

Planning Committee Agenda

Members of the Planning Committee:

Cllr I N Moncur (Chairman)
Cllr K 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:

Wednesday 3 November 2021
9:30am

Place:

Council Chamber Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich

Contact:

Dawn Matthews tel (01603) 430404
Email: committee.services@broadland.gov.uk
Website: www.broadland.gov.uk

PUBLIC ATTENDANCE:

This meeting will be live streamed for public viewing via the following link: [Broadland YouTube Channel](#)

You may register to speak by emailing us at committee.services@broadland.gov.uk no later than 5pm on Friday 29 October 2021

Large print version can be made available

If you have any special requirements in order to attend this meeting, please let us know in advance.

Public Speaking and Attendance

All public speakers are required to register to speak at public meetings by the date / time stipulated on the relevant agenda. Requests should be sent to:

committee.services@broadland.gov.uk

Public speaking can take place:

- Through a written representation (which will be read out at the meeting)
- In person at the Council offices

Please note that the Council cannot guarantee the number of places available for public attendance but we will endeavour to meet all requests.

All those attending the meeting in person are invited to sign in on the QR code for the building and promptly arrive at, and leave the venue. Hand sanitiser are still provided and we would encourage you to observe social distancing. Further guidance on what to do on arrival will follow once your public speaking registration has been accepted.

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 6 October July 2021;**
(minutes attached – page 6)
- 4. Matters arising from the minutes;**
- 5. Applications for planning permission to be considered by the Committee in the order shown on the attached schedule;**
(schedule attached – page 10)
- 6. Planning Appeals– for the period 9 September 2021 to 22 October 2021 (for information);**
(table attached – page 28)

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"> 1. affect yours, or your spouse / partner's financial position? 2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner? 3. Relate to a contract you, or your spouse / partner have with the Council 4. Affect land you or your spouse / partner own 5. Affect a company that you or your partner own, or have a shareholding in <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



PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of Broadland District Council, held on 6 October 2021 2021 at 9:30am at the Council Offices

Committee Members Present: Councillors: K Vincent (Vice Chairman in the Chair), S Beadle, N Brennan, R Foulger, C Karimi-Ghovanlou, K Kelly, K Leggett, S Prutton and J Ward

Apologies: Councillors: T Adams (sub K Kelly), J Fisher (sub K Leggett), I Moncur

Officers in Attendance: The Development Manager (TL), the Area Planning Manager (GB), the Principal Planning Officer (CJ) and the Democratic Services Officers (DM/LA)

11 DECLARATIONS OF INTEREST

The following member declared an interest in the matter listed below. Unless indicated otherwise, they remained in the meeting.

Application	Parish	Councillor	Declaration
20211222	Haveringland	Cllr Beadle	Other interest – lived in the village but had not discussed the application or attended any parish council meeting when it was considered

12 MINUTES

The minutes of the meeting of the meeting held on 29 July 2021 were confirmed as a correct record.

13 MATTERS ARISING

No matters were raised.

14 PLANNING APPLICATIONS

The Committee considered the reports circulated with the agenda, which were presented by the officers.

The following speaker addressed the meeting on the application listed below.

Application	Parish	Speakers
20172208	Rackheath	Struan Power – agent for the applicant

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.

15 PLANNING APPEALS

The Committee noted the planning appeals and that officers were currently reviewing the appeals decisions made to explore if there were any changes in direction needing consideration by Members. A briefing session would be arranged, potentially after the next Planning Committee meeting in November.

(The meeting concluded at 11:01pm)

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** : **20172208**
Parish : **RACKHEATH**
Applicant's Name : Taylor Wimpey UK Ltd, Blanmar 1 LLP, Blanmar 2 LLP & SCR Ltd
Site Address : Land adj Mahoney Green, Rackheath
Proposal : Residential Development for up to 205 dwellings and associated works (Outline)
Decision : Members voted (6-3) for delegated **Approval** subject to conditions

Delegated Authority given to the Assistant Director (Planning) to **APPROVE** subject to no objections being raised by the Natural Environment Team and subject to the following conditions and a section 106 agreement:

- 1 Heads of Terms as listed in the report at Appendix 1
- 2 Conditions as listed in the report at Appendix 1
- 3 Condition regarding the need to provide 10% renewables.
- 4 Any further conditions required by the Natural Environment Team

2. **Appl. No** : **2021/1222**
Parish : **HAVERINGLAND**
Applicant's Name : John L Broome, Haveringland Hall Country Park Ltd
Site Address : Plot 16B, Peachman Way, Broadland Business Park, Thorpe St Andrew
Proposal : Application for listed building consent for demolition of interior walls and external door steps; removal of plasterboard ceilings; alteration to external doors; and, courtyard surfacing works
Decision : Members voted (8-0, 1 abstention) for **Approval** subject to conditions

Approve subject to conditions

1. Time limit – listed building consent
2. In accordance with submitted drawings
3. Details of new windows to be submitted for approval
4. Details of new flooring on ground floor to be submitted for approval
5. Details of surface to be used within courtyard to be submitted for approval

3. **Appl. No** : **20211331**
 Parish : **FELTHORPE**
 Applicant's Name : Broadland District Council
 Site Address : Broadland Country Park, Felthorpe
 Proposal : Resurfacing to improve the path surface for all users
 (peDESTrians, wheelchair users, pushchairs, cyclists and
 horse riders) along this short circular route through
 Broadland Country Park; and to implement biodiversity
 enhancements at the same time, as highlighted in in the
 Preliminary Ecological Appraisal

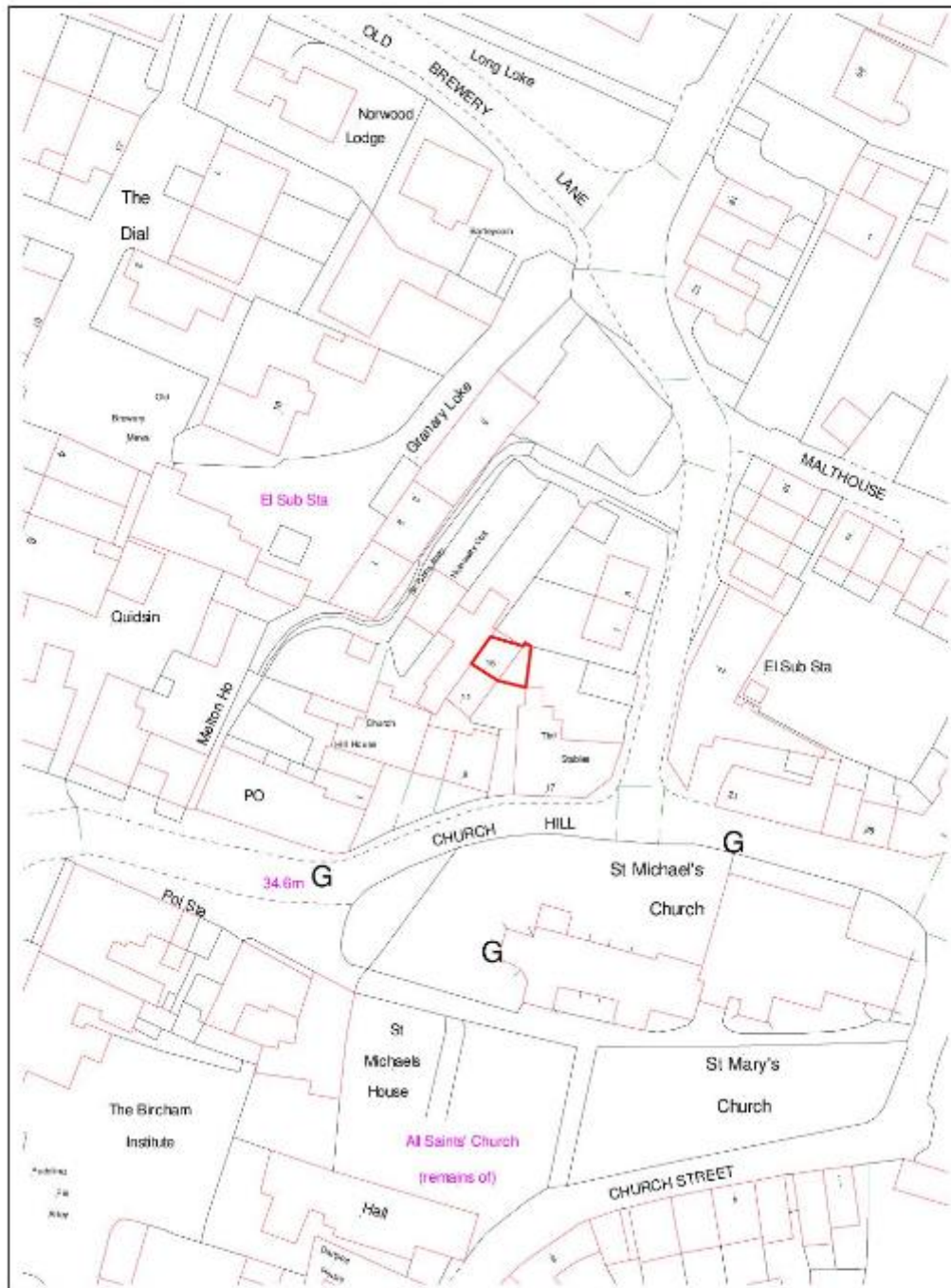
 Decision : Members voted (unanimously) for **Approval** subject to
 conditions

Approved with Conditions

1. Time limit – full permission
2. In accordance with drawings
3. Development to take place in accordance with Tree Report and Survey
4. Ecological mitigations measures to be adhered to

	Application No	Location	Officer Recommendation	Page No
1	20211329	The Stables, 15 Church Hill, Reepham, NR10 4JL	APPROVE subject to conditions	12
2	20211604	Units 1 – 12, Aylsham Business Park Richard Oakes Road, Aylsham, NR11 6FD	APPROVE subject to conditions	20

Application 1



 <p>Broadland District Council —leading the way— broadland.gov.uk</p>	<p>Application No: 20211329</p> <p>The Stables, 15 Church Hill, Reepham, NR10 4JL</p>	<p>Scale: 1:500</p> <p>Date: 25-Oct-21</p>	<p>N</p> 
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- 1. Application No: 20211329**
Parish: REEPHAM

Applicant's Name: Mr Hunt
Site Address: The Stables, 15 Church Hill, Reepham, NR10 4JL
Proposal: Change of use from commercial premises to a single residential dwelling - internal alterations

Reason for reporting to committee

The proposal would result in the loss of an employment site.

Recommendation summary:

Approve subject to conditions

1 Proposal and site context

- 1.1 The application is seeking planning permission to change the use of the existing building from a commercial premises to a residential dwelling. The proposal also includes internal alterations.
- 1.2 The application site, number 15 Church Hill, is located within a small courtyard enclosed by other residential properties approximately 100m to the northeast of the market place in the centre of Reepham. Whilst number 15 is not a listed building, those that front Church Hill are Grade II listed. The site is within the Reepham conservation area and an area that is the subject of an Article 4 Direction.
- 1.3 The proposal will utilise the existing floor area both ground and first floor to provide a one bedroom dwelling but does not propose any alterations to the external walls of the building, extensions or include any additional windows to be installed.
- 1.4 Based on the documents initially submitted, the owner of the neighbouring property, number 11 Church Hill, highlighted a discrepancy with the 'existing layout' and 'red line' plans which were shown to encroach onto the property at number 11. This has been rectified and amended drawings have been provided showing the correct arrangement.
- 1.5 In addition, the owner of number 11 also pointed out that the access is partly owned by numbers 7 and 9 Church Hill together with the occupant of Dale Farmhouse, Reepham Road, Bawdeswell and himself, which requires the respective owners to be notified of the application and for Certificate B to be signed on the application form. This has been rectified. Certificate B on the application form has since been completed with the respective notice to owners carried out. In addition, amended plans have been provided clearly indicating the access arrangements.

- | | | | |
|-----|--------|--|----------|
| 2.1 | 800256 | Change of use – Dwelling to Prescribing and Dispensing Opticians | Approved |
|-----|--------|--|----------|

- 3.1 National Planning Policy Framework (NPPF)
NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 05 : Delivering a sufficient supply of homes
NPPF 11 : Making effective use of land
NPPF 12 : Achieving well-designed places
NPPF 16 : Conserving and enhancing the historic environment

- 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 EN2 Landscape
Policy E2 Retention of employment sites
Policy TS3 Highway safety
Policy TS4 Parking guidelines

- ### 3.5 Statutory duties relating to setting of listed buildings and conservation areas:

Section 72 of the same Act 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 Reepham Town Council

No comment or objection to this application.

4.2 District Councillor

No comments received

4.3 Anglian Water services

The Planning & Capacity Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, 500sqm or greater.

4.4 Norfolk County Council – Minerals and Waste

The application site is not on a Mineral Safeguarding Area, nor does it fall within the consultation area of any existing mineral site or waste management facility, or the consultation area of any allocated mineral extraction site. Therefore, Norfolk County Council in its capacity as the Mineral and Waste Planning Authority has no specific comments on this planning application

4.5 Norfolk County Council – Highways

The proposal description and submitted information indicates this to be an existing commercial building which, in the particular location, a change of use to residential is unlikely to increase vehicular movements or parking requirements. Accordingly I have no grounds for objection

4.6 Other representations

Comments received from 2 local residents raising the following summarised issues:

- 'Existing layout' and 'red line' shows the application site encroaching onto our property.
- Need to be aware the access is partly owned by numbers 7, 9, 11 Church Hill and the owner of Dale Farmhouse, Reepham Road, Bawdeswell –this should be shown on the submitted plans and the owners notified accordingly.
- Perturbed by the submitted consultee comments from Ms Sally Gill confirming the Reepham Town Council has no objection.
- Case officer will be aware that 11 and 15 share a party wall and the requirements of the Party Wall Act.
- In the living area there is a requirement to insert a damp proof membrane along the bottom of the party wall – there is still damp coming through to next door, exacerbated by the property being unattended for some years.
- The proposal will result in overlooking.

- The bedroom windows will overlook my courtyard garden which is private.
- The windows will look directly into the bedroom of The Stables.
- To date the windows have not been an issue as the upstairs was not used.
- Would it be possible to apply some privacy glass/film to both upstairs windows?

5 Assessment

Key Considerations

- 5.1 Principle of development
Impact on the character and appearance of the conservation area and grade II listed buildings
Impact on residential amenity
Impact on highway safety and parking

Principle of development

- 5.2 The application site is located within the designated settlement boundary for Reepham, where the principle of residential development is considered acceptable as it accords with Policy GC2 of the DM DPD.
- 5.3 Historically, the site was used as a residential dwelling with a change of use granted in 1980 for the building to be used as a prescribing and dispensing opticians. However, as the site was last used as a commercial premises, Policy E2 of the DM DPD seeks to retain employment sites within settlement limits unless the proposed new use will not result in any detrimental impact and it has been demonstrated that continued employment use is not viable by undertaking specific marketing at a realistic price for 12 months by a reputable estate agent.
- 5.4 In support of the application, the applicant has provided the following statement:
- 'The business ran in Reepham as a one man practice for 25 years, however upon retirement we sold the business to a larger company with a number of practices, this meant that far more staff were required to try and provide an adequate service to the local public. Also times have changed with more complicated and expensive procedures to provide. This does nowadays require the purchase of a fair amount of expensive equipment which unfortunately is not now viable on a two day a week practice even if you do want to employ staff to run it.*
- The present lease holders have told me that they wish to relinquish the lease when it ends in February 2022 as they do not consider the practice to be economically viable now as an opticians. As you know the premises are quite small and as it is located in a residential area, I feel we would have great difficulty finding a new tenant as a business let and it may well stand empty for a considerable time.'*
- 5.5 Whilst it is acknowledged that it has not been demonstrated that a continued employment use is not viable, the building is located in a residential area and does not have a roadside presence. Given this location, limited access and internal space and that it was previously a dwelling, based on the experience of officers it is considered that a building of this type is unlikely to be an attractive prospect for

continued commercial use and so in this particular case, a pragmatic approach has been taken in not requiring the applicant to undertake the exercise that is normally required by Policy E2. For the reasons above, it is considered that the loss of the premises is unlikely to result in a significantly detrimental economic impact.

- 5.6 The internal floor area of the dwelling will be 48 sqm. This falls short of the 58 sqm guidance set out by the National Described Space Standards for a one bedroom, two person, two-storey dwelling. Despite that, there is not a statutory requirement for applications for planning permission to meet these standards in the absence of a local plan policy. There is not a policy within the DM DPD that require the standards to be met. Additionally, given the history of the building as a residential property, its age and limited opportunity to increase its size, it is not considered a viable option to impose the space standards as part of this application.
- 5.7 Overall, when balancing out those issues raised above, it is concluded that in principle and in this particular case, the proposed development is acceptable.

Impact on the character and appearance of the conservation area and listed buildings

- 5.8 Whilst the building is in close proximity to a number of listed buildings, many of which are residential properties, given the absence of external alterations and that the building is returning to its historic use, it is concluded the change of use to provide an additional dwelling in this locality will have a neutral impact on the setting of those nearby listed buildings. Regard has been given to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in making this assessment.
- 5.9 The proposed development is not seeking to make any changes to the external appearance of the building or the outside space. Therefore it is considered the scheme will preserve the character and appearance of the conservation area. Regard has been given to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in making this assessment.

Impact on residential amenity

- 5.10 The application property was previously a dwelling and is located in an area that is predominantly residential, therefore it is unlikely that the change of use will lead to a significantly detrimental impact on either the amenity of existing dwellings or that of the proposed dwelling.
- 5.11 It acknowledged the application site cannot provide a large outside space or off road parking, however this is not dissimilar to the situation experienced by existing occupants in neighbouring properties. The properties in the immediate locality are largely small cottages, many of which are listed buildings, where historically outside space and parking would not have been provided. This arrangement will not be change as a result of this application.

- 5.12 Comments have been received from the occupants of number 17 Church Hill in respect of the existing first floor windows that are proposed to serve habitable rooms. The occupants have requested that both windows are fitted with privacy glass to stop any overlooking into the rear garden of number 17.
- 5.13 Given the close proximity of all the properties in the immediate locality of the application site and historical arrangement, it is acknowledged that some degree of overlooking will occur. However, it is considered that any overlooking that occurs will not be so significant so as to warrant refusal of the application. Furthermore, these are the only windows that serve the first floor rooms, including a bedroom and therefore it is considered unreasonable to require privacy glass to be installed as this would considerably restrict the adequate provision of natural light to these habitable rooms.

Impact on highway safety and parking

- 5.14 Since the description and submitted information indicates this to be an existing commercial building which, in the particular location, a change of use to residential is unlikely to increase vehicular movements or parking requirements, the Highway Authority have no grounds for objection.
- 5.15 Although there is no designated parking associated with the property, the site is in a sustainable location and within walking distance of the facilities and services in Reepham. In light of this and the context of the property (including its planning history), there is a reasonable case to be made in not imposing the parking standard for a one-bed dwelling.

Other Issues

- 5.16 The owner of number 11 Church Hill refers to the Party Wall Act – it is confirmed that details will be included as an informative on the granting of planning permission.
- 5.17 In terms of the points raised by the owner of number 11 in relation to damp issues, this is not a matter for the Local Planning Authority to be concerned with and any requirement to install a damp proof membrane is the responsibility of the owner/developer in conjunction with any requirements of Building Regulations.
- 5.18 Paragraph 69 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Although this is a material consideration in the determination of the application, the application is considered to be acceptable in its own right.
- 5.19 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.

- 5.20 The need to support the economic recovery following and during the COVID-19 pandemic is a material consideration that weighs in favour of the application. Similar to the above though, while a consideration, there are other factors of greater significance that weigh in favour of the application.
- 5.21 The development is liable for the Community Infrastructure Levy as the building has been vacant for 6 months of the last 36 months.

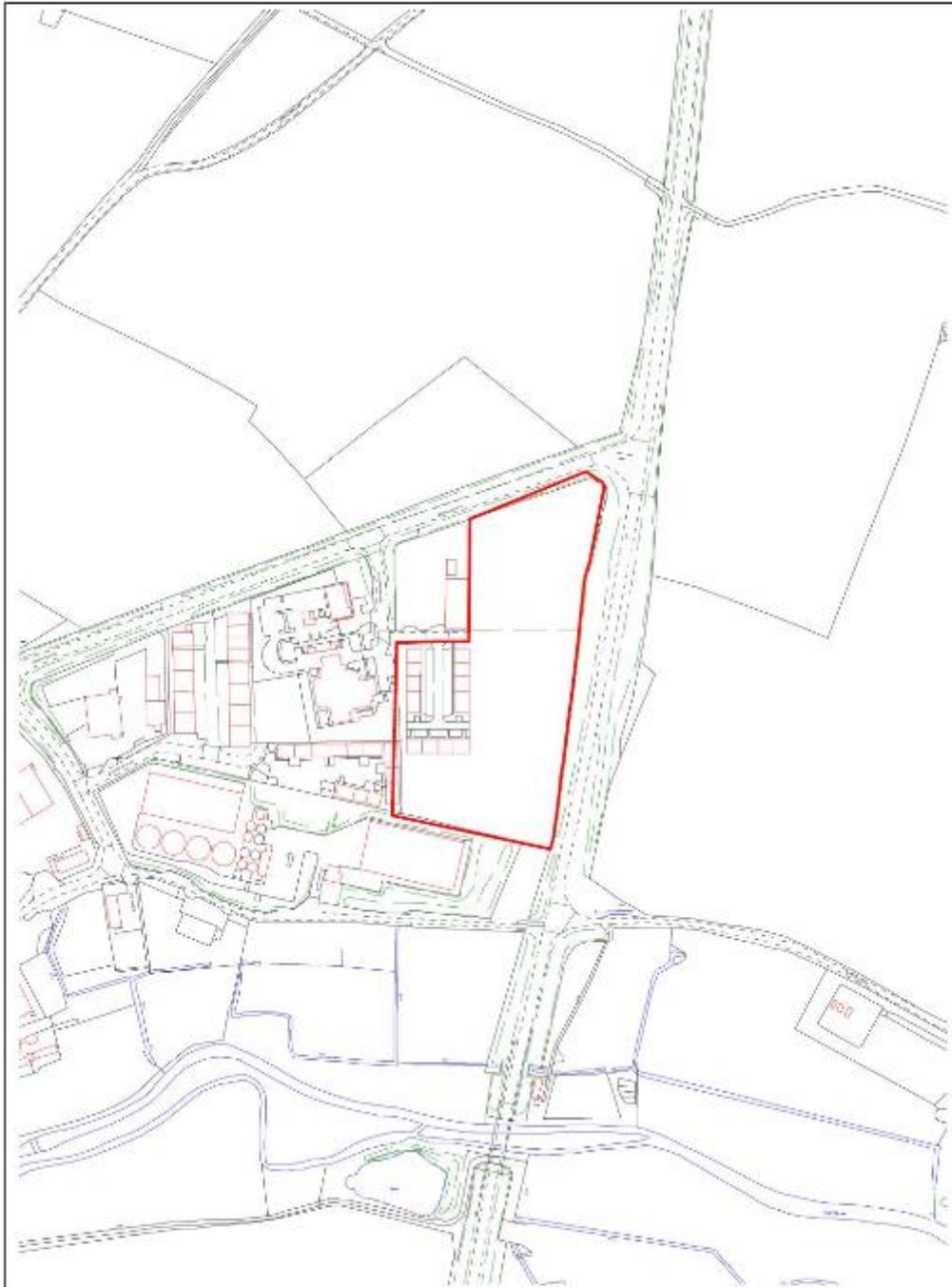
Conclusion


- 5.22 Having considered all matters material to the determination of the application it is concluded that the change of use of number 15 Church Hill to provide a dwelling is not considered at odds with the prevailing nature of properties in the vicinity of the site and the character and appearance of the conservation area and the setting of nearby listed buildings will be preserved
- 5.23 Furthermore, given the building has been vacant for some time, is located in a predominantly residential area where there is limited parking, it is considered the loss of the commercial use will not have a significantly detrimental impact on the economic viability of Reepham. Its re-use, albeit for residential purposes, will make a modest contribution to the local economy during its occupation.
- 5.24 In terms of highway impact, whilst the existing site cannot provide off road parking, this is a historical arrangement that cannot be fundamentally changed and based on the response from the Highway Authority, given the existing commercial use, the use as a dwelling is unlikely to increase vehicular movements or parking requirements and therefore there are no grounds for objection. In addition, the site is situated in a sustainable location close to the facilities and services available in Reepham and that can be accessed on foot.
- 5.25 Accordingly, when balancing out the issues that this application raise, it is considered that it complies with the provisions of the development plan as a whole and is recommended for approval on the basis that it complies with Policies GC1, GC2, GC4, EN2 and TS3 of the DM DPD, Policies 1, 2 and 4 of the JCS and the overarching principles of the NPPF.

Recommendation:	Approve subject to conditions
	<ol style="list-style-type: none"> 1. Time limit 2. In accordance with approved plans

Contact Officer, Jane Fox
 Telephone Number 01603 430643
 E-mail jane.fox@broadland.gov.uk

Application 2



	Application No: 20211604	Scale: 1:2500	N ↑
	Units 1 - 12, Aylsham Business Park, Richard Oakes Road, Aylsham, NR11 6FD	Date: 26-Oct-21	
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- 2. Application No: 20211604**
Parish: Aylsham

Applicant's Name: Mr Les Gray
Site Address: Units 1 - 12, Aylsham Business Park, Richard Oakes Road,
Aylsham, NR11 6FD
Proposal: Change of use of existing units to E(c), E(d), E(e), E(g), F1(a) &
B8.

Reason for reporting to committee

The application is reported to Planning Committee at the request of the Assistant Director.

Recommendation summary:

Full Approval, subject to conditions.

1 Proposal and site context

- 1.1 The application seeks full planning permission for the change of use of 12 commercial units to E(c), E(d) E(e), E(g), F1(a) & B8 uses. The 12 units were granted full planning permission under application 20200130 in March 2020 as 3 office buildings with a B1 use class.
- 1.2 It should be noted that in September 2020 revisions were made to the Use Class Order where Class E was introduced to up-date the Use Class Order 1987. It is a more broad Use Class which links commercial, business and service uses by bringing together the previous Classes A1/2/3, B1, D1(a-b).
- 1.3 At present the units are restricted to being used as uses following within the former B1 use class. This allows uses as an office, research and development or industrial processes suitable to be carried out within a residential area. This current application seeks for the units to be used for the following uses:

E(c) – Financial services, professional services and any other services which it is appropriate to provide in a commercial, business or service locality

E(d) – Indoor sport and recreation (not swimming pools, ice rinks or motorised vehicles or firearms)

E(e) – Medical services not attached to the residence of the practitioner

E(g) – Office, research and development of products or processes or any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area

F1(a) – For the provision of education

B8 – Storage and distribution

- 1.4 The buildings are rectangular in shape and are located to the north, west and south of the site with the access to the east and a 'T' shaped service road running through the site. The buildings are of a low level, contemporary design with a mix of red brick, white render and dark cedar cladding proposed for the walls under a grey panelled roof. A total of 52 parking spaces are provided to the front of the respective units, which includes disabled spaces, as well as covered bike stores.
- 1.5 The site is recognised as a strategic employment site and is currently part of a wider parcel of land towards the east of the wider industrial estate. The site slopes slightly down towards the south west.
- 1.6 The north of the site is bordered by CT Baker Builders Merchants; a warehoused and open yard building material storage/ haulage depot with a retail sales area and trade counter. The east of the site is bordered by land which is allocated for employment use, which has recently been granted permission for B1, B2 and B8 uses under application 20201213 and beyond this is the A140. The south of the site is also bordered by land forming part of the same approval as mentioned above and beyond this are office premises and agricultural buildings. The west of the site is bordered by Aylsham Police Investigation Centre & Norfolk Constabulary Aylsham Police Station, whilst beyond this are further business premises.

2 Relevant planning history

- 2.1 20070979 : Land to South West Corner of the A140 and Banningham Road Intersection, Aylsham – 1152 Sq Metres of B1 (Offices & Light Industry), B8 (Storage & Distribution) With Associated Landscaping Access and Parking Forming Phase One of a Potential Overall Development. Full Approval – 22 April 2008
- 2.2 20101569 : Land at the Intersection of Banningham Road, Aylsham – Application for a New Planning Permission to Replace an Extant Planning Permission 20070979 - 1152 Sq Metres of B1 (Offices & Light Industry), B8 (Storage & Distribution) With Associated Landscaping Access and Parking Forming Phase One of a Potential Overall Development (Outline). Outline Approval – 14 December 2010
- 2.3 20111439 : Land at the Intersection of Banningham Road & A140, Aylsham, NR11 6TA – Erection of Storage Warehouse (With Ancillary Sales Counter) to be Used in Conjunction with a New Builders Merchants Depot (Reserved Matters). Reserved Matters Approval – 30 November 2011
- 2.4 20140630 : Land at Banningham Road, Aylsham, NR11 6FD – Erection of Anaerobic Digestion Plant Including Alterations to Banningham Road / A 140 Junction, Landscaping & Other Associated Infrastructure. Full Refusal – 19 December 2014
- 2.5 20200130 : Land at Banningham Road, Aylsham - Erection of 3 No. Office Buildings (Class B1) with Associated Servicing and Parking Areas, Landscaping and Access from Richard Oakes Road. Full Approval – 26 March 2020

2.6 20200966 : Land at Banningham Road, Aylsham - Details reserved by conditions 4 (surface water) & 6 (landscaping scheme) following grant of planning permission 20200130. Approve – 29 June 2020

2.7 20201213 : Development of 70430 Sq. ft of employment space comprised of Industry, office buildings and storage (Class B1, B2 & B8) with associated servicing and parking areas, landscaping and access from Richard Oakes road. Outline Approval – 18 December 2020

2.8 20210361 : Reserved matters for phase 1 for construction of the estate access road following outline permission 20201213. Reserved Matters Approval – 21 June 2021

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

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 6 : Access and Transportation
Policy 13 : Main Towns

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

3.4 Aylsham Neighbourhood Plan (2019):
Policy 2 : Improving the design of development
Policy 6 : Employment and tourism opportunities
Policy 7 : Additional community facilities
Policy 12 : Traffic impact

3.5 Site Allocations Development Plan Document 2016

Site Ref : AYL4 : Land at Dunkirk Industrial Estate (east), south of Banningham Road, Aylsham (of approx. 3.0Ha) is allocated for employment use. This will accommodate B1, B2 & B8 uses.

4 Consultations

4.1 Aylsham Town Council:

No objections

4.2 District Councillors:

No comments received

4.3 Health & Safety Executive (HSE):

Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.4 Norfolk County Council as Highway Authority:

No objection.

4.5 Norfolk County Council as Principal Planner (Minerals and Waste Policy):

A small part of the application site is within the consultation area of an existing permitted waste management facility; however due to the nature of the proposed development it is not considered that it would prejudice the future operations of the permitted waste facility.

4.6 Other Representations

No comments received.

5 Assessment

Key Considerations

5.1 The principle of development

The impact on the character and appearance of the area

The impact on neighbour amenity

The impact on highway safety

Principle

- 5.2 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This point is reinforced by the NPPF, which itself is a material consideration.
- 5.3 In accordance with both the Council's adopted development plan and the NPPF, in cases where there are no overriding material considerations to the contrary, development proposals that accord with the development plan should be approved without delay.
- 5.4 The site is situated within the settlement limits defined for Aylsham and is considered to be located within a sustainable location, just a short distance from Aylsham town centre. Policy 13 of the JCS lists Aylsham as a 'Main Town' within the district and states that it can accommodate additional employment and services. The site is recognised within the DM DPD policies maps as a strategic employment site and is allocated within the Site Allocations DPD under allocation AYL4 for employment use. In addition, the principle of commercial units on this site has already been established by the previous 2020130 application.
- 5.5 The proposal is to change the use of the previously approved units to E(c), E(d), E(e), E(g), F1(a) & B8 uses. This will allow the applicant more flexibility in finding occupants for the units which has been made particularly difficult following COVID 19 pandemic.
- 5.6 Policy E1 of the DM DPD states that employment sites of strategic importance as identified will be reserved for employment use. Whilst Policy E1 does not specifically state which employment uses it relates to, the glossary of terms within the DM DPD lists employment uses as being Use Classes B1 Business, B2 Industrial, and B8 Storage.
- 5.7 As set out above, the site forms part of a wider allocated site under allocation AYL4 for employment use which does state that it will accommodate B1, B2 and B8 uses. It should be noted however that the site allocation was written prior to the changes to the use class order which was aimed at allowing greater flexibility in changing between commercial uses. It should also be noted that the application site only covers a small part of the wider allocation with the rest of the site being approved for B1, B2 and B8 uses. In addition, four of the 6 proposed uses fall within the new Class E use class which broadly covers commercial business and service uses and one of the other uses (B8) fits in with the allocation in any event. Therefore, although the allocation refers specifically to B1, B2 and B8 uses it is considered that the proposals will still provide employment uses and therefore the application will comply with the broad aims of the allocation and of Policy E1 of the DM DPD.
- 5.8 Policy 5 of the JCS states that the local economy will be developed in a sustainable way to support jobs and economic growth both in urban and rural locations. Policy 6

of the Aylsham Neighbourhood Plan meanwhile states development proposals that create new employment will be supported subject to their size and design, which isn't changing from that previously approved, to not having a significant impact on the local environment and neighbour amenity which, as set out later on in this report, isn't considered to be the case, and to not having a negative effect on the viability of the town centre. With regards to this final point, although some of the uses proposed could be located within a town centre, the units are relatively small in size and it is not considered that the proposed uses would negatively effect the viability of the town centre.

- 5.9 Overall, the application is considered to be in accordance Policies GC1, GC2 and E1 of the DM DPD and Policies 1, 5, 6 and 13 of the JCS.
- 5.10 Furthermore, the need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. The proposal will help to create jobs given the vast employment proposals which are likely to be beneficial both economically and socially. This weighs in favour of the proposal. Overall, it is considered that the application is acceptable in principle.

The impact on the character and appearance of the area

- 5.11 The design, layout and appearance of the buildings and site is not proposed to change. It is considered that all of the uses proposed would sit comfortably within the site and relate acceptably to surrounding uses over the wider area.
- 5.12 Overall, it is considered that the uses proposed could be comfortably accommodated on this site without causing any harms, especially considering the sites location within an established employment area. The application is therefore considered to accord with Policy 2 of the JCS, Policy GC4 of the DM DPD and Policy 2 of the Aylsham Neighbourhood Plan.

The impact on neighbour amenity

- 5.13 As the buildings themselves will not change from those previously approved and the proposals will relate acceptably to surrounding uses and shouldn't result in any significant intensification of the site the application is not considered to result in any detrimental impact upon neighbour amenity in accordance with Policy GC4 of the DM DPD.

The impact on parking and highway safety

- 5.14 Policy TS3 states that development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning of the highway network whilst Policy TS4 seeks for appropriate parking to be provided within new developments. Policy 12 of the Aylsham Neighbourhood Plan meanwhile seeks for new development to quantify the level of traffic movements they are likely to generate to assess the potential impact of the traffic being created.

- 5.15 Norfolk County Council in their role as Highway Authority have raised no objection to the application. Verbal discussions have also taken place with the Highway Authority regarding whether any restrictions should be added to prevent several of the units all falling within one of the proposed use classes. The Highway Authority confirmed that they wouldn't have concerns regarding the majority of the uses, including the sport and recreation use (E(d)) even if this was across several units as this would likely be busiest during the evening times and the arrival profile would therefore be outside of normal peak times. The Highway Authority did suggest that there may be some issues should the education (F1) use be used across several units as they said that, although pick up times are likely to be ok, the morning peak could be an issue. The Highway Authority also noted that for educational uses they would normally avoid cul-de-sac type locations for which this site is, so therefore suggested that there could be problems if there was a larger education unit on the site, able to generate more significant vehicular movements. With this in mind the Local Planning Authority propose to impose a condition to the decision notice restricting no more than 3 of the 12 units to being in an F1 education use at any one time.
- 5.16 Overall, with the suggested condition imposed, the application is not considered to result in any detrimental impact upon Highway Safety and is considered to comply with Policies TS3 and TS4 of the DM DPD and Policy 12 of the Aylsham Neighbourhood Plan.

Other Issues

- 5.17 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.
- 5.18 The Local Planning Authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

Conclusion

- 5.19 Overall, the application represents an acceptable form of development that will not undermine the provisions of the development plan. The application will provide significant employment and therefore social and economic benefits in a sustainable location within the defined settlement limit and within a strategic employment site. The application is also not considered to cause any significant harm to the general character and appearance of the area, neighbour amenity or highway safety as set out above. On balance, the application is considered acceptable subject to conditions.

Recommendation:	Full Approval, subject to the following conditions:
	<ol style="list-style-type: none">1. TL01 – 3 year time limit2. AD01 – Development shall be carried out in accordance with the approved plans and documents3. R03 – Specific use (E(c), E(d), E(e), E(g), F1(a) & B8)4. NS – No more than 3 of the 12 units to fall within an F1 educational use at any one time

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Planning Appeals: 9 September 2021 to 22 October 2021

Appeal decisions received:

Ref	Site	Proposal	Decision maker	Officer recommendation	Appeal decision
None					

Appeals lodged:

Ref	Site	Proposal	Decision maker	Officer recommendation
20210625	46 Taverham Road, Drayton, NR8 6RY	Sub-division of rear garden for new detached bungalow & garage	Delegated	Full Refusal

PLANNING COMMITTEE

3 November 2021

Final Papers

	Page No
Supplementary Schedule	30

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

DEMOCRATIC SERVICES

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SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update
1			
2	20211604	Units 1 - 12, Aylsham Business Park, Richard Oakes Road, Aylsham	<p>The following short statement has been received from applicant Mr Les Gray:</p> <p>‘Apologies but I am unable to attend the committee meeting on Wednesday 3 November in person, but would like to reiterate the urgent need for approval of the application please.</p> <p>As you know, we have invested a considerable amount of time, effort and finance into the development of these 12 business units, in order to provide much needed employment for the ever growing Aylsham area. However, the restricted B1 office use has been seriously affected by the COVID pandemic and unfortunately, as of today, eleven of the twelve units sit empty, which is devastating and in nobodies best interest.</p> <p>We have received some enquiries for the proposed wider uses (which is encouraging) and with the governments amendment to the Use Classes Order (and its clear intention to fill empty units and kick start the economy, with more flexible use classes), this application complies with the amendment and all planning policies, including the Development Plan.</p> <p>As you know, we have worked very closely with the planning department and other interested parties (with no objections and nothing but support), to fulfil the governments objective, whilst ensuring there will be no detrimental impact and look forward to your earliest approval please.’</p>