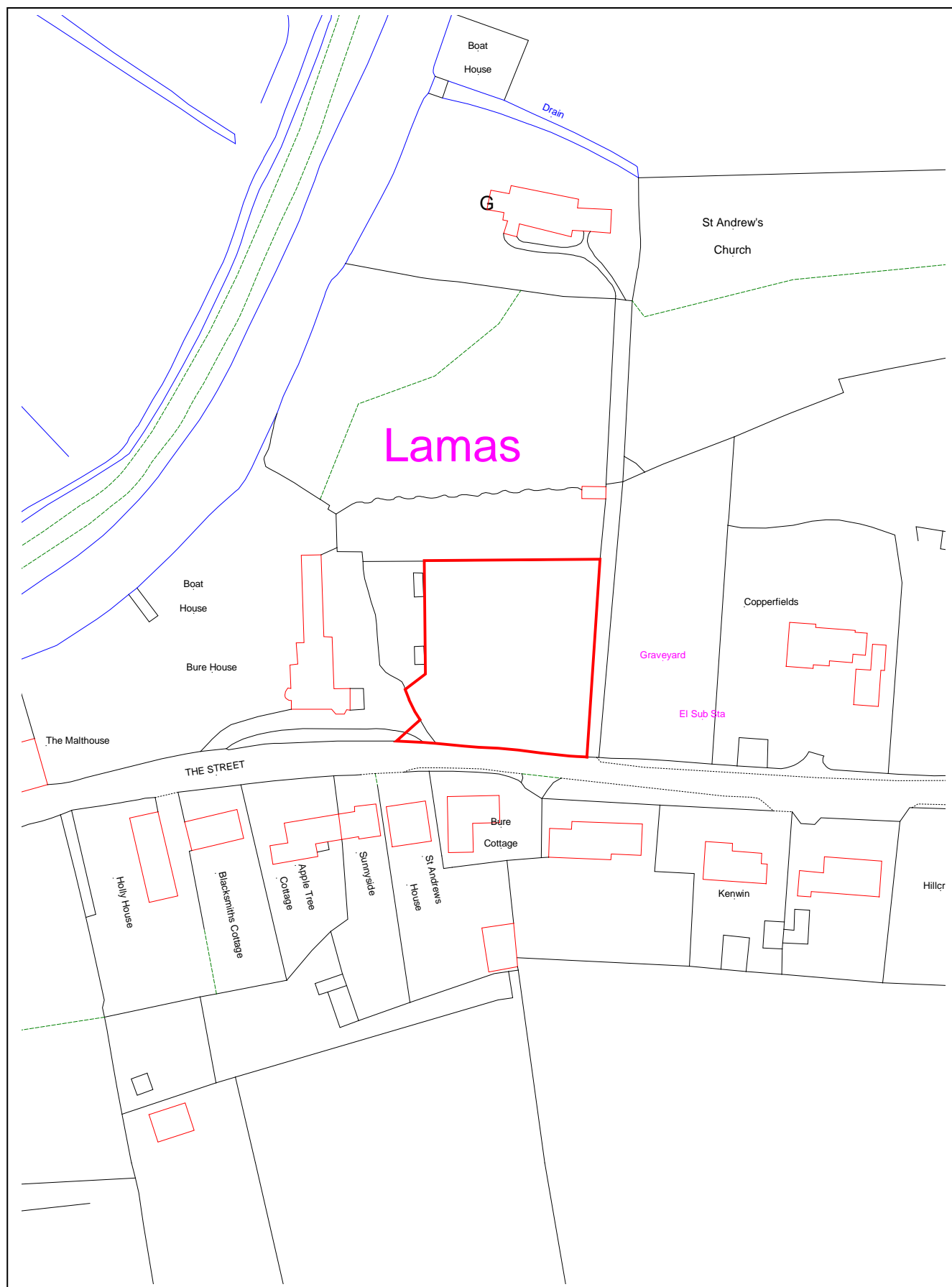
unless otherwise agreed in writing with the Local Planning Authority.

Reasons:

- (1) The time limit is imposed in compliance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (3) To safeguard the amenities of adjacent residential properties in accordance with Policies GC4 and EN4 of the DMDPD.
- (4) To safeguard the amenities of adjacent residential properties in accordance with Policies GC4 and EN4 of the DMDPD.
- (5) To safeguard the amenities of adjacent residential properties in accordance with Policies GC4 and EN4 of the DMDPD.
- (6) To safeguard the amenities of adjacent residential properties in accordance with Policies GC4 and EN4 of the DMDPD.

Informative:

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



Application No: 20180022

Bure House, The Street, Lamas, NR10 5AF

**Scale:
1:1250**

**Date:
19-Mar-18**



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AREA East

PARISH Buxton with Lamas

7

APPLICATION NO: [20180022](#)

TG REF: 624476 / 323119

LOCATION OF SITE Bure House, The Street, Lamas, Norwich, NR10 5AF

DESCRIPTION OF DEVELOPMENT Erection of house and garage with associated access

APPLICANT Major John Perkins, Bure House, The Street, Lamas

AGENT Robert Lord Associates, 207 Holt Road, Cromer

Date Received: 4 January 2018
8 Week Expiry Date: 6 March 2018

Reason at Committee: At the request of Councillor Rix for the reasons stated in paragraph 3.2 of this report

Recommendation (summary): Refuse

1 THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two storey dwelling and garage within the garden of the existing dwelling Bure House. The proposed and existing dwelling will be accessed via a new vehicular access onto The Street, with the existing access to Bure House permanently stopped up.

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 designated and undesignated heritage assets with regard to section 12(2) of the Planning (Listed Buildings and Conservation Areas) Act.
- 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 Buxton with Lamas Parish Council:

Support in principle the application subject to it being a self-build owner / occupier of the site. Norfolk County Council recognises in its Environmental Lighting Zones Policy the importance of preserving dark landscape and dark skies. In order to minimise light pollution this Parish Council recommends that any outdoor lights associated with this proposed development should be:

- (1) Fully shielded (enclosed in full cut-off flat glass fitments).
- (2) Directed downwards (mounted horizontally to the ground and not tilted upwards).
- (3) Switched on only when needed (no dusk to dawn lamps) white light low energy lamps (Philips Cosmopolis, LED or fluorescent) and not orange or pink sodium sources.

3.2 Councillor Rix:

The proposed height of the house fits in well with the geographical slope down to the river Bure. The view of the Church is not impeded to the houses on the other side of the road, for the planned house will be sited lower than the existing road. Highways have not objected to the exit onto the road.

3.3 Broadland District Council Pollution Control Officer:

No comment.

3.4 Broadland District Council Conservation Officer (Arboriculture & Landscape):

Original comments

The proposed dwelling and associated infrastructure would necessitate the removal of 10 trees all of which are Category C trees which means they are of low quality and confer little landscape value. It is proposed within the AIA that these losses will be mitigated through replacement planting however no details on species or number of replacements have yet been provided.

The most important impacts of the development will be focused on T1 – Horse Chestnut, a highly prominent tree adjacent to The Street. This tree is a significant landscape feature, particularly given the loss of the TPO'd Copper Beech tree last year which stood at St Andrews House opposite, this has therefore left the Horse Chestnut as the largest tree on this stretch of The Street. The development would see the demolition of the adjacent stone wall and the construction of a new stone wall for the new access in close proximity to the tree. A pile and beam method for the construction of the wall is proposed to minimise impact on the rooting system. Additional impacts on the rooting system will also be felt by the construction of a new access driveway within the Root Protection Area (RPA) of the tree. Much of the tree's RPA is already hard surfaced or on compacted ground and this additional loss of rooting area could be detrimental to this A1 Category tree. The AIA states that cumulatively the impacts of the wall and hard surfacing could exceed the recommendations of the British Standard 5837:2012 in that more than 20% of the tree's RPA will be hard surfaced. The location of the new access under the canopy of the tree would also necessitate regular crown lifting of the tree to ensure the unobstructed passage of vehicles.

From an arboricultural standpoint it would be preferable to move the access point for the new dwelling to a location outside of the RPA of T1. In addition, all surfacing within any RPAs should be of a no dig construction and minimise any change in soil levels as this will affect the ability of the tree's roots to undertake water and gaseous exchange.

No details of service runs have been provided at this stage, if the application proceeds forward these details should be submitted to ensure that services are routed outside of the RPAs and canopy spreads of important trees.

Further comments

From conversations with the agent and Tree Consultant (Chris Yardley) it has become clearer that the access works adjacent to the tree will be a formalisation of the existing access which is a compacted surface that slopes down from The Street. A no-dig driveway surface could be built on top of this surface due to the change in levels, avoiding the need for excavation within the RPA. This driveway will serve both Bure House and the proposed new dwelling, consequently if the access was moved further east to avoid the Horse Chestnut a surface would still need to be installed back through the RPA.

The brick wall will be moved further away from the tree relative to its current position and an area of the RPA will open up in which soil amelioration works such as air spading will take place to improve conditions for the Horse Chestnut. It is essential that these amelioration works take place, its current rooting area is very compacted and air spading and mulching would help to ensure the health and longevity of this roadside tree.

Given these points are adhered to, my concerns over the potential negative impacts of the proposals on this important tree have been resolved. I would recommend conditioning the AIA and TPP in the decision notice to ensure compliance.

3.5 Broadland District Council Historic Environment Officer:

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

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

Being Grade II* listed, the church is the most significant of the heritage assets to be considered. It is set at low level, in a scenic position adjacent to the river. It is situated a little away from the main village, accessed only by footpaths, and it is this sense of relative isolation that contributes to its character and significance. There are glimpsed views of houses to the south and east from the church, beyond the water meadows, but these do not have an 'active' visual relationship to the church being some distance away behind trees and are generally of small scale and traditional materials so they do not intrude upon the rural scene or the setting of the building. Likewise from The Street there are currently some views of the church tower, largely enabled by the 'gap' in development provided by the walled garden in question.

The proposal is for a substantial house within the walled garden to the east of Bure House. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to 'have special regard to the desirability of preserving the [listed] building or its setting' (Section 66). In this instance the heritage asset that would be most affected by the proposed development is the church. Given the height and massing of the building a substantial amount of it is likely to be visible from the church and churchyard. At nearly

8m in height to the ridge and with the main two storey element being nearly 17m in length, the building is substantially larger than many of its neighbours (although Bure House is by no means a small dwelling it is not as tall and is broken up into lots of smaller adjoining elements) and this massing will make it appear very prominent, intruding upon the sense of rural isolation that dominates the setting of the church at present. It is therefore considered that due to the scale, massing and positioning of the new dwelling it will not preserve the setting of the church and will cause less than substantial harm to its significance. As such the public benefits should be weighed against this harm, as per paragraph 134 of the NPPF. The wider setting of other heritage assets could also be adversely affected as could that of Bure House and so paragraph 135 of the NPPF is also relevant.

One of the other issues is the demolition of approximately 16m of the historic boundary wall that fronts the street to provide an improved access point. This wall contributes greatly to the character of the area and demolition of a large section and rebuilding it set in from the road-line will cause harm to the character of the area.

The NPPF makes clear through policies such as paragraphs 58, 61, 64, 131 that new development should 'respond to local character and history, and reflect the identity of local surroundings'. Our Local Plan has similar policies contained in GC4 and EN2, which also make clear the importance of the landscape character of an area and green spaces. It has not been demonstrated that this application would achieve the objectives contained in these policies and due to the sensitive nature of the area it is important that the character of both the natural and built environment is protected.

As such, it is considered that the application has the potential to cause unacceptable harm to the character of the area and the significance of a number of designated and non-designated heritage assets in the vicinity, through harm to the setting of these assets – in particular the Grade II* listed church of St Andrew.

3.6 Norfolk County Council as The Highway Authority:

Approval subject to the imposition of conditions and informatives.

This proposal suggests significant improvement to the western access to the site; the access being widened and with improved visibility to both directions. The intention is to utilise this access to serve both existing and proposed dwellings with the existing severely sub-standard main eastern access to Bure House being permanently stopped up.

Although these intended access improvements do not provide the benefits previously suggested to the neighbouring Church access ([20161935](#)) I feel that given the location any highway safety objection, which would be based

upon non-traffic direction visibility shortfall only, would be extremely difficult to sustain.

I have additionally considered transport sustainability in regard to this proposal and although this location is without benefit of footway facilities to local services it is within existing development and some 1.3 km from services facilities that do exist in Buxton to the west and also Badersfield to the east. Accordingly, whilst additional significant development is not considered satisfactory in this location, I could not extend this concern to a further single dwelling.

Should your authority be minded to approve the application I would be grateful for the inclusion of conditions relating to the vehicular access, closure of the existing access, gates etc, visibility splays, parking, and an informative relating to works within the Public Highway.

4 PUBLICITY

4.1 Site Notice:

Date displayed: 12 January 2018

Expiry date: 2 February 2018

4.2 Press Notice:

Date displayed: 16 January 2018

Expiry date: 6 February 2018

4.3 Neighbour Notification:

Letters sent: 11 January 2018

Expiry date: 3 February 2018

5 REPRESENTATIONS

5.1 When the application was submitted 8 consultation letters were sent to neighbouring residents. The consultation resulted in 6 letters of representation being received, 4 of which were objections. The objections are summarised as follows:

- The Design and Access Statement contains inaccurate information.

- The site is located outside the settlement limit.
- The proposal would involve demolition and rebuild of an old heritage wall.
- The proposal would impact on views of the Church.
- The proposal would impact on the landscape and character of the area.
- The proposal would not be in keeping with the surrounding character, including Bure House.
- The proposed property is out of proportion and would dominate the surroundings and would not be in keeping.
- The proposal would impact upon light to surrounding properties.
- The proposed access is unsafe.

6 RELEVANT POLICY GUIDANCE

National Planning Policy Framework (NPPF) 2012:

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The NPPF is a material consideration and should be read as a whole but paragraphs 1, 2, 6, 7, 8, 11, 12, 14, 17, 29, 35, 47, 49, 50, 53, 55, 56, 57, 60, 61, 64, 95, 126, 128, 129, 131, 132, 133, 134, 135, 137, 186, 187, 196, 197, and 203 are particularly relevant to the determination of this application.

National Planning Practice Guidance (NPPG):

- 6.3 This guidance is relevant to the determination of this application, specifically the sections relating to conserving and enhancing the historic environment; design; rural housing; and self-build and custom housebuilding.

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

- 6.4 The Joint Core Strategy, adopted in 2011, is the development plan for the

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

6.5 Policy 1: Addressing climate change and protecting environmental assets

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

6.6 Policy 2: Promoting good design

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

6.7 Policy 4: Housing delivery

Allocations will be made to ensure at least 36,820 new homes can be delivered between 2008 and 2026, of which approximately 33,000 will be within the Norwich Policy Area (NPA – defined in Appendix 4), distributed in accordance with the Policies for places.

6.8 Policy 6: Access and transportation

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

6.9 Policy 15: Service Villages

In each service village land will be allocated for small-scale housing development subject to form and character considerations.

Development Management Development Plan DPD (2015) relevant policies:

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

6.11 Policy GC1: Presumption in favour of sustainable development

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

6.12 Policy GC2: Location of new development

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

6.13 Policy GC4: Design

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

6.14 Policy EN2: Landscape

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

6.15 Policy TS3 – Highway safety

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

6.16 Policy TS4 – Parking guidelines

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

Site Allocations DPD (2016):

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

Broadland Landscape Character Assessment SPD 2013:

6.18 The Landscape Character Assessment SPD identifies the site in question as on the border of Landscape Character Areas D3: Coltishall Tributary Farmland and A2: Bure River Valley.

6.19 The following Landscape Planning Guidelines apply to this area:

- Seek to conserve the open, rural character of the area;
- Resist new development that would result in any diminution of the sparsely settled nature of the area;
- Seek to conserve the landscape setting of churches and halls;
- Seek to conserve the landscape setting of hamlets and villages;
- Seek to ensure that any new small-scale development in or on the edges of Tuttington, Lamas and Little Hautbois, responds to existing settlement pattern and built form character; and
- Seek to conserve and enhance the setting of churches within historic villages and maintain their position as key landscape features.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The application site is situated adjacent to Bure House, a two storey property likely to date from around the early 19th century. The existing property sits centrally in the site with land to both the east and west and the large garden runs in part down to the river. It is identified locally as a heritage asset. The application site forms the walled garden to Bure House.
- 7.2 The existing access from The Street is towards the western boundary of the site and a brick flint wall marks the southern boundary and sits on The Street frontage. To the north is a crinkle crankle wall and the Grade II* listed St Andrew's Church, to the east is a war memorial, and Lamas Manor and Lamas Hall beyond, and to the south are Grade II listed cottages (Sunnyside and Appletree Cottage).

8 PLANNING HISTORY

- 8.1 [20171102](#): Proposed dwelling and detached double garage (outline). Withdrawn.
- 8.2 [20161935](#): Proposed single storey dwelling and detached double garage. Withdrawn.

9 APPRAISAL

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

- 9.1 The site is outside of any defined settlement limit, where policy GC2 of the Development Management DPD does not permit new development unless the proposal accords with another policy of the development plan. The nearest settlement limit to the site is Buxton which is approximately 1 km to the west. Development on the application site would simply extend development into the open countryside and such development would be a considerable distance from the services provided in the central part of the village.
- 9.2 Regard must be given to Policy 15 of the JCS which identifies Buxton as a Service Village. Here, land will be allocated for 10-20 dwellings and a site has been identified close to the village centre in the Site Allocations DPD for approximately 20 dwellings (BUX1). Outline planning permission has been granted on this allocation, reference [20150082](#), for the demolition of existing dwelling, creation of new access and erection of 21 dwellings.
- 9.3 Whilst the principle of development in this location is contrary to the DMDPD and JCS, regard must also be had to the requirements of the NPPF. Paragraphs 14, 47 and 49 seek to boost the supply of housing. The NPPF requires authorities to supply sites sufficient to provide 5 years' worth of land for housing (in addition to a 5% or 20% buffer subject to circumstances). The site is located in the rural part of the district outside of the Norwich Policy Area (NPA). In this part of the district there is a housing land supply of 14.94 years against the Strategic Housing Market Assessment (SHMA) assessment of the Objectively Assessed Need (OAN) for housing ([JCS Draft Annual Monitoring Report 2016/2017](#) published March 2018), substantially above the five year target. Therefore, in accordance with paragraph 49 it is considered that the Development Plan is up to date in so far as it deals with housing supply. Full weight can therefore be given to the development plan policies GC1 and GC2 which seek to resist development in this location.
- 9.4 The Design and Access Statement states the proposal would be a self-build project and a comment has been received stating the proposal would be developed as a self-build plot. The Self-build and Custom Housebuilding Act 2015 requires the Council to have regard to the self-build register. In particular, the Act imposes a duty to grant sufficient development permission in respect of serviced plots of land to meet the demand as evidenced by the number of entries on the register in a base period. The draft regulations give a 3 year period from the end of the base period for sufficient permissions to be given.

- 9.5 There are currently 4 individuals on part 1 of the register (0 on Part 2) for 31 October 2017 – 30 October 2018 and none have an interest in the rural area, which Buxton would fall within. There are a number of planning permissions that could provide self-build / custom build demand within the district with plots at Beeston Park, Sprowston; and plots at St Faiths Lane, Old Catton. In addition there are a number of permissions granted throughout the district for which self-build exemption from CIL has been claimed and therefore the potential supply is likely to exceed the level of demand as evidenced by the register.
- 9.6 The provision of a self-build plot weighs in favour of the proposal; however when all the benefits of the scheme are combined they are significantly and demonstrably outweighed by the harm to the character and visual amenities of the area, including non-designated and designated heritage assets, as identified below.

The impact of the development upon designated and undesignated heritage assets:

- 9.7 In regards to the design, scale, and layout of the development, the application proposes a two storey dwelling with an attached double garage, with an overall width of 24m and a ridge height of 7.6m. The Design and Access Statement states the proposal would be constructed of clay pan-tiles and Norfolk red bricks. The proposal would also involve the demolition of approximately 16 metres of the historic boundary wall that fronts The Street to provide a new access point to the existing and proposed dwelling.
- 9.8 The Historic Environment Officer states Lamas is a largely linear village, distributed along The Street, a meandering and narrow road that runs to the south of the River Bure. The village is predominantly characterised by small scale cottages in vernacular materials positioned close to or hard up against the road, with some more modern homes at its eastern end. The site in question belongs to one of the larger historic properties and the large garden runs in part down to the river. The house itself and the proposed development site in question therefore sit on relatively high ground above the river valley.
- 9.9 The historic character of the immediate area is important and there are several heritage assets in the vicinity, such as the Grade II listed cottages to the south (Sunnyside and Appletree Cottage), a crinkle crankle wall to the north, a war memorial to the east, and Lammas Manor and Lammas Hall beyond. Immediately to the north of the site is the Grade II* listed St Andrew's Church. Bure House is considered a locally identified heritage asset and is likely to date from around the early 19th century. Its relationship with the other listed buildings is significant and together they form an important group, shaping the character of the area. The flint and brick wall that forms the southern boundary to the plot and sits on the street frontage is characteristic of the area, with many such walls running along the northern

edge of The Street, some of which belong to flint cottages which sit on the road frontage.

- 9.10 Being Grade II* listed, the church is the most significant of the heritage assets to be considered. It is set at low level, in a scenic position adjacent to the river. It is situated a little away from the main village, accessed only by footpaths, and it is this sense of relative isolation that contributes to its character and significance. There are glimpsed views of houses to the south and east from the church, beyond the water meadows, but these do not have an 'active' visual relationship to the church being some distance away behind trees and are generally of small scale and traditional materials so they do not intrude upon the rural scene or the setting of the building. Likewise from The Street there are currently some views of the church tower, largely enabled by the 'gap' in development provided by the walled garden in question.
- 9.11 The proposal is for a substantial house within the walled garden to the east of Bure House. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to 'have special regard to the desirability of preserving the [listed] building or its setting' (Section 66). In this instance the heritage asset that would be most affected by the proposed development is the church. Given the height and massing of the building a substantial amount of it is likely to be visible from the church and churchyard. At nearly 8m in height to the ridge and with the main two storey element being nearly 17m in length, the building is substantially larger than many of its neighbours (although Bure House is by no means a small dwelling it is not as tall and is broken up into lots of smaller adjoining elements). This massing will make it appear very prominent, intruding upon the sense of rural isolation that dominates the setting of the church at present.
- 9.12 The Historic Environment Officer therefore considers that due to the scale, massing and positioning of the new dwelling it will not preserve the setting of the church and will cause less than substantial harm to its significance. As such the public benefits should be weighed against this harm, as per paragraph 134 of the NPPF. In so doing account must be taken of the requirements under S66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 to have special regard to preserving the setting of the listed building. The wider setting of other heritage assets will also be adversely affected, including that of Bure House, and so paragraph 135 of the NPPF is also relevant. The proposal would provide some public benefits through the creation of a dwelling. However, these benefits would be substantially and decisively outweighed by the weight to be attributed to the S66 requirements referenced above and by the adverse effects of the development as identified.
- 9.13 The NPPF makes clear through paragraphs 58, 61, 64, and 131 that new development should 'respond to local character and history, and reflect the identity of local surroundings'. Broadland Council's Local Plan has similar policies, GC4 and EN2, which also make clear the importance of the landscape character of an area and green spaces. It has not been

demonstrated that this application would achieve the objectives contained in these policies and due to the sensitive nature of the area it is important that the character of both the natural and built environment is protected.

- 9.14 The proposal is therefore contrary to S66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990, GC4 and EN2 of the Development Management DPD 2015 and paragraphs 132 and 134 of the National Planning Policy Framework.

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

- 9.15 The Landscape Character Assessment (SPD) identifies the site in question as on the border of Landscape Character Areas D3: Coltishall and A2: Bure River Valley. The landscape planning guidelines for this area include: “seek to conserve the open, rural character of the area”, “seek to conserve the landscape setting of churches and halls” and “resist new development that would result in the diminution of the sparsely settled nature of the area . . .”
- 9.16 The National Planning Policy Framework (NPPF) makes clear within paragraphs 58, 61, 64 and 131 that new development should respond to local character and history, and reflect the identity of local surroundings. The Local Plan also includes policies GC4 and EN2, which also make clear the importance of the landscape character of an area and green spaces.
- 9.17 The application proposes a two storey dwelling with an attached double garage, with an overall width of 24m and a ridge height of 7.6m. The proposal would also involve is the demolition of approximately 16m of the historic boundary flint and brick wall that fronts The Street to provide an improved access point.
- 9.18 The wall is characteristic of the area, with many such walls running along the northern edge of The Street, some of which belong to flint cottages which sit on the road frontage, and contributes greatly to the character of the area. It is considered the demolition of a large section (16m) and rebuilding it set in from the road line would cause harm to the character of the area.
- 9.19 The erection of a two storey dwelling of the proposed form, design and scale on the site, coupled with the removal of 16m of the historic boundary wall, would result in an inappropriate and unsympathetically designed dwelling resulting in an incongruous and unwarranted intrusion into this rural setting. The proposal would not enhance the existing form and character, which is characterised by small scale cottages in vernacular materials with brick and flint boundary walls, some of which belong to the flint cottages which sit on the road frontage.

- 9.20 As a result the proposed development would cause significant demonstrable harm to the character and visual amenities of the area. The proposal is therefore contrary to Policies GC4 and EN2 of the Development Management DPD 2015, the Landscape Character Assessment (SPD), and paragraphs 9, 17, 28, 58, 61, 64, and 131 of the NPPF

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

- 9.21 Policy GC4 of the DM DPD states that proposals should pay adequate regard to considering the impact upon the amenity of existing properties.
- 9.22 It is considered the proposal would not impact significantly upon neighbour amenity in terms of loss of light, privacy or overlooking due to the location of the site, proposed separation distances, and existing/proposed boundary treatments.

Other matters:

- 9.23 The Highways Authority states the proposal includes the widening of an access to improve visibility and it is the intention to utilise this access to serve both existing and proposed dwellings, with the existing severely sub-standard main eastern access to Bure House being permanently stopped up. Whilst these do not provide the full required visibility, the Highways Authority considers it would be extremely difficult to sustain an objection, which would be based upon non-traffic direction visibility shortfall only.
- 9.24 The Highways Authority therefore recommends the inclusion of conditions relating to the vehicular access, closure of the existing access, gates etc, visibility splays, parking, and an informative relating to works within the public highway.
- 9.25 The Conservation Officer (Arboriculture & Landscape) initially had concerns with the proposals impact upon the Horse Chestnut tree located within the site adjacent to The Street, which is considered a significant landscape feature and the largest tree on this stretch of The Street. The Conservation Officer stated it would be preferable to move the access point outside of the Root Protection Area (RPA).
- 9.26 The Conservation Officer had further discussions with the agent and Tree Consultant (Chris Yardley) and noted the proposal is for the formalisation of an existing access, which is a compacted surface that slopes down from The Street, rather than a new access. A no-dig driveway surface could be built on top of this surface due to the change in levels, avoiding the need for excavation within the RPA. This driveway would serve both Bure House and the proposed new dwelling, consequently if the access were moved further east to avoid the Horse Chestnut a surface would still need to be installed back through the RPA. The Conservation Officer therefore recommends the

inclusion of conditions relating to works according with the submitted Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP).

Conclusion:

- 9.27 In conclusion, the application is contrary to the adopted Development Plan. There is no shortage of housing land supply in the Broadland rural area, and so a shortage of supply is not a consideration that would justify going against the Development Plan.
- 9.28 Furthermore, the site is poorly located being some distance outside the defined settlement limit for Buxton and is therefore considered to be unsustainable. Whilst it is noted the provision of a self-build plot weighs in favour of the proposal and would cause significant demonstrable harm to the character and visual amenities of the area, including non-designated and designated heritage assets, in particular the Grade II* listed St Andrew's Church.
-

RECOMMENDATION: REFUSE for the following reasons:

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

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

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

site in question belongs to one of the larger historic properties and the large garden runs in part down to the river.

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

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

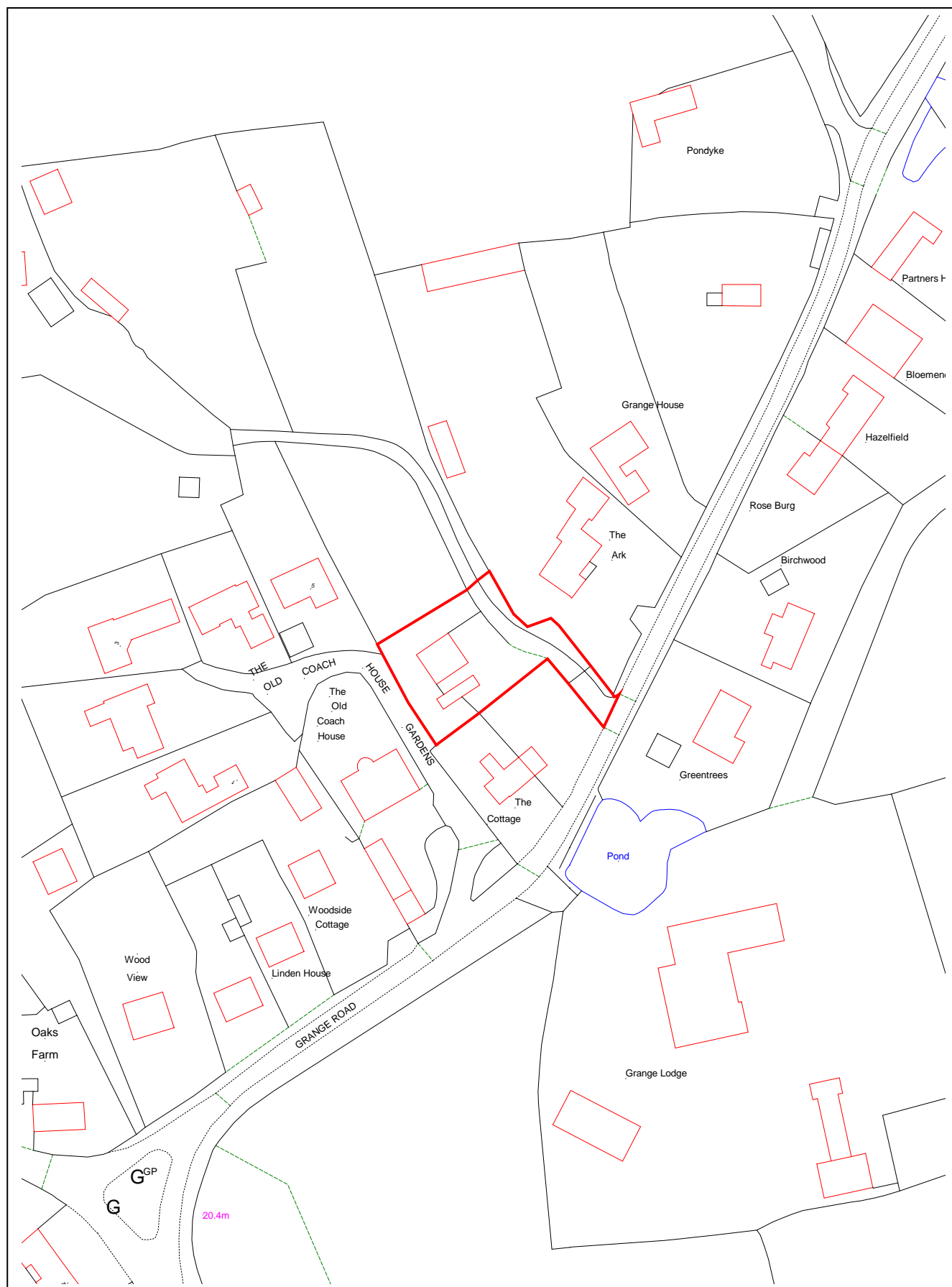
The Landscape Character Assessment (SPD) identifies the site in question as on the border of Landscape Character Areas D3: Coltishall and A2: Bure River Valley. The landscape planning guidelines for this area include: "seek to conserve the open, rural character of the area", "seek to conserve the landscape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

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

Immediately to the north of the site is the Grade II* listed St Andrew's Church, which is set at a low level, in a scenic position adjacent to the River Bure. It is situated a little away from the main village and it is this sense of relative isolation that contributes to its character and significance. There are glimpsed views of houses to the south and east from the church, beyond the water meadows, but these do not

have an 'active' visual relationship to the church being some distance away behind trees and are generally of small scale and traditional materials so they do not intrude upon the rural scene or the setting of the building. Likewise from The Street there are currently some views of the church tower, largely enabled by the 'gap' in the development provided by the walled garden in question.

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



Application No: 20180060

Land to Rear of The Cottage, Grange Road, Hainford, NR10 3BJ

**Scale:
1:1250**

**Date:
19-Mar-18**



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AREA West
PARISH Hainford

8

APPLICATION NO: [20180060](#) **TG REF:** 622986 / 318924
LOCATION OF SITE Land to rear of The Cottage, Grange Road, Hainford, NR10 3BJ
DESCRIPTION OF DEVELOPMENT Sub-division of plot and erection of 1 no: dwelling (outline) (revised scheme)
APPLICANT Mr David Thorpe, The Cottage, Grange Road, Hainford, Norwich, NR10 3BJ
AGENT N/A

Date Received: 11 January 2018
8 Week Expiry Date: 13 March 2018

Reason at Committee: At the request of Cllr Carrick for the reasons set out in paragraph 5.3 of this report.

Recommendation (summary): To approve subject to conditions

1 THE PROPOSAL

- 1.1 The application seeks outline planning permission for the sub-division of a residential plot and the erection a single detached dwelling with all matters reserved.
- 1.2 A plan has been provided which shows a house and garage on the site, together with a point of vehicular access; however at this stage this is an indicative plan only.
- 1.3 The access into the site is shown to be from an existing, single width, private shared drive, off Grange Road which already serves two other residential dwellings.

2 KEY CONSIDERATIONS

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

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

3 CONSULTATIONS

3.1 Hainford Parish Council:

The Parish Council appreciates that this proposal falls within the development boundary but cannot support the application on the grounds that the entrance visibility splay still does not meet the criteria set by the Norfolk County Council Highways Department.

3.2 Conservation Officer (Arboriculture & Landscape):

I have studied the Arboricultural Impact Assessment submitted alongside this outline application. At this outline stage I am satisfied with the tree proposals and detail. All the trees on the site are shown as retained and a no-dig construction as shown will be essential for the section of the access driveway which overlaps with the Root Protection Areas of T4 and T5 Oaks.

At the full application stage an Arboricultural Method Statement in line with the British Standard 5837:2012 should be submitted. This should include, but not be limited to, detail on the installation of the no-dig driveway surface.

3.3 Norfolk County Council (as Highway Authority):

There have been previous applications for a dwelling on this site, reference 20162026 and 20160908. Both these applications were subject to Highway Authority objection on grounds of any increased vehicular use of the sub-standard access track being detrimental to highway safety and subsequent refusal by your authority.

The present application includes the results of a traffic speed survey carried out in February 2017 over a 24 hour, 7 day period, a Topographical Survey showing available visibility splays from the track onto Grange Road and supporting letter from the applicant detailing the relevance of the supplied information.

I have carried out a further site inspection and note that new hedging has been planted to the roadside frontage of the dwelling to the immediate north-east of the track. This new hedging has been planted to be outside of highway land thus removing an apparent long standing encroachment on the highway verge at this point.

The supplied Traffic Survey reveals that 85th percentile traffic speeds to the north of the track to be 26.4 mph and to the south 26.6 mph. From observation and 'following vehicle method' I have no reason to question these traffic speeds.

Grange Road is subject to a 30 mph speed limit at this point and accepting that this is a location where Manual for Streets (MfS) (Department for Transport & Communities and Local Government) (2007) guidance regarding visibility requirements is applicable I would expect, as a starting point, any access or junction at this point to provide visibility of 43m to both directions from a 2.4m setback.

Allowing relaxation of setback position to 2m, which means that the bonnet of some vehicles would protrude into the running carriageway of the highway, is stated in MfS on page 92 as being able to be 'considered in some lightly trafficked and slow-speed situations'

Allowing this set-back relaxation to apply in the case of Grange Road and taking into account the accepted 85th percentile vehicle speeds past the access track, the required visibility splays for safe access from the track onto Grange Road are 36m x 2m x 36m. I accept the visibility to the north of the track meets these requirements.

However, to the south (the critical traffic direction), notwithstanding the improvements works recently carried out to the track, visibility presently measures some 18m from a 2m setback. From highway boundary information available to me I am able to establish that some encroachment has occurred on the highway verge at this point by Pond View Cottage which when taken into account would allow visibility to be increased to 2m x 30m.

This visibility splay of 2m x 30m would equate to 85th percentile traffic speeds on Grange Road, approaching the access from the south, of 23 mph, some 3Mph below the actual 85th percentile speed.

To achieve the required 2m x 36m visibility splay to the south would require the applicant being in control of an area of land under third party control and this being satisfactory demonstrated with the planning application. This has not been provided or detailed within the sites red line.

An additional dwelling is considered to engender 6 vehicular movements per weekday according to nationally recognised guidance from TRICS (Trip Rate Information Computer Services) and at this location there is no reason to expect any deviation from these figures.

Even allowing the visibility set-back relaxation, the concerns regarding increased traffic use of the sub-standard access track resulting from the

proposed additional dwelling remain and the highway comments and recommendation of refusal are therefore, as before, namely:

SHC07 (Variation) – The track serving the site is considered to be inadequate to serve this development proposed by reason of the severely restricted visibility at the adjacent road junction with Grange Road (U57182) and the lack of vehicular passing/turning facilities. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety, contrary to development plan policies.

In regard to transport sustainability, Hainford – which has very limited standard everyday service facilities, is not considered an acceptable location. The site is not connected to footway links which, in any case, are sporadic in the village and public transport services are very limited. Accordingly the proposed development will result in an over reliance on the use of the private car, contrary to sustainability objectives. Whilst the Highway Authority would not raise this as a reason for objection in the case of a single dwelling this is something that your authority may wish to additionally consider when making a decision upon the proposal.

3.4 Pollution Control Officer:

No comment.

3.5 Senior Planner (Minerals and Waste Policy) (Planning Services):

It is considered that as a result of the site area and location it would be exempt from the requirements of Policy CS16 – safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

4 PUBLICITY

4.1 Site notice:

Expiry date: 15 February 2018

4.2 Neighbour notifications:

No's 2, 3, 4 & 5 The Old Coach House Gardens, Hainford and The Old Coach House, Pinewood, Greenacre, The Ark, Pond View Cottage & Green Trees, Grange Road, Hainford.

Re-consultation expired: 16 February 2018

5 REPRESENTATIONS (in summarised form)

5.1 Mr & Mrs Lincoln of Pondview Cottage, Grange Road, Hainford:

The revised application is unclear what measures are either required or intended to address any visibility splay to the south of the existing access.

With regards to the proximity and siting shown on the submitted site plan our comments contained in our letter dated 18 December 2016 relating to the previous application remains relevant and would ask that this previous letter is attached to the current application for your consideration.

The letter dated 18 December 2016 raised no objection to the principle of a dwelling on the site but did raise concerns with regards to:

- The proximity and siting of the proposed dwelling to the rear of Pondview Cottage.
- Impact on outlook, setting and privacy.
- Conflicts with the rural village character of Grange Road.
- Essential that issues relating to scale, form, orientation and siting are considered at this stage.
- Application site and dwelling should be positioned further north.
- Given that the Council appears to accept that the parking and motor repair area fall within the curtilage and is ancillary to the use of the existing dwelling house, the remaining garden area which formed part of the same land acquisition must similarly have the benefit of established use under the 10 year rule.
- If approved other vacant land to the rear of the site will be developed for housing.

5.2 Mrs Rachael Shakespeare of 4 The Old Coach House Gardens, Hainford:

We don't see how the revised / new development changes the grounds upon which the previous application was refused. What difference does it make whether the dwelling is built on the existing plot or a new one?

We don't see how a traffic speed survey carried out over 7 days gives an accurate reflection of speeds travelled along Grange Road. The speed limit of 30 mph has been implemented by the Council and has stood for many years

for a reason. Therefore, we feel the vision splay cannot be reduced as suggested and therefore does not meet highway requirements.

We have noticed an increase in traffic volume along Grange Road since the NDR opened. As a mother of a small child who walks along Grange Road on an almost daily basis, this has already made the road more hazardous.

5.3 Councillor Paul Carrick:

In light of the Highways recommendation to refuse, if you should consider approval I would ask you to refer it to the Planning Committee for consideration.

6 RELEVANT POLICY GUIDANCE

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

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

Planning Practice Guidance (NPPG):

- 6.2 Web based national guidance formalised in March 2014.
- 6.3 Paragraph 8 in section 'Determining a Planning Application' states a material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission).

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

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

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

- 6.5 Policy 2: Promoting good design

All development will be designed to the highest possible standards creating a

strong sense of place. In particular, development proposals will respect local distinctiveness.

6.6 Policy 16: Other Villages

The Other Villages identified will have defined development boundaries to accommodate infill or small groups of dwellings and small scale business or services, subject to form and character considerations. Hainford is identified as one of the 'Other Villages'.

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

6.7 Policy GC1: Presumption in favour of sustainable development

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

6.8 Policy GC2: Location of new development

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

6.9 Policy GC4: Design

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

6.10 Policy 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.

6.11 Policy EN2: Landscape

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

6.12 Policy TS3: Highway safety

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

6.13 Policy TS4: Parking guidelines

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

6.14 Policy CSU5 – Surface Water Drainage

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

7 LOCATION AND DESCRIPTION OF SITE

7.1 The application site is a parcel of land which is located to the north of two semi-detached houses on Grange Road, within the settlement limits of Hainford.

7.2 The site is part of the residential curtilage associated with The Cottage, one of the semi-detached dwellings to the south of the site. At present there is a detached single storey storage building and a caravan on the site.

7.3 To the west of the site is an access drive which serves a cul-de-sac of five dwellings in The Old Coach House Gardens. Beyond the track to the west is the Old Coach House. To the north west of the site is no: 5 The Old Coach House Gardens. To the north is a parcel of amenity land, mainly laid to lawn, which is within the same ownership as the application site. To the east of the site is a single width, private, shared drive, which as well as serving the application site, also serves two other dwellings. There are a number of mature trees beyond the access drive to the east.

7.4 The site is currently open to the north and to the south at the rear of The Cottage. There is a close boarded fence of approximately 2m in height to the south between the site and Pond View Cottage. There is hedging of approximately 5m in height on the sites west boundary with a number of Pine tree's beyond. Close boarded fencing of approximately 1.8m in height forms the boundary to the east.

7.5 The application site measures approximately 25m in width by approximately 27m in depth. There is a slight slope down towards the south of the site.

8 PLANNING HISTORY

- 8.1 [010493](#): Two building plots (outline) – rear of The Cottage, Grange Road, Hainford. Refused 25 July 2001. Appeal dismissed 28 November 2001.
- 8.2 [010526](#): Extension to side and rear – The Cottage, Grange Road, Hainford. Withdrawn 5 September 2001.
- 8.3 [20020390](#): Extension to side and rear – The Cottage, Grange Road, Hainford. Approved 29 April 2002.
- 8.4 [20160908](#): Sub-division of plot and erection of 1 no: dwelling (outline) – land at the rear of The Cottage, Grange Road, Hainford. Refused 4 July 2016.
- 8.5 [20162026](#): Sub-division of plot and erection of 1 no: dwelling (outline) (revised scheme) – land at the rear of The Cottage, Grange Road, Hainford. Refused 11 January 2017.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against Development Plan policies and national planning guidance. In particular the impact of the proposal on highway safety, residential amenity and the character of the area.
- 9.2 Policy GC2 of the Development Management DPD states that new development will be accommodated within the settlement limits defined on the policies map. The site is located within the settlement limit of Hainford and within the rural policy area of the district, outside of the Norwich Policy Area (NPA). In the rural part of the district there is a housing land supply of 14.94 years against the Strategic Housing Market Assessment (SHMA) assessment of the Objectively Assessed Need (OAN) for housing ([JCS Draft Annual Monitoring Report 2016/2017](#) published March 2018), substantially above the five year target. Therefore, in accordance with paragraph 49 it is considered that the Development Plan is up to date in so far as it deals with housing supply. Full weight can therefore be given to the development plan policies GC1 and GC2 which seek to resist development outside of the settlement limit. The proposal for residential development on this site within the settlement limit complies with Policy GC2 and is acceptable in principle.
- 9.3 As set out in section 8 of this report, outline planning permission was refused and an appeal dismissed for two building plots to the rear of The Cottage on a larger application site in 2001. Outline planning permission was also refused for a single dwelling on the site more recently, in both 2016 and 2017, due to concerns relating to highway safety. The track serving the site was considered to be inadequate to serve the development by reason of the

severely restricted visibility at the adjacent road junction with Grange Road. The narrow width of the track adjacent to the junction and the lack of vehicular passing and turning facilities were also considered to be detrimental factors. The Highway Authority objected to these two previous proposals and has maintained its objection on the current application.

- 9.4 Since the previous applications however, improvement works have been carried out to the track visibility and the current application includes the results of a traffic speed survey and a topographical survey showing available visibility splays from the track onto Grange Road.
- 9.5 When consulted on the previous applications the Highway Authority stated that visibility at the junction was restricted to approximately 8m in both directions from a 2.4m set back. This would mean that the visibility available at the junction was only 19% of the 43m recommended by Government guidance for safe access. The Manual for Streets (MfS) (Department for Transport & Communities and Local Government) (2007) guidance states that a relaxation of the set back is able to be 'considered in some lightly trafficked and slow-speed situations' which the Highway Authority has accepted in this case. Allowing for the relaxation of the set-back means that 36m visibility splays are required in both directions. The Highway Authority has confirmed that visibility to the north of the track, since the roadside hedge was recently set back, now meets these requirements. To the south, the Highway Authority has stated that some encroachment has occurred on the highway verge by Pond View Cottage which when taken into account would allow a visibility splay of 2m x 30m in this direction.
- 9.6 Works have been carried out to improve the visibility at the junction which is now only 6m short of the required visibility in one direction and considered acceptable by the Highway Authority in the other. Grange Road is a quiet road as highlighted by the fact that the Highway Authority accepted that the site could be considered as a 'lightly trafficked and slow-speed situation'. It is also worth noting that the track which would provide access to the proposed new dwelling already serves two other dwellings as well as already providing vehicular access to the application site. Whilst it is acknowledged that the visibility onto Grange Road falls below the expected standard to the south it is not considered that the proposal, which would engender a likely 6 vehicular trips per day, would warrant refusal on these grounds alone given the marginal increase in vehicular movements at this junction as a result of this application.
- 9.7 The neighbouring residents at Pond View Cottage, to the south of the site, have raised concerns with regards to the siting, layout and scale of the dwelling as well as concerns around their outlook and privacy. These are mainly considered to be issues which will be considered further at the reserved matters stage however a condition is to be added to the decision notice which states that no first floor windows can be installed in the south elevation of the dwelling in order to prevent any overlooking towards the

dwellings to the south. Notwithstanding this, the proposed fenestration and impact upon Pond View Cottage and other neighbouring dwellings will still need to be carefully considered at the Reserved Matters stage. Overall although details of the size, scale and design of the dwelling are unknown at this stage it is not considered that the principle of the dwelling on the site will result in any detrimental impact upon neighbour amenity and therefore the proposal is considered to be in accordance with Policy GC4 of the Development Management DPD.

- 9.8 It is considered that the site is of a sufficient size to accommodate some form of dwelling without resulting in overdevelopment of the plot. Within the nearby area there are other examples of properties which have been erected to the rear of dwellings on Grange Road, including at The Old Coach House Gardens, immediately to the west of the site. It is not therefore considered that the erection of a single dwelling in this location would be at odds with the prevailing character of the area. The proposed dwelling is unlikely to be clearly visible from the street scene and overall the proposal is not considered to cause any significant harm to the general character and appearance of the area.
- 9.9 The neighbouring residents at Pond View Cottage did refer to a parking and motor repair area within their objection to the previous application. The Local Planning Authority has previously investigated the use of the storage building, referred to by the residents of Pond View Cottage and in paragraph 7.2 of this report, and it was found that there was no evidence of a business being run or any change of use occurring on the site.
- 9.10 In conclusion, the site is located within a sustainable location and the principle of a new dwelling on the site is not considered to cause any harm upon neighbour amenity or the general character and appearance of the area. It is acknowledged that the visibility onto Grange Road falls below the expected standard to the south. However, considering that the proposal would only result in the addition of a single dwelling and a small increase in the traffic generated at the junction, it is not considered that the proposals will have a significant adverse impact upon the satisfactory functioning or safety of the highway network and there is not sufficient reason to refuse the application. With that in mind, the officer recommendation is that the application is granted outline approval.

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

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

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

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

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

- (3) The development hereby permitted shall not be carried out otherwise than in accordance with the plans and documents listed below.
- (4) Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:
- i) Access arrangements
 - ii) Parking provision in accordance with adopted standard.
- (5) Concurrently with the submission of the reserved matters application an Arboricultural Impact Assessment in line with the British Standard 5837:2012 should be submitted and approved by the Local Planning Authority. This should include, but not be limited to, detail on the installation of the no-dig driveway surface.
- (6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order, revoking, re-enacting or modifying that order), no first floor windows shall be positioned in the south

elevation of the dwelling and any roof lights inserted in the south facing elevation shall have a cill height of at least 1.7m above floor level.

- (7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other order revoking, and re-enacting or modifying that Order), no development permitted by Classes A, B, C, D or E of Part 1 of Schedule 2 of that Order shall be carried out without the prior consent of the Local Planning Authority.

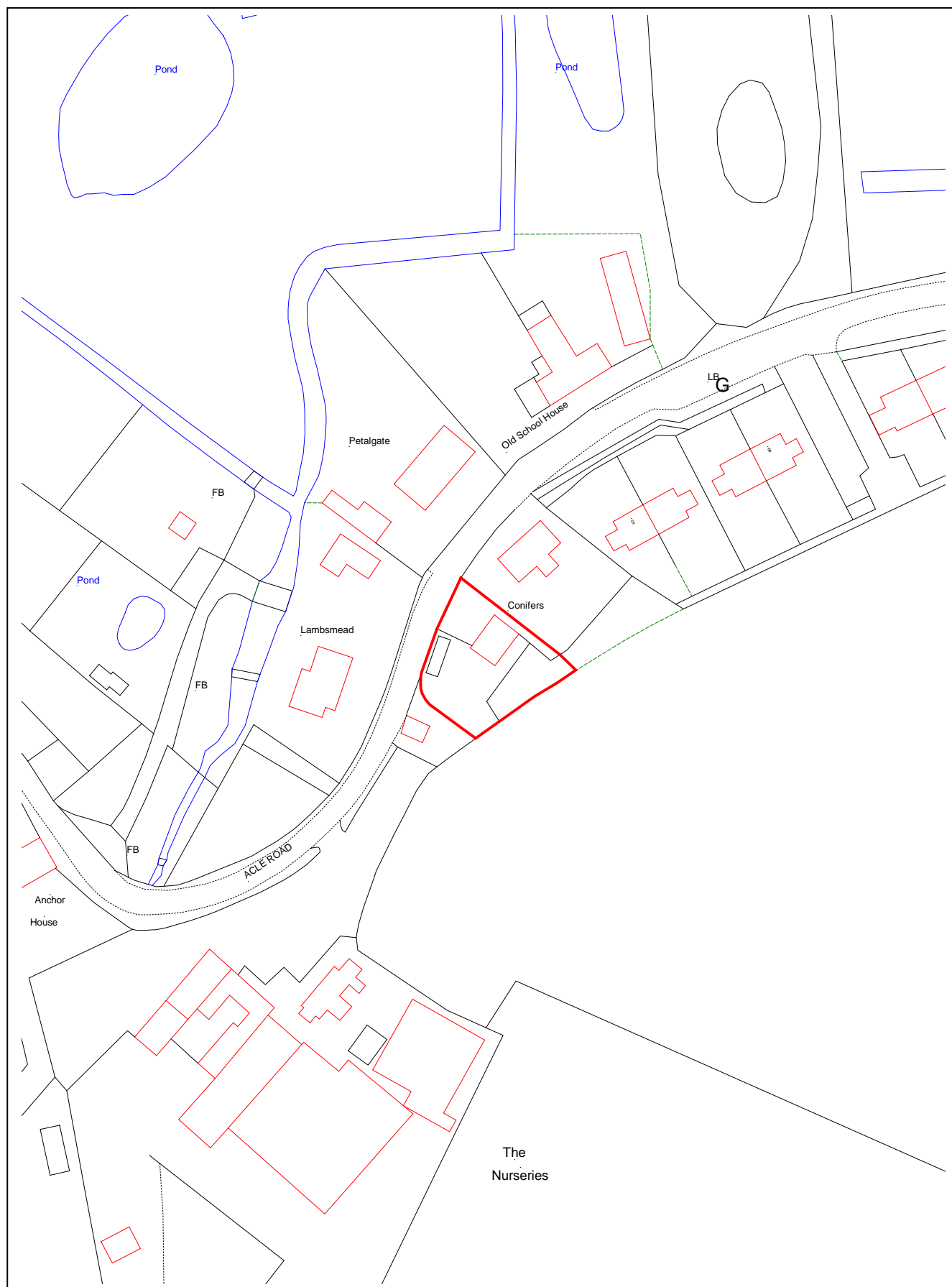
Reasons:

- (1) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (2) The time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (3) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (4) In the interests of highway safety and to ensure adequate parking provision in accordance with policies TS3 and TS4 of the Development Management DPD 2015.
- (5) To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interest of amenity in accordance with Policies GC4 and EN2 of the Development Management DPD 2015.
- (6) To prevent overlooking to the detriment of the amenities of the adjacent properties in accordance with Policy GC4 of the Development Management DPD 2015.
- (7) To ensure the satisfactory development of the site and to prevent any detrimental impact upon the amenity of adjacent residential properties in accordance with Policy GC4 of the Development Management DPD 2015.

Informatives:

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

- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found at www.broadland.gov.uk/housing_and_planning/4734.asp



Application No: 20180117

**The Old Post Office, Acle Road, Moulton St
Mary, NR13 3AP**

**Scale:
1:1250**

**Date:
19-Mar-18**



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AREA East

PARISH Beighton (Moulton St Mary)

9

APPLICATION NO: [20180117](#) **TG REF:** 639843/307684

LOCATION OF SITE The Old Post Office, Acle Road, Moulton St Mary,
NR13 3AP

DESCRIPTION OF DEVELOPMENT Demolition of existing building and construction of 1 no:
proposed dwelling and double garage

APPLICANT Mr P Hammond, Westaylee, West Road, West Caister,
Great Yarmouth, NR30 5ST

AGENT Jack Young, Paul Robinson Partnership, 6 Octagon
Business Park, Hospital Road, Little Plumstead, Norwich,
NR13 5FH

Date Received: 19 January 2018
8 Week Expiry Date: 19 March 2018

Reason at Committee: The officer recommendation is contrary to Policy GC2

Recommendation (summary): Approve subject to conditions

1 THE PROPOSAL

1.1 This application seeks planning permission to demolish an existing vacant building (formally a Post Office and dwelling) that currently benefits from an extant planning approval for conversion into a dwelling and to erect in its place a new dwelling and detached garage.

1.2 The proposed curtilage is the same as the existing planning approval as is the vehicular access onto Acle Road.

2 KEY CONSIDERATIONS

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

- Whether there are material considerations sufficient to outweigh the presumption of determining the application in accordance with the provisions of the development plan.
- The impact on the character and appearance of the area, residential amenity and highway safety.

3 CONSULTATIONS

3.1 Beighton Parish Council:

No comments received.

3.2 BDC Pollution Control Officer:

No objections.

3.3 BDC Historic Environment Officer:

No objection to this proposal for a new dwelling which would appear in keeping with the character of the area in terms of its design, scale and positioning on the site and will not have any impact on designated heritage assets in the area.

However, it will result in the demolition of one of the most historic properties in the village and as such, I consider that it would be reasonable to ask for a photographic record and set of plans to be provided and deposited with the Norfolk HER (Historic Environment Record) prior to any demolition.

3.4 NCC: Historic Environment Officer:

The proposed development affects a heritage asset comprising a brick-built cottage of probable late 17th or 18th century date. The proposed works will alter and affect the significance of the heritage asset which is worthy of recording prior to its demolition.

If planning permission is granted, we therefore ask that this be subject to condition for a programme of archaeological work in accordance with *National Planning Policy Framework* paragraph 135. We suggest that the following condition be imposed:

“No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording which has been submitted by the applicant and approved in writing by the local planning authority.”

A brief for these works can be supplied on request.

3.5 NCC: Highways:

I have no objection to the granting of permission.

Should your authority be minded to approve the application I would be grateful for the inclusion of the following condition(s) and informative note on any consent notice issued:

SHC08, SHC09, SHC21, SHC13, SHC24 and Inf 2.

4 PUBLICITY

4.1 Site notice: 31 January 2018

Expiry date: 21 February 2018

4.2 Press Notice: published 13 February 2018

Expiry date: 6 March 2018

4.3 Neighbour notification:

Conifers, Petalgate, Red Wheels, Lambsmead all on Acle Road

Expired: 17 February 2018

5 REPRESENTATIONS

5.1 None received.

6 RELEVANT POLICY GUIDANCE

NPPF:

6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration. Paragraphs 14, 17, 51, 129, 131, 134 and 135 are considered to be particularly relevant.

Planning Practice Guidance (web based national guidance formalised on 6 March 2014) <http://planningguidance.communities.gov.uk/>

- 6.2 This document gives guidance on a number of issues. It states that new development should look to respond appropriately to the existing layout of buildings, streets and spaces to ensure that adjacent buildings relate to each other, streets are connected and spaces complement one another.

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

- 6.3 Policy 1:

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

The built environment, heritage assets and the wider historic environment will be conserved and enhanced through the protection of buildings and structures which contribute to their surroundings, the protection of their settings, the encouragement of high-quality maintenance and repair and the enhancement of public spaces.

- 6.4 Policy 2:

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

- 6.5 Policy 17:

In the countryside, affordable housing for which a specific local need can be shown will be permitted in locations adjacent to villages as an exception to general policy. Farm diversification, home working, small scale and medium scale commercial enterprises where a rural location can be justified, including limited leisure and tourism facilities to maintain and enhance the rural economy will also be acceptable. Other development, including the appropriate replacement of existing buildings, will be permitted in the countryside where it can be clearly demonstrated to further the objectives of this Joint Core Strategy.

Development Management Development Plan Document (DM DPD) 2015:

- 6.6 Policy GC1:

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

6.7 Policy GC2:

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

6.8 Policy GC3:

Outside of settlement limits proposals for the conversion of buildings for employment uses and tourist accommodation will be permitted where:

- i) The building is capable of conversion without substantial alteration.

Proposals for residential use will be permitted where criteria (i) is satisfied and the conversion will lead to an enhancement of the immediate setting.

6.9 Policy GC4:

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

6.10 Policy EN1:

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

6.11 Policy EN2:

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

6.12 Policy EN4:

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

6.13 Policy H3:

Outside Settlement Limits replacement dwellings will be considered acceptable in principle provided the building is substantially intact and its use as a dwelling has not been abandoned.

6.14 Policy TS3:

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

6.15 Policy TS4:

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

Landscape Character Assessment SPD:

- 6.16 Identifies the application site as falling within the C2 Freethorpe Plateau Farmland landscape character area.

7 LOCATION AND DESCRIPTION OF SITE

- 7.1 The site is located within Moulton St Mary in the parish of Beighton. The site is on the eastern side of Acle Road with residential properties to the north and west, a garden centre to the south and fields to the east.
- 7.2 The site has a detached building which is partially covered by overgrown vegetation to the north-eastern boundary. The building was formerly the village Post Office with residential accommodation above although it has been empty for some years. A mobile home has been positioned along the front of the site for some time and although this does not benefit from planning permission, it is lawful through the passage of time.
- 7.3 There is a vehicular access onto Acle Road and a low wall along the road frontage.

8 PLANNING HISTORY

- 8.1 [20171052](#): Extension and conversion of former Post Office building to dwelling. Approved 22 September 2017.

9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the development plan, the NPPF and Planning Practice Guidance, and its impact on the character of the area, residential amenity and highway safety.

Whether the development accords with the Development Plan, the NPPF and NPPG:

- 9.2 The site is outside of a defined settlement limit and therefore there is a general presumption against development unless it complies with another policy and / or allocation of the development plan. Planning applications must be determined in accordance with the development plan unless material considerations dictate otherwise. The fact that there is an extant consent to convert the building into a dwelling is a material consideration. The current application differs from that by proposing to demolish the building and to build a new dwelling from scratch and to build a double garage within the curtilage.
- 9.3 This application raises a number of issues that need to be weighed up. On the one hand, the application site is outside of a defined settlement limit where new development is not normally considered to be acceptable unless it complies with another policy and / or allocation of the development plan and does not have a significant adverse impact. Part of the reason for restricting development outside settlement limits is to ensure that new development is well linked and well related to existing development, services, facilities and employment opportunities. On the other hand, the applicant already benefits from consent to convert the building into a dwelling and thus the principle of a dwelling on this site has been established.

The impact on the Character and Appearance of the Surrounding Area:

- 9.4 The previous application was assessed against Policy GC3 and the building was deemed capable of conversion without substantial alteration. Furthermore, the existing permission creates a three bedroom, two storey dwelling and conditions the removal of the existing caravan on the site frontage which was considered to lead to an enhancement of the immediate setting.
- 9.5 The current proposal seeks to replace the existing approved dwelling with a better designed and more energy efficient family home amongst other residential properties within Moulton St Mary. The new dwelling will be much the same as the converted building in terms of its footprint and position. The external materials proposed include red brick and black pantiles which will not detract from the existing character and appearance of the area. The proposal is therefore considered to comply with Policy 2 of the JCS and Policy GC4 of the DM DPD.
- 9.7 The Landscape Character Assessment SPD shows the site as falling within the Freethorpe Plateau Farmland landscape character area. The landscape planning guidelines for that character area that are relevant to this application are:
- Seek to conserve the open, rural character of the area.

- Resist new development that would result in any diminution of the sparsely settled nature of the area or in any reduction in the sense of peace and isolation within the area, which is devoid of large settlements.
- Seek to conserve subtle features of the historic landscape, including hedgerows and tracks.
- Seek to ensure new development does not disrupt the smooth, predominantly uninterrupted skyline within the area.
- Seek to conserve open views across the farmland.

9.8 The application is considered to comply with Policy EN2 of the DM DPD as the development is a small scale proposal that in part, replaces an existing building of a similar size and is within the settlement of Moulton St Mary. The sparsely settled nature of the area will remain intact, the proposed building materials are appropriate to the site and surrounding area and the landscaping setting will not be adversely affected.

Other matters including Highway Safety and Residential Amenity:

- 8.6 The new garage is proposed in the same materials as the dwelling and is positioned to the southern corner of the site allowing off-road parking and turning for several vehicles. There is no Highways objection to the proposal (subject to conditions) and it is therefore in accordance with Policies TS3 and TS4 of the DM DPD.
- 8.7 Furthermore, the proposal is two storey (as was the conversion) and due to the orientation of the building with habitable room windows facing towards the front and rear at first floor level, there will be no adverse impact on the existing amenity of neighbours. The proposal is therefore considered to comply with Policy GC4 of the DM DPD.

Summary:

- 9.9 The new dwelling will be of a similar footprint to the existing building and sit in the same position within the site. Furthermore, the site is vacant and is in a certain state of disrepair and by redeveloping it with a dwelling and garage that in design terms is acceptable, arguably its appearance will be enhanced and will not cause harm to the character and appearance of the surrounding area. In addition, the Highway Authority has not objected on the grounds of highway safety. Bearing in mind the recent planning history of the site and the benefits associated with the application, it is considered that in this instance there is merit in setting aside Policy GC2 of the DM DPD and granting planning permission.

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

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision. (A1)
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents: (E3)

20180117 Dwg No 7889_01 Site Location Plan.pdf
20180117 Dwg No 7889_02 Existing Block Plan.pdf
20180117 Dwg No 7889_03 Proposed Elevations_Floor & Block Plans.pdf
20180117 Dwg No 7889_04 Proposed Elevations & Floor Plan of Garage.pdf
20180117 Design & Access Statement.pdf
- (3) Prior to the demolition of the existing building the applicant, or their agents or successors in title, will secure the implementation of a programme of historic building recording which has been submitted by the applicant and approved in writing by the local planning authority.
- (4) The materials to be used in the development shall be in accordance with the details contained within the Agent's email dated 9 March 2018 unless otherwise agreed in writing with the Local Planning authority.
- (5) Prior to the first occupation of the development hereby permitted, the vehicular access shall be provided and therefore retained at the position shown on the approved plan in accordance with the highway specification (Dwg. No. TRAD 5) attached.

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. (SHC08)
- (6) Vehicular access to and egress from the adjoining highway shall be limited to the access shown on the approved plan only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority concurrently with the bringing into use of the new access. (SHC09)
- (7) Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway. (SHC21)

- (8) Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway. (SHC13)
- (9) Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking and turning area shall be laid out in accordance with the approved plan and retained thereafter for that specific use. (SHC24)
- (10) Notwithstanding the provisions of Schedule 2 Part 1 and Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no buildings, walls, fences or other structures shall be erected within the site curtilage, nor alterations or extensions be made to the dwelling or garage. (D2)
- (11) Prior to the first occupation of the dwelling hereby permitted, the existing mobile home (caravan) shown on Dwg No 7889_02 Existing Block Plan date stamped 19 January 2018 shall be removed from the site and the land restored to its former condition.

Reasons:

- (1) This time limit condition is imposed in accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. (R1)
- (2) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents. (R15)
- (3) To ensure the satisfactory recording of the heritage asset in accordance with Paragraph 135 of the NPPF.
- (4) To ensure the satisfactory appearance of the site in accordance with Policy GC4 of the DM DPD.
- (5) To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the carriageway.
- (6) In the interests of highway safety.
- (7) In the interests of highway safety.
- (8) To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.

- (9) To ensure the permanent availability of the parking/manoeuvring area in the interests of highway safety.
- (10) To ensure the satisfactory appearance of the dwelling in accordance with Policy GC4 of the Development Management DPD 2015.
- (11) In the interests of visual amenity and to enhance the amenity of the locality in accordance with the criteria specified within Policy GC4 of the Development Management DPD.

Informatives:

- (1) The local planning authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or enquiries@cncbuildingcontrol.gov.uk and the website www.cncbuildingcontrol.gov.uk
- (3) The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to development on this site.
- (4) This development involves works within the Public Highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.
- (5) In respect of Condition 3 above, a brief for the works can be supplied by NCC Historic Environment Service information@norfolk.gov.uk
- (6) It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Control Group. Please contact Stephen Coleman on 01603 430596.

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

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

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

Pages 351 to 357 are not available to the public because the information is confidential as it includes exempt information about the financial or business affairs of a person



PLANNING COMMITTEE

28 MARCH 2018

Final Papers

Page Nos

[Supplementary Schedule](#)

359 – 372

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	20170104	Land south of Salhouse Road, Sprowston	Letter from CPRE Norfolk attached at Appendix 1	23 - 72
2	20161066	Land adj Hall Lane / School Road, Drayton	<p>Additional comments received from Drayton Parish Council:</p> <p>Taking into account that the time for submitting further comments by residents and the Parish Council is very limited, we are requesting that the <u>application is deferred until next month's meeting</u>. The Parish Council feel that the announcement of an 8.08 year land supply is a significant game changer in respect of this application. Whilst compromises were acceptable whilst BDC did not have a 5 year land supply, this acceptance no longer applies and has moved the negotiating position.</p> <p>Our concerns are that there are numerous assumptions (especially regarding s106 requirements) and errors made in your report. Details of which require considerable clarification and discussion by the Parish Council.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> As you aware Paragraph 49 of the NPPF says: <p><i>Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year</i></p>	73 - 142

			<p><i>supply of deliverable housing sites.</i></p> <p>However as BDC now has a 8.08 years supply paragraph 14 footnote 9 should now be seriously considered as it states:</p> <p><i>specific policies in this Framework indicate development should be restricted.⁹</i></p> <p><i>^{9.} For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; <u>and locations at risk of flooding or coastal erosion.</u></i></p> <ul style="list-style-type: none"> • You will be very aware of recent flooding in the exact location of the application. This flooding has been a concern for the Parish Council and residents since the application started in 2013 and to date has not been addressed or sufficient answers provided by the landowner, developer or any of their consultants. • The Norwich Urban Water Management Plan designates Drayton as one of the three critical drainage areas. The Environment Agency (EA) correspondence previously submitted includes a letter dated 20 April 2013 from Graham Steel the Planning Liaison Officer for EA who states:- <p><i>“The proposed development should be located outside of the area shown to be at risk of surface water flooding in the SWMP.”</i> The</p>	
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			<p>letter goes on to advice “<i>it would be precautionary to raise floor levels as high as possible to reduce any residual risk of the houses flooding</i>”. These comments raise the sanity of building on this site at all. Why would the planning authority wish to take this risk, especially as the land supply is now secure? These comments from the EA were available in both applications (20161066 and 20130885) and its disappointing that this is not included in your main report. I would suggest this is verbally highlighted in your presentation on Wednesday.</p> <p>The Parish Council is aware that this application is for outline permission only. However, given the seriousness of the flooding issue, all drainage issues must be resolved at the outline stage and not relied upon at reserved matters where the favour of permission has already been established.</p> <ul style="list-style-type: none"> On Page 76 on the Members’ papers for Wednesday, point 2.1 refers to planning application 20130885 in which you state outline approval for 200 dwellings was dated 13 August 2015. This date is incorrect and it should read 13 August 2014. Within the decision notice for 20130885 the Parish Council cannot see any reference to the statement that development will start in 3 to 5 years from planning approval. We can find no reference, within the decision notice, to a five year period other tree and hedge planting. Point 1 states all reserved matters must be made to the planning authority within 2 years of the decision. Point 3 of the notice states that development should start within one year after approval of reserved matters. This would amount to 3 years in total. The Parish Council finds it unacceptable that development commencement should be within five years and that the 2 and 1 years should apply 	
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			<p>as the previous permission.</p> <ul style="list-style-type: none"> On Page 77 of the Members' papers for Wednesday, point 2.3 states that an estimate that 250 houses would be built over a 6-7 year period and that 175 houses would be built within the 5 year land supply period. The Parish Council finds this rate of development totally unacceptable, as a phased development, this would have significant impact upon receipt of CIL and S106 monies and it will be hard to provide tangible benefit to the community with monies arriving in dribs and draps over a long period of time (even if all 250 are built, which is unlikely given the track record of the landowner). This rate would amount to no more than 36–42 dwellings a year and is unacceptable. The infrastructure of the site does need to be in place first, including the road with the two exit points, and it would be unacceptable for the developer to provide piece meal infrastructure as they slowly build across the site and may not even finish, leaving the longest cul-de-sac in Drayton. In addition, drainage would need to be in place for the whole site rather than waiting for phases 2 and 3 to take shape. Drayton cannot afford that risk in a critical drainage area. On Page 77 of the Members' papers for Wednesday, point 2.7 indicates a s106 requirement of allotment space totalling 1000 sq. m. The previous application had a s106 requirement for 5500 sq. m for allotments and the indicative plan for 20161066 shows an allocation of 3516 sq. m. Whilst the Parish Council are aware the applicant is giving more land for allotments than the statutory requirement we would like to know the basis for this. A very small allotment site would make this difficult to manage and would not generate sufficient income to ease the burden of management. 	
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			<ul style="list-style-type: none"> On Page 78 of the Members' papers for Wednesday, point 2.1 the commuted sum of £157,027 (indexed linked) is proposed with regard to formal recreation. The Parish Council would need to understand the phasing of the development and when CIL payments would kick in. Whilst the Parish Council acknowledge that £66,096 was agreed to be given to the Junior School's swimming pool project, this would depend on the phasing and the Parish Council would like to ring fence the first amounts with the remaining £66,096 going to school. The fear being, as stated before, that the wider community will see little benefit from these payments if phased and we risk the real possibility that these sums to the Parish Council would never arise given the track record of the landowner in deliverance of new dwellings. The school needs this sum of money now for the project and that if left for 6-7 years, alternative funding might have been found or the facility closed down. Section 106 requirements are provided to mitigate the effects of development on a community. The expansion of the GP surgery is an example of this. Without the development, there is no need to expand the medical centre. The Parish Council have concerns of the wording in paragraph 2.14 of your report. The Parish Council would like to see that this land is gifted at no cost (or at a pepper corn rent) rather than transferred or set aside, which could imply cost. In the application number 20130885 off-site play contributions totalled £16,000 for upgrade of play equipment on Florence Carter Memorial Park (FCMP) this was based on 200 dwellings. PJ Livesy 	
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			<p>(the then developer) promoted do away with the lagoon and provide all play facilities on site. The lagoon is now showing within the current application and all formal play will be on site. We would wish to see site of the off-site requirements for clarification.</p> <ul style="list-style-type: none"> Residents that have contacted us in the last few days are surprised, and delighted to learn that BDC have another opportunity to refuse this application. These thoughts have been heightened by the recent flooding that has taken place over the last few weeks, despite mitigating measures already being in place. The thought of developing this site only exacerbates resident's fear that matters will only get worse and that the advice of EA should be accepted ie build elsewhere. If the size of the lagoon proposed is any measure having something 1.85 times the size of Carrow Road and at six foot depth, reflects the seriousness of the drainage issue. The drainage issue is far too important to leave to reserved matters. We have seen locally that lagoons do not drain in this area as witnessed by the lagoons built for NDR surface run off at Drayton Lane/ Reephams Rd roundabout. This development consultation first started in 2012 with the Princes Foundation, and the subsequent application was approved in 2013 which then lapsed. A resubmitted application received approval at committee on 14th September 2016 and the fact that over 18 months later the s106 has still not been signed the Parish Council cannot understand why just a further one month's delay to enable the Parish Council and residents to consider a full and further response is not considered. This seems a very fair and reasonable request. As you are aware other planning applications in Drayton by the landowner have received full planning approval, have never 	
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			<p>been delivered and these permissions have now lapsed. Maybe the applicant might wish to consider withdrawing the application to avoid the potential risk of refusal?</p> <ul style="list-style-type: none"> The Parish Council would welcome the opportunity to sit down with the landowner and discuss alternative sites on land owned by them in the Parish which is more suitable for developing and is outside of the critical drainage area. <p>Officer comment: The decision date of planning application ref: 20130885 was 13 August 2014, not 2015 as reported. This application has expired as the reserved matters application was not submitted.</p> <p>Additional summarised comments received from the occupiers of: 14 Manor Farm Close; Old Hall Farmhouse, 4 Manor Farm Close; Brickyard Farm, Hall Lane and a Carter Road resident, all Drayton:</p> <ul style="list-style-type: none"> Drayton has experienced considerable additional (surface water) flooding, including gardens and into properties adjacent the proposed site which were seriously flooded. This occurred in 2013 and again earlier this year and there is absolutely no way Broadland should allow this unnecessary additional development to proceed, even more so now you have confirmed the Norwich Policy Area allocated housing supply has more than satisfied the Objectively Assessed Need (OAN) for housing. If measures were taken on and off the site to mitigate the additional flooding which the development will still undoubtedly cause to the adjacent properties and the village in general, due to the nature of the landscape / levels in the area (Drayton is in a deep valley), there will be natural surface water migration and run off which would 	
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			<p>cause ongoing and worsening problems.</p> <ul style="list-style-type: none"> • The development should be outside of the critical drainage area. • The traffic situation is worse on Hall Lane with ineffective traffic calming – and now more traffic since opening the NDR. It will be dangerous to have the entrance/exit on Hall Lane. Much better to have entrance/exit just past the school – thus taking the main traffic towards the Reepham Road/NDR. It would be good to open up a Cator Road connection. The proposed entrance/exit in Hall Lane should be closed off or at maximum an entrance only. • Housing should be located on 'Brownfield' sites and those other sites in the village with planning permission rather than this site as the character of Drayton will change for ever with this development. • Development of this site will only exacerbate the problems with traffic in the village and access onto Hall Lane will be difficult due to traffic queues. • Both the local schools and the doctors' surgery are close to capacity and this development will increase this pressure and have a negative effect on existing residents. • The lack of adequate parking provision at the Doctors' surgery is a serious concern currently which is likely to be worse with more housing. Every day cars park on Manor Farm Close which restricts access and poses a serious issue should emergency services require access further up the road. More land than proposed should be provided for the surgery to assist with this. • In accordance with previous discussions we hope that the proposed development is arranged so that a dense tree belt is established to the rear boundary of neighbours rather than the on-site play area. 	
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3	20170196	Former David Rice Hospital, Drayton High Road, Drayton	<p>Additional summarised comments received from the occupiers of: 1 Hurn Road; 5 Delane Road and a resident of Drayton and 10 Isbets Dale, Taverham:</p> <ul style="list-style-type: none"> As the new evidence shows that there is an abundance of land for housing it is felt most strongly that this valuable ecological site should not be compromised for housing and am most disappointed that the officer recommendation is to continue with the completion of the legal agreement. The site is not allocated for housing; it is outside the allocated settlement area and contravenes the Drayton Neighbourhood Plan. The site is considered to be of County Wildlife standard and scattered houses would devastate the immense Landscape value of the site. Concerned about the protection of the large area of open space to the south of the site, the report states that the 'open space and pathways will be provided and maintained in perpetuity at the applicant expense' but will this be secured if the ownership changes in the future? No approval should be given whilst this is uncertain. The majority of the economic, social and environmental reasons for approval now reported are things that the applicant has currently only suggested or implied could or may be done. These elements must be things that can be guaranteed and it is not appropriate for the application to be approved until these can be guaranteed. It is paramount that the application is not approved if the benefits on which the approval is being granted are nothing more than empty promises. I objected to the original application on the grounds of adequate road communications to serve such a development. That objection 	143 - 220
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			<p>stands because during the time that has elapsed between the original objection and now, the A1067 Fakenham Road has been taking more traffic day by day and it is a fact proven many times over that with any event which restricts the use of that road, such as road works, vehicle breakdown, traffic accident, vehicle tailbacks happen immediately.</p> <ul style="list-style-type: none"> • I also need to highlight the fact that the A1067 is a single carriageway road used by commuters and has several bus routes using it, there is refuse/recycling collection vehicles each week stopping and starting and a growing number of cyclists have to be accommodated. Additionally, development has now commenced on the Royal Norwich Golf Club site where 1,000+ houses are to be built which will put even more pressure on the road. 	
5	20172032	Land at Dawson's Lane,Blofield	<p>Additional Comments received from a neighbour:</p> <ul style="list-style-type: none"> • I wish to confirm that we still believe our previously indicated concerns (copied below) remain relevant. • The only economic benefits highlighted are those which would be true of any construction of dwellings. • The only stated social benefit fails to note that the site is not actually within 500m of any public transport. • The assessment fails to mention in particular the loss of prime agricultural land. • Broadland has already agreed to more than its fair share of planning applications which are within easy reach of public transport, and provide affordable housing & other S106 benefits, this proposed development - which offers merely a short section of footpath and a small commuted sum - would appear to offer the 	258 - 292

			local community comparatively little.	
7	20180022	Bure House, The Street, Lamas	<p>Letter received from Agent (Robert Lord):</p> <p>The agent has submitted a letter in response to consultation comments received and is summarised below: The Conservation comments are misleading or incorrect as they have not acknowledged: -That the historic flint and brick wall along the road frontage is to be rebuilt in reclaimed bricks and -flint work taken from the original wall and re-aligned; -Access to the church is used for vehicles and pedestrians; -The size and vernacular style of the proposed house and garage is similar to the house opposite known as Bure Cottage and buildings to the east of the site, beyond the cemetery; -The proposed alterations to the existing access and the positioning of the new house to the east will provide an increased view of the Church; and -The historic 2m crinkly crankly wall to the rear will remain with additional landscaping proposed, which will screen the new house. Any view from the church would be of natural landscaping. It is considered the proposal complies with chapter 55 special circumstances where permission can be given outside existing policy.</p> <p>Officer comments:</p> <ul style="list-style-type: none"> It is acknowledged that the front boundary wall is to be rebuilt/re-aligned using reclaimed material and to a similar design; however the large splayed opening will significantly change the character of the street in this vicinity, where the wall currently (and characteristically) runs hard up against the road frontage. 	304 - 322

			<ul style="list-style-type: none"> • The application contains no proposed street-scene or section plans to demonstrate the relationship of the proposed building to its context and the relationship to its neighbours. The detrimental impact as detailed in the committee report is due to the combination of the significant length (17m) and height (8m) of the proposed building and its position. • Bure Cottage is a comparable length to the proposed dwelling but is single storey and on the opposite side of the road so has very little impact on the setting of the church and is not comparable to the proposed dwelling. The properties referred to do not share the uniquely sensitive position of the application site. • In regards to additional landscaping proposed, this should not be relied upon to screen the house from the church. • Paragraph 55 of the NPPF states local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. The proposal does not meet the essential need for a rural worker and the proposal is not of exceptional quality or innovative design and therefore does not satisfy the criteria of paragraph 55. 	
9	20180117	The Old Post Office, Acle Road, Moulton St Mary	<p>Comments received from Beighton Parish Council:</p> <p>The Parish Councillors had no objections to the plans. They did feel that the access is not good, but note it is an existing access.</p> <p>Revised Plans Received.</p> <p>Revised plans have been received that accurately show the vehicular access inside of the red line. Certificate B has been completed and notice</p>	338 - 350

			<p>served on the owner.</p> <p>Recommendation has changed to “Delegate Authority to Head of Planning to Approve following the expiry of 21 days from the date of the certificate.”</p>	
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26th March 2018

P. Courtier Esq.,
Broadland District Council,
Thorpe Lodge,
1 Yarmouth Road,
Norwich, NR70DU
By e-mail: phil.courtier@broadland.gov.uk

Dear Mr. Courtier,

Planning Application 20170104: Development off Salhouse Road

I am writing to you on behalf of CPRE (Norfolk) as we do have a concern regarding the above application in which there is a recommendation by officers to accept a reduction in the affordable housing provision from 33% to 10%, based on a Viability Assessment from the applicant and validation by an independent assessor, both of which have been exempt on confidentiality grounds.

As you know Viability Assessments is an issue which has been highlighted at government level, and guidance was published on 5th March 2018 in the draft of a revised NPPF confirming the position of recent judicial decisions concerning land values. The publication covers both the need to account land values based on current use with an incentive, as well as making assessments available for public scrutiny.

Unfortunately with the continued policy by Broadland of not making Viability Assessments available to the public, we do not know whether land values used for this application accords with this judicial policy and the draft guidelines. With committee decisions based on exempt confidential information, it is essential that members are aware of the guidelines and their responsibilities ensuring that Viability Assessments reflect realistic land values when considering claims for reductions in affordable housing numbers.

We would ask that both of these matters are considered at the planning committee on 28th March 2018 in respect of the above application. This would represent a strong message sent out by Broadland on its future intentions, not to hinder building of new houses, but to ensure excessive land values will not be justification for maximising windfall planning gains at the detriment of communities benefit.

Now that you have confirmed a current 5 year supply of land for housing, this would represent an opportunity and we hope you will ask the members to consider these issues in their decision.

Yours Sincerely,

Bryan Robinson
Branch Hon. Secretary.