

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 23 February 2022
9:30am

Place:

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

Contact:

Dawn Matthews tel (01603) 430404
Email: committee.bdc@southnorfolkandbroadland.gov.uk
Website: www.southnorfolkandbroadland.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.bdc@southnorfolkandbroadland.gov.uk no later than 5pm on Friday 18 February
2022

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.bdc@southnorfolkandbroadland.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 26 January 2022;**
(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 13)
6. **Planning Appeals (for information);**
(table attached – page 36)

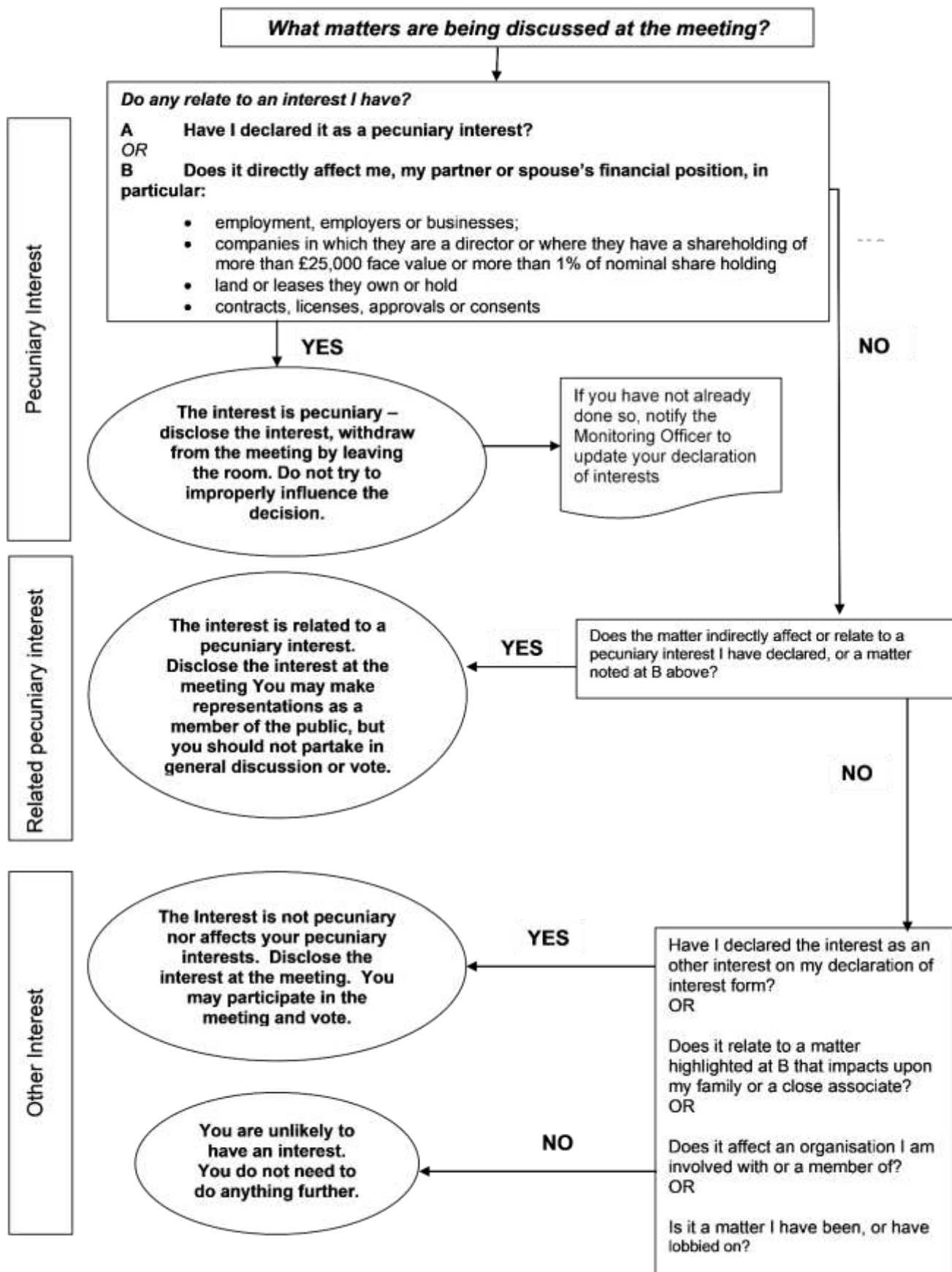
DECLARATIONS OF INTEREST AT MEETINGS

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.

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>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 Council4. Affect land you or your spouse / partner own5. 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, on 26 January 2022 at 9:30am at the Council Offices.

Committee Members Present:	Councillors: I Moncur (Chairman), A Adams, S Beadle, N Brennan, J Fisher, R Foulger, S Holland, (sub for Cllr Karimi Ghovanlou), S Prutton, K Vincent and J Ward.
Other members present:	Councillors: S Catchpole, J Copplestone and J Davis (speaking) Councillor K Leggett (observing)
Officers in Attendance:	The Assistant Director for Planning (H Mellors), the Area Team Manager (N Harriss), the Principal Planning Officer (S Everard), the Senior Planning Officer (J Fox) and the Democratic Services Officers (DM/JH)

33 DECLARATIONS OF INTEREST

No declarations were made.

34 APOLOGIES FOR ABSENCE

An apology for absence was received from Cllr C Karimi-Ghovanlou.

35 MINUTES

The minutes of the meeting of the Planning Committee held on 5 January 2022 were confirmed as a correct record and signed by the Chairman.

36 MATTERS ARISING

No matters were raised.

37 PLANNING APPLICATIONS

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

The Committee had received updates to the report which had been added to the published agenda.

It was noted that application no 20200077, Field South of Heathlands, Woodbastwick Road, Blofield had been deferred prior to the meeting.

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

Application	Parish	Speakers
20211249 & 20211288	Cawston	Cawston Parish Council – written representations read out Alison Shaw – Oulton Parish Council Peter Grubb – agent for the applicant Cllr Peck – local member – written representation read out Cllr S Catchpole – local member
20211287	Brundall	John Fleetwood - resident Cllr J Davis – local member
20201627	Coltishall	James Matthews - Coltishall Parish Council Taila Taylor - Coltishall Parish Council John Shirley – resident Jason Parker – agent for the applicant Cllr J Copplestone – local member
20201611	Lingwood & Burlingham	Iain Hill - agent for the applicant Byron Mann - 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.

38 PLANNING APPEALS

The Committee noted that no appeals had been received or lodged.

(The meeting concluded at 13:30pm)

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. Nos** : **20211249 & 20211288**
Parish : **CAWSTON**
 Applicant's Name : Mr A Brindle
 Site Address : Land north of The Street, Cawston
 Proposal : Ground mounted solar farm including associated infrastructure
 Decision : Members voted (8-3) for Approval
 20211249

APPROVED subject to conditions

1. Temporary Permission 40 years (TMT01)
2. In accordance with submitted drawings (AD01)
3. Decommissioning (NS)
4. Hard and soft landscaping (L05)
5. Tree and hedgerow protection (to include translocation of hedgerow to be removed – should translocation fail then replacement hedge planting (L08)
6. Retention of hedges and boundary trees (L16)
7. New access (HC05 amended)
8. Existing access closure (HC08)
9. Visibility splay, approved plan (HC17)
10. Access one way system (HC18)
11. Provision of construction traffic parking (HC21)
12. Construction traffic management (HC24B variation)
13. Revised traffic management plan (NS)
14. Ecology – Lighting hours of use (NS)
15. Biodiversity Method Statement (NS)
16. Ecological Enhancement /Management Plan (NS)
17. Noise Assessment (AM03)
18. Implementation of noise remediation (AM04)
19. Construction Management Plan (AM05)
20. Archaeological work to be agreed (H01)
21. CCTV (NS)
22. Contaminated land (AM14)

- Decision : Members voted (8 - 3) for approval subject to conditions
 20211288

APPROVED subject to conditions

1. Temporary Permission 40 years (TMT01)
2. In accordance with submitted drawings (AD01)
3. Decommissioning (NS)
4. Hard and soft landscaping (L05)

5. Tree and hedgerow protection (L08)
6. Retention of hedges and boundary trees (L16)
7. Ecology – Lighting hours of use (NS)
8. Biodiversity Method Statement (NS)
9. Ecological Enhancement /Management Plan (NS)
10. Noise Assessment (AM03)
11. Implementation of noise remediation (AM04)
12. Construction Management Plan (AM05)
13. Archaeological work to be agreed (H01)
14. CCTV (NS)
15. Contaminated land (AM14)
16. No commencement of 20211288 until implementation of 20211249 (NS)

2. **Appl. No** : **20200077**
Parish : **BLOFIELD**
 Applicant's Name : Jenkinson Properties LTD
 Site Address : Field South of Heathlands, Woodbastwick Road, Blofield, NR13 4QH
 Proposal : Erection of 4 No dwellings & associated works (reserved matters: appearance, scale, layout & landscaping) including surface water drainage. Discharge of condition 7 phasing of application 20161588

Application deferred prior to the meeting

3. **Appl. No** : **20211287**
Parish : **BRUNDALL**
 Applicant's Name : Mr Chris Williams
 Site Address : Land at Oakhill, Brundall, NR13 5AQ
 Proposal : Erection of 4 dwellings
 Decision : Members voted (7-4) for refusal (contrary to officer recommendation for approval)

REFUSED

Reason for Refusal:

The application site is located within a residential area and includes a number of significant trees. The proposal is considered to represent overdevelopment of the site by virtue of the size and scale of the dwellings proposed, resulting in a cramped form of development which is contrary to the character and appearance of the area. Furthermore, the relationship between the proposed dwellings and trees within the site exacerbates the overall cramped design and may result in undue pressure for the trees to be either reduced in size or removed. The proposal is therefore considered to be contrary to the requirements of GC4, ENV1 and ENV2 of the Broadland Development Management Plan DPD 2015 and the Joint Core Strategy – Policy 2 – promoting good design.

4. **Appl. No** : 20201627
Parish : **COLTISHALL**
Applicant's Name : Crocus Contractors Limited
Site Address : Land at Rectory Road, Coltishall, NR12 7HR
- Proposal** : Residential Development 30 dwellings, new vehicular accesses and open space
- Decision** : Members voted (10-1) to delegate authority to the Director of Place to APPROVE the application subject to the satisfactory completion of a Section 106 Agreement relating to the following heads of terms (Heads of Term 2. having been modified by majority vote to secure footpath link to Bure Valley Walk) and subject to the following conditions:

DELEGATED APPROVAL subject to:

Heads of Term

1. Policy compliant affordable housing (33% - 60% affordable rent:40% shared equity charge);
2. Policy compliant Green Infrastructure and recreational open space provision, with footpath link to Bure Valley Walk
3. The setting up of a management company for managing and maintaining on site amenity / biodiversity areas.

Conditions:

1. 3 year time limit
2. Development shall be carried out in accordance with approved plans and documents
3. Highways – Details of roads, footways, cycleways, street lighting, foul and surface water drainage to be submitted to and approved by LPA
4. Highways – Roads, footways, cycleways, street lighting, foul and surface water drainage works to be carried out prior to first occupation
5. Highways - Roads etc. to be constructed to binder course surfacing level prior to first occupation
6. Highways – visibility splays to be provided
7. Highways – Scheme for on-site parking for construction workers to be submitted to and approved by LPA
8. Highways – Construction Traffic Management Plan to be submitted to and approved by LPA
9. Highways – For construction period all construction traffic to comply with Construction Traffic Management Plan

10. Highways – Off-site highway works details to be submitted to and approved by LPA
11. Highways – Off-site highway works to be completed prior to first occupation
12. Highways – No works shall commence until Traffic Regulation Order has been promoted by LHA
13. Development must be carried out in accordance with Flood Risk Assessment
14. Landscaping
15. Works to be carried out in accordance with Arboricultural Impact Assessment (AIA) Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP)
16. Development must be carried out in accordance with mitigation and avoidance measures set out in section 7 of Ecology Report
17. Landscape Ecology Management Plan (LEMP) to be submitted and approved
18. Details of Biodiversity enhancement (including bat and bird boxes) to be submitted and approved
19. Details of external lighting to be submitted and approved
20. Archaeological Written Scheme of Investigation to be submitted and approved
21. Details of 10% renewable and low-carbon energy supply to be submitted and approved
22. Details of provision of fire hydrant to be submitted and approved
23. Unexpected contamination

5.	Appl. No	:	20201611
	Parish	:	LINGWOOD AND BURLINGHAM
	Applicant's Name	:	Torrington Properties Ltd
	Site Address	:	Former Lingwood First School, Chapel Road, Lingwood, NR13 4PB
	Proposal	:	Reserved matters application with full details of appearance, landscaping, layout and scale of development for 22 residential units together with associated highway works from outline application 20190278
	Decision	:	Members voted (10-1) for approval subject to conditions


APPROVED subject to conditions

1. Approval follows granting of outline application 20190278
2. In accordance with approved plans and documents
3. Removal of householder PD rights for extensions, alterations, outbuildings etc.
4. Bathroom and en-suite windows to be obscure glazed

5. All proposed rooflights to be a minimum of 1.7m above floor level of room that they serve
6. Development to be carried out in accordance with Proposed Drainage Strategy
7. Development to be carried out in accordance with Arboricultural Report
8. Energy efficiency details set out in Design & Access Statement to be completed prior to first occupation of dwellings
9. Full details of pedestrian access into Homelea Crescent to be submitted to and approved by LPA
10. Unexpected contamination

	Application No	Location	Officer Recommendation	Page No
1	20211768	The Hawthorns, Hindolveton Road, Foulsham	REFUSE	14
2	20212024	The Grain Store, Banningham Road, Aylsham, NR11 6LS	APPROVE subject to conditions	26



 <p>Broadland District Council <i>Community at heart</i></p>	<p>Application No: 20211768 The Hawthorns, Hindolveston Road, Foulsham, NR20 5SQ</p> <p><small>Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2011. Ordnance Survey Licence number 100022319.</small></p>	<p>Scale: 1:2500 Date: 14-Feb-22</p>	<p>N ↑</p>
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- 1. Application No: 20211768**
Parish: FOULSHAM

Applicant's Name: Mrs Judith Miller
Site Address: The Hawthorns, Hindolveston Road, Foulsham
Proposal: Three detached, three bedroomed dwellings with garages and gardens, a new highway access, ecological enhancements, and the retention of the existing woodland

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:

Refuse

1 Proposal and site context

- 1.1 The site consists of a large domestic garden space and woodland associated with the property known as the Hawthorns. It is located to the north of the village of Foulsham and formed part of a Second World War airfield. The site is a mile from the main village and therefore well outside of the settlement limit for the village.
- 1.2 As detailed in the planning history below, the site has been the subject of a previous outline planning application for two dwellings which was refused due to the site's location outside of the settlement limit, distance to services, and concern over highway safety from visibility on the proposed access.
- 1.3 The current proposal is to build three houses with a design and layout that references the heritage of the site as part of the former airfield. The airfield was only open for a short time as military base from 1942 and 1945 but did have some civilian use after that. Remains of the airfield and buildings still exist, although most of the runways have been broken up and the control tower has been demolished.
- 1.4 There is existing development near to site in the area where the airfield buildings were built adjacent to Hindolveston Road to the west. This includes some relatively modern housing set in spacious grounds, such as the Hawthorns, and former airfield buildings, including aircraft hangers to the north that have now been rebuilt but with a similar design, size and shape to the original. Much of the site where the former buildings were situated is now well vegetated with remnants of various brick and concrete buildings in

various states of dilapidation. The vegetation contributes to the rural character of Hindolveston Lane.

2 Relevant planning history

2.1 20201081: Erection of two detached dwellings (Outline) Refused 18/08/2020

3 Planning Policies

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 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 4: Housing delivery

Policy 6: Access and Transportation

Policy 17: Small rural communities and the countryside

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 EN2: Landscape

Policy TS3: Highway Safety

Policy TS4: Parking guidelines

Policy CSU5: Surface water drainage

3.4 Supplementary Planning Documents (SPD)

Recreational Provision in Residential Development SPD

Landscape Character Assessment

Parking Standards SPD

4 Consultations

4.1 Foulsham Parish Council

Parish Councillors voted 5-1 against the application

- Visibility splays not sufficient
- Too far from village and no footpath
- Outside settlement limit
- Appreciate the thought that has gone into the design but would the connection to the airfield mean anything to prospective purchasers?

4.2 District Councillor Greg Peck

To be heard by Committee if you are minded to reject the application

No reason to reject. This is a light touch development next to a business park in a semi-brownfield location. Additional traffic generated will be insignificant when compared to HGVs and business traffic in and around the business park

4.3 NCC Highways

Conditional Support following receipt of amended plans

4.4 NCC Ecologist

Further information required in regard to pond surveys and Great Crested Newts. This has since been provided and any further comments from NCC Ecologist will be reported

4.5 Senior Heritage and Design Officer

Whilst there are merits in terms of the proposal being designed as a memorial, when considered the proposals in planning terms and assessing the design in relation to the requirements of paragraph 8- of the NPPF, I do not consider that the development proposals are of sufficient quality to merit approval under this criteria

4.6 Other Representations

1 letter of objection

- There was a previous application which was rejected in 2020 for two dwellings, why is this proposal any different in relation to accessibility to services, schools, doctors, shops etc

- There is no footway serving this section of Hindolveston Road and with the core centre of Foulsham being over one mile away how will people take their children to school or go to the shop without using a car or motorbike
- Foulsham does not need this development as the Council can demonstrate they have over a 5 year housing land supply
- The fact that they have designed them to look like former RAF buildings is a fast way to obtain planning permission; they will not be in character
- The Highways Officer has stated that the application falls short of the visibility splays required for the area; if the hedge is to be removed to increase the splays this will ruin the rural feel of the area

5 Assessment

Key Considerations

- 5.1 The main issues for consideration are the principle of development, whether the design of the scheme is of exceptional quality and its visual impact, the connectivity and accessibility of the site to services, highway issues, the impact on neighbouring properties, ecology, and flood risk and drainage.

Principle

- 5.2 Policy GC2 of the DM DPD states that the settlement hierarchy seeks to focus residential development in settlements which are well linked and well related to existing development, services, facilities and employment opportunities. The policy does not permit new development on sites such as this outside of the settlement limits unless the proposal complies with a specific allocation and / or policy of the development plan.
- 5.3 Whilst this policy limits development in the countryside, it does not prevent it. It permits development in the countryside where it complies with another policy and / or allocation of the development plan and examples of such policies include GC3 (conversion of buildings outside settlement limits), H1 (dwellings connected with rural enterprises), and Policy 17 of the JCS (affordable housing where there is an evidenced need). This plan-led approach to development provides certainty and the undermining of that approach is harmful by eroding the certainty that it provides to the public.
- 5.4 The DM DPD was examined in 2015 and declared sound. The Inspector confirmed that the plan contains a broad range of policies that seek to encourage sustainable development through enabling economic growth and promoting housing development. It was therefore found that the DM DPD was in accordance with the thrust of the NPPF.

- 5.5 Added to this the Council is able to demonstrate a housing land supply in excess of five years and therefore full weight can be given to the housing supply policies of the development plan.
- 5.6 Paragraph 80 of the NPPF sets out that planning policies and decisions should avoid the development of isolated homes in the countryside other than in certain circumstances. The application contends that the proposal should be considered acceptable under criteria (e) of paragraph 80. This sets out that new dwellings in isolated locations can be considered acceptable where:

(e) the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

Design and Visual Impact

- 5.7 The proposals seek to develop the site to be a memorial to the airfield and the airmen who served there. The development will be of three houses which replicate the design of a control tower and street/private drive pattern which seeks to replicate the design characteristics of the runways at a smaller scale.
- 5.8 The existing archaeology on the site where it remains more intact i.e. the central bunker, will be retained. Other remains which have fallen in disrepair will be reused on the site in the construction of the buildings. The private drives will be crushed concrete to replicate the construction materials of the former runways.
- 5.9 The proposal is for an unusual and a very bespoke development which acknowledges the history of the airfield, not preserving existing heritage assets (except retaining the former shelter) but creating a memorial in terms of new dwellings that reference the design characteristics of the control/watch tower (the three dwellings) and the huts (the garages). The Council's Senior Heritage and Design Officer has commented that although they incorporate some of the design characteristics of the existing control/watchtower, he does not consider that it will be readily apparent to any observer that that is what the buildings are doing due to their location, their domestic use and appearance, and that there are three of them. In addition, the buildings are rammed earth whereas the watchtower would have been brick and rendered.
- 5.10 The sentiments of the design in terms of a memorial are recognised. However, the application has to be assessed on its architectural merits, and to meet the requirements of paragraph 80 of the NPPF has to be truly outstanding reflecting the highest standards in architecture. It also requires that it would raise the standard of design more generally in rural areas.

- 5.11 Taken as buildings, the Council's Senior Heritage and Design Officer does not consider that the scheme represents the highest standard of architecture, and, since the design of the houses is very bespoke to this site in terms of their design referencing and apart from possibly providing precedent for other former airfields (even though the houses look very different to a control tower) he does not consider that the dwellings will raise the standard of the design more generally in the rural area.
- 5.12 With regard to significantly enhancing the immediate setting, the existing site is now more rural in character even though it was formerly part of the airfield. This character would be urbanised by the development of three houses and their domestic curtilages and also through the loss of trees necessary to develop the site, in particular through the creation of the access onto Hindolveston Road.
- 5.13 Although there are some buildings around and along the lane, these are not closely grouped, but set back from the road and in large curtilages and generally spaced apart, so that the road remains very rural in character and there is not the feeling of being in a built up residential area. The development of three houses will urbanise the area with more residential development so the character will change. It is therefore considered that the change cannot be considered a significant enhancement or that it is sensitive to the defining characteristics of the area when domestic buildings are more spaced apart.
- 5.14 It is therefore considered that the proposal does not meet the requirements of paragraph 80 of the NPPF. Furthermore, the proposal is considered to conflict with criteria (i) of policy GC4 and criteria (i) of policy EN2 of the DM DPD as well as Policies 1 and 2 of the Joint Core Strategy due to its urbanising effect on the rural character of the area and loss of trees to develop the site.

Accessibility and Connectivity

- 5.15 The site is located around a mile to the north of the village of Foulsham along rural roads with no footways whilst there is no public transport access to the site. As such there is a strong likelihood that in order to access a range of services and facilities to meet day to day needs, future occupiers will rely on private motor vehicles. Cumulatively, this will add up to a high number of miles and associated emissions. Therefore it is not considered that the site is located to minimise the need to travel and is therefore contrary to Policy 1 (bullet 7) and Policy 6 (bullet 8) of the JCS.
- 5.16 Paragraph 79 of the NPPF promotes sustainable development in rural areas. For the reasons set out above, it is not considered that is an appropriate location for new housing due to its distance from services and the main settlement of Foulsham. As such, whilst weight is given to paragraph 79 it is

not considered that residential development is acceptable for the reasons set out elsewhere in this report.

- 5.17 The applicant has noted that they would provide two charging points for electric vehicles, although it should be noted that this will be a requirement through building regulations from June 2022 in any event. Whilst such provision would be welcomed it is not possible to impose a condition that occupants would use such vehicles. Whilst there is a clear objective to move to such vehicles and away from those fuelled by petrol or diesel it is not considered appropriate to approve applications on the basis of transport technology that may not be universal for decades and that could result in many years of the site being dependent on transport that is not sustainable in terms of carbon emissions.

Highway Issues

- 5.18 In regard to the access to the site itself, the site is to be accessed via a new private drive off Hindovelston Road. Norfolk County Council's Highways Officer has raised concerns with the visibility available for a new access at this location on previous applications and initially did so again on this application. At the request of the Highway Officer the applicant has commissioned a speed survey which has satisfied the Highways Officer that with the provision of the proposed visibility splays there is no grounds to refuse the application on highway safety. However, as noted above, the creation of this access will require the removal of trees and vegetation that contributes positively to the character of the area.
- 5.19 Parking is provided for each dwelling with their own driveways and garaging. There is also the potential for informal parking on the access roads in the site. As such there is sufficient parking and the proposal is considered to accord with policy TC4 of the Broadland DM DPD.

Impact on Neighbouring Properties

- 5.20 The development has been designed with generous spacing between the buildings. As a result the properties will all have generous amenity space that will not be adversely impacted on by the other dwellings in the development.
- 5.21 In regard to the relationship of the development with the existing dwelling, this is considered to be acceptable given the orientation of the properties and distance between them. Similarly it is not considered that there will be an adverse impact with properties on the eastern side of Hindolveston Road.
- 5.22 As such the proposal is considered to accord with policy GC4 of the Broadland DM DPD.

Ecology

- 5.23 The application was accompanied by a Preliminary Ecological Assessment which assessed the habitat on the site and included a number of proposals for ecological enhancements on the site.
- 5.24 The Council's Ecologist has commented that this assessment is broadly fit for purpose but noted that nearby ponds had not been surveyed and that there is potential for impact on Great Crested Newts. As such, further survey work was undertaken which found that the ponds ranged from a 'Below Average' to 'Average' score in terms of habitat suitability. As such it is recommended that a District Level Licence is applied for to mitigate for the possibility of any risk of destruction to terrestrial habitat for Great Crested Newts within the site. In addition, a new pond is to be created within the site.
- 5.25 At the time of writing the report, the Council's Ecologist had not provided any further comments on the additional information. Any further comments will be provided as an update to the report prior to the meeting.

Flood Risk and Drainage

- 5.26 The site is in Flood Risk Zone 1 and therefore not at risk from fluvial flooding, nor is there an identified risk from surface water flooding.
- 5.27 Surface water drainage is proposed by through a sustainable drainage scheme which is acceptable, although full details would need to be secured by condition. Foul drainage has been proposed to a septic tank which would not be acceptable, however foul drainage to a private treatment plant could also be secured by condition.

Other Issues

- 5.28 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range of small and medium sized sites and through defining Development Boundaries for over 80 settlements to facilitate suitable windfall development. Point (c) of NPPF para 68 states that local planning authorities should '*support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes*'. This is a material planning consideration. However, this site is not considered suitable for the reasons already set out and therefore is considered contrary to paragraph 68, which is not overriding in this instance. The Council is already delivering a number of windfall sites/small sites to align with paragraph 68 and therefore the need for

additional small sites is not considered overriding in terms determining this application and would not outweigh the harm previously identified.

- 5.29 Consideration has been given to the need to assess the impacts of the coronavirus pandemic and the need to facilitate an economic recovery through the determination of planning applications. In this instance the permission of three dwellings would provide economic benefits from its construction and spending from future occupants. This is a benefit which is weighed against the other issues identified above.
- 5.30 The application can be considered to be previously developed land (brownfield land). In line with the NPPF, I have considered the benefits of the efficient use of land, but consider that in this case, this does not outweigh the other material considerations.
- 5.31 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.
- 5.32 This application is liable for Community Infrastructure Levy (CIL).

6 Conclusion

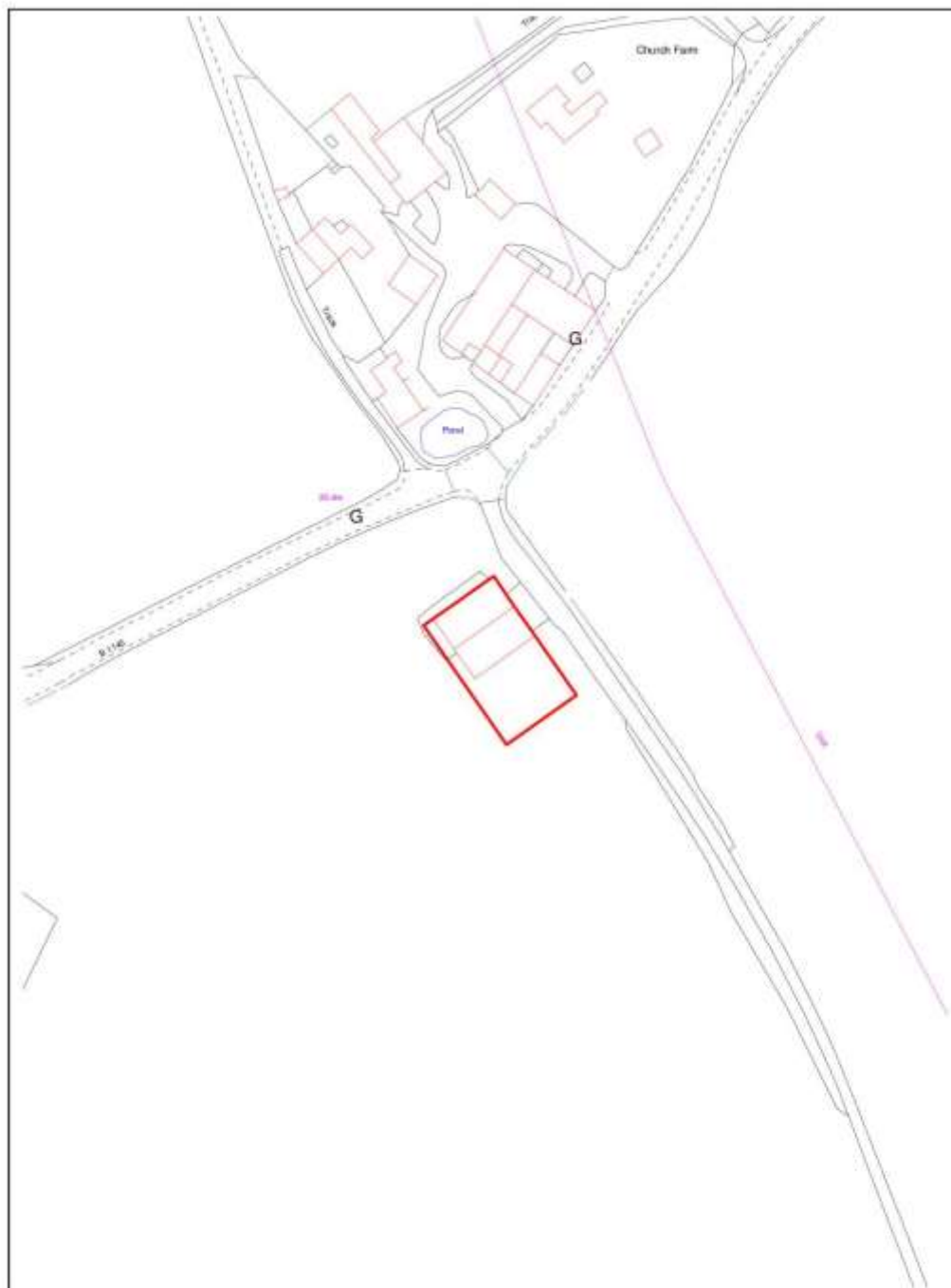
- 6.1 The proposal development is contrary to Policy GC2 of the Development Management Plan as the proposal is outside of the settlement limit and does not accord with any specific development management policy. The applicant has contended that the proposal should be permitted under paragraph 80 of the National Planning Policy Framework, however it is not considered that the proposal represents the highest standard of architecture, nor does it help raise standards of design in rural areas or significantly enhance its immediate setting.
- 6.2 In addition, it is considered that the proposal would result in visual harm from the urbanisation of the rural landscape and is also unsustainable by virtue of its poor relationship to services resulting in a dependency on the private car.


Recommendation:	Refuse
	<ol style="list-style-type: none"> 1. Contrary to GC2 as outside settlement limit 2. Does not meet criteria of para 80 of NPPF 3. Visual Harm 4. Unsustainable location for new development
<u>Reasons for Refusal</u>	

	<ol style="list-style-type: none"> 1. The proposal is contrary to Policy GC2 of the Development Management DPD 2015 as the site falls well outside of the settlement limit for Cawston and Policy GC2 does not permit new development outside of settlement limits unless the proposal complies with a specific allocation and / or policy of the development plan. The proposal does not comply with a specific allocation and does not comply with any housing policies in the development plan. 2. The proposed development does not accord with criteria (e) of paragraph 80 of the National Planning Policy Framework as the proposal does not represent the highest standard of architecture, would not help raise standards of design in rural areas and does not significantly enhance its immediate setting. 3. The proposal would result in visual harm from the introduction of residential development into a rural location with isolated dwellings and loss of trees leading to an urbanisation of the landscape contrary to criteria (i) of policies GC4 and EN2 of the Development Management DPD 2015 and Policies 1 and 2 of the Joint Core Strategy. 4. The location of the site and its proximity to services and facilities would result in over-reliance on the private car, which will not minimise greenhouse gas emissions and is not located to use resources efficiently. The application is therefore contrary to Policies 1 and 6 of the Joint Core Strategy.
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Contact Officer, Tim Barker
 Telephone Number 01508 533848
 E-mail tim.barker@southnorfolkandbroadland.gov.uk

Application 2



 <p>Broadland District Council <i>Community at heart</i></p>	<p>Application No: 20212024</p>	<p>Scale: 1:1250</p>	<p>N ↑</p>
	<p>The Grain Store, Banningham Road, Aylsham</p>	<p>Date: 14-Feb-22</p>	
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2. Application No: 20212024
Parish: AYLSHAM

Applicant's Name: Michael & Julie Felmingham
Site Address: The Grain Store, Banningham Road, Aylsham, NR11 6LS
Proposal: Proposed demolition of existing barn, which has been granted class Q permission under reference 20191719, and the erection of a new dwelling with integrated garaging, workshops & pool

Reason for reporting to committee

The application is reported to Committee as it is being recommended for approval contrary to development plan policies.

Recommendation summary:

Full Approval, subject to conditions.

1 Proposal and site context

- 1.1 The application seeks full planning permission for the demolition of an existing agricultural building and the erection of a dwelling in its place at Banningham Road in Aylsham.
- 1.2 This follows a Prior Notification application, 20191719, which was granted prior approval for the change of use of the agricultural building to a dwelling under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 1.3 The applicant has explored the conversion of the buildings and the constraints and what standards they could achieve using the existing building. However, they state that the demolition of the existing building and the erection of a new building will allow for a more environmentally friendly dwelling which will have higher thermal capacity and much greater environmental performance.
- 1.4 The building will measure 18 metres by 18 metres, 5.7 metres to the eaves and 8 metres to the ridge. These measurements reflect the existing building and therefore the overall size of the building will be no different to what is there currently. The existing building is metal clad with one open side. The external materials proposed for the new dwelling is to use a zinc roof, zinc or aluminium cladding to the first floor, render on render board to the ground floor and a mix of aluminium and timber windows and doors. In addition, this application also seeks to change the use of a small amount of agricultural land to provide a larger residential curtilage for the dwelling than that previously approved and allowed under the Class Q application.

- 1.5 There is a section of land in the same ownership as the applicant and as outlined in blue on the location plan, this area does not form part of this application and the planning agent has confirmed that this area will be used for new habitats for biodiversity.
- 1.6 The application site is located outside of the defined settlement limit, on the eastern side of the A140 on Banningham Road in Aylsham. Banningham Road is to the north of the site and there are agricultural fields surrounding the site with some domestic buildings on the opposite side of Banningham Road.
- 2 Relevant planning history
 - 2.1 20191719: Change of Use of Agricultural Building to Dwellinghouse (Prior Notification) – Required & Granted 19-12-2019
- 3 Planning Policies
 - 3.1 National Planning Policy Framework (NPPF)
 - NPPF 02 : Achieving sustainable development
 - NPPF 04 : Decision-making
 - 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 4 : Housing delivery
 - 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 EN2 : Landscape
 - Policy TS3 : Highway safety
 - Policy TS4 : Parking guidelines
 - Policy CSU5 : Surface water drainage

4 Consultations

4.1 Aylsham Town Council:

No objections

4.2 Norfolk County Council Highways:

No highway objections, subject to conditions added to decision

4.3 District Councillors:

No comments received

4.4 North Norfolk District Council (neighbouring authority):

The site appears to be very close to the NNDC boundary. Although we would not wish to raise a formal objection, I would wish to raise a concern in respect of two aspects of the proposal:

- The extent of glazing;
- The size of residential curtilage proposed.

Both have the potential to impact upon the setting of the Low Plains Farmland (LPF1) Landscape Character type as defined within NNDC's Landscape Character Assessment (2021). The valued features of this area include quiet rural farmland, dark skies and long views. Lighting and curtilage are highlighted as features that can erode these values – the amount of glazing proposed has the potential to result in light spill across the surrounding landscape, whilst it is recommended that the impact of any external lighting is considered. The extent of curtilage proposed has the potential to lead to an overly domestic appearance in the landscape but if accepted, should consist of a soft boundary treatment, with consideration made of the control of further future development within the curtilage, again to protect the landscape setting.

4.5 Other Representations

None received

5 Assessment

5.1 Key Considerations

- The principle of development
- The design and impact on the character and appearance of the area

- The impact on neighbour amenity
- The impact on highway safety

The principle of development

- 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 main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the development plan, the design of the proposal and its impact on the character of the area, heritage assets, residential amenity, highway safety and ecology and biodiversity.
- 5.5 The site is located within the countryside, outside of any defined settlement limit. Policy GC2 of the DM DPD explains that new development will be accommodated within settlement limits and that outside of settlement limits, development will be permitted where it does not have any significant adverse harm and where it accords with another policy and / or allocation of the development plan. The application does not accord with a specific policy or allocation of the development plan and therefore the proposals fail to comply with Policy GC2 of the DM DPD.
- 5.6 As set out in paragraph 1.2 of this report, the building was the subject of a previous application (20191719) under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The Council in pursuance of powers under this Act determined that prior approval was required and granted.
- 5.7 Whilst it is recognised that the application conflicts with Policy GC2 and that, given the site's location outside of any settlement limit, this is not a location where new dwellings would normally be permitted, the previous Prior Approval application is a material consideration.
- 5.8 The planning agent confirms that the existing building is capable of being converted utilising the previous Class Q permission and that the building is structurally strong enough to do so. The expected lifespan of this conversion is estimated at approximately 60 years which has led to uncertainty around

the viability of the conversion against the costs of replacing the building with a wood frame building of closed insulated panel (SIP) design to allow for the building to have less on-going issues that the building may have in the future if it was to be converted.

- 5.9 Accordingly the Prior Approval application represents a fall-back position given that there is an implementable approval for a dwelling at this site and there is still a realistic prospect that the conversion could still be undertaken and completed before it expires (Class Q conversions have to be completed within three years of the dates of the approval, in this case the conversion would need to be completed by 19 December 2022). Consequently, there is considered to be merit in setting aside Policy GC2 for this element of the application. The remainder of this assessment section seeks to assess the impacts of allowing a new dwelling on the site as an alternative to converting the existing building.

The design and impact on the character and appearance of the area

- 5.10 The main changes between this proposal and the previously approved conversion under the prior approval application is an increase in floor area, although the overall size of the building is not changing, and a small increase to the residential curtilage.
- 5.11 The previous application included a covered area for parking, however as part of this full planning application, this area is to be included within the floor area for the dwelling. This area is to include a car port, garage and pool area at ground floor with workshop / studio space at first floor.
- 5.12 Although the proposed floor area for the proposed new dwelling is larger than approved under the previous 2019 application, the size of the proposed dwelling is to be the same in relation to its width, depth and height to the existing building on the site.
- 5.13 It is considered that the new dwelling will not result in any significant visual harm to the rural landscape given the building will be similar in size, scale and materials to the existing agricultural building. The small increase to the curtilage is considered not unduly excessive and will not represent a significant incursion into the countryside and does not cause unacceptable harm to the overall general character and appearance of the surrounding area as a whole.
- 5.14 Overall, the application is therefore considered to accord with Policies 2 and 18 of the JCS and Policies GC4 and EN2 of the DM DPD.

The impact on neighbour amenity

- 5.15 The building has an existing permission under Class Q approval to convert to one residential property.
- 5.16 There is a good degree of separation between the proposed dwelling and any nearby residential neighbouring properties. Given the size, orientation and location of the proposed dwelling, and the permission already in place, I do not consider the proposal will result in any detrimental impact upon nearby residential amenity. The application is therefore considered to comply with Policy GC4 of the DM DPD.

The impact on highway safety

- 5.17 The proposal seeks to utilise the existing access off Banningham Road which serves the existing building which is in agricultural use and an access track serving buildings south of the site. In response to the Prior Approval application, the Highways Officer raised no objections subject to a number of conditions.
- 5.18 The site will contain parking for four vehicles. Two within the garage and two within the car port. The Highways Officer has not objected to the proposal subject to two conditions for visibility splays and on-site car parking to be laid prior to first occupation.
- 5.19 Overall, the application is not therefore considered to cause any detrimental impact upon highway safety and accords with Policies TS3 and TS4 of the DM DPD.

Self-build

- 5.20 The Self-Build and Custom Housebuilding Act 2015 places a requirement on Local Authorities to maintain a register detailing the demand for self-build plots in their district. There is no requirement for the Council to provide plots, but there is a requirement to provide sufficient planning permissions that could be for self / custom build within a 3 year period of each base year to cover the numbers on the register in that base year.
- 5.21 Broadland District Council monitors planning permissions that could be available for self-build plots. This is based on single dwelling permissions that could reasonably be expected to be made available for self-build, and as such meeting the definition in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). The register is split into two parts based on meeting a number of criteria. The main difference being that you must meet a local connection test in order to be included on Part 1. For Part 2, the Council does not have to meet certain requirements under the

Act (section 2A(6)) mentioned above relating to the number of planning permissions given for serviced plots.

- 5.22 There is a 3 year period within which to give sufficient relevant permissions for the numbers on the self-build register, so, Base Period 1 ended on 30 October 2016, which means there was until 30 October 2019 to meet the numbers entered on the register for that period. Base Period 2 finished on 30 October 2017, which means there was until 30 October 2020 to meet that requirement and so on. Based on the monitoring that has been conducted to date, the permissions that have been granted in the year following each base period has, so far, provided sufficient numbers of potential self-build plots to meet the numbers on the register for those periods. Any permissions that are granted during the current base period cannot be used to meet the demand on the register for the same time period and instead will be counted towards evidencing demand for the previous base period.
- 5.23 The Self Build monitoring was completed in November 2021 to meet the demand for Base Period 5 (31 October 2019 – 30 October 2020) and to do this permissions granted between 31 October 2020 and 30 October 2021 were used. The number of entries on Part 1 of the register for Base Period 5 was 3. The number of permissions given for single dwellings as at 30 October 2021 shows that permissions for 41 applications that could be suitable for self-build were granted, therefore meeting the demand for base period 5. Permissions that can be counted as meeting demand for Base Period 6 (31 October 2020 – 30 October 2021), which had 5 entries, will be allocated from permissions given during 31 October 2021 – 30 October 2022 and this monitoring will be completed after 30 October 2022.
- 5.24 It is recognised that the recording of these permissions will not necessarily relate to a self-build permission. For this reason CIL exemptions that are granted for self-build relief are also monitored for each base period. The number of Self-Build CIL exemptions granted between 31 October 2020 and 30 October 2021 was 25.
- 5.25 It is important to note that entry on the register does not provide that specific individual with an advantage in achieving planning permission for a self-build property if they were to apply, nor does it provide a service to match entrants with serviced plots of land. The purpose of the register is to evidence demand for self-build plots across the whole district.
- 5.26 This application has been promoted as self-build with the applicants being the developer and occupiers of the proposal. The applicants are not listed on the register so we would give little weight to this legislation and the requirements that the Council are required to do. Although this has limited weight to the decision making process in this particular application, this is a material consideration when determining this application.

Other Issues

- 5.27 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.
- 5.28 This application is liable for Community Infrastructure Levy (CIL).
- 5.29 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.
- 5.30 I consider it necessary to add conditions for the removal of householder permitted development rights (for extensions, roof alterations, outbuildings, fences) to enable the Local Planning Authority to retain control over the site in relation of its appearance and impact on the character and appearance of the surrounding area. A further condition shall be included for the exact materials and details of any boundary treatments to be approved prior to the development progressing above slab level.

Conclusion

- 5.31 Overall, although the application is in conflict with Policy GC2 of the DM DPD, the planning history at the site is a significant material consideration and there is an implementable approval on site as a fall-back position for the applicants to obtain a dwelling in this location. The proposed dwelling would be slightly larger in terms of the extent of curtilage than what was previously approved, however, as set out above the proposals are not considered to cause harm to the general character and appearance of the area, neighbour amenity or highway safety that cannot otherwise be made acceptable by the inclusion of conditions attached to the decision notice. On balance, the application is considered acceptable subject to conditions.

Recommendation:	Full approval, subject to the following conditions:
	<ul style="list-style-type: none"> 2 Time limit 3 In accordance with submitted documents and plans 4 External materials and boundary treatments 5 Highways – visibility splays 6 Highways – on-site car parking to be laid prior to first occupation

	7 Removal of Householder PD rights relating to extensions, alterations to the roof, external lighting, outbuildings, fences gates etc.
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Contact Officer: Ellie Yarham
Telephone Number: 01603 430136
E-mail: ellie.yarham@southnorfolkandbroadland.gov.uk

Planning Appeals: 17 January 2022 to 14 February 2022

Appeal decisions received: None

Appeals lodged:

Ref	Site	Proposal	Decision maker	Officer recommendation
20210606	11 Skinners Lane, Wroxham, NR12 8SJ	Erection of a single dwelling	Delegated	Full Refusal

PLANNING COMMITTEE

23 February 2022

Final Papers

	Page No
Supplementary Schedule	38

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 430404

Email: [committee.services@southnorfolkand](mailto:committee.services@southnorfolkandbroadland.gov.uk)

broadland.gov.uk



SUPPLEMENTARY SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Plan No	Application No	Location	Update
1	20211768	The Hawthorns, Hindolveston Road, Foulsham	Correspondence submitted by the applicant from relatives of servicemen who served at the airfield during the Second World War expressing support for the scheme
2	20212024	The Grain Store, Banningham Road, Aylsham	No updates