

# Planning Committee Agenda

## Members of the Planning Committee:

Cllr I N Moncur (Chairman)  
Cllr K A Vincent (Vice Chairman)  
Cllr A D Adams  
Cllr S C Beadle  
Cllr N J Brennan  
Cllr J F Fisher

Cllr R R Foulger  
Cllr C Karimi-Ghovanlou  
Cllr S M Prutton  
Cllr S Riley  
Cllr J M Ward

## Date & Time:

Thursday 29 July 2021 at 9:30am

## Place:

To be hosted at: Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU

## Contact:

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# **AGENDA**

- 1. To receive declarations of interest from members;**  
(guidance and flow chart attached – page 4)
- 2. To report apologies for absence and to identify substitute members;**
- 3. To confirm the minutes of the meeting held on 3 June 2021;**  
(minutes attached – page 6)
- 4. Matters arising from the minutes;**
- 5. Applications for planning permission;** (report attached page 12)
- 6. Planning Appeals– for the 20 May to 30 June 2021 (for information);**  
(attached page 75)

## DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding in</li> </ol> <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.  
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST  
INSTANCE**

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



## Agenda Item 3

### PLANNING COMMITTEE

**Minutes of a meeting of the Planning Committee of Broadland District Council, held on 3 June 2021 at 9:30am at the Council Offices.**

**Committee Members Present:** Councillors: I Moncur (Chairman), S Beadle, N Brennan, J Copplestone, J Fisher, S Holland, K Leggett, S Prutton, S Riley, K Vincent and J Ward.

**Apologies:** Cllrs A Adams, R Foulger and C Karimi-Ghovanlou (K Leggett, J Copplestone and S Holland appointed substitutes).

**Officers in Attendance:** The Assistant Director for Planning (H Mellors), the Area Planning Manager (N Harriss) and the Senior Planning Officer (H Bowman)

**Also in Attendance** Cllr S Lawn

#### 1 DECLARATIONS OF INTEREST

The following members declared interests in the matters listed below. Unless indicated otherwise, they remained in the meeting.

Application	Parish	Councillor	Declaration
20202164	BLOFIELD	Cllr Brennan	Ward member for the application – had not taken part in any meetings or conversations about the application
20161873	THORPE ST ANDREW	All members present	Local Planning Code of Practice/Other Interest – had attended the council meeting which had approved the progress of a compulsory purchase order to secure the roundabout and voted in support

<b>20210134</b>	<b>FOULSHAM</b>	Cllr Copplestone	Local Planning Code of Practice/Other Interest – acquainted with the applicant but not taken part in any conversation about the application
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## 2 MINUTES

The minutes of the meeting of the Planning Committee held on 21 April 2021 were confirmed as a correct record.

## 3 MATTERS ARISING

No matters were raised.

## 4 PLANNING APPLICATIONS

The Committee considered the reports circulated with the agenda, which were presented by the officers. The Committee received updates to the report, which had been added to the published agenda.

The following speakers addressed the meeting on the applications listed below.

<b>Application</b>	<b>Parish</b>	<b>Speakers</b>
<b>20202164</b>	<b>BLOFIELD</b>	Stuart Smith - Blofield Parish Council Mary Moxon – resident Cllr J Thomas – Local Member
<b>20161873</b>	<b>THORPE ST ANDREW</b>	Thomas Foreman – Thorpe St Andrew Town Council
<b>20210134</b>	<b>FOULSHAM</b>	Mr Mathers – applicant Cllr G Peck – Local Member
<b>20210284</b>	<b>CAWSTON</b>	Tom Mayes – Applicant Luke Broom Lynne – Architect for the applicant Cllr G Peck – Local Member

The Committee made the decisions indicated in the attached appendix, conditions of approval or reasons for refusal of planning permission as determined by the Committee being in summary form only and subject to the final determination of the Director of Place.

## **5 PLANNING APPEALS**

The Committee noted the planning appeals.

(The meeting concluded at 11:30am)

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Chairman



NOTE: Conditions of approval or reasons for refusal of planning permission as determined by the Committee are in summary form only and subject to the Director of Place's final determination.

1. **Appl. No** : **20202164**  
**Parish** : **BLOFIELD**  
Applicant's Name : Greenacre Developments Norwich Ltd  
Site Address : Land at Dawsons Lane, Blofield, NR13 4SB  
  
**Proposal** : Variation of condition 2 following grant of planning permission 20190844 - amend site plan  
  
**Decision** : Members voted (6-4) for **Approval** subject to conditions  
  
Approved with Conditions  
  
  1. In accordance with drawings (AD01)
  2. Surface water drainage (bespoke)
  3. Surface water verification report
  4. Standard Estate Road (SHC01)
  5. Standard Estate Road (SCH02)
  6. Standard Estate Road (SHC03A)
  7. Highway Improvements off-site (SHC32B)
  8. Tree protection (L08)
  9. Landscaping scheme to be complied with (L07)
  10. Renewable Energy – Decentralised source (E01)
  11. Boundary Treatments (L02)
  12. No PD fences, walls etc. on western boundary (P08)
  13. Fire hydrant (D09)
  14. PD Removals walls and fences western boundary plots 9 and 10 (P08)
  15. Materials (D02)
  
2. **Appl. No** : **20161873**  
**Parish** : **THORPE ST ANDREW**  
Applicant's Name : Broadland District Council  
Site Address : Land to the east of Pound Lane and west of Heath Road, Plumstead Road East, Thorpe St Andrew  
  
**Proposal** : Road improvements comprising new junction arrangement(s) and footways  
  
**Decision** : Members voted (unanimously) for **Approval** subject to conditions  
  
Approved with Conditions

1. Time limit
2. Plans and documents
3. Construction workers parking
4. Wheel cleaning
5. Off-site highway improvements
6. Traffic regulation order to reduce speed limit
7. Drainage
8. Trees
9. Ecology

3. **Appl. No** : **20210134**  
**Parish** : **FOULSHAM**  
**Applicant's Name** : Mr and Mrs Richard Mathers  
**Site Address** : The Old Pharmacy, 3 High Street, Foulsham, Dereham, NR20 5RT
- Proposal** : Subdivision of curtilage and erection of dwelling and Garage
- Decision** : Members voted (unanimously) for **Approval** subject to conditions

Approved with Conditions

1. Time limit
2. In accordance with plans a documents
3. Landscaping –already agreed
4. New Access
5. Visibility
6. Access gates
7. Access limited to specified road
8. Provision of on-site parking/turning

4. **Appl. No** : **20210284**  
**Parish** : **CAWSTON**  
**Applicant's Name** : Mr Tom Mayes  
**Site Address** : Land abutting south side of Cawston, west of Norwich Road and immediately south of William Bush Close, Cawston
- Proposal** : 3 no detached single-storey three bedroomed dwellings (including self-build) with garages and gardens (Outline)
- Decision** : Members voted 7- 4 for **Approval** (contrary to officer recommendation, which was lost)

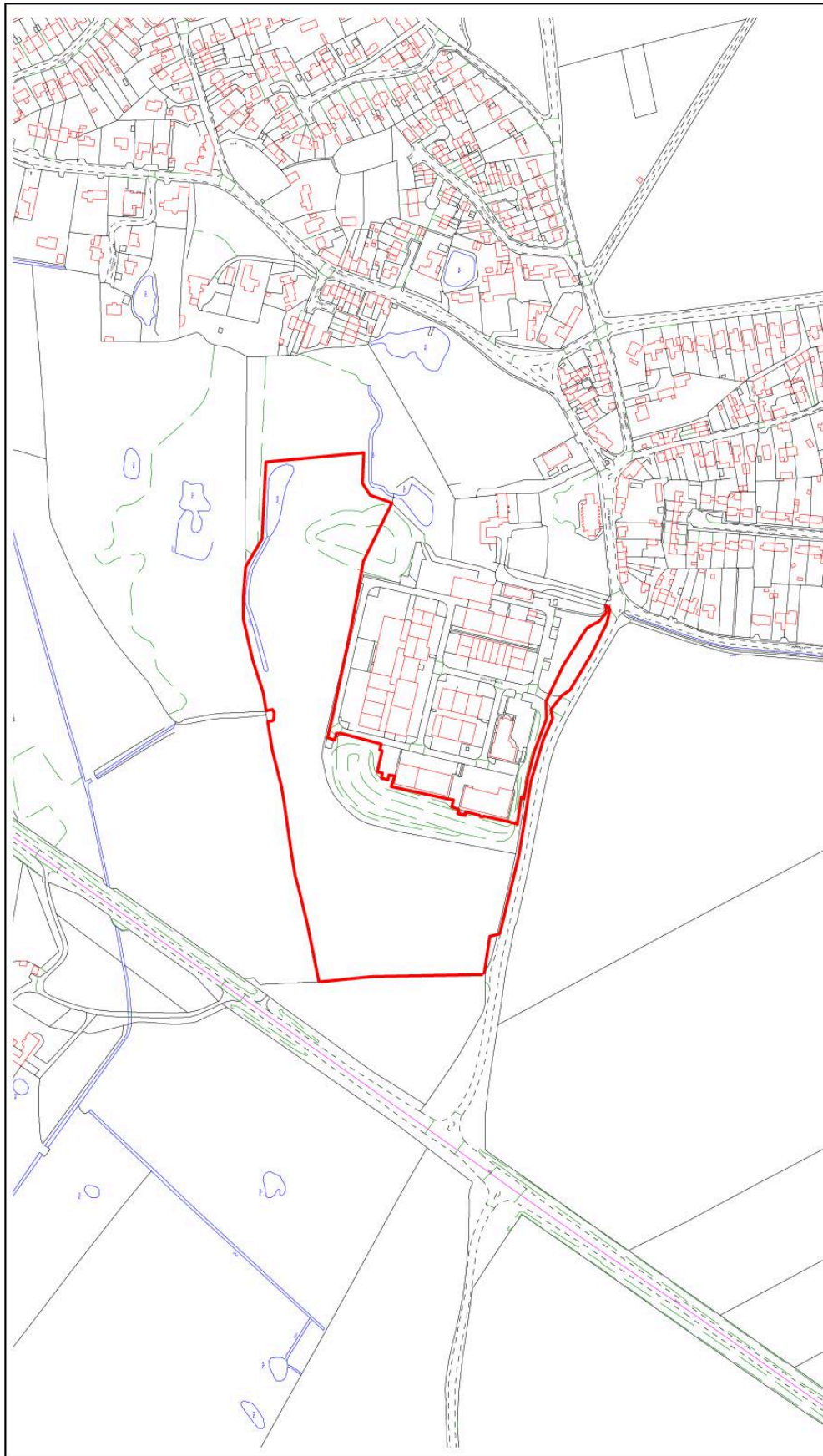
Approved with Conditions and subject to section 106 agreement re self build:

1. Outline time limit
2. Reserved matters to be submitted
3. Single storey only
4. New access construction
5. Provision of visibility splays
6. Provision of footway link
7. Biodiversity enhancement measures
8. Contamination during construction
9. Details of surface water drainage
10. Details of foul drainage

Reasons for Approval:

1. Good connectivity to services given provision of footpath link
2. The site is not isolated or overly intrusive being adjacent and opposite existing development
3. Securing self-build unit

	Application No	Location	Officer Recommendation	Page No
<b>1</b>	20201787	Land west of Abbey Farm Commercial Park, Church Street, Horsham St. Faith	Delegate authority to the Assistant Director – Planning to approve subject to conditions	14
<b>2</b>	20210356	Plot 16B, Peachman Way, Broadland Business Park, Thorpe St Andrew	<b>APPROVE</b> subject to conditions	34
<b>3</b>	20202016	Burgate Solar Farm, Fields adjoining Spixworth Road, Hainford	<b>APPROVE</b> subject to conditions	43
<b>4</b>	20210002	122 Haverscroft Close, Taverham	<b>APPROVE</b> subject to conditions	71



	<b>Application No: 20201787</b> <b>Land West of Abbey Farm Commercial Park, Church Street, Horsham St Faith, NR10 3JU</b>		<b>Scale:</b> 1:4499 <b>Date:</b> 1-Jul-21	<b>N</b> 
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1.     **Application No:**     **20201787**  
       **Parish:**           **Horsham St. Faith**

Applicant's Name: Horsham Properties Ltd

Site Address: Land west of Abbey Farm Commercial Park, Church Street, Horsham St. Faith

Proposal: Erection of 7 No. commercial buildings (4,843.6m<sup>2</sup> floor space), for Classes B2, B8 and E(g) purposes; parking and servicing areas; ancillary infrastructure and structural landscaping including extension to earth bund; pedestrian footways and cycleway; creation of new vehicular access from Church Street and associated works

Reason for reporting to committee

The officer recommendation is to approve contrary to the provisions of the development plan

Recommendation summary:

Delegate authority to the Assistant Director – Planning to approve subject to conditions.

1     Proposal and site context

- 1.1    This application seeks full planning permission for 7 new commercial buildings with associated parking and servicing areas, structural landscaping, a new vehicular access from Church Street, footways and a cycleway and associated works on land to the west of Abbey Farm Commercial Park in Horsham St. Faith.
- 1.2    The site has an area of approximately 5.88 hectares and is located on the western edge of Horsham St. Faith on the northern side of Church Street. It is an area of open land that accommodates a drainage attenuation pond to the northeast and earth bunds that provide screening to the west, northwest and northeast of the existing commercial park. Levels vary given the presence of the bunds but those aside, there is a gradual net decline in levels from east to west towards the direction of the A140.
- 1.3    Neighbouring land includes the existing commercial park to the east which contains a number of single storey and two storey units of varying size, agricultural land to the south on the opposite side of Church Street, a County Wildlife Site and an open area of land to the north. A scheduled monomer and group of Grade I and Grade II listed buildings are located to the east and

southeast of the existing commercial park. The Horsham St. Faith conservation area is also located to the east but includes the landscaped area and verge in the southeast corner of the commercial park.

- 1.4 The new access to be provided is approximately 190m to the west of the existing access on Church Street and the A140 to the west. Blocks 1, 3 and 5 will be located on the western side of the spine road into the site with Blocks 2, 4 and 6 on the eastern side. Blocks 1 to 4 will be accessed via a spur road to the north of them while Blocks 5 and 6 will have more direct accesses from the spine road. This spine road will loop around in an eastwards direction to the rear/north of Block 6 where it will connect to an existing road that services existing units on the western side of the commercial park. Block 7 will be positioned to the south of this spine just at the point at which it connects to the existing road. Each block will be provided with its own parking area.
- 1.5 The blocks range in size from Blocks 1 and 7 having a gross external area of 475 sqm to Blocks 2, 4 and 6 have a gross external area of 936 sqm. External materials proposed for use include olive green coloured trapezoidal cladding and solar photovoltaic panels to the roofs and varying proportions of olive green coloured Kingspan cladding and light red bricks on the walls.
- 1.6 The structural landscaping includes removal of the existing earth bund immediately to the west of the existing commercial park and extending the existing earth bund to the northeast of the site.
- 1.7 A 3m wide foot/cycle path is proposed to be provided to the east of the existing access and a 1.5m wide foot path provided between the proposed and existing accesses across the site frontage.
- 1.8 To meet the attenuation demands arising from the development, a new surface water attenuation lagoon is proposed to be provided to the north of the site where the proposed and existing roads referred to above meet each other.

## 2 Relevant planning history

- 2.1 892515 : Extension to commercial park (outline). Approved.
- 2.2 950146 : Renewal of pp 892515 (extension to commercial park - outline). Approved.
- 2.3 951327 : Amendment to design to Units F1-F7. Approved.
- 2.4 20111366 : Erection of infill building between Blocks F and G to provide ancillary accommodation with associated works to utilities. Approved.

- 2.5 20121385 : Erection of commercial building (1825sq.m floor space) for Class B1 (b) & (c), B2 and B8 purposes, associated links to Blocks F and G, parking and servicing areas, ancillary infrastructure and structural landscaping including earth bunds, pedestrian footway, minor works to trees and ancillary works. Approved
- 2.6 20201759 : Removal of a 135m section of existing hedgerow along the southern boundary adjacent to Church Road (Hedgerow Removal Notice). Approved.
- 2.7 20201760 : 5 x Ash and Sycamore (G1) – fell; 1 x Verge Tree (G9) – fell (Notice of Works to Trees in a Conservation Area). Under consideration.
- 2.8 20211211 : EIA Screening Opinion: Erection of 7 No. commercial buildings (4,843.6m<sup>2</sup> floor space), for Classes B2, B8 and E(g) purposes; parking and servicing areas; ancillary infrastructure and structural landscaping including extension to earth bund; pedestrian footways and cycleway; creation of new vehicular access from Church Street and associated works. EIA not required.

### 3 Planning Policies

#### 3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development  
NPPF 03 : Plan-making  
NPPF 04 : Decision-making  
NPPF 06 : Building a strong, competitive economy  
NPPF 09 : Promoting sustainable transport  
NPPF 12 : Achieving well-designed places  
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change  
NPPF 15 : Conserving and enhancing the natural environment  
NPPF 16 : Conserving and enhancing the historic environment

#### 3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets  
Policy 2 : Promoting good design  
Policy 3: Energy and water  
Policy 5 : The Economy  
Policy 6 : Access and Transportation  
Policy 14 : Key Service Centres  
Policy 15 : Service Villages



3.3 Development Management Development Plan Document (DM DPD) 2015

Policy GC1: Presumption in favour of sustainable development

Policy GC2: Location of new development

Policy GC4: Design

Policy EN1: Biodiversity and habitats

Policy EN2: Landscape

Policy EN4: Pollution

Policy TS2: Travel plans and transport assessments

Policy TS3: Highway safety

Policy TS4: Parking guidelines

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

Policy CSU5: Surface water drainage

3.4 Site Allocations Development Plan Document 2016

Policy HNF3: Land at Abbey Farm Commercial Park (approx. 2.9 Ha) is allocated for employment use

3.5 Supplementary Planning Documents (SPD)

Landscape Character Assessment

Norfolk Parking Standards

3.6 Statutory duties relating to Listed Buildings, setting of Listed Buildings and Conservation Areas

Section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides 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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

4 Consultations

4.1 Horsham St. Faith Parish Council

No objection but concerned whether the second entrance to the park is absolutely necessary particularly as it is near the brow of a hill in Church Street. If considered essential, the Council would like the entrances to form a one way system i.e. one to be the entrance and the other to be the exit.

4.2 District Councillor

No comments received.

4.3 Highway Authority

Comments on originally submitted plans:

The new vehicular access onto Church Street will be provided with visibility splays of 120m in both directions, which is acceptable based on the recorded traffic speeds.

The applicant is proposing to extend the existing 30mph speed limit to include the new access which should further decrease speeds along this section of Church Street. At this stage, the exact extents and nature of the gateway feature have not been agreed and will form part of the Traffic Regulation Order process should you be minded to approve the application. The applicant should be aware that they will be required to fund the proposed TRO.

Given the proposed expansion, access by sustainable modes need to be enhanced and actively encouraged. Having considered the submitted information, while a cycle / pedestrian facility has been indicatively shown linking to the existing access, only a narrow pedestrian footway (with verge buffer) is shown from that point on leading to the new access. This is not acceptable and the 3m wider cycle / pedestrian facility should continue westwards linking to the new access.

Having visited the site, it is noted that there are wide verges along this section and I am satisfied that such a facility can be provided, particularly given a verge buffer has been suggested by the applicant. I would suggest that the application is amended to show this facility.

Further comments:

Following discussions between the case officer and Highway Authority, the case officer explained that he could not support the provision of a 3m wide foot and cycle way between the existing and proposed access. The Highway Authority therefore recommends refusal of the application on the following grounds:

The proposed development does not adequately provide off-site facilities for cyclists to link with existing provision. Contrary to Development Plan Policies.

#### 4.4 Lead Local Flood Authority (LLFA)

##### Comments on originally submitted plans:

The Flood Risk Assessment identifies the relevant site flood risk. However, the application lacks supporting information in addition to a detailed drainage design. The relevant documents to account for flood risk and surface water management on-site are very conceptual, lacking the significant modelling, detail and design expected by the LLFA for a full planning application. Therefore, we object to this planning application in the absence of an acceptable Flood Risk Assessment / Drainage Strategy / supporting information.

##### Consultation 2:

While some points have been addressed, further information is required to address a number of remaining points and our objection is maintained.

##### Consultation 3:

We note that the submitted Drainage Strategy has now been heavily altered since we were last consulted. We welcome that the design has now adopted a number of more sustainable drainage features and looks to support the four pillars of SuDS as fundamentals in its design. We welcome that areas already deemed to meet current standards have been updated to reflect this new design. We welcome optional future use of potential rainwater harvesting systems for the occupiers of the site blocks as a complimenting feature to a drainage design built to accommodate a 1.0% AEP +40%CC event.

We welcome that a number of points raised in our previous response letter have now been addressed, but we advise there are still some outstanding points to address/further clarification required for us to remove our objection.

- Detailed modelling is submitted for the site Drainage Strategy, including any relevant changes as a consequence of this response. Both summer and winter simulations must be modelled.
- A detailed Drainage Strategy drawing is submitted with all relevant symbology and references to supporting information.
- Drainage features are redesigned to manage the 'peak event' with accurate input criteria.
- Run-off volumes are provided with all relevant calculations included, respective of any changes as a consequence of this letter.

- Water quality is assessed for the site with water quality measures implemented within the chosen scheme. An assessment must be conducted in-line with the proposed use of the development.

4.5 Environmental Management Officer

No objection but recommend the use of planning conditions requiring details of any fixed plant or machinery to be installed to be submitted to the Council for approval, a noise and dust management plan to be submitted for approval and a condition requiring further investigations if any previously undiscovered contamination is found.

4.6 Senior Heritage & Design Officer

Overall, although the proposals present a change in character with the further commercial units in a rural location, with the presence of the existing estate, the landscaping measures and specifying materials to fit more in with the rural location and setting, I have no design or heritage objections.

4.7 Historic England

The proposed development is located in the wider setting of St. Faith Priory scheduled monument, grade I listed buildings and the Horsham St Faith conservation area. A heritage asset setting assessment and an archaeological desk-based assessment have been submitted with the planning application as required by NPPF paragraph 189 to assess the level of impact that the proposed development would have on the historic environment.

Any adverse impact on the setting of the designated heritage assets would be negligible. However, the proposed development has some potential to impact on non-designated buried archaeological remains. We suggest that you seek the views of your specialist conservation and archaeological advisers as relevant.

Historic England has no objection on heritage grounds.

4.8 Landscape Architect

Comments on originally submitted plans:

The LVIA document makes recommendations for landscape mitigations, but not all of these have been translated to the planting proposals that accompany the application which have been provided by a different landscape consultant, In particular the LVIA recommends that additional planting is provided on the retained earth bund at the western boundary; this needs to be undertaken.

The proposed creation of a foot/cycle link as part of the highway works currently includes removal of several trees, but there may be a way to retain the majority by the use of no/minimal dig. I would encourage exploration of this as it is far better to retain existing healthy trees than set the clock back by replacing them with young specimens.

The application description refers to “extension to earth bund” but it is not evident as to where this will be. There will be a considerable amount of excavated material as a result of the removal of one existing bund, so it needs to be clear as to what material – if any – is to be re-worked on site.

### Landscape Architect comments 2:

#### Footpath/proposed loss of trees

As the road to the north of the existing access is to be neither realigned nor kerbed, I am struggling to understand why the footway cannot be achieved while retaining the trees. Even if there needs to be some excavation, the trees are relatively young and robust, so – whilst not ideal – they might be tolerant of some disturbance, especially if undertaken under arboricultural supervision. It is far better to work with existing trees that are established and already providing benefits, rather than provide new ones with the associated problems with establishment, that will take many years to start making the same environmental contribution.

#### Planting proposals

The agent is suggesting that only 20% of the failed plants from the previous scheme will be renewed and if this is successful a further 20% will be replaced. What if the first 20% fail? I would suggest that – in order for the current proposals to be satisfactory there needs to be a commitment to replace all the failed stock. Whilst the latest scheme has a slightly different planting mix for the bunds, the reason(s) for so many failures from the original scheme should be assessed; if it is just poor aftercare and management, then this can be easily addressed. However, if something fundamental is to blame (such as composition of the bund) then a more radical solution is needed.

#### Proposed extension to existing bund

The drawing states that this is ‘TBC’. I consider that we need details of what this is to be at this time.

#### Long-term management

We will need to have a long-term management plan to cover the both the new and existing landscape features; this can be dealt with by way of condition if necessary.

Landscape Architect comments 3:

I am pleased to see that the frontage trees can be retained, this is a positive outcome.

I am happy for this latest landscape plan (Rev H) to be approved provided that the scheme is delivered to the planting specifications explained on this alone (with no reference to the previous contradictory correspondence).

Please condition implementation of these approved planting details, and also implementation of the tree protection details too.

A scheme of this nature should have a long-term management plan so maybe require this via a condition please.

4.9 County Ecologist

Originally submitted comments:

Insufficient information has been submitted to determine the extent of impacts on great crested newts and it is considered that the mitigation proposed is not adequate. Furthermore, opportunities to contribute to a well-managed network of wildlife habitats has not been maximised.

Recommend that great crested newt surveys are updated, that a suitable mitigation strategy is prepared and that the remainder of the site is managed for the benefit of wildlife. Reptile surveys should cover all habitats affected where reptiles (grass snakes) are likely to occur in order to accurately determination population size and mitigation requirements.

Comments on further information submitted:

An updated great crested newt and reptile survey has been submitted covering all ponds within 250m of the site and detailing the results of the updated reptile surveys.

Works will result in the loss of c.3 ha of semi-improved grassland and 0.6 ha of plantation woodland. GCN have been found in pond 2, pond 1 and pond 3 during surveys in 2018 and 2021. 21 adults were found in 2018 and 10 in 2021.

The proposed works will include amendments to Pond 1 (GCN breeding pond for a small population) which will need to be carried out under a great crested newt mitigation licence or District Level Licence (DLL). It is not clear from the report which licensing route will be used and this should be clarified.

An outline of the proposed mitigation measures is provided and would be subject to agreement by NE if the GCN mitigation licence route is chosen. It is proposed to:

- Create two new hibernacula offsite
- Enhance the site through the soft landscaping scheme – (native hedge and trees across the site), and
- Implement a management strategy for retained grassland for the benefit of GCN.

Consideration should also be given to the enhancement of ponds on land owned by the applicant to increase their suitability for use by GCN.

It is proposed that temporary exclusion fencing will be installed around the site and animals trapped out. Animals will then be transferred to the land to the north of the application site which already supports a small population of GCN. It is presumed that following completion of works, the temporary fencing will be removed and GCN allowed back on site. This should be clarified.

Off-site land upon which mitigation/enhancement measures are proposed will need to be secured via a S106 agreement as it is outside the red line site boundary.

Measures to prevent GCN becoming trapped in the proposed drainage system should be provided.

The Landscape Proposal includes details of the turf to be used in and around the new blocks. The turf proposed for use will have negligible ecological benefit and it is recommended that a flower rich lawn mix is used as an alternative.

It is recommended that details of how land to the north of the buildings re-mediated/landscaped following works to enlarge the bunds and construction of the proposed lagoon and swales (it would be envisaged that these will require re-seeding (with a species rich grass seed) and to maximise the value to wildlife we recommend that topsoil is not used as the substrate for planting, to minimise soil fertility.

A pond is proposed to the north of block 6 but it is not clear if this will be planted with native species or otherwise left to vegetate naturally. This should be clarified.

No mitigation is proposed for the loss of the 0.6 ha of 'plantation woodland' on the bund between the site and the existing site. It is recommended that new

woodland/scrub habitat is created along the northern boundary of the existing site. This will also benefit GCN.

The Sustainable Drainage and Landscape Management plan needs to reflect the presence of Great Crested Newts on site and in standing water onsite to ensure that maintenance works e.g. pond clearance/management to ensure that works do not result in an offence under protected species legislation.

Details of bat and swift boxes should either be included within the Ecology Report or secured via a planning conditions.

#### 4.10 Other representations

One objection received from one residents of Horsham St. Faith raising the following issues (in summarised form):-

This land was deemed unsuitable by the NDR report for further development due to the area being too wet for building on;  
If this area was developed, the village of Horsham St. Faith would lose its charm and character. The site would also be seen from the A140;  
We have lost enough wildlife through the tree felling and high winds that have plagued the area over the last year;  
The turning in from the A140 is dangerous enough at the present time and especially at night time and peak road use hours. It would be an accident waiting to happen;  
The new proposed new recycling centre and new Park and Ride facility going to be built over the other side is bad enough and will be an eyesore as it is;  
We need to preserve the village heritage of the area so I oppose this development wholeheartedly.

## 5 Assessment

### **Key Considerations**

- 5.1 Principle of development
  - Impact on the character and appearance of the area
  - Impact on heritage assets
  - Impact on residential amenity
  - Impact on ecology
  - Drainage/flood risk
  - Highway safety

### **Principle of development**



- 5.2 The main part of the application site incorporates the site allocated by Policy HNF3 of the SA DPD. This policy states the following:-

*Land at Abbey Farm Commercial, Horsham St Faith (approx. 2.9 ha) is allocated for employment uses (Use Classes B1, B2, B8).*

*Guidelines for the development:*

*It will need to comply with relevant policies in the Development Plan and the National Planning Policy Framework.*

*Vehicular access off Church Street either via the existing access or a new access; a new access may require extension of the 30mph speed restriction. Off-site improvements to the highway network may also be necessary which might include upgrading the Church Street/A140 junction.*

*Adequate landscaping and green infrastructure to be provided.*

*Pollution control techniques should be used to mitigate harm to the water environment.*

*A sustainable drainage system (SUDS) should be provided.*

*The site contains an historic environment record and therefore further investigation is likely to be required in respect of archaeology.*

- 5.2 The area of the site that is the subject of this application is substantially larger than that which has been allocated. This is largely due to the site incorporating the existing bunds and extending to the northeast so that the extension to the bund in that area can be provided. The general principle of providing the units in the area shown is acceptable but as it extends beyond the allocation into the countryside, in strict terms, the proposal is contrary to the allocation and Policy GC2 of the DM DPD. As part of this appraisal, consideration will be given to whether there are material considerations that warrant granting planning permission contrary to the provision of the development plan. An assessment will also be made of the key considerations referred to above too, which largely mirror the development guidelines set out in Policy HNF3.

### **Impact on the character and appearance of the area**

- 5.3 The site is a combination of landscaped bunds and grassland and given the nature of what is being proposed, its character and appearance will inevitably change.
- 5.4 The Landscape and Visual Impact Assessment submitted with the application concluded that although the development will lead to a minor adverse landscape effect that can be mitigated to an acceptable level through a range of ecological enhancements and additional tree and hedgerow planting. I agree. There are glimpsed, distant views of the site from the direction of Horsford to the west and somewhat more closer views from the A140 closer to the west and Church Street to the south but otherwise, views from the east

and further to the south are limited due to existing buildings (including those at Abbey Farm Commercial Park) and where the landscape undulates to the south. The choice of an olive green colour to the roofs and wall cladding will help the units appear more recessive within the landscape and combined with planting along the existing bund to the west and northwest of the site, the set back position of the units from Church Street and the tree and hedge planting along that frontage, the site will have a soft edge allowing the development to sit relatively comfortably in relation to its surroundings. Solar photovoltaic panels are proposed for the east elevation of Plot 5 and the south elevation of all other units but given the relatively shallow angle of these roofs and that they will not take up the entire roof space, it is likely that these will have minimal impact on the surrounding area.

- 5.5 External lighting is also being proposed in the form of 5m high lighting columns along the access roads, bollard lighting and building mounted lighting (height of 2.8m above finished floor level). The column lighting will be tilted to face downwards and switched off between 23:00 hours and 06/07:00 hours and the building mounted lighting installed with manual on/off switches. There is a balance to be struck between site security and safety and ensuring that the site is not so illuminated that it becomes a distracting and discordant feature. In this case, the relatively modest height of the lighting combined with the location of the site and proposed landscaping mitigation measures appear to strike a reasonable balance.
- 5.6 Taking account of the appearance and layout of the development along with the mitigatory landscaping, I consider that the character and appearance of the wider area will be preserved and that the application complies with Policies 1 and 2 of the JCS and Policies GC4(i and ii) and EN2 of the DM DPD.

#### **Impact on heritage assets**

- 5.7 A number of designated heritage assets are located to the east and southeast of the application site. These include a scheduled monument, Grade I and II listed buildings and the Horsham St. Faith conservation area.
- 5.8 On the northern side of Church Street to the east of the existing commercial park is the Grade I listed Church of the Blessed Virgin and St. Andrew, the Grade I listed Priory and the scheduled monument at the Priory and its grounds. On the southern side of Church Street are a group of Grade II listed buildings, the nearest of which is a terrace of cottages at numbers 2 to 5 Church Street. The conservation area is based around the historic core of the village but includes those assets referred to above. It bounds the eastern boundary of the existing commercial park and includes an area of trees and grass in the southeast corner of the commercial park where the foot and cycle way is proposed for.

- 5.9 When having regard to the comments made by Historic England and the Council's Senior Heritage and Design Officer, by virtue of the appearance and layout of the development in relation to designated heritage assets, I consider that the setting and significance of the listed buildings will be preserved. In respect of the conservation area, the foot/cycle path will be within the landscaped area to the southeast of the existing commercial park that falls within the conservation area. Given its position next to Church Street, the appearance of this part of the conservation area will change to some degree. However, on the whole, the positive contribution that this landscaped area makes to the conservation area will be preserved and I also consider that the character and appearance of the conservation area will be preserved. I calibrate the level of harm to the significance of heritage assets (including the scheduled monument) to be less than substantial and within that context, this should be weighed against the public benefits arising from the proposal. In this case, the public benefits arising include employment opportunities, the extension of the 30mph speed limit and the provision of a foot and cycle way that will allow the public to use a level surface separate to the carriageway. I consider that these decisively outweigh the less than substantial harm arising. The application therefore meets the tests set by sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act, paragraph 196 of the NPPF and the requirements of Policy 1 of the JCS and Policy EN2 of the DM DPD.
- 5.10 A desk-based archaeological assessment was submitted with the application. This considered the potential for archaeological remains dating to the medieval period being present in the subsurface of the site to moderate to high. It suggested the use of an appropriately worded planning condition to secure a written scheme of investigation and works amounting to trial trenching to investigate this further. Although the Historic Environment Service has not commented on the application, such an approach and condition is commonplace in similar situations and I consider that it would be appropriate here to help the application comply with paragraph 197 of the NPPF.

**Impact on residential amenity**

- 5.11 The nearest residential properties are approximately 250m to the east of the main part of the site where the most substantial works will take place. In view of this level of separation and the presence of the existing commercial park in the intervening space, I do not consider that the massing of the buildings being proposed will represent an unneighbourly form of development.
- 5.12 The installation of plant or machinery, which have the potential to generate noise, can be controlled via a suitably worded planning condition.

- 5.13 When having regard to the above, the application complies with Policy GC4(iv) of the DM DPD.

**Impact on ecology**

- 5.14 In commenting on the application in its originally submitted form, the County Ecologist expressed concern that insufficient information has been submitted and that further surveys were required for Great Crested Newts and reptiles. These surveys have been undertaken and following their submission, the County Ecologist has requested further information on proposed mitigation and enhancement measures in respect of Great Crested Newts and landscaping and details of bat and bird boxes (see section 4.9 above). In response to this, the agent has advised that an amended Ecology Report is being prepared and the expectation is that this will be submitted by the end of w/c 19 July. A further response will also be provided that addresses the landscape and drainage issues raised by the County Ecologist.
- 5.15 I remain satisfied that the issues raised above can be satisfactorily resolved and this is reflected in my recommendation. In addition to this though and the above, since receipt of the County Ecologist's comments, an amended site location plan has been submitted that increases the extent of the red line to include the proposed hibernacula on land to the northeast that is within the ownership of the applicant. This has necessitated additional consultations on the application with those neighbours to the northeast who were not previously consulted. This is due to expire on 8 August.

**Drainage/flood risk**

- 5.16 The site is at very low risk from fluvial and surface water flooding but given that the size of the site and amount of development, a Flood Risk Assessment was required to be submitted. To date, the LLFA has previously objected to this application on the basis of insufficient information and/or detail being provided to support an application of this type. The LLFA's latest comments require further information and/or clarification to be provided on calculations, drawings and the approach being taken but from speaking to the LLFA, I am under the impression that the issues raised are not fundamental matters of concern and that designing and suitable drainage strategy is achievable. The agent has been made aware of the LLFA's latest comments and has advised that information requested by the LLFA is anticipated to be submitted towards the end of July/end of August.

**Highway safety**

- 5.17 The application proposes the creation of a new access approximately 190m to the west of the existing access. A 1.5m wide footpath will be provided between the existing and proposed access. A 3m wide foot and cycle way will

be provided between the existing access and the footpath outside the front of the parish church to the east. As can be seen from its comments, the Highway Authority has not objected on the grounds of highway safety; adequate visibility splays are shown as being provided and the 30mph speed limit will be extended further to the west so that it includes the new access. These matters can be secured via appropriately worded planning conditions along with other relevant conditions relating to construction worker parking, construction management routes, the provision and retention of the access and parking areas and the provision of the foot way and foot/cycle way. Having regard to these factors, I consider that the application complies with Policy TS3 of the DM DPD. By way of confirmation, no improvements are required to the junction of Church Street with the A140 to the west of the site.

- 5.18 However, the Highway Authority has recommended that the application is refused on the grounds that a foot/cycle path is not being provided between the existing and proposed accesses. It is my view that providing such a feature is not necessary to make the development acceptable. With the extension to the 30mph speed limit and there being a 3m wide cycle/foot path proposed from the existing access towards the east, this provides an opportunity for employees or visitors to access the commercial park by bike should they wish to. Equally, they may prefer to cycle along the road itself as there is no existing cycle/foot path to connect from or to, only a foot path. Consequently, it strikes me that the provision of a 3m wide cycle/foot way between the accesses is desirable and it not being provided is not a sufficiently robust reason to warrant refusal of the application.
- 5.19 Parking provision varies according to the size of each unit. In total, 168 car parking spaces plus 12 blue badge spaces are being provided and 102 cycle parking spaces. The Norfolk Parking Standards for B2 units is one space per 50m<sup>2</sup> of gross floor area, one space per 150m<sup>2</sup> of gross floor area for B8 units and one space per 30m<sup>2</sup> of gross floor area of E(g) units. The gross floor area being proposed is 5134m<sup>2</sup>. If all units were in E(g) office, light industrial and/or research and development uses, the number of spaces to be provided would be 171. If all units were B8 storage and distribution uses, 34 spaces would need to be provided. Given the flexible nature of what is being proposed and possibility that there will be a mix of B2, B8 and E(g) uses, 168 car parking spaces is adequate and complies with Policy TS4 of the DM DPD.

### **Other matters**

- 5.20 Policy 3 of the JCS sets out that all development proposal of a minimum of 10 dwellings or 1,000sqm of non-residential floor space 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. An Energy Efficient and Renewable Energy Statement was submitted in support of the application. This provided an indication that solar photovoltaic panels

could meet this target and the indication is for these to be installed on the units. However, the same statements suggests that solar thermal heating and air source heat pumps may also contribute towards meeting and exceeding this target but this depends on the requirements of the tenants. I am confident that Policy 3 of the JCS can be complied with but in order to secure final details of what is to be installed and to ensure compliance with Policy 3, it is necessary to impose an appropriately worded planning condition.

- 5.21 This development has been screened under the Schedule 2 of the Environmental Impact Regulations and has been deemed as not being EIA development.
- 5.22 Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.23 This application is liable for the Community Infrastructure Levy.

### **Conclusion**

- 5.24 When having regard to those matters that this application raises, the application is contrary to Policy GC2 of the DM DPD and Policy HNF3 of the SA DPD by virtue of the site area extending beyond the allocated site into the countryside. It is clear that the character and appearance of the part of the site that will accommodate the buildings and roads will alter significantly and that there will be impacts on great crested newts and potentially individual grass snakes. There will also be less than substantial harm to the significance of the conservation area. However, the main part of the site has been allocated for development of the type being proposed as part of the SA DPD and the most obvious elements of this development will take place in and around that area. The design and layout of the site is appropriate to its context and the existing commercial park and given the surrounding landscape, any impacts are likely to be localised. Furthermore, these impacts can be mitigated by the proposed extension to the bund to the northeast and the additional planting to the existing bund to the west and northwest. Significant economic benefits will also arise from the range of employment uses that could take place at the buildings. Subject to further information and clarification being provided, measures appear to be achievable that secure appropriate ecological mitigation and enhancements and a solution to the drainage issues arising from this development also appears to be achievable. Adequate parking for vehicles and cycles is shown as being provided and the Highway Authority has not objected to the application on the grounds of highway safety. While the Highway Authority has objected to the application on the grounds of a cycle and foot path not being provided between the existing and proposed accesses, suitable opportunities will be provided for

visitors to the site to access it by foot or cycle if they wish to do so. The setting of listed buildings and the scheduled monument will be preserved as will the contribution that the southeast corner of the site makes to the character and appearance of the conservation area.

- 5.25 When weighing up all of these items, I consider that the benefits outweigh the modest harms arising and that these benefits are sufficiently material to warrant approving the application contrary to Policy GC2 of the DM DPD and Policy HNF3 of the SA DPD. Subject to no adverse comments being received by the LLFA and County Ecologist following the submission of further information and/or amended reports, the officer recommendation is therefore that Members authorise the Assistant Director – Planning to approve the application subject to conditions.

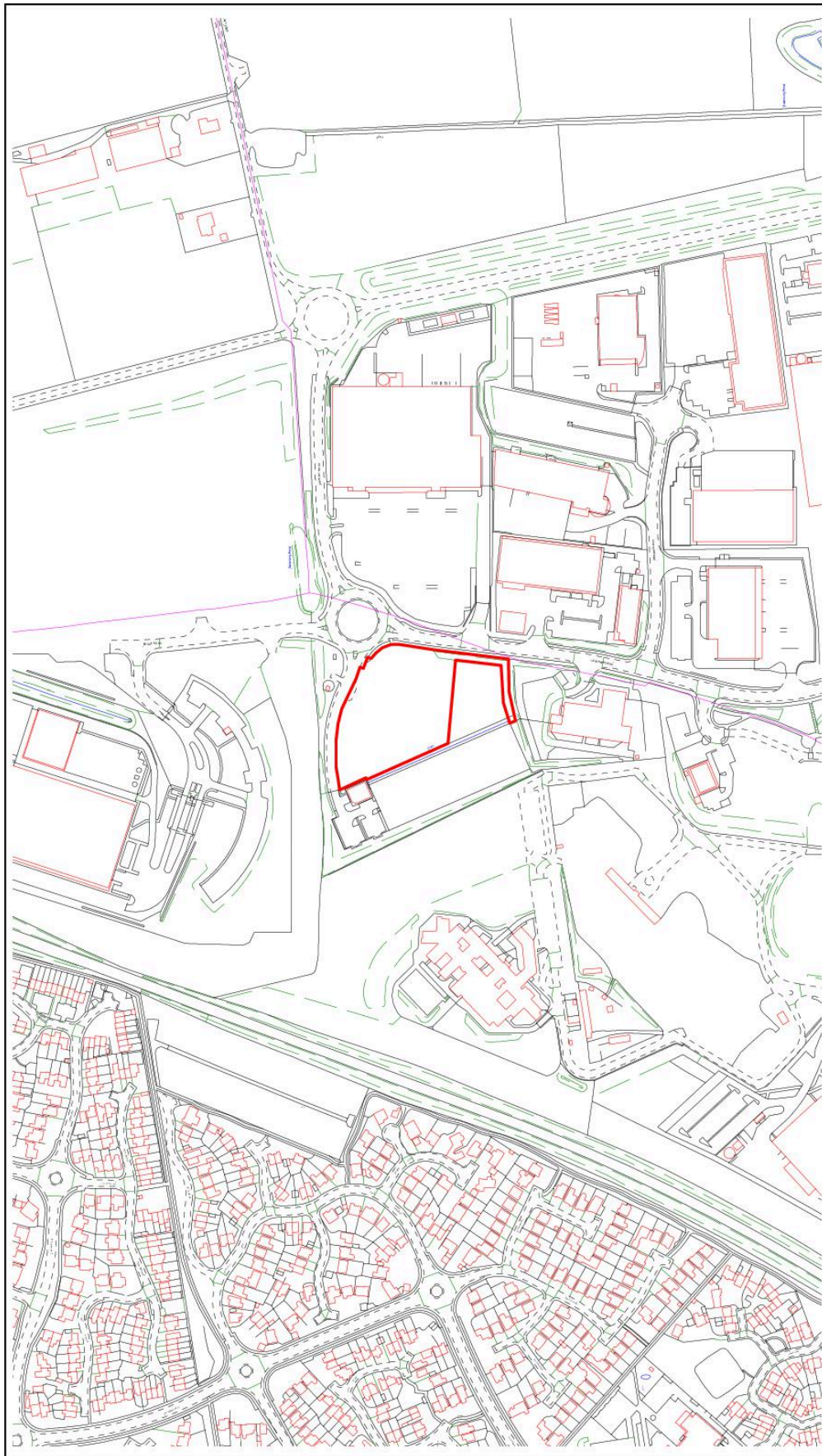
Recommendation: To authorise the Assistant Director – Planning to approve the application subject to no adverse comments being received by the County Ecologist and LLFA and the following conditions:


- 1 Time limit – full permission
- 2 In accordance with submitted drawings
- 3 Submission of a phasing plan
- 4 External materials to be in accordance with submitted details
- 5 Implementation of submitted landscaping scheme
- 6 Provision of extension to bund to northeast of site
- 7 In accordance with Arboricultural Impact Assessment and Tree Protection Plan
- 8 In accordance with lighting scheme
- 9 Archaeological written scheme of investigation
- 10 No plant or machinery installed unless otherwise granted planning permission
- 11 Construction of vehicular access
- 12 No obstruction across access
- 13 Gradient of vehicular access
- 14 Provision of visibility splays
- 15 Provision and retention of on-site private road network and parking and service areas
- 16 Parking scheme for construction workers
- 17 Submission of construction traffic management plan and access route
- 18 Implementation of construction traffic management plan and access route
- 19 Submission of drawings for off-site highway works
- 20 Completion of approved off-site highway works
- 21 Promotion of Traffic Regulation Order for extension of 30mph speed limit

- Recommendation: To authorise the Assistant Director – Planning to approve the application subject to no adverse comments being received by the County Ecologist and LLFA and the following conditions:
- 22 Confirmation of details of energy efficient design
  - 23 Previously undiscovered contamination during construction
  - 24 Restrict use of units to Classes B2, B8 and E(g)
  - 25 Surface water drainage and any other conditions as may reasonable be recommended by the LLFA
  - 26 Ecological mitigation and enhancements and/or any other conditions as may reasonably be recommended by the County Ecologist

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 broadland.gov.uk	<b>Application No: 20210356</b>  <b>Plot 16B, Peachman Way, Broadland Business Park, Thorpe St Andrew</b>		<b>Scale:</b> 1:4049  <b>Date:</b> 1-Jul-21	<b>N</b> 
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- 2. Application No: 20210356**  
**Parish: Thorpe St. Andrew**

Applicant's Name: Mr Gavin Smith

Site Address: Plot 16B, Peachman Way, Broadland Business Park,  
Thorpe St Andrew

Proposal: Use of the northern part of the site as a storage yard in association with hire of equipment; erection of a building to facilitate the hire business; provision of hardcore finish on the southern part of the application site; fencing, external lighting, gates, vehicle wash bay, recycling area and cycle stands; realignment to existing access; amendment to standard operating hours

Reason for reporting to committee

The officer recommendation is contrary to the provisions of the development plan

Recommendation summary:

Approve subject to conditions

**1 Proposal and site context**

- 1.1 This application seeks full planning permission on behalf of the GAP Group, which operates a tool and plant hire business.
- 1.2 The site is currently grassed and is located on the western side of Peachman Way on Broadland Business Park. The DSA Driving Test Centre is located to the west, Makro to the east on the opposite side of Peachman Way, vacant land to the north and a recently constructed office building to the south. The site is accessed from the access road to the north that also serves the Driving Test Centre.
- 1.3 The site is largely open with modest bunds to the east and north facing the highways. There is a slight decline in levels from north to south, although this change is more pronounced on the highway
- 1.4 In terms of what is being proposed, the site will be accessed approximately halfway along the northern access and a 981sqm building is to be located in the northeast quadrant of the site. This will accommodate a large warehouse area, PAT testing room, offices and hire desks at ground floor area and a storage area and staff facilities at first floor level. Outside, a parking area with

12 spaces and a covered cycle area will be provided to the north of the building. To the west will be an extensive area of hardstanding that will be used for loading and unloading, outside storage, recycling and waste storage and washing down vehicles. A further parking area with ten spaces is to be provided to the west of the access. The southern section of the site is to be finished in hardcore to allow for the future expansion of the storage yard. A 2.4m high weldmesh security fence will be erected around the site with a 5m wide soft landscaping strip planted outside it. Eight 10m high lighting columns are to be erected around the northern and western edges of the site.

- 1.5 Hours of operation have been stated as 07:30 to 18:00 Monday to Friday and 08:00 to 12:00 Saturdays. The unit will be closed on Sundays and Bank Holidays. However, the agent has advised that in addition to these standard hours of operation, there will be a maximum of 12 events a year when operations will be required. It is intended that the Council will be given at least one month's notice of such events.
- 1.6 Information submitted with the application states that 22 full-time jobs will be created as a result of this proposal.

## 2 Relevant planning history

- 2.1 None of direct relevance to this application.

## 3 Planning Policies

### 3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development  
NPPF 04 : Decision-making  
NPPF 06 : Building a strong, competitive economy  
NPPF 12 : Achieving well-designed places  
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change  
NPPF 17 : Facilitating the sustainable use of minerals

### 3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets  
Policy 2 : Promoting good design  
Policy 5 : The Economy  
Policy 18 : The Broads  
Policy 19 : The hierarchy of centres  
Policy 20 : Implementation

3.3 Development Management Development Plan Document (DM DPD) 2015

Policy GC1: Presumption in favour of sustainable development

Policy GC2: Location of new development

Policy GC4: Design

Policy EN4: Pollution

Policy E1: Existing strategic employment sites

Policy TS3: Highway safety

Policy TS4: Parking guidelines

Policy CSU5: Surface water drainage

3.4 Site Allocations Development Plan Document (SA DPD) 2016

Policy TSA1: Land at Broadland Business Park is allocated for employment uses

4 Consultations

4.1 Thorpe St. Andrew Town Council:

No objections

4.2 Postwick Parish Council:

No objections but concerned about the possible extended opening hours beyond 18:00 hours which appeared to be once a month.

4.3 Gt & Lt Plumstead Parish Council:

Object. With employee numbers shown, there should be an equalities assessment. What will happen to 2% of oils not treated? If the development includes lights, what are the timings and why are they needed? Security technology doesn't need lighting as it did before. It has a negative impact on the surrounding residential houses.

4.4 District Councillors:

No comments received.

4.5 Highway Authority:

The use, layout and means of access are acceptable. Visibility is adequate and will not require improvement. If opening outwards, the gates may cause an issue if large vehicles are waiting to enter the site. Suggest that gates are repositioned further back. Planning conditions recommended in relation to the

position of the gates relative to the carriageway edge, the laying out and retention of the access and parking/turning areas, details to be submitted of on site parking during the construction period and details to be provided of wheel cleaning facilities during the construction phase.

4.6 Environmental Quality Team:

Recommend the use of a condition relating to previously undiscovered contamination being found during construction work.

4.7 Lead Local Flood Authority (LLFA):

Originally submitted plans:

Object in the absence of a Flood Risk Assessment and Drainage Strategy that considers local flood risk and local and national policies.

Amended details:

No objection. We accept that restricted discharge to the sewer is appropriate, that there is sufficient detail in the drainage plans, that drainage calculations are adequate, finished floor levels are acceptable and that other previously raised concerns have been addressed.

4.8 Anglian Water:

There is sufficient capacity at Whitlingham Water Recycling Centre to deal with foul drainage, planning condition recommended for use regarding the submission of a foul water drainage strategy, no objection to proposed surface water drainage method, informatives recommended for use for trade effluent.

4.9 Cadent Gas Ltd:

Use of an informative recommended as an intermediate pressure gas pipeline runs along Peachman Way.

4.10 Norfolk Police Designing Out Crime Officer:

Advisory comments provided on layout, access, perimeter security, parking, lighting, the shell of the building and an intruder alarm system.

4.11 Other Representations:

Representation submitted on behalf of a developer at an adjacent site broadly supporting the application expressing concern over the extent of the security

fencing shown at the site and suggesting that the appearance of the building better compliments existing buildings on the business park.

## 5 **Assessment**

### **Key Considerations**

- 5.1 Principle of development  
Impact on the character and appearance of the area  
Flood risk and drainage  
Highway safety

### **Principle**

- 5.2 The site is within the settlement limit that has been defined for Thorpe St. Andrew and also within Broadland Business Park, which under Policy TSA1 of the SA DPD, is allocated for employment uses. It is also a strategic employment site under Policy E1 of the DM DPD. The uses referred to by Policy TSA1 include B1, B2 and B8, which are offices, light industrial, research and development, general industrial and storage and distribution. Use Class B1 has been superseded following recent changes to the Use Classes Order and now falls within the range of uses under the new Class E. While it may be argued that a tool and plant hire premises is a former B1 and B8 use, it does not seem to me that it falls neatly within either or both categories and so I consider that it falls within a class of its own – sui generis. Nevertheless, what I do not dispute is that the proposal generates employment and would be a suitable addition within this type of setting. Taking account of it being a quasi-employment use, I am satisfied that the proposal is complementary to other uses at the business park and respects the aspirations of Policies E1 and TSA1.

### **Impact on the character and appearance of the area**

- 5.3 Broadland Business Park has been allocated for employment uses. Those located close to the site include a cash and carry, a driving test centre, offices, storage and distribution and a data centre. Given the variety of uses and the quasi-employment use that this application proposes, I do not consider that the use itself will cause harm the character of the business park.
- 5.4 A number of large buildings are located off Peachman Way and the size of that proposed by this application will not be out of kilter with them. For the most part, other buildings use a similar palette of materials including grey cladding, buff bricks with some degree of corporate branding used on window frames, fascias and/or banding around the walls. For this application, the

choice of predominantly grey cladding with blue banding at ground and eaves level is consistent with the approach elsewhere and is appropriate.

- 5.5 A 2.4 metre high green weld mesh fence is to be erected around the perimeter of the site. Given its corner position, the site occupies a naturally prominent plot. However, a 5 metre wide soft landscape strip is proposed to be planted on the outside of the fence along the northern, eastern and southern boundaries. Once established, this will contribute towards softening the fence and also towards the attractive parkland feel of the business park. The only section of fence along the boundary that will be open will be that which faces the roundabout to the northeast. However, this will be seen with the building in the background and I do not consider that it will stand out as a harsh or discordant feature.
- 5.6 Outside of the building, much of the site will be hardstanding. Taking account of the proposed landscaping, this is unlikely to register significantly from public views and accordingly will have a neutral impact on the character and appearance of the area.
- 5.7 Eight 10m high lighting columns will be erected around the northern and western perimeter of the site and 8 LED lights are to be fixed to the building. The submitted drawings show the lights fixed to the lighting columns will face directly downwards thus minimising light spillage but otherwise, in view of the presence of streetlights along Peachman Way and the presence of lighting within the car park of Makro and other premises, the provision of external lighting at this site will not introduce features that will stand out as being discordant.
- 5.8 Taking account of all of these factors, the pharmacy will have an acceptable impact on the institutional parkland character and appearance of the site and the surrounding area and complies with Policy 2 of the JCS and Policy GC4(i) of the DM DPD.

### **Flood risk and drainage**

- 5.9 The LLFA initially objected to the application, primarily on the grounds of inadequate information being submitted in relation to flood risk and drainage. A small section of the site towards the northeast corner is at risk from surface water flooding (depths below 300mm) and as part of this application, it is intended to divert surface water to a cellular crate system underneath the hardstanding to the south of the building before it is discharged via controlled release. Based on further information being submitted, including that referred to above, the LLFA withdrew its objection. The application therefore complies with Policy 1 of the JCS insofar as it relates to minimising flood risk and Policy CSU5 of the DM DPD.

- 5.10 The Highway Authority has not objected on the grounds of highway safety subject to the imposition of those conditions referred to above. Although it recommended that the access gates are repositioned so that they are 20m from the nearside edge of the carriageway. The applicant was reluctant to agree to this given that it would likely affect the internal functionality of the car park and so the agent suggested the condition is worded such that the access gates must remain open during hours of operation. This strikes me as being an acceptable compromise and along with the other recommended conditions, allows the application to comply with Policy TS3 of the DM DPD.
- 5.11 Adequate parking is available and complies with Policy TS4 of the DM DPD.

### **Economic benefits**

- 5.12 The need to support the economy as part of the recovery during and following the COVID-19 pandemic is a material consideration that weighs in favour of the application. Information submitted in support of the application explains that the development will generate 22 full-time jobs. Policy 5 of the JCS seeks to develop the economy in a sustainable way to support jobs and economic growth. This application seeks to provide a suitable use in a suitable location and the generation of 22 jobs is a significant factor weighing in favour of it.

### **Other Issues**

- 5.13 The site is sufficiently distant from residential areas for its impact on their amenity to be neutral. The application complies with Policy GC4(iv) of the DM DPD.
- 5.14 In the event of unexpected contamination being discovered during the construction phase, an appropriately worded planning condition is proposed for use in accordance with Policy EN4 of the DM DPD.
- 5.15 Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

### **Conclusion**

- 5.16 When having regard to those matters raised, the application seeks to provide a use that is complementary to existing uses at Broadland Business Park and the aspirations of Policy E1 of the DM DPD and Policy TSA1 of the SA DPD. The appearance of the building is in keeping with other buildings and the landscaping around the edges of the site will assist in softening the appearance of the fence and hardstanding as well as contributing to the

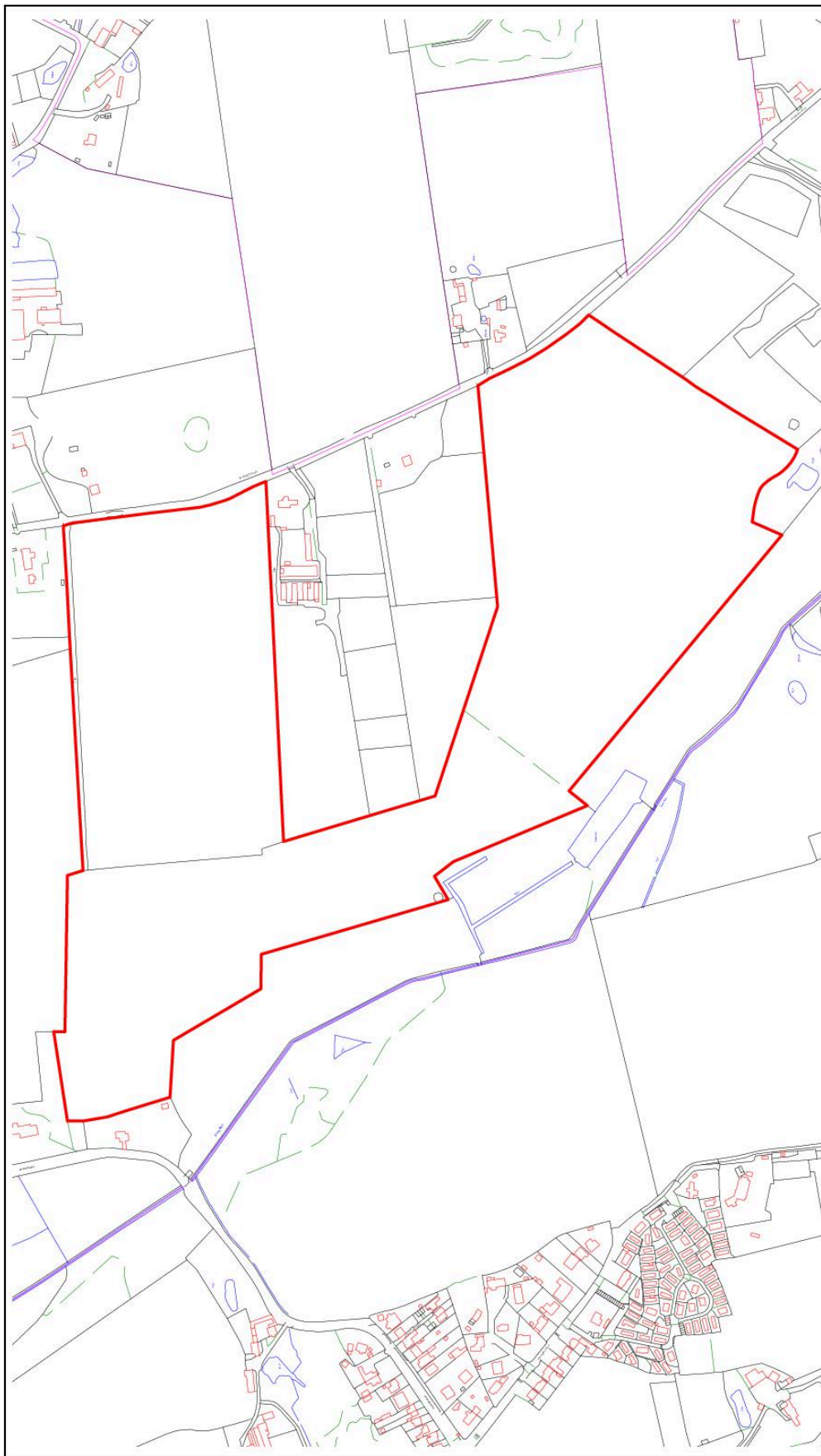


landscape setting of the business park. The application is also acceptable in terms of highway safety and drainage and will also contribute towards the local economy by providing 22 full time jobs. On balance, the benefits of the application are such that they decisively outweigh any perceived harms and thus it is recommended for approval.

Recommendation: Approve subject to the following conditions:

1. Time limit – full permission
2. In accordance with submitted drawings
3. Foul water drainage strategy to be submitted
4. Implementation of surface water drainage strategy
5. In accordance with submitted landscaping scheme
6. Scheme for on-site parking for construction workers
7. Submission of a construction management plan, including wheel cleaning facilities
8. All traffic to comply with construction management plan
9. Access gates to remain open during hours of operation
10. Provision and retention of access, parking, turning and service areas
11. Hours of operation
12. No more than 12 out of hours to take place during one calendar year with the Council being given a minimum of two weeks notice of any event(s) and the applicant keeping a register of events
13. Unexpected contamination during construction

Contact Officer,	Glen Beaumont
Telephone Number	01508 533821
E-mail	<a href="mailto:glen.beaumont@broadland.gov.uk">glen.beaumont@broadland.gov.uk</a>



	<b>Application No: 20202016</b> <b>Burgate Solar Farm, Fields adjoining Spixworth Road, Hainford, NR10 3BX</b>			<b>Scale:</b> 1:5477 <b>Date:</b> 1-Jul-21	<b>N</b> 
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3.     Application No:     20202016  
       Parish:           Hainford
- Applicant's Name:     Pathfinder Clean Energy UK Dev Ltd  
Site Address:          Burgate Solar Farm, Fields adjoining Spixworth Road,  
                             Hainford, NR10 3BX
- Proposal:              Ground mounted solar photovoltaic (PV) farm along with  
                             continued agricultural use, ancillary infrastructure and  
                             security fencing, landscaping provision, ecological  
                             enhancements and associated works

Reason for reporting to committee

The Local Member has requested that the application be determined by the Planning Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary:

Approve with conditions

1     Proposal and site context

- 1.1    The proposed development is for a ground mounted solar photovoltaic (PV) farm along with continued agricultural use, ancillary infrastructure and security fencing, landscaping provision, ecological enhancements and associated works.
- 1.2    The application site is 29.1 hectares of agricultural land which currently forms three agricultural fields which are located on the west side of Spixworth Road, Hainford. The main village of Hainford is located approximately 900 metres to the north, Newton St Faiths is located approximately 400 metres to the west, Horsham St Faiths is located just over a mile to the south west and Frettenham approximately 900 metres to the east.
- 1.3    There are no Public Rights of Way (PRoW) that cross the site. The closest PRoW lies at its nearest approximately 300 metres to the west of the site, Horsham St Faith & Newton St Faith Footpath FP1 connects the settlements of Newton St Faith and Horsham St Faith following an elongated route that passes through East Farm, past Elmwood Lodge and Newton Park caravan site in Newton St Faith. Horsham St Faith & Newton St Faith Footpath 2 FP2 provides a shorter, more direct route connecting the settlements of Newton St Faith and Horsham St Faith and is located further to the west.

- 1.4 The site forms a “C” shape around Oakdene, which includes a poultry unit and Four Sticks which is a residential dwelling and associated small holding. There are also residential properties located to the north in a loop around Newton Road, Lady Lane and Spixworth Road which are separated by a field which is not part of the application. Residential dwellings Beech Hill and Burgate Hill are located to the north west corner of the site and The Studio is located to the north east corner. There are further properties located on the opposite side of Spixworth Road to the North East of the site. The Poultry Farm which is a residential property is located on the east side of Spixworth Road opposite the proposed access. Beckfield is located further to the South East of the site.
- 1.5 The site is relatively flat to the north with the site gently sloping down west to east and to the south east and has been used for arable production and also by a local shooting syndicate. To the west of site boundary is narrow area of pasture land before the Stone Beck watercourse.
- 1.6 The pasture land to the west of the site along Stone Beck watercourse is subject to low to medium risk of surface water flooding. There is a low risk of surface water flooding to a small area to the north west of the site. The site forms part of the E2 Marsham and Hainford Wooded Estatelands near E3 Spixworth wooded Estatelands defined by the Broadland Landscape Character Assessment.
- 1.7 The site is screened with existing hedges and trees along the Spixworth Road boundary.
- 1.8 The application requests a temporary permission for 57 years which includes one year each for construction and decommissioning of the solar farm. It is estimated that the proposed development would produce 15MW of electricity, with a battery storage of 1.3 MW.
- 1.9 The site has been divided to four sections on the site plan:
- Field A to the North east of the site
  - Field B to the North west of the site
  - Field D Central field to west of Oakdene and Four Sticks
  - Field E to the south of the site
- 1.10 The solar panels themselves are located in east west rows facing south within the fields which are part of the application site. The panels are proposed to be 3 metres above the ground level at the highest point, falling to 0.8 metres on the lower edge and positioned at a 30° angle. The frames will be screw piled into the ground.
- 1.11 As well as the panels the application also includes:
- 2 metre high wire mesh deer fence around the site.

- 38 infrared/thermal imaging CCTV cameras around the edge of the site on 3 metre high poles.
  - A storage building shipping container (7m x2.8m x 2.8 m)
  - Substation (3m x 2.8m x2.8)
  - Battery storage shipping container (14.2 metres x 2.8 metres x 3 metres)
- 1.12 Which are all proposed to be located along the south west side of the site at the west end of field E where the overhead line is located which provides the grid connection.
- 1.13 The five inverter cabinets are also proposed around the site in the following locations:
- 1 x Northwest of field A
  - 1 x Southwest corner of field A
  - 1 x Northwest corner of field D
  - 2 x located adjacent to the storage building, battery storage container and shipping container on the east side of field E.
- 1.14 It is proposed to upgrade the existing field access opposite the poultry farm off Spixworth Road to provide access to the site. The field access to the north of the site will be retained as access to the agricultural fields and not used in relation to the solar farm.
- 1.15 The application also includes the following ecological enhancements
- Wildflower mix to be planted across the site
  - New hedge planting along western and southern boundaries and gapping up hedging of the road frontage.
  - Deer corridor
  - Mammal gates with the fencing

## 2 Relevant planning history

- 2.1 20201571 Proposed solar photovoltaic (PV) battery energy storage farm development: EIA not required

## 3 Planning Policies

### 3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development  
NPPF 04 : Decision-making  
NPPF 06 : Building a strong, competitive economy  
NPPF 08 : Promoting healthy and safe communities  
NPPF 09 : Promoting sustainable transport

NPPF 11 : Making effective use of land  
NPPF 12 : Achieving well-designed places  
NPPF 14 : Meeting the challenge of climate change, flooding and coastal change  
NPPF 15 : Conserving and enhancing the natural environment  
NPPF 16 : Conserving and enhancing the historic environment

3.2 Joint Core Strategy (JCS)

Policy 1 : Addressing climate change and protecting environmental assets  
Policy 2 : Promoting good design  
Policy 3 : Energy and water  
Policy 17 : Small rural communities and the countryside

3.3 Development Management Development Plan Document (DM DPD) 2015

Policy GC1 : Presumption in favour of sustainable development  
Policy GC2 : Location of new development  
Policy GC4 : Design  
Policy GC5 : Renewable energy  
Policy EN1 : Biodiversity and habitats  
Policy EN2 : Landscape  
Policy EN3 : Green Infrastructure  
Policy EN4 : Pollution  
Policy TS3 : Highway safety  
Policy CSU5 : Surface water drainage

3.4 Supplementary Planning Documents (SPD)

Landscape Character Assessment

**Statutory duties relating to Listed Buildings, setting of Listed Buildings and Conservation Areas:**

S16 (2) and S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent for development which affects a listed building or its setting, the local planning authority, 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.

4 Consultations

4.1 Hainford Parish Council

Objects

- Proper community consultation was not carried out by applicant or Council
- No evidence that the leaflets apparently sent out by the applicants were received
- Advertised in The North Norfolk News which does not circulate in Hainford area.
- Applicant briefing to Parish Council refers to Old Catton which was misleading
- Misleading that there was only two responses as not adequately advertised
- Disputes that the area is not sensitive to development pressures.
- Route cannot safely accommodate the vehicles proposed
- Route along narrow rural lanes is wholly unsuitable and dangerous
- Spixworth Road is entered on a sharp bend from Buxton Road
- It is single track and winding in places and insufficient passing points and totally unsuitable for the volume of heavy traffic proposed
- 60mph speed limit danger to vehicles, cyclists and pedestrians
- Damage to verges and road surfaces from HGV and other construction related traffic.
- The access is inappropriately situated directly opposite residential property which will cause inconvenience and safety issues for residents and potential damage to their boundary.
- Also concerned that vehicles would approach from north end of Spixworth Road passing through village lanes and residential roads
- Do not consider that this small or medium scale farm diversification project refers to in JCS policy 17
- Disagree with BDC conclusion that EIA was not required.
- Evidence required on the quality of the land and whether or not it is best and more versatile.
- The site is within the green belt, need to demonstrate that the benefits outweigh the loss of agricultural land and harm to the green belt.
- Outside the settlement limit conflict with policy GC2 and JCS policy 17
- Has consideration been given to expanding the solar farm at RAF Coltishall
- Would the grazing of sheep be ensured and compliance monitored
- Cumulative impact of solar farms on the local area
- Wildlife will be impacted by not being able to access water preventing the connection between habitats.
- Development out of character with the local area
- No formal assessment of landscape character
- No wintertime photography was available.
- Is further archaeological investigation required
- Want to see specific consideration to the impact on undulating landscapes
- Loss of amenity from noise, disturbance and traffic issues
- Noise information not adequate
- Is the development compliant with the Noise Policy Statement for England

- Inappropriate level of constant noise in peaceful and rural location
- No consideration of impact of CCTV and fences
- Hazardous substances could be released from panels, could be fires or explosions or leaching into the ground or waterways
- What mitigation would be put in place to mitigate damage from panels from shooting.
- Norwich International Airport have raised no concerns but would it affect low flying helicopters
- How will plant be disposed of at the end of its life
- Is there any interference with mobile phones / internet connections

Additional information

- Loss of grade 3 productive agricultural land
- Potential noise nuisance to neighbouring properties particularly at night and in the summer months
- Unsuitable site access opposite existing residence
- Local road network unsuitable for construction traffic
- Loss of rural landscape which forms an important part of the character of Hainford

4.2 Horsham St Faith Parish Council

- Object to the construction traffic through the centre of Horsham St Faiths
- Route has a number of sharp bends and a difficult junction on Crown Road/ Norwich Road
- Route has a 7.5 t weight limit
- Suggested that traffic is routed along Spixworth Road to the ring road

Additional information

- Remain strongly opposed to the traffic route and feel it should be via Spixworth to the Norwich outer ring road

4.3 Frettenham Parish Council

- No problems with the actual solar farm
- Would like clarification as to where the entrance was and how access will be achieved by vehicles.

4.4 Local Member Cllr D Roper

- Application to be determined by committee if recommended for approval
- Had meeting with three Parish Councils closest to the site.
- Primary concern is transport and highways
- It is not possible to operate a safe transport management plan to the site



- It is only possible to approach the site from the south given the width of Spixworth Road in its northern section and the narrow network through Hainford
- The approach from South would involve a tight bends on just behind St Peters church on Buxton Road where it would not be possible for a vehicle in the opposite direction to pass.
- Spixworth Road even at its widest is narrow with limited passing places
- Vehicle leaving the site heading south would have to negotiate the Spixworth Road/ Buxton Road junction which gives limited visibility
- Limited turning space onto Buxton Road in front of St Peter's Church.
- Alternative route through Old Catton and Spixworth still fundamental problem of Buxton Road S bends and entry / exit of Spixworth Road would remain

#### 4.5 Local Member Cllr Karen Lawrence

- Green site use rather than brown site.
- It's a large area are there no more suitable alternative land for this use
- Why is such fine fencing being proposed could it not just be around high risk parts of the site transformer/ inverter
- With lower density fencing around the boundary
- Which will minimise the impact on wildlife and increase connectivity
- Otherwise it is a large site that gets blocked off
- Move access to reflect local traffic concerns
- Looking at best practice designs and they have not proposed one.
- Site is surrounded by fields so low risk of encroachment

#### 4.6 Norwich Airport

- No aerodrome safeguarding objections
- But request an informative on tall cranes and equipment

#### 4.7 Ministry of Defence

- No safeguarding objections

#### 4.8 NCC Highways

##### Original comments

- The operational traffic generation in relation to this site is negligible with construction traffic being the main concern
- Submitted information indicate that the construction period of 13-20 weeks with suitable management there are no grounds for a highway objection.
- Request conditions on upgrading the access
- Visibility splay to the access
- Signage on Spixworth Road

- On site construction worker parking
- Compliance with construction management plan and route

Additional information

- As previously no grounds for objection subject to conditions
- These conditions to ensure construction traffic is contained to the most appropriate routes to and from the site during construction and abnormal wear and tear is addressed
- Section 59 agreement will be used to ensure that abnormal wear and tear to highway is rectified when works are completed.

Amended comments

- Would also request that construction management plan incorporates provision of addressing abnormal wear and tear and wheel washing

4.9 Lead Local Flood Authority

No Comment

4.10 CPRE

- Whilst we support wind and solar power generation this needs to be balanced against harms
- Outside the settlement limit harm to the open countryside
- Cumulative effects of construction work would lead to noise and disturbance as well as traffic issues

4.11 Health and Safety Executive

Does not affect any major hazard or hazardous pipelines

4.12 NCC Ecologist

- The site is not subject to any international / national statutory nature conservation sites (closest 3km) and the closest non statutory is 1km to the south.
- Habitats within the proposed development area have value to wildlife in the local vicinity to support reptiles, amphibians, breeding birds, roosting bats and badgers
- A precautionary approach to site clearance with regard to breeding birds, roosting bats and badgers (no evidence on site) and reptiles (habits suitable for grass snakes in the wider area is considered to be sufficient to protect those species groups.
- Skylark surveys indicate that the site is used by a pair of skylarks
- eDNA surveys for 4 accessible/ suitable ponds came back as negative
- The Mitigation and Enhancement Plan together with BNG calculations the proposal would result in an additional 155.59 habitat units giving a177.95

net gain and a 14.95 gain in hedgerows and tree units giving a 272.83% net gain. Enhancements are proposed on and off site

- The site is local value for wildlife and the proposal will result in a substantial net biodiversity gain, which accords with local and national planning policy
- No objections on ecological grounds
- Recommend a condition on an Ecological design strategy to address mitigation and enhancements
- Off- site works will need to be secured through a S106

#### Additional information

- Queries regarding the need for extensive security fencing to prevent fragmentation for terrestrial animals are reasonable
- Previously suggested gaps for small mammals but perhaps there is no reason why the area shown as 2B" needs to be fenced
- My understanding that lighting would only be required during construction and therefore the impacts would be temporary.

#### Additional comments

- Understand the mitigation/enhancements work will only be implemented within the red line and there is no possibility of entering into a s106 agreement or changing the red line
- Wet woodland and management of land for ground nesting birds including skylarks will not be secured.
- Net Biodiversity gain calculations will need to be amended to reflect this
- Deer corridor has been incorporated which is welcomed is a hedge still proposed in this location
- Badger / wildlife gates will need to be included in the ecology strategy
- Clarification on whether the wildflower mix just around the perimeter and not covering the whole area.
- Ecological design strategy needs to be conditioned, references to sky lark mitigation need to be removed.

#### 4.13 NCC Historic Environment Service

- Potential for buried archaeological remain to be present and their significance affected by the development.
- Request a condition for migratory works including a geophysical survey

#### 4.14 Senior Environmental Management Officer

- The amended transformer location and noise impact note have been reviewed and demonstrate that nearby residential properties would not be significantly affected by noise disturbance when the solar farm is operational.

- Please note that a condition requiring the completion and implementation of a Construction Environmental Management Plan should be applied to ensure the impacts from construction activities are mitigated.

#### 4.15 Other Representations

Eleven letters of objection

- Noise pollution from inverter station could additional screening be provided
- Will there be additional screening along AB
- Spixworth Road is mostly narrow single track and limited passing places which are field or track entrances
- Road suffers from speeding traffic
- Will hedging be planted to hide the deer fencing from the road, could this be 2.5 metres in height
- The panels will be 3 metres tall and 0.8 metres off the ground, can you confirm the hedges will be maintained above these heights?
- What will be the time scale and planting and will they be monitored?
- What route will the construction workers take?
- Will be dangerous to walk along the road
- Will there be a speed restriction on Spixworth Road for the construction and beyond?
- Concerned about consultations
- Visibility onto Buxton Road is limited and present safety issues for all road users
- Increase traffic on Spixworth Road
- Buxton Road already used by HGVs accessing Spixworth quarry
- Causing damage to roads and banks
- Soil and mud onto the road
- Vehicle mounting the verge
- Danger to pedestrians and cyclists
- Balance of losing agricultural land to energy generation
- We will be surrounded by fencing and feel like we are in a prison
- Fragments the habitat for deer and badgers
- Would like to understand need for fencing and see it removed
- If not would need to see a wildlife corridor between our land and the stream/ reservoir
- If fencing necessary would want it set 15 metres away from our property with intervening planting and cameras positioned so they would not view our property.
- Level of noise from inverters and glare
- 34 vehicles a day using the road
- Over 400 workers using the road.
- Spixworth Road is now used as cut through for NDR
- With so much traffic would not be safe to leave our homes
- Brown field sites should be used

- Loss of wildlife
- May affect livery on Church Street where horses cross the road regularly
- Request additional safety measures are put into place such as flashing lights
- Community consultation was not correctly carried out leaflets were not received by everyone
- The community consultation notice was in North Norfolk News which is not widely read
- Letters to Parish Council refer to Old Catton
- Not widely advertised
- Would result in further development in the future
- Light pollution
- Not acceptable to have the entrance opposite someone's house
- Concern about the safety of the batteries
- Concerned about the fragmentation of wildlife habitats and prevent access to the stream
- Will there be people working on the site at night
- Glare
- The extent of future maintenance
- Several severe accidents on Buxton Road /Church Lane junction
- Safe access to St Peters Church the car park is some distance and vehicle park on the junction
- Concern about structural damage to listed building as vehicles pass
- Unacceptable noise disturbance and traffic issues
- An inappropriate constant noise in what is a peaceful and rural location affecting amenity of neighbours and others
- Concern about impact of fences and CCTV of residential boundaries
- Access is opposite driveway which will cause inconvenience , noise and danger from vehicles in what is peaceful rural location
- Potential of contamination from panels
- Norwich Airport have not objected require evidence that low flying helicopters would not be affected

#### Additional information

##### Four additional letters of objection

- Traffic would cause disruption
- Disappointed access to the site has not been moved
- Junction of Church Lane and Buxton Road site of frequent accidents, when vehicles meet they will need to reverse blindly to the junction
- Assume error in where the estimated movements for workers and staff would be 420
- Traffic movement data is unclear on how much additional traffic there would be
- Continued maintenance on the site will also impact on the proposed route
- What compensation is available to road users and property owners
- Inverter on the boundary of our property

- Not taken into consideration the noise in the woodlands and grounds and impact on wildlife.
- Should be a wildlife corridor between our woodland and the stream to allow movement of wildlife
- Not adequate gap between our property and the development
- Inadequate engagement with local residents

## 5 Assessment

### **Key Considerations**

- Principle of development
- Loss of agricultural land
- Need for development
- Landscape impact
- Heritage impact
- Biodiversity impact
- Neighbour amenity impacts
- Traffic and highway safety
- Drainage and flooding

- 5.1 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) and whether there are any other material considerations including loss of agricultural land, landscape impact, highway safety, heritage, biodiversity, drainage and flooding impacts and the impact on neighbours in relation to noise and view.

### **Principle**

- 5.2 Under Section 38 of The Planning and Compulsory Purchase Act 2004 ('The 2004 Act'), the determination of planning applications must be in accordance with the approved development plan unless material considerations indicate otherwise.
- 5.3 The UK is legally bound through the Climate Change Act (2008) to cut greenhouse gas emissions by 80% by 2050, compared to 1990 levels. The development would contribute towards meeting this requirement and would also be fully supported by energy policy because it would assist in replacing outdated energy infrastructure and the move to a low carbon economy (and ultimately will assist with more affordable energy bills).
- 5.4 In line with the Climate Change Act 2008, the National Planning Policy Framework (NPPF) sets a presumption in favour of sustainable development.

- 5.5 The NPPF is heavily supportive of renewable energy development. The NPPF places an over-riding emphasis on the presumption in favour of sustainable development, which this development clearly constitutes. Infrastructure, which is required to ensure the generation of renewable energy, is inherently sustainable under the NPPF.
- 5.6 Paragraph 11 of the NPPF advises that plans and decisions should apply a presumption in favour of sustainable development. The development is considered to accord with the overarching principle of sustainable development, as it has a great potential to result in economic and social benefits in respect of supplying affordable, low carbon electricity. The impacts of the development on the environment will be carefully assessed and where necessary mitigated, so that it will not lead to any significant adverse effects.
- 5.7 Paragraph 148 states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.
- 5.8 Paragraph 154 of the NPPF sets out that in order to increase the use and supply of renewable energy, LPAs should not require applicants to demonstrate the overall need for renewable or low carbon energy. LPAs should approve the application if its impacts are or can be made acceptable.
- 5.9 Policy 3 of the JCS states that developments shouldn't rely on non-renewable energy. Policy GC5 of the DM DPD is supportive of renewable energy stating that it should be encouraged where its impacts are (or can be made) acceptable.
- 5.10 The site is located within an area designated as countryside in the local plan. Policy GC2 of the DM DPD identifies that development outside of settlement limits will be permitted where the development does not result in any significant adverse impact where it accords with a specific allocation and/or policy of the development plan. There are no sites allocated across the District for renewable energy technologies and Policy GC5 states that proposals for renewable energy technology and associated infrastructure will be encouraged where its impacts are (or can be made) acceptable and does not restrict them to being within the settlement limit.
- 5.11 Planning Policy Guidance (PPG) paragraph 13 requires local planning authorities to consider "encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value; "where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural

use where applicable and/or encourages biodiversity improvements around arrays.”

- 5.12 Paragraph 171 footnote (53) states ‘Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.’
- 5.13 ‘Paragraph 83 (b) of the NPPF supports the development and diversification of agricultural and other land-based rural businesses.’
- 5.14 The key requirement for a solar farm is a grid connection. Traditionally power was provided through a centralised power stations which connected directly into the transmission network. There has been a move towards a decentralised system of renewable energy developments where projects connect into the distribution network. The network was not designed for this purpose and large parts of the network do not have capacity to accommodate connections. Project locations are therefore established more by grid connection capacity than a locally specified need. There is an unconstrained need for renewable projects nationally.
- 5.15 Capacity on the Salle to Sprowston circuit has been identified and therefore site selection has been based along the route of the 33kV electricity line. The line needs to go through the site or be very close to it otherwise the installation costs would make the scheme unviable. The minimum size of a site is around 29 hectares in order to get the economies of scale to ensure viability.
- 5.16 A site selection process is carried out that identifies possible sites which avoid key designations such as ancient woodlands , registered parks and gardens scheduled monuments etc. are of adequate size and the landowners are contacted. To be suitable the site needs to be available and deliverable.
- 5.17 Investigations found no suitable non-agricultural land along the route of the electricity line route. The need to have a relatively large piece of land with a grid connection means that it is necessary to consider agricultural land as there were no suitable brown field sites, national policy does not preclude this. As a result it is considered the principle of the development on agricultural land outside of settlement limits is acceptable.

#### Use of best and more versatile land

- 5.18 The principle of the need to use agricultural land has been discussed above Footnote 53 within paragraph 171 of the NPPF requires where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The



Ministerial Statement in March 2015 advises that where a proposal of a solar farm involves the best and most versatile agricultural land, it will need to be justified by the most compelling evidence. It goes on to say that every application needs to be considered on its individual merits, with due process, in light of the relevant material considerations. The NPPF defines best and most versatile land as Land in grades 1, 2 and 3a of the Agricultural Land Classification

- 5.19 The Natural England agricultural land classification maps the site is grade 3 agricultural land. The submitted site specific agricultural land classification report classifies the site as 29% is grade 3a and 71% 3b. As a result, 29% of the site falls within the best and most versatile land classification.
- 5.20 Using the Natural England Agricultural Land Classification maps there is a mixture of grade 2, 3 and 4 agricultural land along the grid connection route. There is limited grade 4 land and the section around Sprowston Bridge was discounted due to risk of flooding. Landowners of the remaining grade 3 and 4 land were contacted and this site was the only one which was available and deliverable.
- 5.21 Given that the majority of the site is grade 3b agricultural land, in this case the temporary use of a relatively small area of best and versatile land is considered acceptable given the benefits of providing the renewable energy and the ecological enhancements.
- 5.22 The site would still be suitable for sheep grazing which is agriculture, but this realistically could not be enforced.

#### Landscape Impact

- 5.23 Policy EN2 of the DM DPD relates to the landscape and advises that development proposals should have regard to the Landscape Character Assessment SPD and should consider the impacts upon certain areas which include sensitive skylines, hillsides and valley sides, Conservation Areas, Historic Parks and Gardens. Development proposals should protect and enhance where appropriate. Given the scale of the development, the impact that the solar farm will have on the landscape context and the visual impact is a prime consideration.
- 5.24 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to the natural environment by: “recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services”. Landscape character assessment is the process which can identify these intrinsic values and unique characteristics of the diverse landscapes in the UK. The Broadland Landscape Character Assessment

divides the district into 6 landscape character types and further defines landscape character areas within them.

- 5.25 The Site is located within a landscape, defined at the district scale by the Broadland Landscape Character Assessment, as LCA E2 Marsham and Hainford Wooded Estatelands. This is described as *gently rising land, of predominantly arable farmland, with a field pattern that is mainly rectilinear, medium scale, and bound by hedgerows with numerous hedgerow trees. Woodland cover is largely restricted to the south-west and southeast of the LCA, within the context of the Site. There are a few settlements, which have expanded to some extent during the 20th century. There are a number of small halls, manors and churches, which provide distinctive features in the landscape. Variations in localised character occur along river corridors, providing wooded incisions in the landscape. Pockets of pasture, open grassland and semi-natural vegetation along tributaries are defined as providing inherent landscape sensitivity, through the creation of diversity in an otherwise arable farmland.*
- 5.26 As part of the Landscape Visual Impact Assessment LVIA a more detailed analysis of the more immediate landscape has been undertaken which is as follows “The site is located on low lying arable farmland to the north of Norwich, just east of the settlement of Newton St Faith. The Site comprises four fields, arranged in a U-shape, with three further narrow fields of pasture, lying just to the west of the Site. These are set along the Stone Beck watercourse, which is characterised by a number of mature trees and woodland belts along its length, providing a distinctive local landscape feature. The fields in the Site are largely contained by tall, continuous, mature hedges, of good condition, with some hedgerow trees. The southern and western boundaries are largely open, as well as a part of the southern section of the western boundary. There is some harm to the landscape from features such as the poultry shed and inappropriate storage”.
- 5.27 The LVIA establishes that publicly available views of the site are primarily restricted to occasional views for visual receptors along Spixworth Road and those using the public footpaths to the west of the site, as represented by Viewpoints 1, 2, 5 and 6 in the LVIA.
- 5.28 There will be some partial views by road users along Spixworth Road in the first years of the development, but these will largely be mitigated as hedge planting is established. There will also potentially be glimpsed views in the winter months from Newton Road.
- 5.29 Views of the development would be more significant for users of footpath 1 and two viewpoints along the footpath have been considered view point 5 where the solar arrays would be visible on the adjoining valley slope, which is broken up by trees on Stone Beck to some extent in the summer months. The establishment of the hedge of the western boundary will reduce the impact to

a large extent of the valley backdrop which would be broken up by trees along Stone Beck, views would be clearer in the winter months. Much of the proposed development would be visible as either open or filtered views, forming a prominent new feature in a mid-distance part of the view and have an intrusive effect on walkers. In 15 years' time the hedge will have established on the western boundary which will obscure views of the lower panels, but the panels on the upper valley slope will remain a notable feature.

- 5.30 At view point 6 on footpath 1 the poultry sheds within the foreground would partially obscure the proposed development, as well as affecting the visual experience. The solar arrays on the higher ground would be visible above the poultry sheds and be orientated towards the viewer. In the summer of Year 1 to 15, the solar arrays would also be partially obscured by some of the trees along Stone Beck, creating a broken, partially filtered view of the proposed development. The development would be more visible in the winter months result in an uncharacteristic view
- 5.31 Views from Public Footpath Horsham St Faiths and Newton St Faiths (FP2) is further to the west, view point 7 indicated some limited distance views of the solar arrays.
- 5.32 The only locations where there would be an evident change, would be for walkers using a relatively short section of Footpath FP1 where there would be a Major/Moderate Adverse significance of effect in Years 1 to 15. For the greater proportion of this footpath, there would be no change to views for walkers. The quality of visual experience of those using this footpath is also affected by the presence of the existing poultry sheds, which have a more dominant and intrusive effect.
- 5.33 There will no inter-visibility between the proposed development and any one solar farms in the district, which are located some distance away. As a result it is not considered that there would be a significant cumulative impact.
- 5.34 On balance the visual impact of the proposed development would be effectively integrated into the landscape with effects on character and visual receptors being restricted to a limited, localised geographical extent in the wider landscape and any harm is outweighed by the benefits of the generation of renewable energy and ecological enhancements.

#### Tree and hedge protection

- 5.35 It is proposed to retain the existing trees and hedges to ensure they are not damaged during the construction process tree protection measures have been conditioned.

#### Heritage Assets

- 5.36 There are no designated heritage assets within or immediately adjacent to the site. However, the Heritage and Archaeology Assessment identified 52 listed buildings within a 3km radius of the site. This radius was determined using a

Zone of Theoretical Visibility (ZTV). This assessment seeks to provide sufficient information to allow an informed understanding of the potential impact of the proposed development on the significance of designated heritage assets, and to consider the need for design solutions where necessary.

- 5.37 Seven of the assets within the 3km study area (five grade II, one grade II\* and one grade I listed building) were found to be located within or close to the boundaries of the ZTV. Following site visits to these assets the report concluded that none of these assets possessed any direct inter-visibility with the site due to intervening topography, built form and vegetation, and they are therefore not considered to be susceptible to impact by the proposals.
- 5.38 From an archaeological perspective some evidence of human occupation from all archaeological and historical periods was found in the site. Given this potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the application site the Senior Historic Environment Services Officer has requested that conditions be imposed should the application be approved to secure a programme of archaeological mitigatory work. This will include a geophysical survey and trial trenching to determine the scope and extent of any further mitigatory work that may be required.
- 5.39 Policy EN2 of the DM DPD deals with heritage assets and paragraphs 189 and 199 of the NPPF references archaeological investigation. Taking the conclusions in the Heritage and Archaeology Assessment the development meets the requirements of the policy and the NPPF.

Views from residential properties

- 5.40 It is well established that the right to a view is not material planning consideration. However, visual impact on individual properties has been considered. Most of the residential properties to the north of the site along Spixworth Road, Lady Lane and Newton Road are enclosed by mature trees, hedges, scrub and woodland, which restrict views towards the site, except for glimpsed views in winter. "Woodlands" and adjoining grounds is more open with just a hedge along the southern boundary but the angle and position of the bungalow would mean that views from the bungalow and garden area would be limited. Burgate Hill which lies immediately adjacent to the site on the western boundary, the dwelling is located at a lower level from the site which restricts some views the panels are set back from the boundary and along with the proposed hedge planting along the boundary the impact is considered acceptable.
- 5.41 Oakdene is a bungalow located between fields A and E with poultry units behind, view from the bungalow and garden area will be largely screened by

existing vegetation and buildings during the summer with some glimpsed views in the winter.

- 5.42 Four Sticks is located to the south of Oakdene also between Field A and E again the bungalow is located to the East and view from the bungalow and the garden area will be obscured by existing vegetation again with glimpse views in the winter. Impact on views from within the associated land which is agricultural can only be given very limited weight in the assessment.
- 5.43 The Poultry Farm is located opposite the proposed entrance to the solar farm, on the east side of Spixworth Road. The dwelling benefits from a substantial hedge and the proposed access to the solar farm is slightly to the north of the access to the Poultry Farm, hedging will be planted behind the visibility splay which will further reduce views of the panels as the hedges establish.
- 5.44 To the south of the site, the bungalow of Beckfield is set down, with intervening ground raised, similarly largely preventing views into the site.
- 5.45 To the west of the site, properties on the eastern edge of Newton St Faith including some residential properties, park homes within the Newton Park caravan park and Elmwood Lodge that are orientated towards the site. The solar farm will be screened from vegetation from many of these properties but some properties will be able to see the panels in the distance from their properties.
- 5.46 In conclusion the solar farm will largely be screened from views from properties in the area particularly as proposed planting becomes established. There will be some views from certain properties however the impact is considered acceptable when balanced against the benefits of generating the renewable energy.

#### Residential amenity

- 5.47 There are two distinct noise and disturbance issues with solar farms. The temporary construction process and the long term operation of the solar farm and concern has been raised about both.
- 5.48 Paragraph 170 of the NPPF states that 'Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability'. Paragraph 180 goes on to state 'planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider

area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. Furthermore, paragraph 182 states that 'planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities and the applicant should be required to provide suitable mitigation before the development has been completed'.

- 5.49 Planning Practice Guidance (PPG) provides further guidance with regard to the assessment of noise within the context of Planning Policy. The overall aim of this guidance is to identify the overall effect of noise for the given situation. However, the NPPF and PPG do not present absolute noise level criteria.
- 5.50 Policy EN4 in the Broadland DM DPD requires development to include an assessment and adequately mitigate against pollution including noise.
- 5.51 The construction process which has been estimated to take 13-20 weeks will result in noise and disturbance with there being a likelihood that that local residents will suffer some adverse impact from noise and disturbance during this period. This will vary during the construction process with piling being particularly disruptive, the impact on various properties will vary depending on where the work is being carried out on site and will vary in intensity during the construction process. The Environmental Management Officer has recommended that a Construction Environmental Management Plan (CEMP) is conditioned which will outline the allocated responsibilities, procedures and requirements for site environmental management and include relevant site-specific method statements, operating practices, and arrangements for monitoring and liaison with local authorities and stakeholders. This will also cover issues such as dust generation. Given the temporary nature of the disturbance is not considered that refusal could be warranted on those grounds.
- 5.52 In terms of the longer term noise generated from the solar farm, the panels themselves do not make any noise but some of the ancillary equipment does the inverter cabinets and battery storage unit being the main source. A Noise Impact Report has been produced which takes worse case scenarios and the reality is that inverters would only reach their maximum noise levels on a very hot summer's day and the majority of the time the noise output would be much lower. Taking the worst case scenarios in the daytime the estimated noise at the most affected receptor would be 33.3 (dB (A) which is the equivalent of a quiet room in a house. Only the battery storage unit will make noise at night time and the noise at the nearest receptor is estimated to be 3.3 (dB (A) which is lower than a sound proofed room. The Environmental Protection Officer is satisfied that sufficient evidence has been put forward to demonstrate that the proposed development would not cause an unacceptable noise disturbance to

local residents whilst it is operating and therefore comply with the requirement of the NPPF and policy EN4.

- 5.53 Infrared/thermal imaging CCTV cameras are proposed around the perimeter of the site for security purposes, it is proposed that they are positioned so that they would not capture views of private property.

#### Ecology

- 5.54 The NPPF has a strong emphasis on developments that provide net biodiversity gains. Policy ENV1 of the DM DPD relates to biodiversity and habitats and requires development 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. If any harmful impacts do occur it should be adequately demonstrated that the development cannot be located where it would cause less or no harm and that adequate mitigation is incorporated and that the benefits of the development clearly outweigh the impacts.
- 5.55 The closest statutory designated site is the Crostwick Marsh Site of Special Scientific Interest (SSSI) located 3km to the east. The closest non-statutory designated site is Spixworth Bridge Meadows located 1km south of the site. The development is unlikely to cause any harm to any designated sites.
- 5.56 A Preliminary Ecological Survey was carried out which revealed the following habitats: bare ground, arable fields, grassland, hedgerows and associated trees and water bodies. The site offered potential to support reptiles, amphibians breeding birds, roosting bats, and badgers. Although these are mainly in the boundary features which are not being impacted by the proposed solar farm. A survey of ponds suitable for great crested newts include eDNA testing of ponds suitable for Great Crested Newts and test result came back negative indicating ponds are not used by Great Crested Newts. Additional Skylark surveys were recommended to establish how these birds are using the site and subsequent surveys established that one pair of skylarks were using the site in 2020.
- 5.57 A precautionary approach to site clearance with regard to breeding birds, badgers and reptiles is considered to be sufficient for protecting the species groups
- 5.58 It is intended to provide ecological enhancements by providing a wild flower meadow under the panels, planting new hedgerows and gapping up existing ones. A new deer corridor through the site and mammal gates within the fencing are also proposed. As a result the development will result in a significant net biodiversity gain.

- 5.59 The on- site ecological enhancements can be secured by conditioning an Ecological Design Strategy which will include all proposed enhancements and detail on how they will be managed.
- 5.60 It was initially proposed to plant an area of wet woodland in the fields to the west of the site and to manage the field to the west of the site to benefit skylarks and ground nesting birds. These enhancements are outside the application site so could not be secured by condition. Due to contractual obligations the applicant is unable to enter into a S106 or extend the site to cover these areas. As a result, we are unable to secure these enhancements so they cannot be considered as part of the planning application. The bio-diversity net gain calculations have been re done to take this into consideration. The Ecologist has confirmed that the development is still acceptable without these enhancements.
- 5.61 In terms of ecology the development will not cause any significant harm to protected species or affect any designated sites. It would result in significant net bio-diversity gains in accordance with the NPPF and Policy EN1 of the Broadland DM DMD.

Highway safety

- 5.62 Concern has been the construction route through the village of Horsham St Faiths and the suitability of the road to accommodate the large vehicles, particularly Spixworth Road and also the junction with Church Lane and Spixworth Road.
- 5.63 Policy TS3 of the DM DPD in respect of highway safety requires all development to ensure that there will not be a significant adverse impact upon the safe functioning of the highway network. A draft Construction Traffic Management Plan (CTMP) has been submitted with the application
- 5.64 The main traffic generation will be during the construction period which will be relatively short period estimated 13-20 weeks. The Construction Management Plan contains some details in relation to construction management and a traffic routing plan. Once operational, traffic movements would be minimal with only maintenance access required.
- 5.65 The construction contract has not been awarded but it is estimated that the development would generate 340 deliveries (680 vehicle moments) over the period of construction, which would last between 13 and 20 weeks. The type of vehicle would vary but the largest would be a 40 foot articulated lorry. Deliveries would be concentrated in the first few weeks of construction when materials are delivered.



- 5.66 Construction worker vehicle movements will be at a more constant level throughout the duration of the construction process at around 50 movements a week which will be in a combination of vans, cars and minibuses.
- 5.67 The proposed route to the site is to exit via the slip road off the A1270 (Broadland Northway) westbound signposted Norwich north and central, Norwich airport and Cromer. Traffic will then take the first exit on to the A140 northbound. The route will continue northbound where vehicles will turn right into Church Street and right into Old Norwich Road before turning left into Spixworth Road where they will continue eastwards, the road then changes to Church Lane. Vehicles will then turn left again onto Buxton Road. The route continues northbound along Buxton Road before turning left onto Spixworth Road. The final leg of the route comprises northbound travel by vehicles along Spixworth Road and turning left into the existing access in 'Field E' of the Site. The development will make use of the existing access and which will be upgraded and increased in width to 6 metres to accommodate the larger vehicles. No hedge will be needed to be removed to facilitate this. The return route is the same but returned via Crown Road and Back Street in Horsham St Faiths
- 5.68 The proposal route has been amended through Horsham St Faith to avoid Back Lane and Crown Road for inward coming vehicles, due to a tight manoeuvre for large vehicles.
- 5.69 There will be a significant increase in traffic during the construction process but this will be for a relatively short period of time. The Highway Officer does not object to the development because the construction will be over a relatively short period of time. Swept path analysis has been submitted demonstrating there is sufficient room for the proposed size of vehicle.
- 5.70 The Highway Officer has requested conditions including upgrading the access, visibility splay to the access, signage on Spixworth Road, on site construction worker parking, compliance with construction management plan and route. A Section 59 agreement will be used to ensure that any abnormal wear and tear is rectified when the works are complete.
- 5.71 Although the concerns are noted and the construction will cause some disruption there are no sustainable highway reasons to refuse this application as the highway impacts are limited to a relatively short period of time and the proposed conditions can adequately mitigate the impacts. As a result, it is considered that the proposed development complies with Policy TS3 of the DM DPD which seek to ensure highway safety.

Drainage

- 5.72 The site is situated within flood zone 1 as shown on the Environment Agency flood zone mapping with a low probability of less than 1 in 1,000 (0.1%) of river flooding in any year. In terms of surface water solar panel arrays are not considered to prevent direct infiltration into the ground and will allow rainwater to drain freely into the ground. A Flood Risk Assessment (FRA) has been submitted with the planning application.
- 5.73 Surface water run-off is to be managed on site, through the installation of infiltration trenches with flow barriers at the toe of each solar panel. The solar panels are to be on sloped frames, with 25mm gaps between the panels and the access and maintenance roads are to be constructed using permeable materials.
- 5.74 The FRA concludes that given the site is in flood zone 1 there is a low probability of flooding and therefore all forms of development as listed in the NPPF are considered appropriate.
- 5.75 Policy CSU5 of the DM DPD on surface water drainage requires that proposed developments should not increase flooding on the site or elsewhere. Taking the conclusions in the FRA, the development meets the requirements of the policy.

Contamination

- 5.76 There is now known contamination on the agricultural field, although a contamination during construction condition has been added to deal with any unexpected issues.
- 5.77 Concern has been raised that the panels may get damaged which would result in chemicals going into the soil. The site is regularly monitored and if any of the panels were damaged then they would be replaced to ensure efficiency of the development. As a result, it is considered that there is very minimal risk of the land becoming contaminated.

Glint and glare

- 5.78 The applicant has carried out an assessment into the potential impact on glint and glare on the residential, road and footpath users and aircraft. It concluded that due to distances and vegetation screening the development is unlikely to result in a glint or glare issues. Both Norwich Airport and Ministry of Defence have not objected to the application.

EIA

- 5.79 An EIA screening opinion was submitted prior to the application which concluded the development would not result in any significant environmental impact which would result in an Environmental Statement being required.

Consultation Process

- 5.80 Concern has been raised regarding the adequacy pre-application community consultation that was carried out. Firstly, it is acknowledged that the pre-application community engagement by the developer had a number of flaws which have been raised with the applicant to take on board with any future consultations they may undertake.
- 5.81 The Broadland Statement of Community Involvement encourages pre-application consultations on proposal such as this one, but it is not mandatory and application cannot be refused on this basis.
- 5.82 There were some issues with some of the initial consultation letters sent out by the council not being received. However, some people became aware of the application as a result of the site notices which were erected and the application was also advertised in the press. An additional wider consultation was carried out when additional information was received.

**Other Issues**

- 5.83 The construction work will result in employment opportunity but due to the short term nature of the contracts limited weight can be given to them in making this decision.
- 5.84 There is no evidence that the proposed development will interfere with mobile or internet connections.
- 5.85 Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.86 This application is not liable for Community Infrastructure Levy (CIL) as no new floor space is being created.

**Conclusion**

- 5.87 The NPPF and Policy GC5 in the Broadland DM DPD support renewable energy projects which generate electricity from renewable sources and contribute to a reduction in carbon emissions which help to meet the Government's legally binding targets in the Climate Change Act 2008. The proposed development has the capacity to produce 15MW of energy which is a significant benefit weighing in favour of the development.
- 5.88 The development will also result in additional hedge and wild flower planting which will result in a net gain in biodiversity on the site.

- 5.89 The development would temporarily lead to a loss of 29.1 hectares of agricultural land including 8.3 hectares acres of grade 3a BMV land, but this still could be utilised for sheep grazing and the proposed development is not permanent.
- 5.90 The proposed development has been designed to minimise the impact on the landscape and with the proposed mitigation the main harm is limited to users of footpath 1, but it is not considered users experience would be significantly adversely affected.
- 5.91 Highway and noise impacts would largely be limited to the construction phase and the long term impacts would be minimal. The proposed development does not raise any significant flooding or heritage impacts that cannot be mitigated by condition.
- 5.92 On balance the benefits of generating renewable energy and the biodiversity enhancement outweigh the minor landscape harm, temporary loss of agricultural land and the temporary construction disruption and therefore complies with the objectives of the NPPF and Policy GC5 of the Broadland DM DPD.

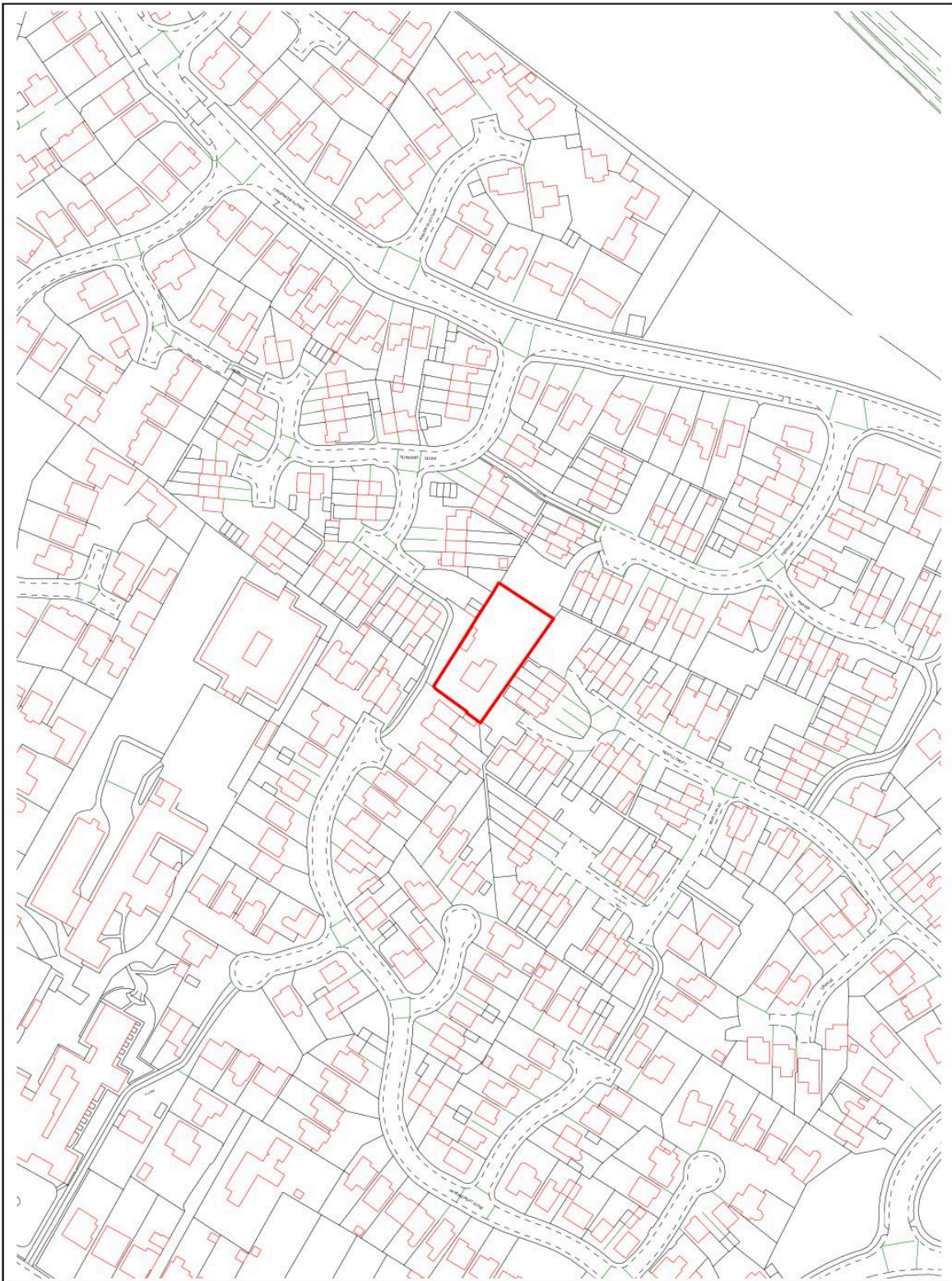
Recommendation: Approve with conditions

1. Temporary permission 57 years, removal of all equipment from site at end of this time period. (TMT01)
2. Not less than 12 months prior to expiry or within 3 months of the cessation of electricity production submission of decommissioning statement.
3. Removal of solar panels within 6 months of them no longer generating electricity and revert land back to previous use.
4. In accordance with plans (AD01)
5. Full details of Landscaping (L05)
6. Ecological Design and Management Strategy including landscape management and maintenance
7. Replacement planting 57 years (Bespoke)
8. Details of tree protection (L08)
9. Retention of trees and hedges (L16)
10. Upgrading the access (HC09)
11. Visibility splay to the access (HC17)
12. Signage on Spixworth Road (bespoke)
13. On site construction worker parking (HC23)
14. Wheel washing
15. Construction management plan including compliance with route (HC24 and B)
16. Abnormal wear and tear (Bespoke)

Recommendation: Approve with conditions

- 17. No access to solar farm from northern entrance (Bespoke)
- 18. Archaeology (H01)
- 19. No external light unless agreed (HC26)
- 20. Contamination during construction (AM14)
- 21. Surface water drainage strategy and implementation (DR04)
- 22. Details of CCTV areas of vision (bespoke)
- 23. No loud speakers (bespoke)

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**Application No: 20210002**  
**122 Haverscroft Close, Taverham, NR8 6LU**

**Scale:**  
**1:1250**  
**Date:**  
**1-Jul-21**



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- 4. Application No: 20210002**  
**Parish: Taverham**

Applicant's Name: Mr Chris Dique  
Site Address: 122 Haverscroft Close, Taverham, NR8 6LU  
Proposal: Demolition of existing garage. New replacement garage and immediate driveway, extension to existing bungalow

Reason for reporting to committee

The Local Member has requested that the application be determined by the Planning Committee for appropriate planning reasons as set out below in section 4.

Recommendation summary:

Approve with conditions

**1 Proposal and site context**

- 1.1 The application site is a detached bungalow with a dormer window to the rear roof slope on a rectangular plot within the settlement limit of Taverham. Outline and subsequently reserved matters applications have been approved for a pair of semi-detached single storey dwellings to the north of the garden area of this property. This application seeks permission for an extension to the front of the existing bungalow and the erection of a replacement pitched roof single garage to the rear/side of the property.

**2 Relevant planning history**

- 2.1 20181933: Sub-division of Plot, Creation of Access & Erection of 2 Dwellings (Outline) Outline Approval 12/02/2019
- 2.2 20202416: Sub-division of Plot, Creation of Access & Erection of 2 Dwellings (Reserved Matters) Reserved Matters Approval 10/06/2021

**3 Planning Policies**

- 3.1 National Planning Policy Framework (NPPF)

NPPF 12: Achieving well-designed places

3.2 Joint Core Strategy (JCS)

Policy 2: Promoting good design

3.3 Development Management Development Plan Document (DM DPD) 2015

Policy GC4 – Design

3.4 Taverham Neighbourhood Plan (TNP)

Policy TAV3 – Well-designed new development

4 Consultations

4.1 Taverham Parish Council

Objection – Due to overdevelopment, unneighbourly, lack of amenity space and restricted access for emergency and construction vehicles.

4.2 Councillor Karimi-Ghovanlou

Requested the application be heard at committee on the basis of overdevelopment of site, restricted access for delivery of construction materials, lack of amenity space and parking for a 4 bedroom dwelling.

4.3 Other Representations

None received

5 **Assessment**

**Key Considerations**

5.1 Principle of development

Impact on neighbour amenity

Impact on character and appearance of the area

**Principle**

- 5.2 Extensions to residential dwellings within settlement limits are considered acceptable in principle providing that there is no significant adverse impact.

**Neighbour amenity**



- 5.3 Policy GC4 of the DM DPD states that proposals should give adequate regard to considering the impact on existing properties and future occupiers.
- 5.4 The front extension is set to the south side of the existing bungalow and is designed with a hipped roof, as it sits north of the adjacent neighbour at No. 120 Haverscroft Close I therefore consider that the proposal will not cause overshadowing nor any significant loss of light to this neighbour.
- 5.5 There are no windows proposed to the southern elevation of the extension. The new bi-fold doors and window to the east will look over the side garden of the property and the new windows to the west will look over the driveway and boundary fence further to the west. I consider that there will be no significant overlooking.
- 5.6 The single garage is approximately 3.8m in height and set just off of the east boundary. Set west/north west of the nearby neighbours and at the end of their rear gardens I do not consider this will have a significant overshadowing or loss of light impact. The garage has no windows proposed with just a garage door to the front so no overlooking issues will exist.
- 5.7 No neighbour objections have been received to any aspects of the proposals.

### **Character and appearance**

- 5.8 Policy GC4 states that proposals should have regard to the character and appearance of the area and Policy TAV3 of the TNP states all proposals for new development should respect the scale, materials and character of the existing and surrounding buildings of the relevant Character Area, reinforcing local development patterns, the form, scale, massing and character of adjacent properties where this provides a positive contribution.
- 5.9 The site is located in an area of dense residential development where many properties only have relatively small garden spaces. The proposal removes an existing kitchen and conservatory extension to the north (rear) to create space for the driveway to the garage so the property gains some amenity space that is lost to the south.
- 5.10 Whilst it is recognised that the resulting garden space for this property is being reduced as a result of the two dwellings being built within the plot and the proposed front extension, however the original plot was significantly larger than any others in the locality and the garden area to the side of the property is considered to be adequate for the size of the dwelling. I do not consider this to be out of character with the surrounding area and respects local development patterns and on this basis nor does it represent overdevelopment of the site.

- 5.11 The external materials to be used match the existing dwelling and the roof design of the extension follows the pitch of the existing roof. Given the density of surrounding buildings with not a lot of spacing between and around them and given the single storey nature of the extension and replacement garage, I do not consider there to be any significant impact on the character and appearance of the area.

**Other Issues**

- 5.12 Concern was raised regarding the access and whether this allows access for emergency vehicles. This application makes no changes to the access. Given that two new dwellings have been approved (in consultation with NCC Highways) using the same access I do not consider the access to be a grounds for a refusal. The property will be provided with a garage and a driveway that will accommodate a further parking space.
- 5.13 Under Section 143 of the Localism Act the Council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
- 5.14 This application is not liable for Community Infrastructure Levy (CIL)

Recommendation: Approve with conditions

1. Time Limit – Full Permission
2. In accordance with approved plans

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## Planning Appeals: 20 May 2021 to 30 June 2021

### Appeal decisions received:

Ref	Site	Proposal	Decision maker	Officer recommendation	Appeal decision
20191728	Land East of Oakdene, Green Lane, Horsford, NR10 3ED	Erection of 6 No Bungalows with associated Garages, Parking & Gardens	Delegated	Full Refusal	Allowed
20200861	Adam and Eve House, Little Hautbois, Coltishall, NR12 7JS	Proposed Two Bedroom Detached Dwelling with Associated Access & Parking	Committee	Full Refusal	Allowed
20201241	The Platform, Broad Lane, Little Plumstead, NR13 5BZ	Demolition of an outbuilding (Workshop) and erection of a self build bungalow	Delegated	Full Refusal	Allowed
20201649	25 Holman Road, Aylsham, NR11 6BY	Sub-divide existing garden, demolition of detached garage and erection of new dwelling	Delegated	Full Refusal	Dismissed

### Appeals lodged:

Ref	Site	Proposal	Decision maker	Officer recommendation
20202160	6 Sir Williams Lane, Aylsham, NR11 6AW	Convert workshop to flexible holiday accommodation	Delegated	Full Refusal

## **PLANNING COMMITTEE**

**29 July 2021**

**Final Papers**

	<b>Page No</b>
<b>Supplementary Schedule</b>	<b>77</b>

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: [committee.services@broadland.gov.uk](mailto:committee.services@broadland.gov.uk)

## SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update
1	20201787	Land west of Abbey Farm Commercial Park, Church Street, Horsham St. Faith	<p>Since the publication of the Committee report, a revised version of the NPPF has been published. By way of updating the report to take account of the revised NPPF:-</p> <ul style="list-style-type: none"> <li>• Within section 5.9 of the Committee report, paragraph 196 has been superseded by paragraph 202 of the revised NPPF; and</li> <li>• Within section 5.10 of the Committee report, paragraph 197 has been superseded by paragraph of the 203 revised NPPF.</li> </ul> <p>Update to section 5.16 of the report: the agent has advised that the submission of additional information to address the LLFA's comments will be at the end of August. The further information on ecology will be submitted at the same time.</p>
2	20210356	Plot 16B, Peachman Way, Broadland Business Park, Thorpe St Andrew	No changes to report as a result of the revised NPPF.
3	20202016	Burgate Solar Farm, Fields adjoining Spixworth Road, Hainford	<p>Since the publication of the Committee report, a revised version of the NPPF has been published. Which has resulted in the following changes in paragraph numbers.</p> <p>Paragraph 5.7 paragraph 148 is now paragraph 152</p> <p>Paragraph 5.8 paragraph 154 is now paragraph 158</p> <p>Paragraph 5.12 paragraph 171 is now paragraph 175 and footnote (53) is nor footnote (58)</p>

			<p>Paragraph 5.13 paragraph 83(b) is now paragraph 84(b)  Paragraph 5.18 paragraph is now paragraph 171 is now paragraph 175  and footnote (53) is now footnote (58)</p> <p>Paragraph 5.24 paragraph 170 is now paragraph 174  Paragraph 5.39 paragraphs 189 and 199 are now paragraphs 194 and 205  Paragraph 5.48 paragraph 170 is now paragraph 174 and paragraph 180 is paragraph 185</p> <p>Paragraph 5.76 line 1 should read There is no known contamination</p>
<b>4</b>	20210002	122 Haverscroft Close, Taverham	No changes to the report as a result of the revised NPPF.