

# 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 18 May 2022  
9:30am

## Place:

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

## Contact:

Leah Arthurton      tel (01508) 533610  
Email: [committee.bdc@southnorfolkandbroadland.gov.uk](mailto:committee.bdc@southnorfolkandbroadland.gov.uk)  
Website: [www.southnorfolkandbroadland.gov.uk](http://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](mailto:committee.bdc@southnorfolkandbroadland.gov.uk) no later than 5pm on Friday 13 May  
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.

# **AGENDA**

- 1. To receive declarations of interest from members;**  
(guidance and flow chart attached – page 3)
- 2. To report apologies for absence and to identify substitute members;**
- 3. To confirm the minutes of the meeting held on 20 April 2022;**  
(minutes attached – page 5)
- 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 9)
- 6. Planning Appeals (for information);**  
(table attached – page 63)

## DECLARATIONS OF INTEREST AT MEETINGS

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

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

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

## DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



## **Agenda Item 3**

### **PLANNING COMMITTEE**

**Minutes of a meeting of the Planning Committee of Broadland District Council, on 20 April 2022 at 9:30am at the Council Offices.**

**Committee Members Present:** Councillors: J Ward (Chairman), A Adams, S Beadle, N Brennan, J Fisher, C Karimi Ghovanlou, K Leggett (sub for I Moncur), and S Riley

**Officers in Attendance:** The Development Manager (T Lincoln), the Principal Planning Officer (T Barker) and the Democratic Services Officer (DM)

#### **45 APPOINTMENT OF CHAIRMAN FOR THE MEETING**

In the absence of the Chairman and Vice Chairman of the Committee, nominations were invited for a temporary Chairman for the meeting. It was proposed, seconded and

#### **RESOLVED**

To appoint Cllr Ward as temporary chairman of the meeting.

#### **46 DECLARATIONS OF INTEREST**

No declarations were made.

#### **47 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs R Foulger, I Moncur, S Prutton and K Vincent.

#### **48 MINUTES**

The minutes of the meeting of the Planning Committee held on 23 February 2022 were confirmed as a correct record and signed by the Chairman.

#### **49 MATTERS ARISING**

No matters were raised.

## **50 PLANNING APPLICATIONS**

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

The Committee noted that application no: 20212075 - Racecourse Plantation, Plumstead Road East, Thorpe St Andrew had been withdrawn by the applicants before the meeting.

The Committee was advised of an update to application no: 20212258 Marsham amending the delegated authority to the Assistant Director Planning and not the Director of Place.

No public speaking took place.

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.

## **51 PLANNING APPEALS**

The Committee noted the appeals lodged and decisions received.

(The meeting concluded at 9:45am)

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Chairman

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

1. **Appl. Nos** : **20212075**  
**Parish** : **THORPE ST ANDREW**  
**Applicant's Name** : Hill Residential & The Thorpe and Felthorpe Trust  
**Site Address** : Racecourse Plantation, Plumstead Road East,  
Thorpe St Andrew, NR7 9LW  
**Proposal** : Approval of matters reserved for layout, scale, appearance  
and landscaping following outline planning permission  
20161896 for the erection of 239 new homes, and the  
approval of matters reserved for layout and landscaping of  
a new Community Woodland Park and associated  
infrastructure.  
**Decision** : Application withdrawn by the applicants prior to the  
meeting
  
2. **Appl. No** : **20212258**  
**Parish** : **MARSHAM**  
**Applicant's Name** : Mr Bradley Whitlam  
**Site Address** : Field opposite The Plough Inn, Fengate,  
Marsham, NR10 5PT  
**Proposal** : Changes from a small piece of agricultural land to  
overflow carpark using hard core with stock fence  
**Decision** : Members voted (7 - 0) to Authorise the Assistant  
Director (Planning) to Approve subject to satisfactorily  
addressing the requirements under the Habitats  
Regulations regarding nutrient neutrality and subject to  
conditions:
  1. Submitted Drawings
  2. Use restriction
  3. SHC 05 (built in accordance with Highways  
Specification (TRAD 5) and then retained as  
approved)
  4. SHC 21 (laid out in accordance with approved plans)

3    **Appl. No**                               :   **20212328**  
      **Parish**                                 :   **SPROWSTON**  
      Applicant's Name                 :   Ms Di Salvo  
      Site Address                       :   1 Merlin Avenue, Sprowston, NR7 8BY  
      Proposal                            :   Rear & side Extensions to Existing Detached Bungalow  
  
      Decision                            :   Members voted (unanimously) for approval

**APPROVED** subject to conditions

1. 3 year time limit
2. Development shall be carried out in accordance with the approved plans and documents



	Application No	Location	Officer Recommendation	Page No
1	20220639	W S Lusher and Son Ltd, Lushers Loke, Norwich, NR7 8TH	<b>PRIOR APPROVAL NOT REQUIRED</b>	10
2	20212175	5 Holmesdale Road, Brundall, NR13 5LX	<b>REFUSE</b>	16
3	20211959	Broadway Enterprise Park, Land off A140, Horsham St Faith, NR10 3JF	Authorise the Assistant Director of Planning to <b>APPROVE</b> subject to conditions and subject to satisfactorily addressing the requirements under the Habitats Regulations regarding nutrient neutrality	22
4	20211143	Land at Grange Farm, Buxton Road, Horstead With Stanninghall, NR12 7NS	Authorise the Assistant Director of Planning to <b>APPROVE</b> subject to conditions and subject to satisfactorily addressing the requirements under the Habitats Regulations regarding nutrient neutrality, completion of a S106 legal agreement for tariff contribution and satisfactory findings in relation to ecology	52

Application 1



 <p><b>Broadland</b> District Council <i>Community at heart</i></p>	<p><b>Application No: 20220639</b> <b>WS Lusher and Son Ltd, Lushers Loke, Norwich,</b> <b>NR7 8TH</b></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><b>Scale:</b> <b>1:656</b> <b>Date:</b> <b>9-May-22</b></p>	<p><b>N</b> </p>
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- 1. Application No: 20220639**  
**Parish: SPROWSTON**

Applicant's Name: Cornerstone  
Site Address: WS Lusher and Son Ltd, Lushers Loke, Norwich, NR7 8TH  
Proposal: 20m monopole mast with headframe accommodating 6No antennas, 2No dish (1No 300mm; 1No 600mm), 4No cabinets and all ancillary development

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:

Prior Approval not required

**1 Proposal and site context**

- 1.1 The proposal seeks to erect a 20m monopole mast with headframe accommodating 6No antennas, 2No dish (1No 300mm; 1No 600mm), 4No cabinets and all ancillary development. The proposal is submitted to the Council as a prior notification, meaning that it is assessed under the General Permitted Development Order 2015 (as amended).
- 1.2 The site is located on brownfield land within the development limit for Sprowston. The site is adjacent to industrial sites (Peter Colby Commercials and Norfolk Truck & Van). Surrounding the wider site is mostly residential development. The site is covered by Sprowston Neighbourhood Plan and has policies 18 and 20 identifying it as a redevelopment site for residential, community and other uses appropriate to the area.

**2 Relevant planning history**

- |     |          |                             |   |
|-----|----------|-----------------------------|---|
| 2.1 | 20220266 | 20m monopole with headframe | Withdrawn (did not consult Norwich International Airport before submission, as required by GPDO). |
| 2.2 | 20021129 | 14m monopole with antennae  | Refused   |

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)  
NPPF 10: Supporting high quality communications  
NPPF 12: Achieving well-designed places
- 3.2 Joint Core Strategy (JCS)  
Policy 2: Promoting good design
- 3.3 Development Management Development Plan Document (DM DPD) 2015  
Policy GC4 – Design  
Policy EN2 – Landscape  
Policy TS3 – Highway safety
- 3.4 Sprowston Neighbourhood Plan  
Policy 2 – Promoting good and appropriate design  
Policy 18 – School Lane site identification  
Policy 20 – School Lane site traffic management and landscaping

4 Consultations

- 4.1 Sprowston Town Council  
Objects, regarding impact on landscape, design, and amenity (noise from cabinets).
- 4.2 District Councillor; Natasha Harpley  
Objects, not compatible with Sprowston Neighbourhood Plan (policies 2, 18 and 20).
- 4.3 Other Representations  
46 School Lane: objects regarding the design and impact on landscape

5 Assessment

Key Considerations

- 5.1 The application is for a prior approval notification of Installation of 20m monopole mast with headframe accommodating 6No antennas, 2No dish (1No 300mm; 1No 600mm), 4No cabinets and all ancillary development. The application is submitted under Part 16 Schedule 2 of the Town and Country Planning (General Permitted Development Order 2015 as amended).

- 5.2 Objections from Sprowston Town Council, Cllr Natasha Harpley and neighbouring resident raise concern over the design, siting and appearance of the development and its impacts on neighbouring amenity. The planning considerations with relevance to this application are: compliance with the GPDO, siting and appearance.

Principle

- 5.3 The principle of development is established through the provisions of Part 16 of the GPDO where the proposal is deemed to be permitted development subject to assessment of the siting and design.
- 5.4 Section 10 of the NPPF highlights the important role that technology plays in today's society and that Council's should seek to support such development and includes the following (Para 112 of the NPPF):
- 5.5 Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).
- 5.6 With this in mind the following assesses the merits of this scheme.

Siting and Appearance

- 5.7 As required by the NPPF, the applicant has investigated the potential of other sites; however, the proposal site is in a suburban location where the options for the avoidance of built-up areas, and potential alternative and more screened sites are limited within the area.
- 5.8 The proposed site is not protected land (not an SSSI or Article 2(3) land) and is not land that is on a highway.
- 5.9 The objections to the application are acknowledged, as is the functionality of the design, which is an inherent feature of this type of communications infrastructure. As described above, the location is set away from residential properties as far as is possible, adjacent to existing commercial uses and unused land. From many angles it will be seen with commercial premises / disused land/buildings as a foreground setting or backdrop which mitigates the functional appearance. An existing mast sits close by, forming part of the

existing character and appearance of the site. This is proposed for removal as a result of this new mast being erected although this cannot be conditioned as part of this application).

- 5.10 On balance therefore, the proposed site, in a location with commercial use and adjacent to the site of the mast it intends to replace, offers an appropriate location in this instance. It is acknowledged that the site is visible from the adjacent residential area, mostly from the south-east from Neville Close. However, taking into account the existing street scene, nearby commercial units, mast and the constraints of the area; this would not be significant enough for a reason to refuse the prior notification in this instance, considering the lack of suitable alternative sites.
- 5.11 The site is allocated within the Sprowston Neighbourhood Plan for mixed residential and commercial redevelopment (policy 18). The proposed mast is located in the centre of the site but uses a very small part of it. With such limited impact on the overall site area and no extant permissions or active planning applications in existence; the proposal is not considered to cause sufficient impact to warrant reason to refuse the application given the limited reasons for refusal allowed under the GPDO.
- 5.12 Residential amenity has been considered in relation to the siting of the proposal and while it will be visible from some residential areas, the separation distance is sufficient to be acceptable in this regard. It is also likely alternative locations in the vicinity would be closer to residential properties than this site due to the settlement pattern of the area.
- 5.13 As such the siting and design of the proposal is considered to be acceptable in this instance.

#### Other Issues

- 5.14 Some concerns have been raised regarding health impacts. An ICNIRP certificate has been submitted with the application and the NPPF also makes it clear that the Local Planning Authority should not seek to determine health safeguards if this certificate is provided.
- 5.15 The original application was withdrawn as the applicant did not consult with Norwich Airport, as required by the GPDO. In this re-submission of the application, the applicant has consulted Norwich Airport, however, on the 4<sup>th</sup> April 2022, the GPDO was amended and this became no longer a requirement. This application was submitted on the 19<sup>th</sup> April 2022.
- 5.16 The proposal would not exceed 30 metres in height, and I consider the siting and appearance acceptable as per the above assessment.

- 5.17 The proposal would not result in any highway safety issues.
- 5.18 In my opinion, the proposal accords with the provisions set out within the Part 16 Schedule 2 of the Town and Country Planning (General Permitted Development Order 2015, as amended).
- 5.19 This application is not liable for Community Infrastructure Levy (CIL)
- 5.20 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

### **Conclusion**


- 5.21 In weighing any adverse impacts against the benefits of this proposal it is considered that the wider public benefits the scheme would bring to the Parish, when noting the absence of any clear alternative sites for meeting the accepted need for improved telecommunications infrastructure, these are considered sufficient to outweigh the modest impacts upon nearby properties and any visibility in the wider area to the extent that the application is considered acceptable in planning terms and therefore prior approval is not required.

Recommendation: Prior Approval not Required

Contact Officer, T Piggott  
Telephone Number 01508 505290  
E-mail [tom.piggott@southnorfolkandbroadland.gov.uk](mailto:tom.piggott@southnorfolkandbroadland.gov.uk)

Application 2



 <p><b>Broadland</b> District Council <i>Community at heart</i></p>	<p><b>Application No: 20212175</b> <b>5 Holmesdale Road, Brundall, NR13 5LX</b></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><b>Scale:</b> 1:1000 <b>Date:</b> 9-May-22</p>	<p><b>N</b> </p>
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**2. Application No: 20212175**  
**Parish: BRUNDALL**

Applicant's Name: Mrs. E. Hawkes  
Site Address: 5 Holmesdale Road, Brundall, NR13 5LX  
Proposal: Extension to Create Attic Rooms

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:

Full Refusal

1 Proposal and site context

- 1.1 This proposal seeks planning permission for the erection of an extension to create a first floor to a detached bungalow. The extension will result in the formation of two bedrooms and a bathroom in the first floor, whilst the roof will also be converted from hipped to gable. The existing property is located in a row of four identical bungalows, Holmesdale Road includes a range of property types including bungalows and 1 and a half storey dwellings.

2 Relevant planning history

- 2.1 APP No : 20141117 - Single Storey Rear Extension and Detached Garage - Full Approval 19/8/2014

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)  
NPPF 02 : Achieving sustainable development  
NPPF 03 : Plan-making  
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

- 3.3 Development Management Development Plan Document (DM DPD) 2015  
Policy GC4 : Design  
Policy TS4 : Parking guidelines

- 3.4 Site Allocations Development Plan Document 2016  
Brundall Neighbourhood Plan  
No relevant policies.

- 3.5 Supplementary Planning Documents (SPD)  
  
No relevant document.

4 Consultations

- 4.1 Brundall Parish Council  
No objections.

- 4.2 District Councillors

Cllr Laming

- An initial pre application response indicated it had the potential to be judged positively due to the mixture of building types in the locality
- This application meets a high standard of design and would not have a significant detrimental impact with adequate regard to the character and appearance of the area
- Similar applications have been given approval e.g. 20210223, 20210620 and 20180557. These are all similar applications to the proposed that raise the roof ridge height in areas where there is a mix of properties in street scenes varied in their form.
- I would like to see this application support the need to address climate change by incorporating solar panels
- There have been no objections from residents or the Parish Council

Cllr Davis – no comments received.

- 4.3 Other Representations

No public representations received.

5 Assessment

Principle

- 5.1 The principle of extensions to a residential dwelling is acceptable, as such the key considerations in the determination of this application are:

- Impact on character and appearance of the area
- Impact on neighbour amenity
- Impact on parking

The impact on character and appearance of the area

- 5.2 The proposed extension will raise the roof of the existing hipped bungalow to form two additional bedrooms and a bathroom at first floor level. The proposal would not result in a change in the footprint of the existing property. The conversion from hipped roof to gable will include three pitched roof dormer windows on the front elevation. This conversion will break up the row of four bungalows, resulting in a design that is discordant with the existing street scene.
- 5.3 Holmesdale Road as a whole has a mixed street scene as noted by Cllr Laming and includes a mix of single storey and 1.5 storey properties. Whilst there is some variation to Holmesdale Road, this is largely contained to the opposite side to the north. Furthermore, the properties on the south side of Holmesdale Road and to the west of the hipped bungalows mostly have gable pitched roofs with the gable end facing the road. These properties therefore appear less bulky and with a smaller massing than the proposal. This issue is further highlighted by the position of the property within a run of bungalows. The design of this property will therefore appear to be bulky and out of scale with the other properties along Holmesdale Road. Therefore, a gable pitched roof with the pitched part facing the highway would not reflect the existing form of the street scene.
- 5.4 Cllr Laming has highlighted applications of a similar nature that have been approved in recent years as reasons for justifying the application. These are located in the parishes of Blofield and Hellesdon, which are subject to the same district policies but separate neighbourhood plan policies. However, each application is judged on its own merits, whilst it is noted that these applications differ in terms of the street scene and in some cases the gable pitched roof faces the highway with the gable end. When judging this application against Policy 2 of the JCS and Policy GC4 of the DM DPD, it is considered to harmfully affect the character and appearance of the area by not reflecting the form of its immediate locality. I therefore consider it to be contrary to these policies.

The impact on neighbour amenity

- 5.5 The proposal will not change the footprint of the property, and so overshadowing will be limited to the side areas of nos. 3 and 7 Holmesdale Road. There are windows serving non-habitable rooms on the relevant side elevations of these properties and so they would lose some sunlight, however due to the orientation of the properties, any loss would be limited.
- 5.6 The windows serving the habitable rooms will be located within the front dormers, whilst there will be two Velux windows serving the landing and stairway in the rear elevation. As a result of the placement of the windows, there is not considered to be any harmful overlooking. The proposal is therefore considered to accord with the requirements of GC4 in relation to the impact upon amenity.

Highways and Parking

- 5.7 The proposal would increase the bedroom count by one, resulting in the property having four bedrooms in total. This increases the potential for extra vehicles parked at the property, however it is considered there is sufficient parking space for this size of dwelling due to the space at the front and rear of the property. I therefore consider the proposal to comply with Policy TS4 of the DM DPD.

Other Issues

- 5.8 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.
- 5.9 This application is not liable for Community Infrastructure Levy (CIL)

Conclusion

- 5.10 The application represents a form of development that is not acceptable due to its design within the context of its location. It therefore does not meet the requirements of the local plan policies on design and so it is recommended for refusal.

Recommendation: Refusal

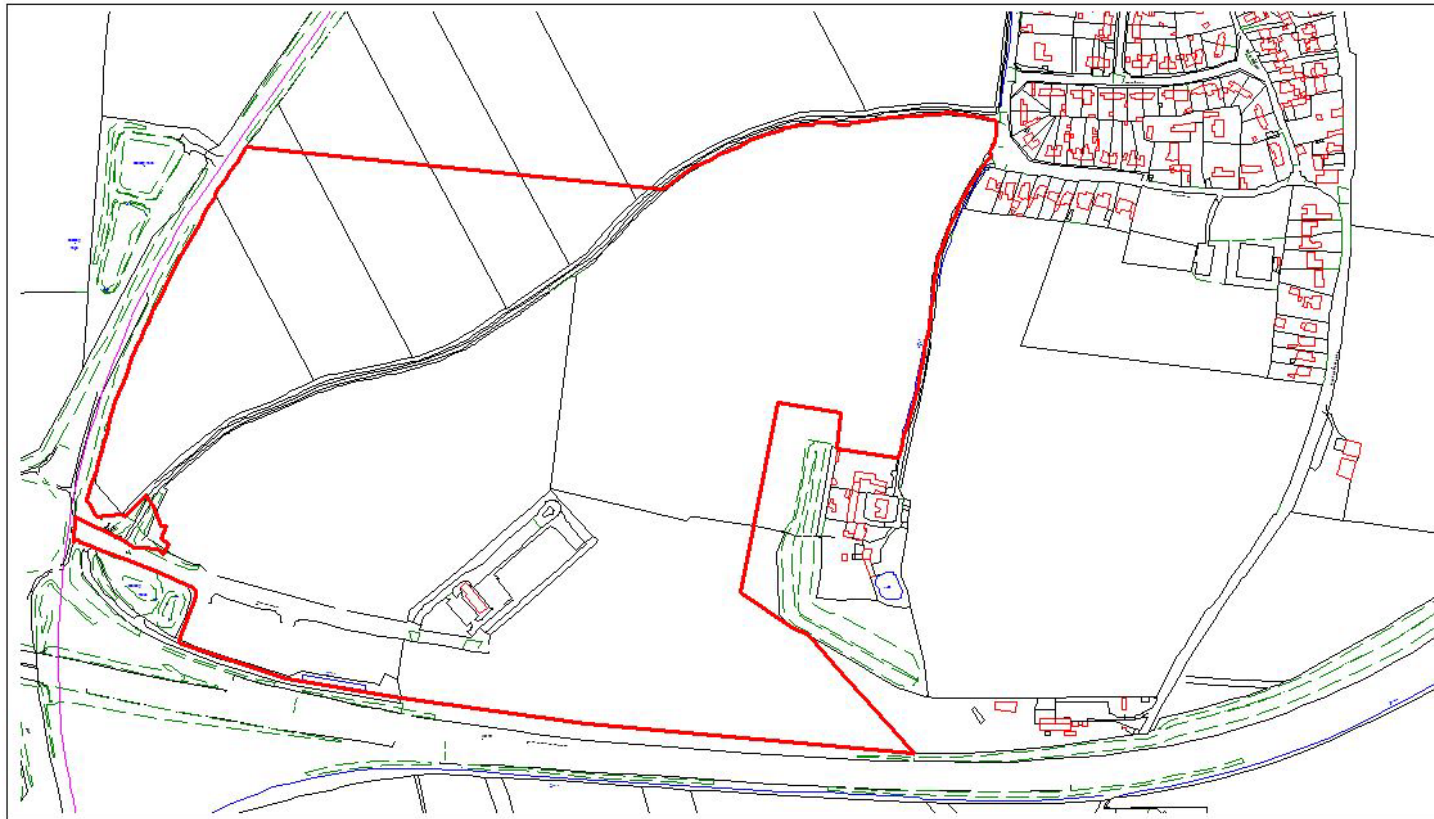
Reason for  
Refusal

1. The proposal will raise the ridge line and introduce three dormer windows at first floor level. It is not considered to reflect the character and appearance of the area by virtue of the scale, bulk and massing of the extensions. The proposal is therefore considered to be contrary to the requirements of Policy 2 of the JCS and Policy GC4 of the DM DPD and so I recommend the application to be refused.

Contact Officer, Tom Barker

Telephone Number 01603 430491

E-mail [tom.barker@southnorfolkandbroadland.gov.uk](mailto:tom.barker@southnorfolkandbroadland.gov.uk)



Application No: 20211959

Broadway Enterprise Park, Land off A140, Horsham St Faith, NR10 3JF

Scale:  
1:5260  
Date:  
9-May-22



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**3. Application No: 20211959**  
**Parish: HORSHAM AND NEWTON ST FAITHS**

Applicant's Name: Building Partnerships

Site Address: Broadway Enterprise Park, Land off A140, Horsham St Faith, NR10 3JF

Proposal: (i) Planning permission in outline for Broadway Enterprise Park comprising predominantly E(G)(i.ii.iii) B2 and B8 commercial and industrial uses, a possible filling station, two drive-thrus, a car showroom (sui generis) and a prospective park and ride development.  
(ii) Planning permission in full for the infiltration basin to the north of access road, pumping station adjacent to infiltration basin, route to main sewer and landscaped earth bund.

Reason for reporting to committee

The application is contrary to the development plan and officer recommendation is for approval.

Recommendation summary:

Authorise the Director of Place to approve subject to conditions and subject to satisfactorily addressing the requirements under the Habitats Regulations regarding nutrient neutrality.

**1 Proposal and site context**

1.1 The application is a 'hybrid' proposal seeking outline consent for predominantly E(g) (i, ii, iii), B2 and B8 commercial and industrial uses, a filling station, two drive-thrus, a car showroom and a prospective park and ride development. Full consent is being sought for a proposed infiltration basin, pumping station with connection to mains sewer and landscaped earth bunds.

1.2 The application proposes the following maximum floor spaces:

- 32,899 sq.m E (g) i, ii and iii (offices, research and development, light industrial processes etc)
- 20,562 sq.m B2 (general industry)
- 16,450 sq.m B8 (storage and distribution)
- 2,657 sq.m car showroom sui generis
- 12 bay filling station
- 520 sq m drive thrus

- 1.3 Should a 1,000 space park and ride be delivered then the proportion of floor space would be reduced as follows:
- 24,604 sq.m E (g) i, ii and iii (offices, research and development, light industrial processes etc)
  - 15,377 sq.m B2 (general industry)
  - 12,302 sq.m B8 (storage and distribution)
  - 2,657 sq.m car showroom sui generis
  - 12 bay filling station
  - 520 sq m drive thrus
- 1.4 The site is 37.49 hectares. To the south is the Broadland Northway beyond which is Norwich Airport. To the west is the A140. To the north is the village of Horsham St Faiths and to the east is West Lane where there is a cluster of dwellings screened from the site by a bund running parallel with the boundaries of the dwelling.
- 1.5 The site is largely undeveloped agricultural land however an area to the south-east was formerly part of the Norwich Airport runway. Within the site is an access road constructed to serve a recently constructed household waste recycling centre. New Holme Lane, an unclassified road, dissects the site south-west to north-east providing pedestrian and cycle connectivity between the village of Horsham St faiths with the pedestrian and cycle facilities associated with the Broadland Northway
- 1.6 Ground levels vary across the site with the highest levels towards the centre and falling away towards the site boundaries. The north-west parcel of the site was formerly divided into smaller blocks by lines of Polar trees which acted as shelter belts for the agricultural uses however these have been removed and/or pollarded to a height of 2-3m.
- 1.7 The site is allocated as HNF2 in the Site Allocations Development Plan Document 2015 for 'employment uses benefitting from an airport location'. The site is also proposed to be allocated in the emerging GNLP as GNLP0466R.
- 2 Relevant planning history
- 2.1 20190681 - EIA Screening Opinion for Delivery of Employment and Other Uses, Petrol Filling Station and Associated Infrastructure. EIA not required.
- 2.2 20190739 - EIA Screening Opinion Request - Proposed new Norwich Waste Recycling centre. EIA not required.



- 2.3 20200354 - Creation of a new recycling centre (RC) to deal with household waste and small amounts of trade waste, and construction of a new access road from the A140/A1270 northern junction to the site with associated attenuation and infiltration basin for surface water drainage. RC includes installation of a surface and foul water drainage system, hardstanding, staff welfare office and reuse shop (with photovoltaic panels) for onsite sale of waste items suitable for reuse, and ancillary small-scale sale of non-recycled items (Christmas trees, logs, compost bins and green waste sacks).  
Approved.

3 Planning Policies

- 3.1 National Planning Policy Framework (NPPF)  
NPPF 02 : Achieving sustainable development  
NPPF 03 : Plan-making  
NPPF 04 : Decision-making  
NPPF 06 : Building a strong, competitive economy  
NPPF 07 : Ensuring the vitality of town centres  
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  
NPPF 17 : Facilitating the sustainable use of minerals
- 3.2 Joint Core Strategy (JCS)  
Policy 1 : Addressing climate change and protecting environmental assets  
Policy 2 : Promoting good design  
Policy 3: Energy and water  
Policy 5 : The Economy  
Policy 6 : Access and Transportation  
Policy 9 : Strategy for growth in the Norwich Policy Area  
Policy 15 : Service Villages  
Policy 19 : The hierarchy of centres  
Policy 20 : Implementation
- 3.3 Development Management Development Plan Document (DM DPD) 2015  
Policy GC1 – Presumption in favour of sustainable development  
Policy GC2 – Location of new development  
Policy GC4 – Design  
Policy EN1 – Biodiversity and habitats  
Policy EN2 – Landscape  
Policy EN4 – Pollution  
Policy TS2 – Travel plans and transport assessments

Policy TS3 – Highway safety  
Policy TS4 – Parking guidelines  
Policy TS6 – Public safety zones  
Policy CSU5 – Surface water drainage

- 3.4 Site Allocations Development Plan Document 2016  
HNF2 : Land east of the A140 and north of Norwich International Airport,  
Horsham St Faith (approx. 35 ha)

- 3.5 Supplementary Planning Documents (SPD)

Landscape Character Assessment  
Parking Standards SPD

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

S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission or listed building consent for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

4 Consultations

- 4.1 Horsham and Newton St Faiths Parish Council:

The Council has no objection to the full application for the infiltration basin and pumping station. On the outline application the Council makes the following observations: The Council feels that if lighting is to be of the same standard as that recently installed at the recycling centre, this would be intrusive to adjacent residential areas and insists that this should be a reserved matter which will be tabled when full planning permission is sought. Additionally, they feel that a planning condition should be the early construction of a bund bank and tree planting along the eastern boundary with West Lane. A further planning condition should ensure that once the construction phase is completed New Holme Lane should be retained as a cycleway as it forms an important link to adjacent communities.

Horsford Parish Council:

This is not within Horsford although the impact of the development is unlikely to be detrimental. It is assumed that the current P&R facility will have to relocate.

4.2 Anglian Water:

No assets affected.

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

Development may lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. We have identified a strategy for Phase 1 of the development, we have not yet identifies a strategy for the entire development. We therefore request a condition requiring phasing plan and on-site drainage strategy.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

4.3 Cadent Gas:

No objection

4.4 Contracts Officer:

As this development does not include any residential plots, we don't have an awful lot to comment on. It should be noted that (based on the description for the application) ALL plots on this development will need to organise a commercial waste collection.

I would ask the developer to consider waste collections when they get to the relevant stage of the application process. In particular bin collection and storage points. I have attached our planning guidance notes for reference - Section 5 Waste collection from Commercial Developments.

Given the commercial and industrial nature of the development, large vehicles will be accessing the site on a regular basis. The ability to manoeuvre large vehicles on the roads safely of this development is paramount given the high risk. Therefore any reversing manoeuvres should be designed out where possible.

4.5 Environment Agency:

Groundwater and contaminated land:

The site is underlain by a Secondary A and Secondary B aquifers (Sand & Gravel, and Brickearth respectively) followed by a Principal aquifer (Crag). The site is underlain by a source protection zone 3. The environmental sensitivity at the site is considered to be moderate. The future use could present potential pollutant linkages to controlled waters. Conditions proposed.

4.6 Environmental Management Officer:

The air quality report carried out by Delta-Simons has identified a low risk to sensitive receptors with respect to the construction phase (dust and particulate matter) with an overall negligible effect from operational traffic and not significant risks from residual effects. The construction phase low risks are dependent on good site practice which should incorporate the creation and submission of a Construction Environmental Management Plan (CEMP), which is standard for this scale of construction.

The outline noise survey has detailed ambient noise levels which have been calculated from appropriate locations taking sensitive receptors into consideration. The exact commercial uses of the enterprise park are not known at this moment and so a detailed noise assessment will be needed when more details are known. Noise and vibration from the construction phase can be managed by a dedicated section within the CEMP. The developer may wish to submit a Section 61 Application. This can be discussed with Environmental Protection previous to any application as to the benefits and obligations of such an application.

A factual report was submitted that covered the geotechnical specifications of any future development. The report did not identify any visual or olfactory indication of contamination. The history of the site would suggest that no gross contamination is expected however, a suitably worded condition covering the procedures needed to be taken, should unexpected contamination be found during construction should be applied, especially given the aquifer status of the area.

As detailed in the Lighting Statement, when reserved matters application are made, a lighting assessment for each stage of development will be required to be submitted considering the more detailed aspects of the development when known.

Conditions relating to these matters are proposed.

4.7 Highway Authority:

The proposed quantum of development seems to be in line with the modelling that informed design of the A140 / A1270 interchange. The Highway Authority therefore would not wish to object to the principle of the development but will seek a condition to require reassessment of the junction, should the Reserved Matters applications generate traffic over and above the interchange design flows. Each Reserved Matters application will need to include a Transport Statement demonstrating that the application does not cumulatively exceed the traffic over and above the interchange design flows.

Notwithstanding the above, the development must provide safe and convenient access for active and sustainable travel. Aside from safety concerns, if appropriate facilities are not available, active and sustainable travel could be viewed as unattractive, resulting in private car use exceeding levels estimated in the Transport Assessment. It would appear that application seeks to encourage significant levels of sustainable travel which is commendable but can only be delivered if appropriate facilities exist.

It is acknowledged that an existing route is available for active travel direct from Horsham St Faith to the site. An existing facility also provides pedestrian and cycle access from Horsford to the interchange and as you will be aware, a cycleway linking Norwich Airport with the A140/A1270 roundabout is scheduled to be delivered in 2022/23.

At the time the interchange was designed, non-motorised users (NMU) surveys were undertaken and the observed levels of pedestrians and cyclists did not warrant provision of controlled crossing facilities. The Transport Assessment however, estimates that much higher volumes of pedestrians, cyclists and bus passengers will need to negotiate the interchange to access/egress the development.

Consideration should be given to provision of controlled pedestrian/cycle crossings of the slip roads at the east side of the interchange. The crossings would need to be supported by traffic impact assessments to ensure that any provision would not be likely to result in vehicle queues affecting either the NDR main-line, or the interchange roundabouts.

Inevitably, crossings at the slip-roads would need to deviate from pedestrian / cycle desire line so that conflict with the roundabouts could be managed. The impact of this could however be reduced by providing a pedestrian / cycle route through the south boundary of the site.

I note that bus stops are proposed at the interchange over-bridge, along with footway between then and the site, along with a link to the Horsford cycle route. The proposed pedestrian 2 crossings of the dual carriageway link-road are uncontrolled. Pedestrians would have the choice of either crossing the dual carriageway, or the less direct route via the A140 north and the A1270 eastbound off-slip.

Whilst the proposed bus stop location would enable other vehicles to pass a stopped bus, pedestrian access is a significant concern, an alternative arrangement must be considered. Bus stops located in laybys north of the A140 north roundabout might be appropriate in combination with a suitable crossing facility. Pedestrian access could be provided direct from the west boundary of the site.

As the Enterprise Park layout is developed in detail, it should pay due regard to the guidance contained in LTN 1/20, particularly in respect of New Home Lane that will remain as highway. The route should provide priority for cyclists over the estate roads crossing it. A Traffic Regulation Order may be required to prohibit use of the road by motor vehicles.

Comments on amended plans:

I have reviewed the submitted documents and further technical notes that have been provided. The Highway Authority does not object to the principle of the proposed development but does have some concern regarding provision for sustainable and active travel and also potential impact on satisfactory operation of the A1270/A140 interchange. Suggested conditions have been informed as follows:

During development of proposals for the Norwich Northern Distributor Road, the Applicant and Highway Authority signed a Statement of Common Ground (SoCG). The SoCG included a quantum of development at this location and that informed the traffic flows used in design of the A1270/A140 interchange. The flows were defined in the January 2014 Transport Assessment (NDR TA) that supported the application for the Norwich Northern Distributor Road application for Development Consent Order.

If Reserved Matters applications estimate cumulative development traffic flows in excess of the NDR TA, mitigation may be required to increase traffic capacity at the interchange.

The Transport Assessment for this application and subsequent technical notes state that travel planning will seek to reduce development vehicular trips by 15%. This will require a Framework Travel Plan along with appropriate infrastructure to enable and encourage active and sustainable travel. Reserved Matters applications should be supported by travel plans according with the Framework Travel Plan.

Bus stop provision at the A140 north of the interchange is indicated on drawing number 60608804-ACM-00-XX-SK-CE-009 Rev A that has been provided subsequent to the application. The ability to travel to the site by bus should be available from its first use.

Existing pedestrian and cycle routes converge at the interchange from Drayton, Horsford and Horsham St Faith. A new off-carriageway footway/cycleway at the A140 between the airport and the A1270/A140 interchange south roundabout is in the current programme to be constructed by NCC.

It seems likely that cycling and walking from Drayton and the airport/Hellesdon would make a significant contribution to active travel at the development. Those journeys would require crossing of the slip-roads at the east side of the A1270/A140 interchange.

Crossing the slip-roads may be intimidating and considered as a barrier for some users, particularly for people with mobility, or visual impairments.

Chapter 6 of the Traffic Sign Manual provides guidance on crossing assessments. It states *“A low number of people crossing the road, particularly vulnerable road users, may not indicate low demand. The low numbers may be due to latent demand as people experience difficulty in crossing.”*

Provision of controlled crossing facilities at the pedestrian cycle route across the interchange are necessary to ensure a safe route to the development is available and that active travel is not suppressed. Provision of such a facility will also support the travel plan 15% vehicle trip reduction target.

The Highway Authority recognises that demand for crossing facilities at the slip-roads may be low during the early stages of the development and as such would not require provision until it is estimated that the development area will generate 50 or more crossings per day by pedestrians and/or cycles. Active travel demand should be assessed cumulatively for each Reserved Matters Application. The assessment should be based upon trip rate estimates rather than surveys due to the potential for suppressed demand and should also consider the above travel plan target.

Suitable controlled crossings should be provided at the eastern slip roads prior to first use of the development that triggers the requirement.

A Traffic Regulation Order (TRO) is required to prohibit motor vehicles from using New Home Lane to access the development from Horsham St Faith.

In consideration of the above, the Highway Authority would not wish to object to the proposed development subject to the following conditions:

- Details to be submitted for roads, footways etc
- Prior to first occupations roads, footways etc constructed to binder course
- All footways and cycleways to be fully surfaced in accordance with phasing plan to be agreed
- No direct motor vehicle access from or onto 57647 New Home Lane
- Construction Traffic Management Plan to be agreed
- Construction Traffic Management Plan to be followed throughout construction phase
- Detailed drawings for off site highway improvements to be agreed
- Offsite highway improvements to be implement prior to first use/occupation
- TRO to prohibit access to the development by motor vehicles from Horsham St Faiths via 57647 New Home Lane to be promoted/secured
- Framework Travel Plan to be agreed
- Implementation of a travel plan according with the framework travel plan prior to first occupation
- Each RM to include a cumulative assessment of the vehicular trips including any potential mitigation for vehicle flows which would exceed those in the 2014 transport assessment
- Each RM to include a cumulative assessment of cycling and walking trips and traffic signal controlled crossing to be provided if 50 or more daily pedestrian crossing arise

#### 4.8 Historic Environment Service:

The proposed development site is large and located adjacent to an area where archaeological work in advance of the construction of the A1270 Broadland Northway in 2010 revealed evidence of possible settlement activity of early Anglo-Saxon date adjacent to the. As you are no doubt aware a certain amount of archaeological work has taken place in relation to parts of the proposed development site: All archaeological work related to the consented and now operational recycling centre is complete and an archaeological Desk-based assessment has been undertaken covering all of the application area. Geophysical survey has been carried out on Phase .1

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework (2021), Section 16: Conserving and enhancing the historic environment, para. 205. In this case the programme of archaeological mitigatory work will commence with informative trial trenching on the Phase 1 area and geophysical survey in other areas to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction).



The exception to this may be the potential Park and Ride site, which has been heavily disturbed by activity related to the construction and removal of the concrete runways, tracks and dispersals of former RAF Horsham St Faiths (now Norwich International Airport).

Comments on amended plans:

No further comments

#### 4.9 Historic England:

No comments. We suggest that you seek the views of your specialist conservation and archaeological advisors.

Comments on amended plans:

No further comments

#### 4.10 Landscape Architect

The submitted Preliminary Arboricultural Impact Assessment (AIA) has identified some potential conflicts with existing mature trees, but it appears that the recommendation that the proposed layout be reconsidered in light of this does not appear to have been actioned. Furthermore, the AIA suggests that roads might need to be constructed using so-called 'no-dig methods but it is not certain that these will be practical, especially if the roads are to be to an adoptable standard. As is often the case with AIAs, the trees' root protection areas are depicted as circles (which is the starting point prescribed by the British Standard), but where mature trees are growing alongside features such as roads (as is the case for some on this site) the rooting patterns might compensate for the less advantageous growing condition; it could be that the identified conflicts are greater than currently anticipated. There are some significant mature trees on this site and the proposed layout needs to respect these and ensure a sustainable future for their continuing contribution to the landscape character.

Policy HNF2 requires "substantial treebelts and landscaping to be provided at the boundaries of the site, with particularly extensive provision made at the north and eastern boundaries to provide a buffer to residential properties". Whilst provision is made around the majority of the site's boundaries, there is considerably less provision along the southern boundary (the frontage with the Broadland Northway). I can appreciate that there will be a commercial desire for the scheme to be prominent from the road, but without a significant landscape treatment this edge could be far more urban than it needs to be, and is potentially contrary to the Landscape Planning Guidelines set out in the E3 landscape character area of the Landscape Character SPD which "seek to

screen (where possible) existing and potential harsh development edges.” I note that the southern plots of this proposal are largely in addition to the original allocation, being surplus to requirement from the construction of the Broadland Northway.

Where provision is made for substantial tree belts and landscaping, I am concerned by the uniformity of the proposals around the site. In particular, I have reservations about the proposed earth bunds, which have a similar profile regardless of the underlying landform. The site has a sloping existing profile, and my view is that the current scheme does not work with the natural landform as best it might do. The proposed road alignment also does not work with the landform as best they might do; whilst the proposed road layout appears to provide an efficient access, and relatively even plot distribution, working with the contours, as opposed to against them, could provide a more sensitive result.

I note that comments have already been made on the existing views through to the church at Horsham St Faith along New Holme Lane , and I share these. There are views to the church across the site from other points too and I would request that consideration be given to these also.

4.11 Lead Local Flood Authority:

Object in the absence of acceptable supporting information.

Comments on amended/additional information:

No objections subject to conditions

4.12 Norfolk Fire and Rescue Service:

We will require fire hydrant(s) to be installed, in a location(s) specified by Norfolk Fire & Rescue Service to ensure adequate fire fighting water provision. The fire hydrant(s) shall conform to BS750 and should provide a minimum sustained outlet discharge in line with the National guidance document on the provision of water. A minimum requirement for commercial/industrial development would normally be fire hydrants on no less than a 125mm main. This is subject to clarification of the type, size and use of the commercial premises. Where required hydrant(s) should be located within a vehicular travel distance of 90 metres from the entry points of buildings or the inlet point of a Dry Riser where required. The developer(s) is responsible for ensuring sufficient hydrants are installed, in compliance with water regulations and Building Regulations Approved Document B with reference to the ‘National guidance document on the provision of water for fire fighting’ published by Water UK. All proposed hydrant provision should be to the

satisfaction of the Norfolk Fire and Rescue Service. All expenses incurred shall be borne by the developer, owner or occupier of the commercial entity.

4.13 Norfolk County Council Minerals and Waste:

No objection

Comments on amended plans:

No further comments

4.14 Norwich Airport:

Object unless conditions are applied to the outline permission in relation to the height of buildings, lighting, landscaping to not attract birds, details of SuDS, the use of cranes.

Comments on amended plans;

No further comments

4.15 Norwich City Council:

We cannot support the principle of E(g)(i) office use in this location. Offices are a main town centre use. Norwich City Council commissioned a review of office accommodation in Norwich in 2020 which was updated in March 2021. The report concluded that the Norwich office market is fragile and the city centre is the most suitable location for employment space. Out of centre office provision has the potential to undermine the role that office accommodation plays in the city centre.

We cannot support hotel use (C1) in this location. This is a main town centre use and the proximity of the site to Norwich Airport is not believed to be a valid consideration given the distance from the main accessible part of the airport accessed from Amsterdam Way and the subsequent need for an additional journey between the application site location and the airport, most probably by private car journey. The use of the site for hotel use is not considered to have synergies with a Park and Ride site which would tend to have a function of providing access to the city centre on a daily basis by residents based outside of the city.

A drive-through restaurant is a main town centre use in accordance with the definitions in the Local Plan and NPPF. The site is not within an existing centre and there is a presumption against main town centre uses in such locations in accordance with the NPPF. The location can be considered as out of centre and it would therefore be necessary for a sequential assessment to

demonstrate that there are no reasonable alternative available sites for the hotel and drive through restaurant uses within defined centres to justify this much less favourable location.

Due to the application site being on the edge of the city of Norwich, cross boundary issues need to be considered. As such in accordance with national planning policy consideration should be given to whether there are any reasonable alternative and available sites within or adjacent to a defined retail centre within Norwich which could accommodate the hotel or drive-through restaurant use.

In the event that planning permission is granted you should consider the use of suitably restrictive conditions to prevent changes with the wider Class E use class to other commercial, business and service uses such as retail and leisure uses which should be located in a more sustainable city centre location.

4.16 Senior Heritage and Design Officer:

Suggests a zone of no development should be provided along New Holme Lane to preserve views towards Horsham St Faiths church. Concerned about potential heights of sheds up to 15m tall which may impact on the setting of assets such as Horsford Castle, Horsford church and Horsham church. It would be good to have wire lines from viewpoints and more height restrictions north of New Holme Lane. The development is on higher ground to these lower lying assets to the south and although some distance, larger buildings may start impacting on their wider rural setting. Certainly there is potential for significant urbanizing effect on the surrounding landscape. Normally in an EIA these things would be more picked and it would be a zone of theoretical visibility rather than just 1km – particular with high grade assets....we've had EIA for lesser development – presumably as it is allocated it is not going to have one?

Comments on amended plans:

They've created a view corridor to the church which is good and changed the buffer planting. Could they show some low level planting or trees to south east alongside the view corridor to link the buffer planting and the infiltration basin and provide a more defined landscape edge considering this could well be the back of an industrial unit or just a tarmac car parking area? They've shown bits of green space in some of the corners e.g. Maybe these could have some smaller trees indicated along their perimeter as well to give them more character/use rather than potentially just becoming left over spaces?

#### 4.17 Water Management Alliance

The site is near to the Internal Drainage District (IDD) of the Norfolk Rivers Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District ([https://www.wlma.org.uk/uploads/179-NRIDB\\_Index.pdf](https://www.wlma.org.uk/uploads/179-NRIDB_Index.pdf)) as well as the wider watershed catchment ([https://www.wlma.org.uk/uploads/NRIDB\\_Watershed.pdf](https://www.wlma.org.uk/uploads/NRIDB_Watershed.pdf)). I am pleased to see that initial testing shows that a drainage strategy reliant on infiltration is likely to be achievable on the proposed development. If for any reason a strategy wholly reliant on infiltration does not prove viable and a surface water discharge is proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible. The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 167 of the National Planning Policy Framework).

#### Other Representations

#### 4.18 Residents:

Comments received from 3 residents raising the following issues:

- Development out of keeping with rural area and will impact skyline.
- Impact on wildlife.
- Some of the plans and surveys were carried out nearly 2 years ago – are they still fit for purpose?
- Site could be farmed in a more sustainable manner to benefit ecology rather than developed.
- Existing industrial estates should be used before this.
- Trees and hedgerows should be saved.
- No need for another park and ride.
- Impact of climate change.
- Loss of agricultural land.
- Air pollution Light pollution.
- Safety of access.
- Increased flood risk.
- Too close to residential development.
- Main sewer cannot accommodate this development.

5 Assessment

Key Considerations

5.1 Planning law (section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), and the online Planning Practice Guidance (PPG).

5.2 The key considerations for the determination of this application are:

- Principle of development
- Highways impacts
- Landscape/Character impacts
- Drainage
- Pollution control
- Other issues – proximity to airport, ecology, archaeology, energy efficiency, finance

Principle

5.3 Policy GC2 of the Development Management DPD 2015 (DM DPD) states that new development will be accommodated within the settlement limits defined on the policies maps. Outside of these limits development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan. The underlying objective of GC2 is to control the location of new development to ensure that development is directed to the most sustainable locations and deliver the objectives of the JCS.

5.4 Whilst the site is located outside of the settlement limits as defined on the policies maps, the site is allocated under policy HNF2 of the Site Allocation DPD 2016 (SA DPD) (including land incorporated from the safeguarded area of the Broadland Northway). This states the following:

Land east of the A140 and north of Norwich International Airport, Horsham St Faith (approx. 35 ha) is allocated for employment uses benefitting from an airport location. This will be to provide a full range of employment uses benefitting from a location close to the airport. It is expected:

*1. Uses to be within use classes B1, B2 and B8, with a maximum of 50% of total floorspace to be within any one use class;*

2. *Proposals to demonstrate that there will be a significant specific benefit from a use being located near the airport;*
3. *Substantial treebelts and landscaping to be provided at the boundaries of the site, with particularly extensive provision made at the north and eastern boundaries to provide a buffer to residential properties;*
4. *Access to be provided directly from the A140 / Northern Distributor Road interchange, with a possible second point of access from the northern part of the site to the A140;*
5. *A masterplan is to be produced for the site showing a coordinated approach to bringing forward the development, particularly in relation to access provision including coordination with the NDR and any necessary off-site highway improvements, and the early provision of landscaping to mitigate visual impacts. Accordingly, development is to be in two phases: Phase 1 the south-western, north-western and north-eastern parts of the site; Phase 2 the south-eastern portion.*

5.5 As can be seen above, Policy HNF2 allocates the site for 'employment uses benefitting from an airport location' and was allocated to deliver the objectives of the JCS including the need under policy 9 for the delivery of employment development at strategic locations including 'a new business park associated with the airport and focused on uses benefitting from an airport location'. Policy HNF2 also states that, inter alia, it is expected that the uses will be within use class B1, B2 and B8 with a maximum of 50% of total floorspace within any one use class. Members should be aware that since the adoption of the SA DPD, the use classes order has been amended which revoked use class B1 and instead effectively replaced it with the new Class E(g) hence the current description of development.

5.6 The application proposes a range of uses within classes B2, B8 and E(g)(i, ii and iii). As specified in paragraphs 1.2 and 1.3 of this report, none of these uses would exceed 50% of the total floor area and would be considered 'employment uses'. Accordingly, the principle of these uses is acceptable with regard to policy HNF2.

5.7 In terms of the policy requirement for the employment uses to those 'benefitting from an airport location' officers would wish to stress the following:

Firstly, it is considered that these type of uses would almost inevitably benefit significantly and specifically from being located close to the airport given the high levels of sustainability and connectivity that generally the airport environment has created so in this sense the scheme fulfils what can be interpreted to be a relatively broad term. Secondly, the GNLP proposes to remove this phrase as part of the emerging allocation for the site, and whilst this document has no meaningful weight at this time, officers consider it does reflect the direction of travel for the users of the site. Thirdly, it is also

apparent that the recently constructed recycling centre on the site has also set somewhat of a precedent for a more “general” approach to the site.

- 5.8 It is apparent that the application also proposes a range of uses – a park and ride, a filling station, two drive-thrus and a car showroom which would not be considered ‘employment uses’ within the definition included in the glossary of the SA DPD. As such, the application in strict terms conflicts with policy HNF2.
- 5.9 Accordingly, in accordance with section 38(6) of the Planning Compulsory Order 2008, the application should be refused unless material considerations indicate otherwise. In this instance, there are a number of material considerations that need to be taken into account in coming to a view on the acceptability of the applications.
- 5.10 It is considered reasonable to have regard to the fact that the filling station, car showroom and drive-thru are still uses that would generate employment, thereby creating employment opportunities in the district in accordance with objective 3 of the JCS and very much the spirit of the policy insofar as job creation. Furthermore, these uses would provide a range of facilities which would be complimentary to and support the proposed employment uses by providing services and amenities which future employees, customers and other visitors to the business park could rely on and potentially make for a more attractive proposition for prospective businesses interested in the B2, B8 and E(g) units thereby aiding the delivery of the employment uses. In addition, the proposed filling station would be located in a strategic location adjacent to the Broadland Northway and provide a facility which is currently not provided for on this stretch of the strategic road network.
- 5.11 Consequently, I consider that there would be considerable benefits from diversifying the range of uses away from purely ‘employment uses’ and this weighs in favour of the proposal. Conditions should however be used to limit the range and quantum of non-employment uses to the amounts specified in the application.
- 5.12 The proposed park and ride of up to 1000 spaces is a somewhat different proposition on the basis that it couldn’t be said to be employment generating in the same way that a filling station, car show room or drive-thru would be. The application states that this use has been proposed in response to the airport masterplan which proposes the possible relocation of the current park and ride facility at the airport to a location better placed to give direct access from the Broadland Northway and provide additional airport parking to service airport growth. Whilst Norfolk County Council have confirmed that they do not currently intend to deliver a park and ride service from the application site, including the use within the application would provide an opportunity should this strategy change in the future. In the event that the park and ride does not



come forward then the full range of employment uses proposed in the application could come forward, as in transport terms the park and ride facility would represent the 'worst case' scenario. Consequently, there is considered to be no tangible harm in allowing a potential park and ride facility in this location.

- 5.13 Before reaching conclusions on the acceptability of this full range of uses it is necessary to consider the impact of the development on town centre vitality as the proposed filling station and drive-thru uses are defined as 'main town centre uses' in the NPPF.
- 5.14 Paragraph 87 of the NPPF advises that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. Paragraph 88 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
- 5.15 The site is considered to be an out of centre location. Whilst offices are defined as a main town centre use in the NPPF, this use has been allocated under HNF2 so does not need to be sequentially tested. However, the proposed filling station and drive-thru restaurants are main town centre uses in an out of centre location that are not in accordance with an up-to-date plan. As such, a sequential test is required. In support of the application is a sequential test which reviews whether there are any available, suitable and viable sequentially preferable sites that could accommodate the proposed development. The submitted information reviews sites up to 1.3ha in area (this being the size of site to accommodate the filling station and drive-thrus within a 5.9km radius of Norwich City Centre).
- 5.16 With regard to suitability, the applicant has made the case that the proposal is intrinsically linked to the delivery of the wider business park as it would be ancillary to the other proposed uses while also minimising the need for travel by employees of the business park off site to other service providers. It would also provide a facility to serve the users of the adjacent Broadland Northway and the developer's business model is reliant on sites close to the strategic network.

- 5.17 The sequential test concludes that there is a lack of sites within Norwich City Centre and the surrounding areas to accommodate a development of this size and type. It notes that the vast majority of sites available fall well below the required floorspace and the likely occupiers' requirements, especially when considering the mixed-use nature of the development and the need to be located along a strategic highway network. There are no sites that are suitable to contain a filling station as well as drive through restaurant/coffee shops which are required to be on strategic road networks to attract passing motorists. Whilst a number of sites are of adequate size that could accommodate the development, they have been discounted by the applicant due to perceived constraints which would prohibit the proposed development. Consequently, the applicant considers that there are no sequentially preferable sites and that the sequential test has been 'passed' in respect of the filling station and drive thrus. Norwich City Council identified in their original response of the need for a sequential assessment but have provided no comments on the additional information which was subsequently submitted as is therefore taken. Overall, I am satisfied that for this proposal the sequential test has been satisfied and the application would not conflict with the objective of protecting the vitality and viability of town centres.
- 5.18 Taking the above into consideration it is considered that there are material considerations which justify the proposed uses outside of the scope of HNF2.
- 5.19 I have no objection to the 'full' part of the application in principle being necessary infrastructure towards the delivery of the HNF2 allocation.
- 5.20 Concerns have been raised by residents regarding the need for new commercial sites, however as the site is an allocation and supports the strategic aims of the JCS this is not considered to be grounds for objection. Furthermore, whilst the development would result in the loss of agricultural land the principle of this has already been established through the allocation of the site.

#### Highways

- 5.21 Policy TS2 of the DM DPD requires the application to be accompanied by a Transport Assessment and/or a Travel Plan. Developments will need to include proposals to deal with any consequences of their development in terms of maximising access by foot, cycle and public transport. Policy TS3 states that development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network. Policy HNF2 of the SA DPD identifies that access is to be provided directly from the A140 / Northern Distributor Road interchange, with a possible second point of access from the northern part of the site to the A140. The guidelines for development states that further public transport, pedestrian, cycling and highway infrastructure improvements will need to be

agreed with the Highway Authority. In addition, highway improvements may be needed to upgrade the junctions to deal with traffic generated by the development. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 5.22 In support of the application there is a Transport Assessment, Transport Assessment Addendum and a further Note provided in response to the highway authorities' initial comments.
- 5.23 The application proposes a single point of vehicular access via the existing access off the Broadland Northway/A140 roundabout which serves the recently completed household waste recycling centre. An emergency access would be provided via New Holme Lane with access onto West Lane. Pedestrian and cycle access would be provided at the access off the Broadland Northway/A140 roundabout with a shared use path provided to the north of the newly constructed estate road. New Holme Road would also be available for a pedestrian and cycle route through the site. The extent of further pedestrian and cycle routes through the site would be determined through the reserved matters applications.
- 5.24 The highway authority has confirmed that they do not object to the principle of the proposed development but that note that reservations regarding provision for sustainable and active travel and also potential impact on satisfactory operation of the A1270/A140 interchange mean that conditions to be attached to this permission will require, amongst other things, the following:
- any subsequent reserved matters for the site to assess and provide information on cumulative development traffic flows to establish whether mitigation in the form of upgrades to the network (increased capacity at the interchange) are required to be delivered as part of the development
  - Provision of a bus stop at the A140 north of the Interchange
  - Any subsequent reserved matters to include a cumulative assessment of cycling and walking trips and traffic signal controlled crossing to be provided if 50 or more daily pedestrian crossings arise
- 5.25 A number of other conditions are also set out above
- 5.26 In summary, it is considered that with the inclusion of the conditions outlined by the Highway Authority the scheme does not compromise the safe functioning of the highway network and can deliver sustainable travel objectives.

Landscape/Character Impact

- 5.27 Policy 1 of the JCS seeks, inter alia, to protect environmental assets including general aspects of the countryside and rural character. Policy 2 of the JCS seeks to promote good design and respect local distinctiveness including the landscape setting of settlements, the landscape character and historic environment, townscape and the provision of landscaping. Policy GC4 of the DM DPD expects development to achieve a high standard of design and avoid significant detrimental impacts and pay adequate regard to the environment, character and appearance of the area, reinforce local distinctiveness and make efficient use of land and resources. Policy EN2 requires proposals to have regard to the Landscape Character Assessment SPD and consider impacts upon a range of landscape features. Policy HNF2 of the SA DPD states that substantial tree belts and landscaping are to be provided at the boundaries of the site, with particularly extensive provision made at the north and eastern boundaries to provide a buffer to residential properties.
- 5.28 In support of the application is a preliminary arboricultural impact assessment (AIA), landscape and visual impact assessment and amended landscape masterplan.
- 5.29 The amended masterplan proposes native woodland planting to the sites boundaries including a bund to the west, north and eastern boundaries but a more open approach to the southern boundary with the Broadland Northway. New Holme Road is proposed to be retained with meadow planting, understorey planting and new trees planting its edges. These details should be considered indicative at this stage owing to the outline nature of the application and subject to more detailed design based upon the principles of this plan. The full part of the application is accompanied by detailed planting plans and landform plans of the proposed drainage basin and landscape bund.
- 5.30 The Landscape Architect has commented that the proposed layout should be reconsidered to reflect the potential conflicts identified in the AIA. However, owing to the outline nature of the application these matters can be more fully considered at the reserved matters stage when the details of the layout are submitted for approval as the submitted plan is indicative only at this stage.

- 5.31 In respect of the need to provide substantial tree belts as required by HNF2 to the north and east, the Landscape Architect has acknowledged that what has been provided around the majority of the sites boundaries, but expresses concern around the more limited provision around the southern boundary. In response to this the applicant is willing to accept a condition requiring the need to submit an updated landscape masterplan to provide additional planting to the south of plots 34, 35 and 36.
- 5.32 Where more substantial planting has been provided to the west, north and east the Landscape Architect has also commented that they have concerns over the uniformity of the proposals and in particular the proposed earth bunds which have a similar profile regardless of the underlying landform. The profile of the bund has not been revised in the amended landscape plan however further areas of planting have been introduced which helps to break up the uniformity of the bunds internally to the site.
- 5.33 In considering the views of the Landscape Architect on the points raised it is considered that the submitted landscape masterplan is not in a position where it can be agreed at this stage but that it does represent a document that can be used to inform a condition requiring an updated one to be provided to and agreed by the Council with improvements to the perimeter planting, and bunding detailing.
- 5.34 Concerns have been raised by a resident regarding the impact of the development on the character of the area and would impact on the existing skyline. Whilst the development would undoubtedly have an urbanising impact on the site, in the context of this being an allocated site the impact is acceptable and adequate landscape mitigation is proposed to ensure compliance with policies 1 and 2 of the JCS and GC4 and EN2 of the DM DPD and adequate regard has been given to the Landscape Character SPD.
- 5.35 Also of relevance is the potential impact of the development on nearby heritage assets. In support of the application is a heritage assessment which identifies nearby heritage assets including 15 listed buildings, two Scheduled Monuments and a Conservation Area within the surrounding 1km study area with the Grade I listed Church of the Blessed Virgin and St Andrew 9in Horsham St Faiths), the Grade II listed The Kennels (on West Lane), the Horsham and Newton St Faith Conservation Area and Horsford Castle Scheduled Monument subject to more detailed assessment.
- 5.36 Historic England have raised no objections to the application and advised that the views of specialist conservation advisers is sought. The Council's Senior Heritage and Design Officer has advised that there are views of the tower of Horsham St Faiths church along from fields north of New Holme Lane and has suggested a zone of no development is provided along the Lane so that

this view is preserved. In response the applicants have amended their landscape masterplan to provide such a viewing corridor with only low level landscaping and infiltration features included within it. The Senior Heritage and Design Officer considers this amendment to be a positive change but has made some relatively minor comments about the proposed planting which I consider can be adequately addressed at the detailed landscaping stage. Overall I am satisfied that the proposed development would preserve the setting of designated heritage assets in accordance with policy 1 of the JCS and the NPPF and that appropriate consideration has been given to S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 and S72 of the Listed Buildings Act 1990.

#### Drainage

- 5.37 Policy CSU5 of the DM DPD requires applications to ensure that the risk of flooding on site or elsewhere is minimised. In support of the application is a Flood Risk Assessment and Drainage Strategy. The site is located within flood zone 1 where there is the lowest risk of fluvial flooding.
- 5.38 The first phase of drainage infrastructure is included in the full part of the application and this includes an infiltration basin which plots would drain into at a controlled rate. The proposed outline drainage strategy is also via infiltration and a series of indicative infiltration basins are shown on the outline part of the application into which plots would drain at a controlled rate.
- 5.39 Having initially raised objections the applicants submitted a response note to the issues raised and discussions took place between the LLFA, the applicants and Broadland officers. The outcome of this additional information note and discussions is that the LLFA have confirmed that they have no objection to the full application and no objection to the outline application subject to condition.
- 5.40 I am therefore satisfied that drainage has been adequately considered at the application complies with policy CSU5 of the DM DPD.

#### Pollution control

- 5.41 Policy EN4 of the DM DPD requires development proposals to include an assessment of the extent of potential pollution. In support of the application is an outline noise assessment, lighting statement, site investigation and air quality assessment.

- 5.42 The Environmental Management Officer has advised, in respect of air quality, that the applicants air quality assessment has identified a low risk to sensitive receptors with respect to the construction phase (dust and particulate matter) with an overall negligible effect from operational traffic and not significant risks from residual effects. The construction phase low risks are dependent on good site practice which should incorporate the creation and submission of a Construction Environmental Management Plan (CEMP), which is commonplace for this scale of construction.
- 5.43 In terms of noise, they have advised that the outline noise survey has detailed ambient noise levels which have been calculated from appropriate locations taking sensitive receptors into consideration. The exact commercial uses of the enterprise park are not known at this moment and so a detailed noise assessment will be needed when more details are known on a plot-by plot basis which will need to take account of any previously approved plots. Noise and vibration from the construction phase can be managed by a dedicated section within the CEMP. The developer may wish to submit a Section 61 Application. This can be discussed with Environmental Protection previous to any application as to the benefits and obligations of such an application. A suitably worded condition as below would be sufficient to manage the risks of noise from commercial units from this site.
- 5.44 In terms of contamination, a factual report was submitted that covered the geotechnical specifications of any future development. The report did not identify any visual or olfactory indication of contamination. The history of the site would suggest that no gross contamination is expected however, a suitably worded condition covering the procedures needed to be taken, should unexpected contamination be found during construction should be applied, especially given the aquifer status of the area.
- 5.45 In addition to the Environmental Management Officer (EMO), the Environment Agency have also been consulted and advised that they have no objections subject to conditions in respect of groundwater and contaminated land. There is some duplication with the EMO conditions and conditions will need to be worded to avoid this.
- 5.46 As detailed in the Lighting Statement, when reserved matters application are made, a lighting assessment for each stage of development will be required to be submitted considering the more detailed aspects of the development when known. This will ensure resident amenity and landscape character are adequately considered and protected and

- 5.47 Consequently I am therefor satisfied that pollution impacts have been adequately considered and the application complies with policy EN4

Other Issues – proximity to airport, ecology, archaeology, energy efficiency, finance

Proximity to airport

- 5.48 The site is located in close proximity to Norwich Airport where policy TS6 of the DM DPD states that proposals will be expected to have regard to public safety zones relating to the airport. Norwich airport have been consulted on the application and, bearing in mind the outline nature of the application, have advised that they object unless conditions are imposed in respect of building heights, lighting, landscaping (to minimise the risk of birdstrike), drainage and the use of cranes. These conditions can be reasonably included albeit the wording proposed by the airport should be amended to ensure that the conditions are precise and enforceable.

Ecology

- 5.49 Policy 1 of the JCS seeks to, inter alia, ensure that there are no adverse impacts on international and nationally designated sites of ecological importance and minimise fragmentation of habitats and conserve and enhance existing environmental assets of regional or local importance. Policy EN1 of the DM DPD requires development proposals to protect or enhance the biodiversity of the district and avoid fragmentation of habitats. In support of the application is an Ecological Assessment which identifies that there are no statutory sites within 2km, and the nearest non-statutory site is a County Wildlife Site, ~0.5km north and separated from the Site by farmland and a minor road. There are an additional five County Wildlife Sites within 2km. By virtue of distance, it is concluded that impacts on designated sites will be negligible.
- 5.50 However, the assessment pre-dated the recent advice received by Broadland District Council in respect of Nutrient Neutrality from Natural England. The Council has recently been made aware by Natural England that development with the potential to have nutrient impacts on Habitats sites should now be considered when making decisions in relation to planning. Any impacts need to be identified and mitigation proposed and secured for the Council to conclude no likely significant effects under the Habitats Regulations. The Council needs time to consider the impacts of this requirement on the decision making process and therefore the officer recommendation reflects this need.
- 5.51 In respect of on-site ecological interest, surveys for botany, great crested newts, bats, breeding birds and reptiles have been undertaken and subsequently verified by further walkover surveys. The assessment identifies that the site is considered to support only a small assemblage of species of



conservation concern and that the ecological value of the site is considered to be at the local scale. Within the scheme, existing lengths of hedgerow will be largely retained, albeit with some new breaches or enlarged breaches for access. New Holme Lane will be retained as a footpath and cycleway with occasional emergence and maintenance access. The existing field boundaries will be enhanced with tree and native hedgerow planting with additional native woodland planting. Also included are drainage infiltration basins with associated meadow planting.

5.52 The following mitigation is proposed:

- Nesting birds. The clearance of the Site, including the ephemeral and short perennial vegetation, should be outside the nesting bird season (which runs from March to August inclusive) or otherwise be under a watching brief. •
- Bats – roosting. It is concluded that roosts are absent. However, the two trees with roost potential should be re-assessed prior to any arboricultural works or activities that may cause indirect disturbance.

5.53 The options for enhancement are limited by the proximity to the Norwich International Airport, with restrictions on measures that may attract birds and possibly even bats to the vicinity due to the potential for striking planes. The main focus of enhancements should be pollinators and other insects and a ecological enhancement plan should be secured on a plot by plot basis, secured by condition.

5.54 Overall I am satisfied that the application would comply with policy 1 of the JCS and EN1 of the DM DPD in respect of ecology.

#### Archaeology

5.55 The proposed development site is large and located adjacent to an area where archaeological work in advance of the construction of the A1270 Broadland Northway in 2010 revealed evidence of possible settlement activity of early Anglo-Saxon date adjacent to the.

5.56 The Historic Environment Service has advised that all archaeological work related to the consented and now operational recycling centre is complete, an archaeological Desk-based assessment has been undertaken covering all of the application area and a geophysical survey has been carried out on Phase 1. They have no objection being granted subject to a programme of archaeological mitigatory work commencing with informative trial trenching on the Phase 1 area and geophysical survey in other areas to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction).

The exception to this may be the potential Park and Ride site, which has been heavily disturbed by activity related to the construction and removal of the concrete runways, tracks and dispersals of former RAF Horsham St Faiths (now Norwich International Airport). Subject to conditions I am therefore satisfied that the development would be acceptable in respect of archaeology.

Energy efficiency:

- 5.57 Policy 3 of the JCS requires non-residential developments in excess of 1,000sq m to include sources of 'decentralised and renewable or low-carbon energy' (as defined in the glossary) providing at least 10% of the scheme's expected energy requirements. Given the outline nature of the application this will need to be demonstrated on a plot-by-plot basis and secured by condition.

Finance:

- 5.58 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.
- 5.59 This application is liable for Community Infrastructure Levy (CIL) and will be calculated at the reserved matters stage.

Recommendation:	Authorise the Assistant Director of Planning to approve subject to the following conditions and subject to satisfactorily addressing the requirements under the Habitats Regulations regarding nutrient neutrality
	<p>Full:</p> <ol style="list-style-type: none"> <li>1. 3 year commencement</li> <li>2. Plans and documents</li> <li>3. Management and maintenance arrangements tba</li> </ol> <p>Outline:</p> <ol style="list-style-type: none"> <li>1. Outline details (layout, scale, appearance, landscaping)</li> <li>2. Outline time limits</li> <li>3. Quantum of uses to be restricted to what has been applied for.</li> <li>4. Amended updated/strategic landscape plan</li> <li>5. Phasing of strategic landscaping</li> <li>6. Landscaping details to be submitted with reserved matters</li> </ol>

	<ul style="list-style-type: none"> <li>7. Tree protection</li> <li>8. Surface water drainage</li> <li>9. Tanking for filling station</li> <li>10. Validation report for tanking</li> <li>11. Unexpected contamination</li> <li>12. Restriction on infiltration into the ground</li> <li>13. Restriction on piling and foundation design</li> <li>14. Construction Management Plan</li> <li>15. Boundary noise levels</li> <li>16. Archaeology</li> <li>17. Building heights</li> <li>18. Cranes</li> <li>19. Biodiversity enhancement</li> <li>20. Foul water drainage phasing</li> <li>21. Fire hydrants</li> <li>22. 10% renewable energy</li> <li>23. Lighting</li> <li>24. Details of roads, footways etc tba</li> <li>25. Binder course prior to occupation</li> <li>26. Footways &amp; cycleways fully surfaced</li> <li>27. No direct access for motor vehicles to New Home Lane</li> <li>28. Construction Traffic Management Plan (CTMP) tba</li> <li>29. Compliance with CTMP throughout construction</li> <li>30. Off site highway works tba</li> <li>31. Off site highway works to implemented</li> <li>32. TRO prohibiting access from Horsham St Faiths via New Home Lane to be promoted/secured</li> <li>33. Framework Travel Plan tba</li> <li>34. Implementation of Travel Plan</li> <li>35. Subsequent RM apps to include assessment of vehicular trips with mitigation as necessary</li> <li>36. Subsequent RM apps to include assessment of cycling and walking trips with mitigation as necessary</li> </ul>
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## Planning Committee

### Application 4



Application No: 20211143

Land at Grange Farm, Buxton Road, Horstead with ~~Stanninghall~~

Scale:  
1:4425  
Date:  
9 May 22



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**4. Application No: 20211143**

**Parish: HORSTEAD WITH STANNINGHALL**

Applicant's Name: Mr and Mrs G Mardle

Site Address: Land at Grange Farm, Buxton Road, Horstead With Stanninghall, Norwich, NR12 7NS

Proposal: Demolition of Existing Agricultural Buildings which did not require Prior Approval to Change Use to a Dwelling together with Building Operations to Convert them under Prior Notification 20201368 and Erection of Single Storey Detached House with Larger Curtilage and Installation of Stand-Alone Solar Equipment

**Reason for reporting to committee**

The application is reported to Committee as it is contrary to the provisions of the development plan and the officer recommendation is for approval.

**Recommendation summary:**

Full Approval, subject to conditions.

**1 Proposal and site context**

- 1.1 The application seeks full planning permission for the demolition of existing agricultural buildings and the erection of a single storey dwelling in their place. The proposal is in its amended form and was originally submitted for a two storey house which was not considered acceptable in this location as its form and scale was significantly in excess of that of the existing buildings.
- 1.2 These proposals follow a Prior Notification application 20201368 which granted prior approval for the change of use of the building to a dwelling under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015.
- 1.3 Overall the dwelling will be 1.9 metres longer, 0.4 metres wider and 2.7 metres higher than the existing. The proposed dwelling will closely reflect the existing buildings in form and layout having the effect of linking the two together. It will have a red clay pantile roof and mixture of soft red brick and timber clad walls to respect the rural location. In addition to the new dwelling, this application also seeks to change the use of agricultural land to provide a larger residential curtilage for the dwelling than that previously approved and

allowed under the Class Q application and to install stand-alone solar pv equipment in two rows [max height 1.20m].

- 1.4 The vehicular access will be via the adapted existing field access onto the farm track leading to Buxton Road at West Lodge. Buxton Road is classified as C494.
- 1.5 The application site is located outside of any defined settlement limit, on the north-eastern side of Buxton Road and to the west of Horstead. The land has an agricultural land value of 3 and is within the river valley landscape character area. Buxton Road is to the south-west of the site and there are fields to the north and west. There are a group of around six dwellings to the north-east in an area known as Largetate. There is a former piggery and an existing sand and gravel quarry to the south-east. There are trees and hedging along the northern, western and south-eastern boundaries of the site.

## 2 Relevant planning history

- 2.1 20201368 Prior Approval Not Required 25 September 2020

Convert Two Agricultural Buildings to a Dwellinghouse (Prior Notification)

## 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
- 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 EN1 : Biodiversity and habitats

Policy EN2 : Landscape

Policy TS3 : Highway safety

Policy TS4 : Parking guidelines

Policy CSU5 : Surface water drainage

### 3.4 Supplementary Planning Documents (SPD)

Landscape Character Assessment

## 4 Consultations

### 4.1 Horstead with Stanninghall Parish Council:

No objection.

### 4.2 District Councillor:

No response.

### 4.3 Senior Heritage and Design Officer

Responded with no objection to the revised design. Advised that the quality of the finished appearance will be very dependent on using good quality materials and detailing such as windows. These should be conditioned. It was noted that the application form states use of red clay pantiles and natural boarding. Also, red facing brick – this should be a good rural red brick multi to match the traditional Norfolk reds used for agricultural buildings.

### 4.4 Environmental Quality Team:

Responded with no objection.

### 4.5 NCC Highway Authority:

The amended site block plan now shows adequate provision for parking and manoeuvring. No objection to the traffic generated by the proposed dwelling accessing Buxton Road at West Lodge given the former use of the site would have generated a certain degree of traffic.

Permission should be on the condition that the proposed access/on-site car parking and turning areas is laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan prior to the first occupation of the dwelling and retained thereafter available for that specific use to ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

4.6 Environmental Contracts Officer:

Our contractors have confirmed that they currently access Largate in order to provide a waste collection service to the properties already here. Therefore we should be able to provide a waste collection to this property too. Please make sure that the bin collection point is located at the entrance to the property, where it meets the access road.

4.7 Other Representations

No response.

5 Assessment

5.1 Key Considerations

1. Principle of development
2. Design and impact upon the character and appearance of the area
3. Impact upon neighbour amenity
4. Impact upon biodiversity and habitats
5. Impact upon highway safety

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, residential amenity, biodiversity and habitats, and highway safety.
- 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 (20201368) under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Council in pursuance of powers under this Act determined that prior approval was not required.
- 5.7 Whilst it is recognised that the application conflicts with Policy GC2 and that, given the sites 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 Accordingly, the Prior Approval application represents a fall-back position given that there is an implementable approval for a dwelling at this site. 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 buildings.

#### Design and Impact upon the Character and Appearance of the Area

- 5.9 The main changes between the proposed new dwelling and the previously approved conversion under the prior approval application is an increase in size of the dwelling and the residential curtilage. However, an important consideration is also the ability to construct a new build energy efficient dwelling.
- 5.10 Overall the proposed dwelling is to be a maximum of 1.9 metres longer than the existing buildings, 0.4 metre wider and maximum ridge height approximately 2.7 metres higher [giving a more traditional roof form]. The

proposed dwelling is 3 bed with 4<sup>th</sup> bed/study as well as bathroom, kitchen/dining/sitting area with a central entrance/hall formed in the proposed link extension. What is considered a relatively modest increase in size of the replacement building will closely reflect the buildings that it will replace in terms of their form and will lead to an enhancement of its immediate setting given its improved design and materials.

- 5.11 The dwelling approved under the prior approval application would benefit from just 102 square metres of residential curtilage. Much of this area is likely to have been taken up by a small courtyard garden and so the current proposals would provide the applicant with a more appropriately sized garden. It is considered that the increased size of the residential curtilage will result in better living conditions for the applicant and an improved form of development.
- 5.12 In addition, it should be noted that the site is not visible from Buxton Road which is the nearest public highway to the south-east and is well screened when viewed from Horstead with Stanninghall Footpath 1 to the east from where it is unlikely to be visible. It is not considered that the new dwelling, change of use of this parcel of land or installation of stand-alone solar equipment will result in any significant visual harm to the river valley landscape character of the area. Despite both being larger than originally approved, it is considered that the dwelling and extension of curtilage is not unduly excessive, will not result in a significant incursion into the countryside and does not cause unacceptable harm to the general character and appearance of the surrounding area.
- 5.13 There are some existing trees on the sites boundaries and although none of these are proposed to be removed, a condition is proposed to be added to the decision notice requiring a Tree Protection Plan and Arboricultural Method Statement to be submitted and approved prior to the commencement of the development.
- 5.14 Overall, the application is considered to accord with Policy 2 of the JCS and Policies GC4 and EN2 of the DM DPD.

#### Impact upon Neighbour Amenity

- 5.15 There is a large degree of separation between the proposed dwelling and any neighbouring residential property to the north east [approximately 100m] and given the size of the dwelling and the screening in place, the proposal will not result in any detrimental impact upon neighbour amenity. The application is therefore considered to comply with Policy GC4 of the DM DPD.

Impact upon Biodiversity and Habitats

- 5.16 Policy 1 of the JCS requires development to both have regard to and protect the biodiversity and ecological interests of the site and Policy EN1 of the DM DPD expects development to protect and enhance the biodiversity of the district. There are no statutory or non-statutory designated nature conservation sites within a 2km search radius of the proposed development site.
- 5.17 The consideration of the impact of the proposed development upon biodiversity and habitat are required to be assessed and the results of an Ecology Report are awaited regarding the ecological value of the site area and the potential for protected species within the site and the buildings themselves.
- 5.18 The report will inform whether any mitigation or protected species licence is required prior to carrying out demolition and construction. Furthermore such would inform what avoidance/mitigation/compensation measures are required if any and what enhancement measures can be incorporated in to the development.
- 5.19 The proposals do not currently demonstrate compliance with Policies 1 of the JCS and EN1 of the DM DPD however given the recommendation is to Delegate Authority to the Assistant Director Place subject to satisfactorily resolving matters regarding Nutrient Neutrality and completion of a S106 legal agreement, it is not considered unreasonable to include within the recommendation satisfactorily resolving any matters relating to ecology.

Impact upon Highway Safety

- 5.20 The proposals seek to utilise the existing field access which has historically been used to serve the building when it was in an agricultural use and was to be used under the previous Prior Approval application. In response to the Prior Approval application the Highway Authority raised no objections to the traffic generated by the proposed dwelling accessing Buxton Road at West Lodge given the former use of the site would have generated a certain degree of traffic
- 5.21 The proposals will allow for greater room for parking and manoeuvring within the site than previously approved.
- 5.22 Norfolk County Council in their role as Highway Authority originally raised some concerns with regards to parking and manoeuvring space. In response

to this the proposed site plan was amended to show adequate provision. It was agreed that such would be acceptable subject to a condition relating to the access and on-site parking and manoeuvring which is to be imposed as requested. The proposals are compliant with Policies TS3 and TS4 of the DM DPD.

#### Other Issues

- 5.23 The site is located within Environment Agency's flood zone 1 and is also not shown to be at risk of any of the surface water flood events. The site is therefore not considered to be within an area at high risk of flooding. The NPPF gives preference to the use of sustainable drainage systems. It is detailed that surface water would be discharged to a soakaway which is acceptable.
- 5.24 It is detailed that foul drainage would be discharged to a package treatment. However it is required that foul water be discharged to foul water sewer unless demonstrated that such method would not be feasible. In this instance discharge to foul sewer is not feasible as there is no nearby mains sewer, and therefore details of the siting and specification of the package treatment plant would be required. Therefore a condition is proposed to be added to the decision notice requiring details on the siting and specification of a package treatment plant. Overall, it is considered that the application would comply with Policy CSU5 of the DM DPD.
- 5.25 The Council has recently been made aware by Natural England that development with the potential to have nutrient impacts on Habitats sites should now be considered when making decisions in relation to planning. Given the site is within a catchment of Habitats sites; any impacts need to be identified and mitigation proposed and secured for the Council to conclude no likely significant effects under the Habitats Regulations. The Council needs time to consider the impacts of this requirement on the decision-making process and therefore the officer recommendation reflects this need.
- 5.26 In respect of the impact upon protected sites from recreational pressure from development, this is required to be mitigated through a tariff and on-site informal recreation (or a contribution in lieu) and this will be secured under a S106 agreement.
- 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.

Conclusion:

- 5.30 Overall, although the application is in conflict with Policy GC2 of the DM DPD, the planning history at the site is a material consideration and there is an implementable approval on site as a fall-back. The proposed dwelling would be slightly larger in terms of size and extent of curtilage than the dwelling previously approved but as set out above the proposals are not considered to cause harm to the general character and appearance of the area or neighbour amenity that cannot otherwise be made acceptable by conditions.
- 5.31 On balance, the application is considered acceptable subject to ecological appraisal and the recommendations thereof, and other impacts are acceptable or can be made acceptable by using appropriately worded conditions/S106 legal agreement. On balance therefore, the application represents an acceptable form of development that complies with the relevant policies of the development plan.

Recommendation:	Authorise the Assistant Director of Planning to approve subject to the following conditions and subject to satisfactorily addressing the requirements under the Habitats Regulations regarding nutrient neutrality; satisfactory completion of a S106 legal agreement relating to tariff contribution; and satisfactory findings in respect to Ecology
	<ol style="list-style-type: none"> <li>1 3 year time limit</li> <li>2 Development shall be carried out in accordance with the approved plans and documents</li> <li>3 Tree Protection Plan and Arboricultural Method Statement</li> <li>4 External materials and boundary treatments</li> <li>5 Bin storage and collection</li> <li>6 Foul water disposal</li> <li>7 On-site parking and manoeuvring</li> <li>8 Removal of Householder PD rights relating to extensions, alterations to the roof and outbuildings</li> <li>9 Water efficiency</li> <li>10 Ecology mitigation/enhancements [if required]</li> </ol>

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**Item 6 Planning Appeals: 6 April 2022 to 6 May 2022**

Appeal decisions received: None

Appeals lodged:

Ref	Site	Proposal	Decision maker	Officer recommendation
20211745	Land off Wood Dalling Road, Reepham, NR10 4RZ	Erection of 7 No single storey dwellings with site access (Outline)	Delegated	Outline Refusal

## **PLANNING COMMITTEE**

**18 May 2022**

**Final Papers**

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<b>Supplementary Schedule</b>	<b>65</b>

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	20220639	W S Lusher and Son Ltd, Lusher's Loke, Sprowston, NR7 8TH	<p><b>Additional public comments submitted:</b></p> <p><u>46 School Lane:</u> Not far from original mast, but the proposal is considerably larger and less shrouded from view. Would be visible to surrounding residential properties. Suggests that other sites could be capable of supporting the 5G infrastructure. Would be visually intrusive, impacting the enjoyment of private gardens. The site is also close to Schools, suggesting impacts on children from emissions from mast. Also states that the development would be in conflict with Sprowston green development policy.</p> <p><u>6 Tusting Close:</u> Will be seen by residential properties. Tusting Close is at a lower ground level. Mast would be an eyesore, spoiling enjoyments of gardens. Also has concern over future addition of equipment upon the mast. Noise pollution from cabinets (cooling fans) would spoil private amenity. The development would devalue properties and could have health impacts. Development is not in keeping with the Sprowston Green Development Policy and the site has been put forward as residential.</p> <p><b>Further officer assessment:</b></p> <p><u>Planning matters:</u> Siting and appearance implications are covered in the main report.</p> <p><u>Non planning matters:</u> The applicant has declared conformity with the ICNIRP Public Exposure Guidelines, therefore the proposal is in compliance regarding radiation.</p> <p>Residential amenity has been considered in relation to the siting of the proposal</p>

			<p>and while it will be visible from some residential areas, the separation distance is sufficient to be acceptable in this regard. It is also likely alternative locations in the vicinity would be closer to residential properties than this site due to the settlement pattern of the area.</p> <p>Finally, impacts on climate are not items for consideration within the prior notification application.</p>
<b>3</b>	20211959	Broadway Enterprise Park, Land off A140, Horsham St Faith, NR10 3JF	<p>With regard to nutrient neutrality as referred to in paragraph 5.50 and in the recommendation, officers have been able to consider this matter further and are satisfied that there is not likely to be an adverse effect when noting the scale and nature of proposed development (will not have a significant “regional” pull from outside of catchment) and there are no proposed developments which will create significant waste water e.g. brewery.</p> <p>On this basis the recommendation can be updated to: <b>APPROVE</b> subject to conditions</p>