

Planning Regulatory Committee

Date: **Friday 9 January 2015**

Time: **10am**

Venue: **Edwards Room, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Membership

Mr D Collis - Chairman

Mr S Agnew

Mr S Askew

Mr M Baker

Mr B Bremner

Mr C Foulger

Mr A Grey – Vice-Chairman

Mr J Law

Mr B Long

Ms E Morgan

Mr W Northam

Mr M Sands

Mr E Seward

Mr M Storey

Mr J Ward

Mr B Watkins

Mr A White

Under the Council's protocol on the use of media equipment at meetings held in public, this meeting may be filmed, recorded or photographed. Anyone who wishes to do so must inform the Chairman and ensure that it is done in a manner clearly visible to anyone present. The wishes of any individual not to be recorded or filmed must be appropriately respected.

**For further details and general enquiries about this Agenda
please contact the Committee Officer: Julie Mortimer**

on 01603 223055

or email committees@norfolk.gov.uk

Where the County Council have received letters of objection in respect of any application, these are summarised in the report. If you wish to read them in full, Members can do so either at the meeting itself or beforehand in the Community and Environmental Services Department, County Hall, Martineau Lane, Norwich.

A g e n d a

- 1 To receive apologies and details of any substitute members attending.**

- 2 Minutes:** (Page 5)

To receive and agree the Minutes of the meeting held on 21 November 2014.

- 3 Members to Declare any Interests**

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

If that is the case then you must declare such an interest but can speak and vote on the matter.

- 4 To receive any items of business which the Chairman decides should be considered as a matter of urgency**

Applications referred to the Committee for Determination

Reports by the Interim Executive Director of Community and Environmental Services

- 5 King's Lynn and West Norfolk Borough Council: Y/2/2014/2014 Erection of extension comprising 8 no classrooms, a kitchen extension, a new school hall, staff room and ancillary accommodation. External works include sports pitch provision, MUGA, new car park and associated works at St Martha's RC VA Primary School, Field Lane, Gaywood, King's Lynn** (Page 8)

**Roman Catholic Diocese of East Anglia/Norfolk County Council on
behalf of the Director of Children's Services**

- 6 **South Norfolk District Council: Y/7/2014/7011: Extension to Queens Hill Primary School, Costessey, comprising of 10 no. classrooms, new main school entrance, administrative and ancillary accommodation, new car park, external teaching spaces and play areas: Director of Children's Services** (Page 35)
- 7 **Breckland District: C/3/2013/3017: Thetford Household Waste Recycling Centre: Retrospective minor material amendment: Variation of condition 2 of planning permission ref. C/3/2011/3021 to make changes to reuse shelter (PV panels), and layout of site (drainage layout, ramp, car parking and addition of safety bollards): Norfolk County Council, Interim Executive Director of Community and Environmental Services** (Page 58)

Chris Walton
Head of Democratic Services
County Hall
Martineau Lane
Norwich
NR1 2DH

Date Agenda Published: 31 December 2014



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STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the Council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Crime and Disorder Act, 1998 (S17)

Without prejudice to any other obligation imposed on it, it shall be the duty of the County Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Human Rights Act 1998

The requirements of the Human Rights Act 1998 must be considered.

The human rights of the adjoining residents under Article 8, the right to respect for private and family life, and Article 1 of the First Protocol, the right of enjoyment of property are engaged. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity.

The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to make use of their land. A refusal of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.

**Planning Regulatory Committee
Minutes of the Meeting Held on Friday 21 November 2014
at 10am in the Edwards Room, County Hall**

Present:

Mr D Collis (Chairman)

Mr S Agnew

Mr S Askew

Mr M Baker

Mr B Bremner

Mr A Dearnley

Mr C Foulger

Mr A Grey (Vice-Chairman)

Mr J Law

Mr W Northam

Mr E Seward

Mr M Storey

Mr J Ward

Mr B Watkins

Mr A White

In attendance:

Mr N Campbell

Mr N Johnson

Ms A Lambert

Mrs J Mortimer

Principal Planner (Acting)

Planning Services Manager

Principal Planner

Committee Officer

1 Apologies and Substitutions

Apologies for absence were received from Mr B Long.

2 Minutes from the meeting held on 24 October 2014

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 24 October 2014 were agreed as a correct record by the Committee and signed by the Chairman.

3 Declarations of Interest

There were no declarations of interest.

4 Urgent Business

There were no items of urgent business.

- 5 Development by the County Council: Breckland District Council.
Y/3/2014/3007 Various Amendments to Planning Permission Y/3/2011/3009 at
Thetford Bus Interchange, St. Nicholas Street, Thetford, Norfolk. Interim Director of
Environment, Transport and Development**
- 5.1 The Committee received a report by the Interim Director of Environment, Transport and Development seeking planning permission for various amendments to details of the previously approved planning application Y/3/2011/3009 for a new Bus Interchange at St Nicholas Street, Thetford and to regularise works that were currently taking place.
- 5.2 The following points were noted during the presentation of the report:
- As the applicant had commenced work on the retaining wall, the 1.8m extension to the concourse and the four additional car parking spaces for residents in Minstergate had also been established, the application needed to be considered part-retrospectively.
 - If the Committee approved the application, details of the materials to be used for the new boundary fence would need to be provided by the applicant.
- 5.3 In response to general questions from the Committee, the following points were noted:
- The bus shelter in bay 2 had been moved away from the kerb edge to allow access for those long-distance coaches that incorporated a built-in 'drop down' ramp to assist disabled passengers. No other bus shelter bays had been moved.
 - The Committee requested that full details of the new bus shelter design should be approved by officers under discharge of conditions, after consultation with the Chairman and Vice-Chairman.
 - No outstanding issues around contamination had been identified since the original application had been approved.
- 5.4 The Committee unanimously **RESOLVED** that the Interim Director of Environment, Transport and Development should be authorised to, subject to no overriding objection from statutory consultees:
- i) Grant planning permission subject to the conditions outlined in section 12 of the report.
 - ii) Discharge conditions (after discussion with the Chairman and Vice-Chairman of the Committee) where those detailed in the report required the submission and implementation of a scheme, or further details, either before development commenced, or within a specified date of planning permission being granted.

- iii) Delegate powers to officers (after discussion with the Chairman and vice-Chairman of the Committee) to deal with any non-material amendments to the application that may be submitted.

The meeting ended at 10.25am

CHAIRMAN



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Applications Referred to Committee for Determination:

King's Lynn and West Norfolk Borough Council

Y/2/2014/2014

Erection of extension comprising 8no classrooms, a kitchen extension, a new school hall, staff room and ancillary accommodation. External works include sports pitch provision, MUGA, new car park and associated works at St Martha's RC VA Primary School, Field Lane, Gaywood, King's Lynn

Roman Catholic Diocese of East Anglia/Norfolk County Council on behalf of the Director of Children's Services

Report by the Interim Executive Director of Community and Environmental Services

Summary

Planning permission is sought for the erection of an extension to the school, external sports provision, a new car park and associated works.

The proposed development for the expansion of the school is part of the County Council's area wide strategy for delivering extra school places in this part of King's Lynn.

King's Lynn and West Norfolk Borough Council object to the application on amenity grounds and due to the loss of playing field. No other statutory consultee has raised any objections.

42 letters of objection and a 41 signature 'change.org' petition has been received. The concerns raised relate to highway and amenity issues.

The proposal lies within the settlement boundary and accords with the relevant national and local planning policies, therefore conditional full permission is recommended.

In accordance with the Council's Scheme of Delegation, the application is brought to the Planning (Regulatory) Committee for determination due to the statutory objection and the level of objections received.

Recommendation

It is recommended that the Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12 of this report.
- (ii) Discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

1. The Proposal

- 1.1 Location : The application site relates to St Martha's RC VA Primary School, a single storey building with double height main hall in the centre. Single storey classrooms wrap around the hall to the north and east elevations, with office and ancillary accommodation to the south and west.
- 1.2 The school has been extended over the years; more recently the school has received a temporary planning permission for the erection of a 6-bay mobile.
- 1.3 The existing school building is constructed of buff bricks, upvc windows and doors with brick detailing and royal blue panels to some windows. Roof coverings are a mixture of concrete tiles and standing seam roofing materials.
- 1.4 Situated within a residential area, Gaywood Primary school bounds the site to the north and Springwood High School to the east. To the south-west of the site is a catholic church which also forms part of this application.
- 1.5 Vehicular and pedestrian access to the school is via Field Lane. Field Lane also serves residential dwellings on Field End Close and Southfields cul-de sac.
- 1.6 Proposal Planning permission is sought for an extension to the school, external sports provision and a new car park.
- 1.7 The proposed scheme consists of :
- An extension (1148m²) comprising 8no classrooms linked to the existing school by a covered walkway;
 - New school hall;
 - Kitchen extension;
 - New staff room and smaller ancillary rooms (for teaching smaller groups) within the extension;
 - External sports provision - Multi Use Games Area (MUGA), games courts, soft and hard play areas, informal social areas, habitat area
 - Amphitheatre;
 - Parking provision accessed via Field Lane

- A one way drop off point within the church site

2. Constraints

- 2.1 The application site lies within an area identified as Built Environment Type D on the King's Lynn and West Norfolk Borough Council Proposals Map. The site does not lie within a Conservation Area nor is the school building or adjacent church listed.

3. Planning History

- 3.1 The planning history held by Norfolk County Council is as follows:
- 3.2 Y/2/2014/2007: Provision of a 6 bay modular accommodation building for a period of two years. External works to include: ramps, steps, additional car parking spaces and associated works – Temporary 2 year planning permission permitted 1 July 2014.
- 3.3 Y/2/2008/2019: Extension to Provide a New Classroom and ITC Suite – Permitted 10 October 2008.

4. Planning Policy

- | | | | | |
|-----|---|---|------|--|
| 4.1 | King's Lynn and West Norfolk Borough Council LDF – Core Strategy (2011) | : | CS01 | Spatial Strategy |
| | | | CS02 | The Settlement Hierarchy |
| | | | CS08 | Sustainable Development |
| | | | CS11 | Transport |
| | | | CS12 | Environmental Assets |
| | | | CS13 | Community and Culture |
| 4.2 | King's Lynn and West Norfolk Local Plan (Saved Policies) (1998) | : | 4/21 | Settled or Built Up Areas - Built Environment Type D |
| 4.3 | King's Lynn and West Norfolk Site Allocations and Development Management Policies Pre Submission Document (November 2014) | : | DM1 | Presumption in Favour of Sustainable Development |
| | | | DM15 | Environment, Design and Amenity |
| | | | DM17 | Parking Provision in New Development |
| 4.4 | The National Planning Policy Framework (2012) | : | 4 | Promoting sustainable transport |
| | | | 7 | Requiring good design |
| | | | 8 | Promoting healthy communities |
| | | | 10 | Meeting the challenge of climate change, flooding and coastal change |
| | | | 11 | Conserving and enhancing the natural environment |
| | | | 12 | Conserving and enhancing the historic environment |

5. Consultations

5.1	Borough Council of King's Lynn & West Norfolk	: Object on amenity grounds and due to the loss of playing field.
5.2	Environmental Health Officer (EHO) (Borough Council of King's Lynn & West Norfolk)	: No comments to make from a contaminated land perspective. The Senior Community Safety and Neighbourhood Nuisance Officer does not object to the proposal subject to the imposition of conditions regarding a ventilation system and a construction management plan on any grant of planning permission.
5.3	Environment Agency	: No objection to the application.
5.4	Natural England	: The consultation period has expired and no comment has been received at the time of writing this report.
5.5	Sport England	: No objections subject to conditions regarding the specification of the MUGA, the marking out of the new sports hall and a community use agreement, being imposed on any grant of planning permission.
5.6	Anglian Water	: Provide comments on wastewater, foul sewerage and trade water.
5.7	Highway Authority (NCC)	: No objection subject to the imposition of conditions regarding the accesses, visibility splays, on-site car and cycle parking, a Traffic Regulation Order and a review of the existing Travel Plan, on any grant of planning permission.
5.8	Local Flood Authority (NCC)	: The consultation period has expired and no comment has been received at the time of writing this report.
5.9	Landscape (NCC)	: No comments to make.
5.10	Arboriculture and Woodland Officer (NCC)	: No objections subject to conditions regarding a Arboricultural Method Statement (AMS), a Tree Protection Plan and a planting plan being imposed on any grant of planning permission.
5.11	Ecologist (NCC)	: No concerns regarding the scheme, the submitted ecological report is sound and considered potential impacts on protected species fully.
5.12	Local residents	: 42 letters of objections from local residents have been received and a 41 signature 'change.org' petition. The concerns raised relate to highway issues and are covered in the main body of the report.
5.13	County Councillor (Margaret Wilkinson)	: Would like to be kept informed throughout the application.

6. Assessment

6.1 Proposal

- 6.2 Planning permission is sought for the erection of an extension to the school, external sports provision and a new car park. The proposed scheme consists of an extension (1148m²) comprising 8no classrooms linked to the existing school by a covered walkway; new school hall; kitchen extension; new staff room and smaller ancillary rooms (for teaching smaller groups) within the extension; external sports provision; amphitheatre; parking provision accessed via Field Lane; and a one way drop off point within the church site.

6.3 Site

- 6.4 The application site relates to St Martha's RC VA Primary School, Field Lane, Gaywood, King's Lynn, a predominantly single storey buff brick built school building with double height hall in the centre. The school has been extended over the years and more recently with a 6-bay mobile which was granted for a temporary two year period.
- 6.5 Situated within a residential area the site is bound by Gaywood Primary school to the north, Springwood High School to the east, and a catholic church to the south-west.
- 6.6 Vehicular and pedestrian access to the school is via Field Lane, which ends in a turning head at Gaywood Primary School. Field Lane also serves residential dwellings on Field End Close and Southfield cul-de sac.
- 6.7 The school site is bound by a mixture of chain link fencing, timber fencing and trees.

6.8 Principle of development

- 6.9 A basic principle when assessing planning applications is outlined in Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004 which states:

"if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise".

- 6.10 In terms of the development plan, the County Planning Authority considers the relevant documents in relation to this application are the King's Lynn and West Norfolk Borough Council Local Development Framework Core Strategy (2011) and Saved Policies of the Local Plan (1998). Whilst not part of the development plan, policies within the National Planning Policy Framework (NPPF) (2012) are also a further material consideration of significant weight.
- 6.11 King's Lynn and West Norfolk Borough Council has prepared a Site Allocations and Development Management Policies document. Once complete and adopted this will sit alongside the existing adopted Core Strategy to form the Local Plan, to guide development in the Borough for the period up to 2026. This document is currently at the pre-submission stage; it is intended to be placed on deposit for representation early next year, with a view to submit the document to the Secretary of State for public examination in the spring/summer of 2015. Whilst

this document is a material consideration, given the stages of the process, little weight is afforded to the policies.

- 6.12 Policy CS02 of the King's Lynn and West Norfolk Borough Council LDF – Core Strategy (KL&WNBC CS) identifies Kings Lynn (including Gaywood) as a sub-regional centre, where the focus is on major planned growth. Gaywood functions as a neighbourhood centre within King's Lynn which provides a range of services.
- 6.13 Policy CS13 of the KL&WNBC CS also recognises the importance of community facilities and services and promotes an active and healthy lifestyle. To encourage a more healthy and active lifestyle, the policy supports proposals that protect, retain or enhance sports, leisure and recreation facilities or creates new facilities in accessible locations. In this case, the proposal includes a new sports hall, a MUGA and external play areas which members of the community and community groups will have access to.
- 6.14 Section 8, Para 72 of the NPPF attaches great weight to the need to create, expand or alter schools. Similar principles are also set out in the Department of Communities and Local Government (DCLG) Ministerial Policy Statement planning for schools development (2008), which emphasises the commitment to increasing both the number of school places and choice and diversity in the state funded sector and makes it clear that there should be a presumption in favour of the development of state funded schools.
- 6.15 The application is accompanied with a Planning Statement which states that the proposed development for the expansion of the school is part of the County Council's area wide strategy for delivering extra school places in this part of King's Lynn as a result of actual and projected pupil numbers; and further housing that is planned as part of the King's Lynn and West Norfolk Borough Council Local Development Framework.
- 6.16 St Martha's primary school is a one form entry (1FE) primary school with a current capacity of 210 pupils. If this application is granted it will increase the capacity of the school to 420 pupils with a two form entry (2FE). The proposed development will help to meet the educational requirements for this part of the County and provide adequate accommodation and learning environment for pupils.
- 6.17 The school intake is 210. The number has increased to 225 for this academic year with one of the two mobile classrooms being used currently to accommodate this number. Both will be in use by September 2015, when there are expected to be 255 on roll. By September 2016 there are expected to be 284 on roll, when the new building is expected to be ready. At this point, the two mobiles will be removed. Numbers will continue to increase year on year until 2021, when the full complement of 420 pupils will be reached.

The year by year breakdown is as follows:

2013 - 210
2014 - 225
2015 - 255
2016 - 284
2017 - 316
2018 - 345
2019 - 375

2020 - 405

2021 - 420

- 6.18 The proposed development is within the school curtilage; an existing established school site which has been extended over the years and is within the settlement boundary. In accordance with the aforementioned policies, the principle of development is considered acceptable. It is to be noted that notwithstanding the weight afforded to the emerging plan, had the plan been adopted and extant, it is considered that the proposed development is compliant with the relevant emerging plan policies.
- 6.19 **Amenity**
- 6.20 Policy CS13 of the KL&WNBC CS seeks to enhance the quality of life of the community through good design. Amongst other criteria, the policy states that new development should enhance the community wellbeing, by considering factors such as natural surveillance, boundary and security features, lighting and the management of public space.
- 6.21 Section 11 of the NPPF seeks to prevent unacceptable risk from pollution on general amenity for existing and future occupants of land and buildings.
- 6.22 The application site is situated within a residential area. Gaywood Primary School bounds the application site to the north, Springwood High School to the east; and residential dwellings to the south and west.
- 6.23 The nearest residential properties are situated opposite the school site on Field Lane. A number of properties situated on Kensington Road have long rear gardens (in excess of 30 metres) that bound the application site.
- 6.24 The submitted Design Stage Submission Report states that external lighting incorporating low energy light sources will be provided to the perimeter of the proposed extension, entrance area and pedestrian access. 5 metre high lighting columns shall be provided to illuminate the car park and route to the school buildings. The planning agent on behalf of the applicant has confirmed that the MUGA will not be flood lit.
- 6.25 Lighting will have a time clock and photoelectric automatic control in order that the lighting can be controlled.
- 6.26 Extract ventilation is to be provided to sanitary spaces and the kitchen. Internal areas such as the hall, group rooms and changing rooms are to be provided with a heat recovery ventilation system.
- 6.27 It is to be noted that whilst an objection on amenity grounds has been received from King's Lynn and West Norfolk Borough Council as Local Planning Authority, King's Lynn and West Norfolk Council Environmental Health Officers (EHO) have reviewed the application submission and do not raise an objection on contamination or amenity grounds. It is recommended that conditions relating to the ventilation system and a construction management plan be imposed on any grant of planning permission. This will ensure there are sufficient measures to control and reduce the potential impacts on local residents during construction and once in operation.
- 6.28 Given the separation distances to residential properties and boundary treatments, it is considered that the proposed development will not have a

detrimental impact on the amenities of occupiers of adjacent residential properties, by reason of overlooking, over shadowing, increased noise, light pollution or loss of privacy, in accordance with the aforementioned relevant national and local planning policies.

6.29 **Design**

6.30 Saved Policy 4/21 of the Local Plan in respect of built environment type D relates to built up parts of town/villages where the majority of developments usually post dates 1914. New development should have regard to scale, massing, form and materials together with the relationship to existing buildings to ensure that the character of an area will not be harmed.

6.31 As a key element of sustainable development, Policy CS08 of the KL&WNBC CS requires all new development to be of a high standard of design.

6.32 Section 7 of the NPPF states that good design is a key aspect to sustainable development and places great emphasis on the importance to the design of the built environment.

6.33 The proposed extension will be linked to the existing school building by a covered walkway. In terms of the internal layout, all classrooms are on the ground floor and planned in groups of two with shared cloakroom facilities and direct access to the outdoors. Separate access points are situated around the building to ensure there is no congestion at the start and end of the school day. The main reception provides a controlled entry point for visitors with administration suites within close proximity. There is separate access to the new hall (and associated service spaces) for after school extra-curricular events.

6.34 The proposed extension is single storey mono pitch and flat roof arrangement clustered around a double height hall. This follows similar principles to design and scale of the existing school building. The proposed extension is to be located to the rear of the existing building therefore views from the street frontage will be restricted, with the roof of the new hall the most visible element. In addition, appropriate landscaping to the site will help soften the impact of the proposal.

6.35 In terms of the external appearance, a palette of materials has been chosen to ensure the proposed development is in keeping with the existing building, whilst providing elements of interest and variation. It is intended to construct the development using the following materials: buff brick, standing seam cladding and roofing materials; and aluminium fenestration with coloured panels. Fencing is a mixture of timber, chain link and weld mesh. To ensure the materials are appropriate and in the interests of visual amenity and the character of the area, it is intended to impose a condition on any grant of planning permission requiring the submission of sample materials to be approved prior to the commencement of the development.

6.36 It is considered that the proposed development is acceptable in terms of design, scale and massing and is in accordance with the relevant national and local design policies.

6.37 **Flood Risk**

6.38 Policies CS01 and CS08 of the KL&WNBC CS seek to guide development

from areas of flooding although recognises that some development may be required in flood risk areas in order to meet regeneration objectives.

- 6.39 Paras 99 – 104 of the NPPF relate to flood risk. The overall thrust of this part of the NPPF is to minimise flood risk, locating development in areas at least risk of flooding, thereby reducing the causes and impact of flooding. The technical guide to the NPPF relating to flood risk also applies.
- 6.40 According to the Environment Agency flood map, the application site lies within Flood Zone 1; therefore the risk of flooding from sources of flooding is low.
- 6.41 The application is accompanied by a Flood Risk Assessment and Drainage Strategy. It is proposed that surface water run-off from the school building and associated hard standing will drain into the ground via two infiltration blankets. The swale located to the eastern area of the site will take surface water run-off only. The car park area and access road will drain via a permeable surface and the infiltration blankets.
- 6.42 The report concludes that the ground is suitable for infiltration blankets and permeable paving systems, so as not to impact on the discharges to the drainage system.
- 6.43 The Environment Agency and Anglian Water have been consulted on the application and do not raise any objections. The EHO for King's Lynn and West Norfolk Borough Council is satisfied with the submitted drainage strategy.
- 6.44 It is therefore considered that the proposal will not have a detrimental impact on flood risk and complies satisfactorily with Policy CS08 of the KL&WNBC CS, Section 10 of the NPPF and the Technical Guidance, which aims to ensure flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas of flood risk.
- 6.45 **Sustainability**
- 6.46 Policy CS08 of the KL&WNBC CS promotes and encourages opportunities to achieve high standards of sustainability and energy efficiency measures. For developments creating more than 1000m² of non residential floorspace such as this, there is a requirement to reduce their predicted CO₂ emissions by at least 10% by using decentralised, renewable and low carbon sources.
- 6.47 Section 10 of the NPPF expects new development to take account of local policies in decentralised energy, landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 6.48 The accompanying Design and Access Statement states that the proposal is designed to be highly insulated. It is intended to install photovoltaics (PV) panels on the roof of the extension.
- 6.49 The submitted Design Stage Submission Report states that an area of 125m² of south facing PV have been allowed for, which will equate to 18% of the schools energy consumption through a renewable energy technology. Each classroom has been designed to have dual aspect to ensure natural day lighting and cross ventilation.
- 6.50 In accordance with national and local planning policy it is a requirement of

this scheme to limit its impact on the environment. The sustainability measures proposed are considered acceptable, in accordance with Policy CS08 of the KL&WNBC CS and Section 10 of the NPPF.

6.51 Highway safety

- 6.52 Policy CS11 of the KL&WNBC CS encourages alternative modes of transport and states that development should provide for safe and convenient access for all modes.
- 6.53 Section 4 of the NPPF also encourages maximising the use of sustainable transport modes and states that decision should take account of whether safe and suitable access to the site can be achieved.
- 6.54 A Transport Statement accompanies the application submission which covers car parking standards, car and cycle parking provision (operational needs), layout and a Travel Plan (to encourage alternative modes of transport). It concludes that there are no highway issues that prevent the proposal from being supported.
- 6.55 The proposed development is for the school to be extended to allow for 2FE. The school when fully operational is to accommodate 420 pupils on roll, with 15 teachers (including the headteacher), 20 support staff and 14 lunchtime supervising staff.
- 6.56 Vehicular and pedestrian access to the school is via Field Lane, a no through road with a turning head located to the northern end. Within a predominantly residential area Field Lane is subject to a 20mph speed limit and serves Gaywood Primary School, residential properties on Field Lane itself, Field End Close and Southfields cul-de-sac. Current traffic restrictions on Field Lane include double yellow lines round the turning head and advisory 'school keep clear' markings at the accesses to both Gaywood and St Martha's Primary schools. At the southern end of Field Lane on the approach towards the mini roundabout there are short sections of double yellow lines on both sides of the carriageway.
- 6.57 With regard to the access and parking arrangements, it is intended that the existing vehicular access to the school remain open for emergency access only with the adjacent pedestrian access used as the main access for visitors. Submitted plans show the formation of a new 6m wide car park entrance, providing 52 parking spaces (including 3 disabled parking spaces and 1 space for a minibus) within the site, to be used for staff and educational visitors to the school. The existing cycle shelter has space for 10 cycles and is well used therefore it is proposed to provide an additional cycle shelter doubling the capacity. Through the Travel Plan process, the school will be required to monitor cycle usage and provide further cycle shelters as required in the future.
- 6.58 Adjacent to the new staff car park a separate one way vehicle drop off point to the rear of the church with a pedestrian walkway to the school is to be provided for parents/guardians/carers to use. The supporting Transport Statement sets out the schools commitment to employ a suitably qualified person to patrol this area and to reinforce in regular school newsletters and notices to parents/guardians/carers how the drop off area should work. As an appendix to the Transport Statement a review of the schools Travel Plan

reveals that 72% of the children arrive at school by car. The school acknowledges it is essential that this is managed and parents/guardians/carers educated about alternative modes of transport.

- 6.59 In addition to the existing 'In' & 'Out' accesses to the Church, the proposals will result in two additional accesses being provided on Field Lane (an access to the school car park and an "In" access to the drop off area). All accesses will be simple crossings of the footway to ensure that pedestrians have priority through the access. To alleviate any highway safety concerns due to having four vehicle access points in close proximity the existing 'In' access to the Church will be closed off and only used in exceptional circumstances. To manage this situation, an electronically controlled bollard system will be erected at the access behind the footway which will prevent access at the beginning and end of a school day. The control of the bollard will likely be from a panel that will be installed in the church and via a remote control.
- 6.60 All access/egress points will incorporate a visibility splay of 2.4m x 40m in accordance with the design guidance titled 'Manual for Streets'. Formal 'school keep clear' markings (with associated Traffic Regulation Order) will also be provided to the staff car park access and the 'In' access to the drop off area.
- 6.61 It is to be noted that whilst King's Lynn and West Norfolk Borough Council object on the grounds that the proposal will cause an increase in vehicular activity resulting in an unacceptable level of congestion and disamenity. The Council's Highway Engineer has reviewed the application submission and visited the site; and whilst it is accepted that the proposal will result in an increase in vehicular activity, it would not be reasonable to raise an objection subject to the imposition of conditions regarding the accesses, visibility splays, on-site car and cycle parking, a Traffic Regulation Order and a review of the existing Travel Plan, on any grant of planning permission.
- 6.62 The application has also been reviewed by the Council's Project Engineer (Network Analysis and Safety), who confirms that having investigated the injury accident records in the vicinity of the school, none have been recorded in the last 20 years. Given the low speed environment and lack of accident record there are no undue safety concerns about the proposed development.
- 6.63 The surrounding streets are residential in character and whilst it is acknowledged that the proposed development will result in further traffic and pedestrian activity, at drop-off and pick-up times, this is typical of most schools. Subject to the access, traffic management improvements, adequate staff car parking and cycle parking provision, the drop off area and a review of the existing travel plan (to encourage alternative sustainable modes of transport), it is considered that the proposed development can be safely accommodated on the highway network, in accordance with Policy CS11 of the KL&WNBC CS and Section 4 of the NPPF.
- 6.64 **Impact on playing field/playing pitch provision**
- 6.65 As previously mentioned Policy CS13 of the KL&WNBC CS also recognises the importance of community facilities and services and promotes an active

and healthy lifestyle.

- 6.66 Section 8, Para 74 of the NPPF states: *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*
- 6.67 The application is accompanied by an Open Space and Pitch Assessment. The report concludes that the proposal will enhance the opportunities for pupils to participate in high quality PE and sport. The submitted Design and Access Statement echoes this and refers to the facilities been able to serve the school and local community.
- 6.68 The section of playing field to be lost to accommodate the proposed extension covers an area of approximately 0.4 hectares and according to the applicant is normally only used for cricket in the summer months. The main area of playing field to the south of the school buildings covers an area of approx. 0.76 hectares and accommodates a 60m x 35m football pitch, 70m running track, 30m x 20m training grids and a rounders pitch.
- 6.69 The proposed extension includes a new 18.6m x 11m hall, designed to be used for Gymnastics, Indoor Basketball, Indoor Netball, Indoor Hockey, Benchball, Archery, Volleyball and Badminton. The hall will also be used for school assemblies. At present the school hall is 128m² and this space has to be shared between PE lessons, school meals and other educational uses.
- 6.70 A new 36m x 18m MUGA is proposed with 1.8m high fencing along the perimeter, to be used for a range of sports including Football, Hockey, Basketball, Netball, Handball, Dodgeball, Tag Rugby and possibly Tennis.
- 6.71 The main grassed area used as a sports pitch is being retained. It will continue to have a 60m x 35 m football pitch marked out, a six square grid 30m x 20m for organising PE groups, a rounders pitch and a 70m running track. In addition the cricket pitch will be laid out here in future with an 18m long wicket and 60m diameter boundary.
- 6.72 The additional car park proposed on the western edge of the playing field adjacent to Field Lane will only affect a limited amount of playing field (approximately 0.15 hectares), of which only approximately 0.07 hectares could be used for additional pitch space and does not impact on any area currently marked out for pitches.
- 6.73 Whilst it is acknowledged that the proposed will reduce the total area of playing field on the site, this is balanced against the benefits of the proposed development, which includes a new purpose built hall to accommodate a range of sport activities as well as being made available for community use and a new purpose built MUGA to accommodate a variety of sports and provide a facility for the school to use for sport when the playing field is too

wet and/or muddy to use.

- 6.74 Whilst an objection regarding the loss of playing field has been received from King's Lynn and West Norfolk Borough Council, Sport England do not raise any objections to the proposal as it is considered that the sporting benefits from the proposal, specifically the 1ct size hall and MUGA, will outweigh the detriment caused by the loss of playing field. In their consultation response Sport England recommend conditions regarding the specification of the MUGA, the marking out of the new sports hall and a community use agreement, be imposed on any grant of planning permission.
- 6.75 It is therefore considered that the proposed development complies with Policy CS13 of the KL&WNBC CS and Para 74 of the NPPF.
- 6.76 **Archaeology**
- 6.77 Policy CS13 of the KL&WNBC CS seeks to preserve and where appropriate enhance the historic environments qualities and characteristics.
- 6.78 Section 12 of the NPPF seeks to contribute to protecting or enhancing the historic environment.
- 6.79 The Council's Assistant Historic Environment Officer has reviewed the application submission and recommends that an archaeological evaluation (in the form of trial trenching) of the site be undertaken prior to the determination of the application.
- 6.80 In the consultation response the officer states the following:
- The proposed development is located to the south and east of the known extent of a cemetery, originally recorded as 17th century due to the presence of a wine bottle of this date. More recent discoveries of further human remains together with a rare Middle Saxon brooch and a Late Saxon buckle indicate that this may be an Anglo-Saxon cemetery. The proposed development site is also located close to an area where a large quantity of Middle Saxon pottery has previously been recorded indicating a significant settlement of this period.*
- Evaluation work undertaken to the north of the site in 2002 indicated the presence of features of unknown date in the area. Consequently there is potential that heritage assets with archaeological interest (buried remains including human remains) will be present at the site and that their significance will be affected by the proposed extension*
- 6.81 The agent acting on behalf of the applicant has been informed of this requirement and is currently undertaking trial trenching. The results of which will be reported verbally to members at the Planning Committee meeting.
- 6.82 **Landscape / Trees**
- 6.83 Policy CS12 of the KL&WNBC CS seeks to protect and enhance the landscape character.
- 6.84 Section 11 of the NPPF encourages good design to limit the impact on landscape and nature conservation.
- 6.85 The application site comprises amenity grassland in the form of playing fields and areas of tarmac playground and car park. There are also hedgerows, trees and ornamental planting within and along the perimeter of the school site. The site

does not lie within a Conservation Area nor are the trees covered by a Tree Preservation Order (TPO).

6.86 The application is accompanied by an Arboricultural Survey Report and Impact Assessment. It concludes that trees will be removed to facilitate the proposed development. These are as follows:

- T13 (Rowan) – one tree adjacent to the entrance to the church
- T12 (Willow) – adjacent to the staff block of the existing building
- T4 (Hornbeam) – positioned within the play area, between the existing cycle store and main entrance
- T5 (Rowan) – adjacent to the existing school car park
- G2 (Cherry, Apple and Ash) – within the amenity grassland area adjacent Field Lane
- G3 (Silver Birch and Rowan) – adjacent to the entrance for the church
- G7 (Apple) – two young apple trees within the school garden area

The reminder of the trees around the site to be retained will be adequately protected during construction.

6.87 To mitigate the loss and enhance the site a landscaping plan forms part of the application submission and includes sports pitches, games courts including a new MUGA, hard and soft play areas, habitat area - to provide an outdoor area to support the curriculum. There are opportunities for further soft landscaping to demarcate pedestrian routes and define change in outdoor space uses.

6.88 The Council's Senior Arboriculture & Woodland Officer does not raise an objection to the proposed development and recommends conditions regarding a Arboricultural Method Statement (AMS), a Tree Protection Plan and a planting plan (with detailed specification for planting and maintenance) be imposed on any grant of planning permission.

6.89 **Ecology / Biodiversity**

6.90 Policy CS12 of the KL&WNBC CS states that the development should seek to avoid, mitigate or compensate for any adverse impacts on biodiversity as well as seeking to enhance sites through the creation of features of new biodiversity.

6.91 Section 11, para 118 of the NPPF sets out principles a Local Planning Authority should apply which should aim to conserve and/or enhance biodiversity when determining planning applications.

6.92 As previously mentioned, the application site comprises amenity grassland in the form of playing fields and areas of tarmac playground and car park. There are also hedgerows, trees and ornamental planting within and along the perimeter of the school site.

6.93 A Phase 1 Habitat Report accompanies the application which concludes that that no further surveys for bats are required however if during any works on site evidence of roosting bats are found then work will stop and Natural England contacted. Any vegetation clearance is to be undertaken outside of the breeding bird season (nesting March to August, inclusive). There is low

potential for the site to support reptiles therefore no further survey is required. In terms of ecological and biodiversity enhancements it would be beneficial that new planting includes native species. As it does not appear that any of the bird boxes on the existing school building have been used, it would be favourable to relocate these and the addition of bat boxes to the trees around the site. Log piles could be created from felled trees.

6.94 The Council's Ecologist has examined the application and is satisfied with the recommendations set out in the accompanying Phase 1 Habitat Survey Report, in that there will be no adverse effects on ecology.

6.95 It is therefore considered that the proposal is in accordance with Policy CS12 of the KL&WNBC CS and Section 11 of the NPPF.

6.96 Appropriate Assessment

The site is situated within 5 kilometres of The Wash, North Norfolk Coast, Roydon Common and Dersingham Bog which are European protected species. The application has been assessed in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010, it is considered that the development would not have a significant impact on any protected habitats and accordingly no Appropriate Assessment of the development is required.

6.97 **Responses to the representations received**

6.98 In accordance with Article 13 of the Town and County Planning (Development Management Procedure) (England) Order 2010 and the section titled 'Consultation and pre-decision matters' of the Planning Practice Guidance (2014), the application was advertised by means of neighbour notification letters, site notices, and an advertisement in the newspaper.

6.99 42 letters of objection letters and a 41 signature 'change.org' petition has been received. It is to be noted that some local residents have written more than one letter of objection. The following issues are raised:

- Highway/pedestrian/cyclist safety issues
- Since the building of Gaywood Primary and St Martha's it has become more difficult to get to houses of Field End Close
- Currently cars park across the end of the road and on the pavement causing pedestrians to have to walk in the road; parents do not care about complying with the highway code and park anywhere
- When the church was given the go ahead it was said that the school playground would be opened for parking each time the church was in use, this has happened approximately 6 times at the most
- Parents can drop off the children and drive away, but what about when they come to pick them up, where is the picking up point
- Who is going police the drop off point, which cuts across a busy pedestrian path
- Field Lane is currently affected very badly by traffic coming to and from the schools on the road

- Car park on the pavement of Field Lane and Field End Close and it would be impossible for an emergency vehicle to get through
- The road is too small to accommodate additional traffic. Increased pupil numbers will mean the surrounding roads will become more congested and dangerous
- The proposal will increase traffic
- The safety of the children needs to be considered
- The area is gridlocked in school times. The current parking issues needs to be addressed before expanding the school; there needs to be a better solution for children getting picked up/dropped off and walking to school safely
- The on-site traffic warden does not seem to be able to control the current parking situation
- There are currently no traffic calming measures within Field Lane which makes it a hazardous area to be in at school times
- Suggests a traffic survey is carried out during term time before and after school
- Has the architect considered the position of the MUGA directly backing onto residential properties on Kensington Road. Having floodlights and noise out of school hours does not appeal
- Concerns regarding inconsiderate and illegal parking
- Suggest that relocating the entire school to a less residential area, such as the Nar Ouse Regeneration area at South Lynn would be a more viable solution
- Expanding the schools will make it worse and will eventually lead to an accident
- 3 schools in close proximity to each other will cause big problems within the area
- The school has enough grounds to allow provision of parent parking/drop off on site
- Since the building of the 2 new schools, Gaywood Primary and St. Martha's it has become more and more difficult to get to our homes...feel that we are imprisoned twice a day
- There are no traffic calming measures within Field Lane which makes it a hazardous area to be in at school times
- A wide catchment area for St Martha's equals more cars to travel on an already busy estate with Springwood Academy also near by
- An alternative site should be sought
- The proposed will further exacerbate current highway issues
- Kensington Road - Speeding, school kids. There should be speed bumps all the way to Queensway. Junction to Kent road, dangerous! Why is this not a normal junction?

- End of Kensington Road joining Field Lane. This roundabout is dangerous the way Kensington Road joins it! Needs to be safened.
- End of Roseberry Avenue - Again nightmare junction, shop, traffic lights, oncoming traffic from Metheuen Avenue. Only a matter of time before someone gets killed here! Suggested traffic lights and integration of pedestrian crossing.
- We are pleased to see the provision of additional on-site parking but believe this is for staff use only. We are also pleased to see the provision of a drop off area, however this will only work effectively if it is policed and cars are moved on instead of being allowed to park.
- Has any meaningful consideration been given to altering the start and finish times of the school day at St Martha's to accommodate this development? Even a slight stagger can have a significant impact.
- Consideration needs to be given to their proposed admissions policy, since priority to out of catchment children, means it is likely that a high proportion of those attending the school will not travel on foot but rather, by car.
- There is also a path which exists to the rear of the primary schools and runs to the north and that path is currently only used by the pupils of Springwood High School. It leads to a cycle track and a hard area which some parents use to drop off children to the High school. I believe the hard area is owned by the Borough Council and wonder whether it would be possible as part of a comprehensive traffic management scheme, to upgrade this area and use it more formally as a drop off/pick up point for all three schools.
- Inaccuracies within the transport statement

6.100 In response, to the objections received, the applicant has provided the following comments:

Pupil access to St Martha's Primary School via Springwood High School

This issue is referred to in paragraph 2.1.4 of the Transport Statement. There have been discussions between the Headteachers of St Martha's Primary and Springwood High School on several occasions, regarding the reinstatement of a controlled access for pupils across the Springwood site at drop off and pick up times via an existing gate in the recently installed fencing that separates the boundaries of the two schools. This would be at times to be agreed between the two schools and would be manned by staff. At all other times, this gated access would be locked except by prior arrangement between the two schools, for example, for school trips. At no point would this access be used as a general thoroughfare.

Coach access via Springwood High

This issue is referred to in paragraphs 2.1.3, 3.5.11 and 4.1.3 of the Transport Statement. All of these paragraphs confirm that the existing arrangements remain unchanged and that coaches will not use Field Lane. No children currently or expected to be at St Martha's will arrive by coach and this has been the case for at least 12 years. This is increasingly the case now that there is no longer free denominational school transport. Where St Martha's needs to use a coach, for example for pre-organized school trips, it would want to continue the

current arrangement of using the gated access, but only with the prior permission of Springwood High School.

Catchment area of the school and need for places

Particular concern has been expressed about the enlargement of a Catholic school due to its perceived, large catchment area. This was clarified in a statement to the Borough Council's Planning Committee on 1st December, which explained that an analysis has been made of the postcodes of each child currently at St Martha's and their radius from the school measured using Geographic Information System software. This confirmed that 94% of the children currently at the school live within 2 miles of the school and 78% of these live within 1 mile. St Martha's is very much a school that serves its geographically local community, both Catholic and non-Catholic.

Pupil forecast data provided by Children's Services' Admissions Team, indicates that without the additional 30 places at St Martha's, there will be insufficient Reception Year places in King's Lynn schools for King's Lynn pupils in September 2015. As more new housing is approved in and around King's Lynn, it is of increasing concern to this Diocese and the Local Authority that there will be insufficient places available in the very near future, for King's Lynn children to attend a local school, be that a Catholic or a community school.

Consideration of alternative sites

This issue was mentioned by a number of objectors and referred to at the Borough Council's Planning Committee, particularly in relation to the disposal of the former Alderman Jackson site. With regard to this particular site, it is too small to accommodate a primary school, even if this were in addition to St Martha's ie, a 210 place primary. It is also not located in the area of King's Lynn where most places are currently needed. Other existing schools have already been expanded including Howard Infant, Reffley Primary, St Michael's Primary and West Lynn Primary, to provide 50 extra places in each year group. However, further places are still required for the Gaywood area of King's Lynn.

The approximate cost of expanding St Martha's Primary School is in the region of £3 million. In contrast, a replacement school of 420 places is likely to cost around £6.5 million plus the cost associated with purchasing land in an urban area.

Whilst funding is sought for new school provision through Section 106 agreements and the Community Infrastructure Levy, any decision to build a new school, even if funding were available, would not address the immediate need for school places in King's Lynn or the longer-term need in this part of King's Lynn.

The possibility of a split-site St Martha's Primary has also been suggested, with the infant year groups remaining on the Field Lane site and the junior ages relocated to a new site. Any recommendation to split the current provision would directly contradict Norfolk County Council policy to move to 'all-through' primary schools. This was set out in "A Good Norfolk School for Every Norfolk Learner" report to Norfolk's Children's Services Committee in November 2014.

Impact on playing fields and playground areas

Concern was expressed at the Borough Council's Planning Committee about both the loss of playing field and a reduction in playground areas. With regard to the playground, this will actually be increased as a result of this proposal.

Positioning of multi-use games area (MUGA) and lighting

We can confirm that no floodlighting is proposed for the MUGA. It is also located some 90m away from the end of the gardens on Kensington Road and approximately 150m from the rear of the properties themselves. It is anticipated that all external play areas including the sports pitches and MUGA will be used during daylight hours only, with evening sports activities taking place in the new sports hall.

Management of proposed drop-off area

The school has already indicated that it is willing to consider employing parking attendants to manage this area, including the area where the drop off crosses the pavement, as well as on-street parking. Once children have been dropped off, they will be escorted by staff to the school building. The school also plans to open the school from 8am to allow parents to drop off from this time, with children supervised until the school day begins, currently at 8.55am.

The school acknowledges that management of the drop off area at pick up times is more difficult and it has to ensure the safety of children as they wait for parents to pick them up. However, the school already runs numerous after-school clubs which finish at 4.15pm, with anything between 25% and 50% of children attending these clubs at different times of the year. It is planned to increase the number of clubs still further with the addition of the MUGA and the sports hall. This will have the effect of staggering the number of children leaving the school.

Increased traffic on Field Lane and surrounding roads

Some of the congestion on Field Lane is caused by staff having to park on the road because the existing car park only has 16 spaces. This will be alleviated by the creation of a new staff car park with 52 places. St Martha's is currently reviewing with Gaywood Primary the possibility of changing the start and end times of the two schools in an attempt to reduce the level of traffic on Field Lane at any one time. St Martha's is also investigating the possibility of a 'walking bus' arrangement whereby parents could drop off children in nearby locations and staff would walk the children to school. The school has identified the Gaywood Community Centre opposite Kent Road as a possible location, although this has not yet been discussed with the Community Centre. The school is committed to encouraging children to walk to school as can be seen by its programme of educating parents and pupils through for example, cycling proficiency, information in newsletters and the distribution of cycle route maps.

6.101 Other matters

- 6.102 A query has been raised regarding who should be the determining authority for the application. In this case, the County Council as County Planning Authority (CPA) is the appropriate determining authority. Under the provisions of the Town and County Planning General Regulations 1992, as amended, the County Council is able to determine planning applications concerning development it intends to carry out itself. It also allows for development to be carried out jointly by the County Council with another person or body. This is a joint application between the County Council (on behalf of Children's Services) and the Roman Catholic Diocese of East Anglia. The County Council has a significant interest in the project as landowner of the playing field in which the application relates and funder of the project, as Local Education Authority (LEA) responsible for school

place provision.

7. Resource Implications

- 7.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 7.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.
- 7.3 **Property:** The development has no property implication from the Planning Regulatory perspective.
- 7.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

8. Other Implications

8.1 Human rights

- 8.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.
- 8.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.
- 8.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to make use of their land. An approval of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.

8.5 Equality Impact Assessment (EqIA)

- 8.6 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.
- 8.7 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.
- 8.8 **Communications:** There are no communication issues from a planning perspective.
- 8.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.
- 8.10 **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

9. Section 17 – Crime and Disorder Act

- 9.1 It is not considered that the implementation of the proposal would generate any issues of crime and disorder, and there have been no such matters raised during the consideration of the application.

10. Risk Implications/Assessment

- 10.1 There are no risk issues from a planning perspective.

11. Conclusion and Reasons for Grant of Planning Permission

- 11.1 The County Council has a statutory duty to provide sufficient school place provision. The proposed development for the expansion of the school is part of the County Council's area wide strategy for delivering extra school places in this part of King's Lynn as a result of actual and projected pupil numbers; and further housing that is planned as part of the King's Lynn and West Norfolk Borough Council Local Development Framework.
- 11.2 Having considered alternative sites, the applicant has concluded that this site is the only realistically available, deliverable and suitable site. There is no evidence to the contrary.
- 11.3 The application site lies wholly within the settlement boundary and sufficient distance from adjacent property. Whilst King's Lynn and West Norfolk Borough Council object to the application on amenity grounds and due to the loss of playing field, having received formal consultation responses from statutory consultees the grounds for objection cannot be substantiated. No other statutory consultee has raised any objections subject to the imposition of appropriately worded conditions on any grant of planning permission.
- 11.4 Whilst it is acknowledged the proposed development will result in increased vehicular and pedestrian activity during pick-up and drop-off times, this will be limited. The proposed extension will enable the school to increase the number of school places available, thereby increasing the choice and diversity for education in this area. In the context of para 72 of the NPPF and the 2008 Ministerial Policy Statement on planning for schools development; this constitutes a significant benefit that carries great weight. There are also other benefits in respect of the range of sports facilities available for use by the school and local community; investment and economic benefits to the area during the construction phase and once in operation.
- 11.5 The proposed development is considered acceptable and there are no other material considerations why it should not be permitted. Accordingly, conditional full permission is recommended.

12. Conditions

1. The development hereby permitted shall commence not later than three years from the date of this permission.

Reason: Imposed in accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and

Compulsory Purchase Act 2004.

2. The development must be carried out in strict accordance with the application form, plans and documents as submitted.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commence of development hereby permitted a sample of the walling and roofing materials shall be submitted to and approved in writing by the County Planning Authority. The development hereby permitted shall be constructed of the approved materials.

Reason: To ensure the satisfactory appearance of the development.

4. Prior to the commence of development hereby permitted an Arboricultural Method Statement and a Tree Protection Plan shall be submitted to and approved in writing by the County Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details.

Reason: Reason: To ensure the protection of existing trees in the interest of the amenities of the area

5. Prior to the commencement of the development hereby permitted, a scheme of landscaping (including a detailed specification for planting and maintenance) shall be submitted to, and approved in writing by, the County Planning Authority. The scheme shall be implemented within the first planting season (October to March), following the occupation of the development. Any plants which, within a period of five years from the completion of the planting die, are removed or become seriously damaged or diseased, shall be replaced with others of a similar size and species. All planting shall be retained for a period of five years after initial planting has been completed and any trees and shrubs which are substantially damaged, seriously diseased or die, shall be replaced within twelve months of removal or death, with plants of a similar species and size.

Reason: To ensure the satisfactory appearance of the development.

6. The use hereby permitted shall not commence until a detailed scheme for all air ventilation systems has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the noise/power levels of the equipment and provide details of anti-vibration mounts. The scheme shall be implemented as approved prior to the commencement of the use and thereafter maintained as such.

Reason: In the interests of residential amenity.

7. Prior to commencement of development a detailed construction management plan, must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and

dust. The scheme shall be implemented as approved.

Reason: In the interests of residential amenity.

8. No development shall commence until full details of the technical specification, design and layout of the proposed Multi Use Games Area (MUGA) have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The MUGA shall not be constructed other than substantially in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable.

9. The new hall shall be marked out for formal sports use in accordance with a scheme to be submitted to and approved in writing by the local planning authority, in consultation with Sport England. Thereafter only the approved scheme shall be implemented.

Reason: To ensure the development is fit for purpose for accommodating formal sports use.

10. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the new hall and MUGA and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.

11. Prior to the first use of the development hereby permitted the vehicular access(es) shall be provided and thereafter retained at the position shown on the approved plan (drawing number E07126/15/001) in accordance with the highway specification (Dwg. No. TRAD 1) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

12. Prior to the commencement of the use hereby permitted a visibility splay measuring 2.4 x 40 metres shall be provided to each side of the vehicular access(es) where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

13. Prior to the commencement of the use hereby permitted the proposed access / on-site car (general & disabled bays) and cycle parking (covered) / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans (drawing number 14-0026/102/A) and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

14. Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the erection of bollards at the existing northern access to the church have been submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

15. Prior to the commencement of the use hereby permitted the erection of bollards at the existing northern access to the church referred to in condition 14 of this condition shall be completed to the written satisfaction of the County Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

16. Prior to the commencement of the use hereby permitted a Traffic Regulation Order for the provision of School Keep Clear Markings (at the existing accesses & new access on Field Lane) and the provision of yellow line markings (exact extents to be agreed) shall be promoted by the Highway Authority.

Reason: In the interests of highway safety.

17. Within 6 months of the first occupation of the development hereby permitted a review of the existing school travel plan shall be submitted to and approved in writing by the County planning Authority in consultation with the Highway Authority. The travel plan shall be implemented in accordance with the timetables and targets contained therein and shall continue to be implemented subject to any modifications agreed by the County Planning Authority in writing in consultation with the Highway Authority as part of an annual review. The travel plan reviews shall monitor pupil numbers and provide accordingly for the phased development of the future cycle parking (as agreed with the Highway Authority). For further information please contact Ian Dinmore on 01603 224248 or email <mailto:travelplans@norfolk.gov.uk>

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

Recommendation

It is recommended that the Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12 above.
- (ii) Discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

Background Papers

King's Lynn and West Norfolk Borough Council Local Development Framework – Core Strategy (2011)

<http://www.west-norfolk.gov.uk/pdf/Complete%20Core%20Strategy%202011.pdf>

Borough Council of King's Lynn and West Norfolk Local Plan (Saved Policies) (1998)

http://online.west-norfolk.gov.uk/local_plan/contents_written.htm

The National Planning Policy Framework (NPPF) (2012)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Planning Practice Guidance (2014)

<http://planningguidance.planningportal.gov.uk/blog/guidance/>

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

Name	Telephone Number	Email address
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If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 and ask for Angelina Lambert or textphone 0344 800 8011 and we will do our best to help.



Y/2/2014/2014 - St Matha's Primary School

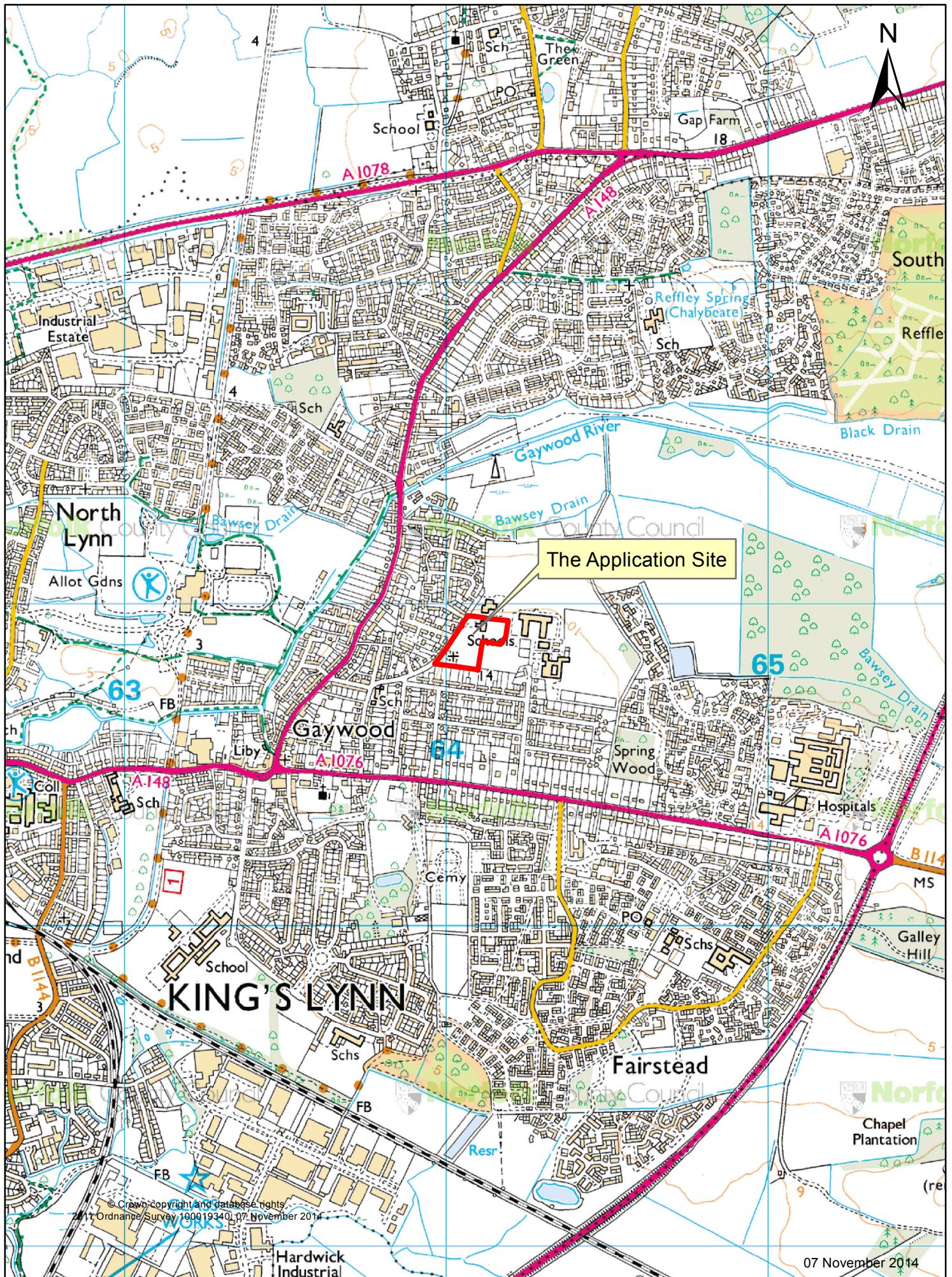
King's Lynn

0 10 20 40 60 80
Metres

 Norfolk County Council

Scale 1: 2000

Centred on 564992 320879



Y/2/2014/2014 - St Matha's Primary School

King's Lynn

0 100 200 400 600
Metres

 Norfolk County Council

Scale 1: 15000

Centred on 564992 320879

Applications Referred to Committee for Determination:

South Norfolk District Council:

Y/7/2014/7011: Extension to Queens Hill Primary School, Costessey, comprising of 10 no. classrooms, new main school entrance, administrative and ancillary accommodation, new car park, external teaching spaces and play areas: Director of Children's Services

Report by the Interim Executive Director of Community & Environmental Services

Summary

Planning permission is sought to extend the Queens Hill Primary School, Costessey. The proposed development consists of ten new classrooms; a new main entrance, including new lobby, administrative accommodation and toilets; a new car park adjacent to the new main entrance with 41 car parking spaces; new hard play areas and a new playing field. Within the existing school site, a small hall extension is proposed. The proposals will create a 3 form entry 630 pupil school to meet the needs of the expanding Queens Hill development at Costessey.

There is insufficient land on the current school site to accommodate the development. Consequently, the planning application is on land outside, but adjacent to the existing school site, on land previously granted planning permission for a neighbourhood centre. The principal of the use of the proposed site as a school is therefore not established.

The determination of the application must be made in accordance with the development plan, unless material considerations indicate otherwise. Material considerations in this case can include the need for the proposed school development, the suitability of the proposed location and the assessment of the proposed development against the policies of the development plan as a whole.

Accordingly, it is considered that the proposed development accords with the development plan as a whole, and that there are material considerations, namely the need for the proposed development which cannot be accommodated elsewhere, which justify the grant of planning permission.

The proposal is therefore considered to be acceptable subject to conditions and there are no issues of sufficient weight to justify a refusal.

Recommendation

It is recommended that, subject to no further comments raising matters not previously addressed in this report being received within the consultation period, the Interim Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12 of this report.
- (ii) Discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

1. The Proposal

- 1.1 Location : The application is an extension to Queens Hill Primary School a modern school granted planning permission (Y/7/2007/7004) on 03/10/2007, and completed in 2008. The school is currently accessed from Fieldfare Way, within the Queens Hill residential area, within the Parish of Costessey.
- The application site is currently vacant land adjacent to the southern boundary of the existing school, but is outside the existing school site.
- 1.2 The proposal is for : The proposal is to extend the school onto land to the south and create a new vehicular access from Kestrel Avenue, together with ten new classrooms; a new main entrance, including new lobby, administrative accommodation and toilets; a new car park, adjacent to the new main entrance with 41 car parking spaces; new hard play areas and a new playing field. To the north, within the existing school site a small hall extension is proposed.

2. Constraints

- 2.1 The site is not within the Broads Authority area and there are no Scheduled Ancient Monuments, Sites of Special Scientific Interest, Special Areas of Conservation, Conservation Areas, Local Nature Reserves or County Wildlife Sites in the immediate vicinity of the application site and none of the buildings on or adjacent to the application site are identified as listed buildings.

3. Planning History

- 3.1 Planning permissions for the school, approved by Norfolk County Council:
- Y/7/2007/7004:** Single Storey 315 place Primary School and 26 place Nursery; associated car park, play space and site works: Approved 03/10/2007, built.
- Y/7/2010/7020:** Erection of single storey detached Children's Centre to southern boundary of school: Approved 08/09/2010, not built.
- Y/7/2012/7015:** Extension of the existing Queen's Hill Primary School, Costessey to form 2 no Key Stage 2 classrooms within the existing boundary of the current site. Approved 31/01/2013, built.
- 3.2 Planning permissions on the application site, approved by South Norfolk Council:
- 2007/2575/D:** Detail planning permission for a neighbourhood centre: Approved 04/06/2008, not built.
- NW07/01/1435/O:** Outline planning permission for 48 hectares of residential development with community facilities, recreation land, construction of a loop road, new bridge over the river Tud and a country park: Approved 07/07/2004, under construction.

4. Planning Policy

- 4.1 The National Planning Policy Framework (NPPF) : Achieving Sustainable Development
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change
11. Conserving and enhancing the natural environment
- 4.2 Joint Core Strategy for Broadland, Norwich and South Norfolk (2011/2014) : Policy 1: Addressing climate change and protecting environmental assets
Policy 2: Promoting good design
Policy 3: Energy and water
Policy 6: Access and transportation
Policy 7: Supporting communities
- 4.3 South Norfolk Local Plan 2003 (Saved Policies) : Policy IMP 2: Landscaping
Policy IMP 8: Safe and free flow of traffic
Policy IMP 9: Residential amenity
Policy IMP 10: Noise
Policy IMP 25: Outdoor lighting
Policy UTL 15: Contaminated land
Policy COS 1: Housing allocation, north of the River Tud, Costessey

5. Consultations

- 5.1 South Norfolk Council : Objection.
The application site is part of an allocated site in the South Norfolk Local Plan, and previously had planning approval for a neighbourhood centre. The neighbourhood centre was part of the original masterplan and is considered an integral part of the wider development.
The Council objects to the development of this site unless it can be demonstrated that alternative provision has been made for a neighbourhood centre.
If approved, the Council request conditions regarding the following:
- Lighting
 - Contaminated land
 - Noise
 - Foul drainage
- These conditions are covered in the main body of the report.
- 5.2 Costessey Parish Council : Concerns expressed regarding:
- Safety of children
 - Widening of footpath
 - Location of bus stop
 - School Travel Plan

- Safety Audit

- | | | |
|------|--|--|
| 5.3 | Highway Authority (NCC) | : No objection to the principle of the development, subject to standard conditions.

Note, the conditions are proposed to be attached to the decision notice.. |
| 5.4 | Sport England | : Do not wish to comment. |
| 5.5 | Norwich Airport | : No objections |
| 5.6 | Norfolk Constabulary | : No major concerns with the application. |
| 5.7 | Natural Environment Team (NCC) | : No objection |
| 5.8 | Local Flood Authority (NCC) | : There is no significant flood risk based on assessment of the Update Flood Maps for Surface Water produced by the Environment Agency. |
| 5.9 | Anglian Water | : No response received at the time of writing this report. |
| 5.10 | Local Residents | : Five representations received from residents.

Two of the representations were comments, seeking clarification of the proposals.

One representation raised concerns that the existing highway network was unadopted and consequential highway safety issues.

Two representations raised objections on the grounds that the land on which the school is proposed was supposed to be for community facilities such as a shop or public house rather than a school. |
| 5.11 | Other representations | An objection has been made by a Company with a freehold interest in the land upon which the application has been made. The objection is made on the grounds that the site is shown within the Local Plan for use as a neighbourhood centre and residential development. |
| 5.12 | County Councillor
Mr Tim East (Costessey) | Unreservedly supports the proposed development. |

6. **Assessment**

Proposal

- 6.1 The proposed development is to enable the expansion of the school from 390 pupil spaces to provide a 3 form entry 630 pupil school. The proposal is to extend the school to the south and create a new vehicular access from Kestrel Avenue, ten new classrooms; a new main entrance, including new lobby, administrative accommodation and toilets; a new car park, adjacent to the new main entrance with 41 car parking spaces; new hard play areas and a new

playing field. To the north, within the existing school site a small hall extension is proposed.

Site

- 6.2 There is insufficient land on the current school site to accommodate the development required for a 630 pupil school.

Consequently, the application is on land, adjacent to, but outside the existing school site on land previously granted detail planning permission (2007/2575/D) for a neighbourhood centre by SNC. Planning permission (2007/2575/D) for a neighbourhood centre expired in 2010 and currently the site is unused and is fenced with a mix of 'heras' and boarded type fencing to deter trespass onto the site.

Principle of Development

- 6.3 A basic principle when assessing planning applications is outlined in Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004 which states:

“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

- 6.4 In terms of the development plan, the County Planning Authority considers the relevant documents, in relation to this application are the South Norfolk Local Plan (SNLP) 2003 saved policies and Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk (2011/2014). In addition, national planning policy in the form of the National Planning Policy Framework (NPPF) (2012) is a material consideration in determining this planning application.

Whilst the SNLP 2003 saved policies are considered congruent with the NPPF 2012 and are apportioned considerable weight, the emerging SNLP is yet to be examined by an Inspector and is therefore apportioned little weight.

- 6.5 The NPPF 2012 establishes a presumption in favour of sustainable development with paragraph 14 stating that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.
- 6.6 Within NPPF 2012, 8 Promoting healthy communities, the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- Give great weight to the need to create, expand or alter schools; and
 - Work with schools promoters to identify and resolve key planning issues before applications are submitted.

- 6.7 The proposed development is not within the school site, but is adjacent to, and south of the existing school site. The principal of the use of the proposed site as a school is therefore not established.
- 6.8 SNC have raised an objection to the proposed development on the grounds that:
- The application site is part of an allocated site in the SNLP and previously had planning approval for a neighbourhood centre.
 - The neighbourhood centre was part of the original masterplan and is considered an integral part of the wider development.
 - It is understood that the landowner/developer is currently preparing a revised scheme for the centre.
- 6.9 In their letter of objection SNC state that although they understand the need for the (school) development and are supportive of improved educational facilities at Queens Hill, the Council object to the (school) development on the proposed site unless it can be demonstrated that alternative provision has been made for a neighbourhood centre.
- 6.10 **Policy Context**
- 6.11 Land at Queens Hill, Costessey was identified for housing development in the SNLP 2003.
- 6.12 Outline planning permission (NM07/01/1435/O) was granted by SNC on 07/07/2004, for 48 hectares of residential development with community facilities, recreation land, construction of a loop road, new bridge over the river Tud and a country park. Reserved matters were conditioned to be submitted not later than 3 years from the date of the permission.
- 6.13 Subsequently a reserved matters planning application (2007/2575/D) for a neighbourhood centre with 50 residential units, public house car parking and associated works was submitted and accepted by SNC on 30/11/2007 and approved on 04/06/2008.
- 6.14 The conditions attached to the outline planning permission (NM07/01/1435/O) required that the development approved under reserved matters (2007/2575/D), must be begun no later than the expiration of 2 years from the final approval of the reserved matters.
- 6.15 The site remains undeveloped, the reserved matters application was approved on 04/06/2008 and therefore expired on 05/06/2010. There is therefore no planning permission for a neighbourhood centre on the application site.
- 6.16 With regard to the principle of the development, and the development plan, the application site is within an area identified in the SNLP 2003 saved Policy COS 1, for residential development and including provision for a school and community facilities.
- 6.17 The development plan, SNLP 2003, is not site specific as to the location of the school or the community facilities, but this is identified through the outline planning permission (NM07/01/1435/O) granted by SNC.
- 6.18 Regard must therefore be made to the development plan, that the developer of the site will be expected to be responsible for the provision of community facilities within the proposed development.
- 6.19 The determination of the current application must be made in accordance with the development plan, unless material considerations indicate otherwise. Material considerations in this case can include the need for the proposed school development, the suitability of the proposed location and the assessment of the proposed development against the policies of the development plan as a whole.

In addition, the NPPF advises that plans and decisions need to take local circumstances into account so that they respond to different opportunities for achieving sustainable development.

6.20 The need to extend the school

6.21 Queens Hill Primary School, opened in September 2008 to service the new housing being developed in Queens Hill on a site of 1.5 hectares with a capacity of 315 places, in accordance with SNLP 2003 (Saved Policies) Policy COS 1, to meet the scale of growth anticipated in the 2003 allocation and approved in outline planning permission (NM07/01/1435/O) granted by SNC.

6.22 It was originally envisaged that there would be some 1400 dwellings built at Queens Hill and the size of the original school reflected the demand that would be created by that number of dwellings. From information provided by the applicant the density of the housing development approved at Queens Hills has increased beyond that originally envisaged and consequently pupil numbers have increased accordingly; currently it is estimated that 1900 dwellings are planned for the Queens Hill development.

6.23 As a result of increased housing densities on the allocated land, the number of Primary School aged children in the Queens Hill area has exceeded the amount originally envisaged in the allocation. In response to the increase in pupil numbers, planning permission (Y/7/2012/7015) was granted in 2013 for an extension to the existing school to create two additional classrooms to expand the school to 390 places. Planning permission was approved on 31/01/2013 and the classrooms have been built.

6.24 Residential development continues to proceed at Queens Hill, creating a need for further expansion of the school to provide a 3 form entry 630 pupil school. This size of school is considered by the applicant to be sufficient to meet the needs of the 1900 dwellings currently planned for the Queens Hill development.

6.25 Although the need for the school extension is established, there is insufficient land on the current school site to accommodate the development required.

6.26 The existing school has roads on three sides, Stockwell Road to the west, Solario Road to the north and Fieldfare Way to the east. The only land onto which the school can extend is adjacent to, and south of, the existing school.

6.27 Therefore, the planning application is on land adjacent to, but outside the existing school site on land previously granted detail planning permission 2007/2575/D for a neighbourhood centre by SNC.

6.28 Design & Visual Amenity

6.29 The JCS for Broadland, Norwich and South Norfolk (2011) Policy 2, Promoting good design, requires all development to be designed to the highest possible standard, including, inter alia, the use of sustainable and traditional materials. These principles are also contained within the NPPF 2012 7 – Requiring good design.

6.30 The proposed extension is designed in the same style as the existing school so as to read architecturally as one building. The roofline of the north-south axis of the existing single storey school building is carried through into the proposed extension to the south to create two new classrooms under a seamless roof link between the two, ending with a roof overhang of the gable fronting Kestrel Avenue, which forms the new main entrance to the school building.

6.31 To the east of the main entrance the roofline is carried along an east-west axis to create eight new classrooms. The proposed roof will have the same height,

- pitch, profile, and metal roof covering as the existing roof. The walls to the proposed extension follow the same style as the existing school using a mixture of red brick, cyan and yellow coloured render panels, with slate grey coloured window frames and doors to match the existing school. The gable forming the main entrance will be cream coloured rendered panels with school signage.
- 6.32 The small extension to the hall on the north side of the school follows a similar theme with the same roof profile and materials. The existing timber cladding on the north side of the hall will be removed and replaced with yellow coloured cladding and new high level windows will be inserted into the north elevation to increase natural light in the hall.
- 6.33 Existing pedestrian and vehicular access to the school is via an entrance on Fieldfare Way. The existing vehicular access on Fieldfare Way will be retained. Pedestrians will access the school building through a new main entrance from Kestrel Avenue, via a gated pedestrian block paved pathway through the proposed new car park. Cars will enter the new car park via a gated vehicular access from Kestrel Avenue, the car park will be surfaced with permeable block paving and will accommodate 41 car parking spaces including 2 spaces for disabled drivers and 3 designated car sharing bays. 24 covered cycle parking spaces (12 sheffield stands) are proposed to be located outside the main entrance to the school building with a further area designated for future cycle parking identified through the school travel plan process. Immediately outside the classrooms there will be hard surfacing for use as hard play areas.
- 6.34 A new grass school playing field will be created to the west of the school which will incorporate the school's existing soft play area immediately to the north of the application site.
- 6.35 The perimeter fencing around the site is proposed to be 1.8 metre high bow top fencing to match the majority of the existing fencing at the school. Finally, the proposal includes the provision of a 1.8 metre wide pedestrian footway, outside of the school site, linking Stockwell Road to Kestrel Avenue.
- 6.36 Overall, the proposed new development adopts the same coherent design theme as the original school building which ensures that architecturally, the proposed extension will read as an integral part of the existing school building.
- 6.37 Accordingly it is considered that the proposed new extension to the existing school is, by its design, scale and use of materials is appropriate for the location and is in accordance with the JCS for Broadland, Norwich and South Norfolk (2011) Policy 2, Promoting good design, and the NPPF 2012 7 – Requiring good design.
- 6.38 **Sustainability**
- 6.39 The JCS for Broadland, Norwich and South Norfolk (2011) Policy 1, Addressing climate change and protecting environmental assets, requires development to be energy efficient, Policy 2 Promoting good design, seeks, inter alia, the use of sustainable and traditional materials, and Policy 3 Energy and water seeks, inter alia, to minimise reliance on non renewable energy sources. In addition, the NPPF supports the overarching principle of sustainable development.
- 6.40 The proposed new development adopts the same coherent design theme as the original school building in terms of materials, fenestration and other external finishes. The proposed use of render, brick and permeable hard surfacing and block paving are all sustainable and traditional materials.
- 6.41 The application is supported by a Design and Access Statement which states that the proposed engineering services will be designed to achieve low energy use by

maximising the use of natural and heat recovery ventilation, daylight, and renewable energy. Photovoltaic panels are proposed be located on the southern facing roof to utilise the ideal layout and orientation for on-site generation of electricity, and natural cross ventilation will be provided within the classrooms, with a simple detection and notification system monitoring CO2 levels. Information panels will inform teachers of rising levels, which they will be able to counter by opening high level windows as necessary.

- 6.42 It is considered that the proposed new extension to the existing school is sustainable in accordance with the JCS for Broadland, Norwich and South Norfolk (2011), Policy 1 Addressing climate change and protecting environmental assets, and Policy 2, Promoting good design, and NPPF 2012.
- 6.43 **Impact on Residential Amenity**
- 6.44 SNLP (2003) saved Policy IMP 9: Residential amenity, seeks, inter alia, to protect the residential amenity of occupiers surrounding any proposed development.
- 6.45 The proposed development has been designed so as not to overlook the habitable rooms of nearby dwellings. The nearest residential properties to the proposed development are the properties on Kestrel Avenue which are some 20 metres from the boundary of the application site, and some 45 metres to the south of the proposed new building, between which will be the proposed new car park. Properties at Cheena Court, to the west of the application site, will be adjacent to the proposed new footway and will overlook the proposed new playing field.
- 6.46 It is considered that the proposed development will not have a detrimental impact on the occupiers of adjacent residential property by reason of overlooking, over shadowing, increased noise, loss of light or privacy, in accordance with the aforementioned planning policy.
- 6.47 Accordingly, it is considered that the proposal complies with SNLP (2003) saved Policy IMP 9: Residential amenity, and NPPF 2012, 11. Conserving and enhancing the natural environment.
- 6.48 **Highway/Traffic**
- 6.49 Section 4 of the NPPF and saved Policy IMP 8 of the SNLP encourages development that will not adversely affect highway safety or the operation of the highway network. Policy 6 of the JCS encourages the use of alternative modes (walking and cycling) of transport.
- 6.50 Prior to the submission of the planning application the applicant sought informal advice from the Highway Authority (NCC). The applicant has incorporated the advice provided into the application and consequently the Highway Authority has no objection to the principle of the development subject to standard conditions being attached to the decision note. The conditions are detailed in Section 12 Conditions.
- In their response to the consultation on the application Costessey Parish Council raised a number of issues relating to highway matters and these are addressed in paragraph 6.81 of this report.
- 6.51 **Landscape & Trees**
- 6.52 Saved policy IMP 2 of the SNLP directs that all new development will be required to incorporate a high standard of landscaping to integrate into its surroundings.

- 6.53 The agent has consulted the Council's Natural Environment Team regarding the landscaping of the proposed development. Following that consultation the applicant has submitted a landscape plan, tree planting specification and planting schedule which has satisfied the requirements of the Council's Natural Environment Team
- 6.54 Accordingly, it is considered that the proposal complies with South Norfolk Local Plan (2003) Saved Policy IMP 2: Landscaping, and National Planning Policy Framework, 11. Conserving and enhancing the natural environment.
- 6.55 **Ecology/Nature Conservation/ Appropriate Assessment**
- 6.56 The application is for development of land in the centre of a new residential development, which is fenced off and currently unused. An examination of aerial photographs taken since the original school has been built shows the land as cleared and levelled ready for development, with no evidence of vegetation. Given that the site has remained unused for a number of years the site has become overgrown with long grass.
- The agent has no access to the land to undertake survey work. From a visual inspection the proposed new development does not appear to encroach onto any established natural habitat.
- 6.57 The application site is within 5km of the River Wensum Special Area of Conservation, which is a European protected habitat. The application has been assessed in accordance with Article 61 of the Conservation of Habitats and Species Regulations 2010, and based on the information submitted to the County Planning Authority, it is considered that the proposed development does not have a significant impact on the integrity of the protected habitat. Accordingly, there is no requirement for the County Planning Authority to undertake an Appropriate Assessment of the proposed development.
- 6.58 **Contaminated Land**
- 6.59 In their response to the application SNC have requested that a condition be attached to the grant of any planning permission relating to contaminated land.
- The condition is in two parts and requires either:
a) a site investigation for ground gasses and the results submitted to the planning authority for consideration, or
b) a scheme to prevent the upward migration of ground gases be incorporated into the design of the building.
- 6.60 There have been no requests for contaminated land surveys on any of the previous planning applications for the development of the school, and no contaminated land condition was included in the SNC's permission (2007/2575/D) for the development of the application site for a neighbourhood centre.
- 6.61 The applicant is aware of this condition, but cannot access the land to undertake a site investigation for ground gasses. Accordingly, it is planned to incorporate a scheme to prevent the upward migration of ground gasses into the design.
- For the avoidance of doubt, the condition requested by SNC is proposed to be included as a condition of the planning permission.
- 6.62 **Flood Risk**

- 6.63 The JCS for Broadland, Norwich and South Norfolk (2011) Policy 1, Addressing climate change and protecting environmental assets, requires development to be located to minimise flood risk, and Policy 3 Energy and water seeks, inter alia, seeks to ensure that sufficient water infrastructure is available to meet the additional requirements arising from the new development

In addition, the NPPF, 10 seeks to ensure flood risk is not increased and that the most vulnerable development (e.g. schools) is located in areas of lowest risk.

- 6.64 The application is accompanied by a Foul Water Statement and a Flood Risk Assessment prepared by NPS Property Consultants Ltd., and submitted in support of the application. The Flood Risk Assessment concluded that:
- The site lies in an area of the lowest risk from flooding;
 - The application proposal includes permeable hard surfacing and grassed areas which will allow water to enter the ground of the application site at existing rates.
 - Surface water run off from the roofs for the new school will be limited and controlled to an acceptable level by the mitigation measures outlined above.
 - It is considered that the development will not increase flood risk either on the site or off site and therefore meets NPPF, 10.

- 6.65 The Local Flood Authority (NCC), have considered the information submitted by the applicant and conclude that there is no significant flood risk based on assessment of the Update Flood Maps for Surface Water produced by the Environment Agency. However, SNC have requested a condition be attached to any grant of planning permission requiring the precise details of the means of foul water and sewage disposal be submitted and approved in writing.

For the avoidance of doubt, the condition requested by SNC is proposed to be included as a condition of the planning permission.

- 6.66 Accordingly, it is considered that the proposal will not increase the risk of flooding or give rise to drainage issues and complies with the JCS for Broadland, Norwich and South Norfolk (2011) Policy1, Addressing climate change and protecting environmental assets, Policy 3 Energy and water, and NPPF, 10. Meeting the challenge of climate change, flooding and coastal change.

6.67 **Response to the representation received**

- 6.68 The application was advertised by means of neighbour notification letters, consultation letters and site notices.

- 6.69 In response, a letter of objection was received from SNC, a letter from Costessey Parish Council, four representations were received from residents, and one letter of objection from a Company with a freehold interest in the land on which the development is proposed.

Two of the representations were comments, seeking clarification of the proposals, further clarification was provided and no further correspondence has been received.

The third representation raised concerns that the existing highway network was unadopted and consequential highway safety issues.

Two further representations are objections on the grounds that the land was supposed to be for community facilities such as a shop or public house rather than a school.

- 6.70 An objection has been made by a Company with a freehold interest in the land upon which the application has been made. The objection is made on the grounds that the site is shown within the Local Plan for use as a neighbourhood centre and residential development. The objector states that, in conjunction with a developer, they are currently refining their existing scheme (2007/2575/D) with the intention of making a revised planning application to SNC.
- 6.71 **Representation by South Norfolk Council**
- 6.72 The letter from SNC states that the application site is part of an allocated site in the SNLP and previously had planning approval for a neighbourhood centre. SNC state that the neighbourhood centre was part of the original masterplan and is considered an integral part of the wider development and that it is understood that the landowner/developer is currently preparing a revised scheme for the centre.
- 6.73 SNC acknowledge the need for the proposed school development and is supportive of improved educational facilities at Queens Hill, but objects to the application to develop the site for a school unless it can be demonstrated that alternative provision has been made for a neighbourhood centre.
- 6.74 The policy context and planning history of the proposed neighbourhood centre are explained in paragraph 6.11 of this report.
- 6.75 SNC made the original allocation of the Queens Hill residential area in saved Policy COS 1 of the SNDC 2003 Local Plan. This policy is considered to be consistent with the NPPF.
- 6.76 Saved Policy COS 1 allocated land for residential development and expected the developer of the site to be responsible for, inter alia, the provision of community facilities (local shopping and banking facilities, public house, place of worship and community hall).
- 6.77 Despite the current application site being granted planning permission in 2008 for a neighbourhood centre with 50 residential units, public house car parking and associated works, the site remains undeveloped. The planning permission has lapsed and although the Company with the freehold interest in the land has objected and stated that they intend making a revised planning application to SNC. At the time of writing this report SNC have had no discussions with the landowner regarding a new planning application for community facilities.
- 6.78 The applicant has explained, and justified the need for the extension to the school, and no alternative land is available on which an extension to the existing school can be built.
- 6.79 With regard to the SNC's objection to the application, unless it can be demonstrated that alternative provision has been made for a neighbourhood centre. The wording of makes it quite clear that provision, or alternative provision, for the neighbourhood centre is the responsibility of the developer, rather than the County Council.
- 6.80 A community centre, (2010/0925) has already been built within the Queens Hill development in accordance with SNLP saved Policy COS 1, on land owned by the development consortium and funded by the consortium in conjunction with the Parish Council. This community centre contributes towards the provision of community facilities required in SNLP saved Policy COS 1 and was granted planning permission (2010/0925) by SNC and has opened as the West Costessey Hall on Poethlyn Drive. It is understood that this community centre was originally proposed on the land currently the subject of this planning application, but lobbying by Costessey Parish Council and the Local County

Member enabled the proposal to be moved to the eastern edge of the Queens Hill development, to be closer to pitch/play facilities.

6.81 In addition, the applicant has designed the new school to enable it to be used, outside of school hours, for use by the community. The primary shared school facilities for community use include the main hall, the small hall and a conference room. Secondary shared school facilities for community use include toilets and lobby areas. Although not a community centre this will enable the school to provide a community facility for use by the local community.

6.82 **Representation by Costessey Parish Council and local resident**

6.83 Costessey Parish Council and a local resident raised the following concerns regarding the safety of children:

- The area is already dangerous with vehicles and families.
- The footway should be widened and the kerb line altered to allow buses to park off the carriageway.
- The bus stop had been re-located to an equally dangerous position. An additional pedestrian crossing would be required.
- The school's Travel Plan was misleading with not enough consideration given to existing traffic issues or parent parking.
- A safety audit should be undertaken at school drop off or collection time so that mitigation measures can be assessed.

6.84 These matters are all highway related and therefore the Highway Authority were specifically consulted on the representation.

6.85 In response, the Highway Authority made the following comments:

- Widening the footway outside the school: This section will be widened along the site frontage to continue the shared use footway/cycleway prior to the road being adopted. The current footway was provided as a temporary feature until the exact use of the site was finalised.
- Relocation of the bus stop: Given the sinuous nature of the remaining sections of Kestrel Avenue the relocated bus stop is felt to be in the optimum location on a straight section of road. This has been agreed by the NCC Infrastructure Officer through consultation with the consortium and local stakeholders.
- Crossing points on Kestrel Avenue: It is expected that the applicant will provide a crossing point within the vicinity of the school, however at this stage the exact location is not clear. As outlined above, it is understood that it is the intention that the footway on the southern side of Kestrel Avenue will be extended to join up the existing provision. A condition is requested to be included on the consent notice issued so that the exact point can be agreed with the Highway Authority and provided prior to the new school entrance being operational.
Note, this is included as a condition to the planning permission.
- School Travel Plan: The school will be required to update this and submit it for approval by the Council's Travel Plan team. The School will then subsequently be required to monitor and review the travel plan at agreed intervals.
Note, this is included as a condition of the planning permission.
- Safety audit at school drop off: The applicant will be required to provide formal school keep clear markings (including a TRO) at both the new and

existing vehicular accesses to the school.

Note, this is included as a condition to the planning permission.

In addition, the Highway Authority is currently in discussions with the consortium with regard to the provision of double yellow lines which may be required within Queens Hill including within the vicinity of the school.

- 6.86 It is considered that the issues raised by Costessey Parish Council and the local resident have been duly considered and responded to, and where appropriate conditions are attached to the planning permission.

Objections by Local Residents

- 6.87 Two objections have been received from local residents on the following grounds:
- The land was supposed to be for community facilities such as a shop or public house rather than a school.
 - The school extension is short sighted and leaves no area for community facilities.
 - The village centre will be completely lost without any replacement land being officially secured for the community of Queen's Hills.
 - The growth of the school should not be at the expense of the community who have waited 7 years for their promised village centre.

- 6.88 These objections are understandable and if the planning permission granted by SNC had been implemented when extant this situation would not have arisen.

The planning permission has expired and other than the statement by the owner of the land that, 'in conjunction with a developer, they are currently refining their existing scheme (2007/2575/D) with the intention of making a revised planning application to SNC', at the time of writing SNC have had no discussions with the landowner regarding a new planning application for community facilities.

There is however a current a need to provide additional school facilities, and the application site, adjacent to the existing school, is the only land on which the school can extend.

Currently the application site is vacant and unused, no community facilities (shops or public house) have been built on the site. The new school has been designed to enable it to be used, outside of school hours, for use by the community. Although not a community centre this will enable the school to provide a community facility for use by the local community.

It is considered, that on balance the proposed development, to provide the benefit of additional school facilities to meet a current identified local need, outweighs retaining the vacant site for the possible provision of community facilities at some undetermined future date.

7. Resource Implications

- 7.1. **Finance** : The development has no financial implications from the Planning Regulatory perspective

- 7.2 **Staff** : The development has no staffing implications from the Planning Regulatory perspective

- 7.3 **Property** : The development has no property implication from the Planning Regulatory perspective.
- 7.4 **IT** : The development has no IT implications from the Planning Regulatory perspective.
8. **Other Implications**
- 8.1 **Legal Implications** : There are no legal implications from the Planning Regulatory perspective.
- 8.2 **Appropriate Assessment**
- 8.3 The application site is within 5km of the River Wensum Special Area of Conservation, which is a European protected habitat. The application has been assessed in accordance with Article 61 of the Conservation of Habitats and Species Regulations 2010, and based on the information submitted to the County Planning Authority, it is considered that the proposed development does not have a significant impact on the integrity of the protected habitat. Accordingly, there is no requirement for the County Planning Authority to undertake an Appropriate Assessment of the proposed development.
- 8.4 **Human Rights**
- 8.5 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.
- 8.6 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is, that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.
- 8.7 The human rights of the owners of the application site may be engaged under the First Protocol Article 1 that is the right to make use of their land. An approval of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.
- 8.8 **Equality Impact Assessment (EqIA)**
- 8.9 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.
- 8.10 **Communications** : There are no communication issues from a planning perspective.
- 8.11 **Health and Safety Implications** : There are no health and safety implications

from a planning perspective.

- 8.12 **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

9 **Section 17 – Crime and Disorder Act**

- 9.1 It is not considered that the implementation of the proposal would generate any issues of crime and disorder, and there have been no such matters raised during the consideration of the application.

10 **Risk Implications/Assessment**

- 10.1 There are no risk issues from a planning perspective.

11. **Conclusion and Reasons for Grant of Planning Permission**

- 11.1 It is acknowledged that there has previously been planning permission for the provision of community facilities on the application site, but that permission has lapsed and in the intervening period no proposal to develop the site for community facilities has been submitted.
- 11.2 The determination of the current application must be made in accordance with the development plan, unless material considerations indicate otherwise. Material considerations in this case can include the need for the proposed school development, the suitability of the proposed location and the assessment of the proposed development against the policies of the development plan as a whole. The NPPF advises that Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. The NPPF also advises that plans and decisions need to take local circumstances into account so that they respond to different opportunities for achieving sustainable development.
- 11.3 The applicant has justified the need for the extension of the existing school to provide additional school facilities, and the application site, adjacent to the existing school, is the only land on which the school can extend.
- 11.4 The school has been designed to enable space within it to be used, outside of school hours, for use by the community
- 11.5 The proposed development is considered to be sustainable development which meets a need for additional school facilities in the local area which cannot be met elsewhere.
- 11.6 It is considered that the site is appropriate for the proposed use and the proposed new extension to the existing school will not increase the risk of flooding, or give rise to drainage issues. The proposal is, by its design, scale and use of materials appropriate for the location and will not have a detrimental impact on highway safety, the occupiers of adjacent residential property, trees, landscape or ecology.

- 11.7 Having considered the guidance in the NPPF 2012, it is considered, on balance, that the proposed development, providing the benefit of additional school facilities to meet a current identified local need, outweigh retaining the vacant site for the provision of community facilities at some undetermined future date.
- 11.8 Accordingly, it is considered that the proposed development accords with the development plan as a whole, and that there are material considerations, namely the need for the proposed development which cannot be accommodated elsewhere, which justify the grant of planning permission.

12. **Conditions**

- 12.1 1. The development hereby permitted shall commence within three years of the date of this permission
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development must be carried out in strict accordance with the application form, plans and documents as submitted.
- Reason: For the avoidance of doubt and in the interests of proper planning.
3. Notwithstanding Condition 2, the landscaping proposals shown on the approved plan 14-1-1069 BAS-DR-L 014 Rev A; dated 24/10/2014, the landscaping scheme hereby approved shall be implemented within the first planting season (October to March), following the completion of the development. All planting shall be retained for a period of five years after initial planting has been completed and any trees and shrubs which are substantially damaged, seriously diseased or die shall be replaced within twelve months of removal or death with plants of a similar species and size.
- Reason: In the interest of the satisfactory appearance of the development.
4. Any lighting scheme shall be kept to a minimum necessary for the purposes of security and safety and shall prevent upward and outward light radiation.
- Reason: In the interests of the amenities of local residents and to minimise light pollution.
5. No development shall take place until either:
- a) A site investigation for ground gases on the site has been undertaken and the results provided to the County Planning Authority. Precise details of the methodology of the site investigation shall be agreed in writing by the County Planning Authority prior to the site investigation being undertaken. Where the site investigation identifies methane and/or carbon dioxide to be present or a significant risk of their production following the completion of the development, a scheme to protect the development and

its users from these gases shall be submitted to and agreed in writing by the County Planning Authority. This scheme, as approved, shall be fully implemented and completed before any development hereby permitted is first occupied; or

b) A scheme to prevent the upward migration of any ground gases into the building is submitted to and agreed in writing with the County Planning Authority. Once approved the scheme shall be competently installed to the satisfaction of the local Building Control and County Planning Authority.

Reason: To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. Noise emitted from any new plant should not exceed existing external ambient noise levels, as detailed in the submitted Design and Access Statement.

Reason: In the interests of the amenities of local residents.

7. Prior to the first use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan 14-1-1069 BAS-DR-L 013 Rev A; dated 22/10/2014, in accordance with the highway specification drawing Footway Crossing (with Verge to Front) – Typical Residential Access Details; TRAD 3 dated November 2011, attached. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

8. The gradient of the vehicular access shall not exceed 1:12 for the first 10 metres into the site as measured from the near channel edge of the adjacent carriageway.

Reason: In the interests of the safety of persons using the access and users of the highway.

9. Prior to the commencement of the use hereby permitted a visibility splay measuring 2.4 x 33 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

10. Prior to the commencement of the use hereby permitted the proposed access / on-site car (general, disabled & car share bays) and cycle parking

/ turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans 14-1-1069 NPS-DR-A 011; dated April 2014 and 14-1-1069 BAS-DR-L 013 Rev A; dated 22/10/2014, and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

11. Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works for pedestrian arrangements on Kestrel Avenue have been submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor

12. Prior to the commencement of the use hereby permitted the off-site highway improvement works for pedestrian arrangements on Kestrel Avenue referred to in condition 11 shall be completed to the written satisfaction of the County Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

13. Prior to the commencement of the use hereby permitted a Traffic Regulation Order for the provision of School Keep Clear Markings (at both the existing access on Fieldfare Way and the new access on Kestrel Avenue) shall be promoted by the Highway Authority.

Reason: In the interests of highway safety.

14. Within six months of the first occupation of the development hereby permitted a review of the existing school travel plan shall be submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority. The travel plan shall be implemented in accordance with the timetables and targets contained therein and shall continue to be implemented subject to any modifications agreed by the County Planning Authority in writing, in consultation with the Highway Authority, as part of an annual review. The travel plan reviews shall monitor pupil numbers and provide accordingly for the phased development of the future cycle parking as shown on the approved plan 14-1-1069 BAS-DR-L 013 Rev A; dated 22/10/2014.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment, in accordance with paragraph 36 of the National Planning Policy Framework (2012).

Recommendation

It is recommended that, subject to no further comments raising matters not previously addressed in this report being received within the consultation period, the Interim Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12.
- (ii) Discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

Background Papers

The National Planning Policy Framework (NPPF) (2012):

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Joint Core Strategy for Broadland, Norwich and South Norfolk (2011/2014)

http://www.gndp.org.uk/content/wp-content/uploads/2014/04/JCS_adopted_doc_2014.pdf

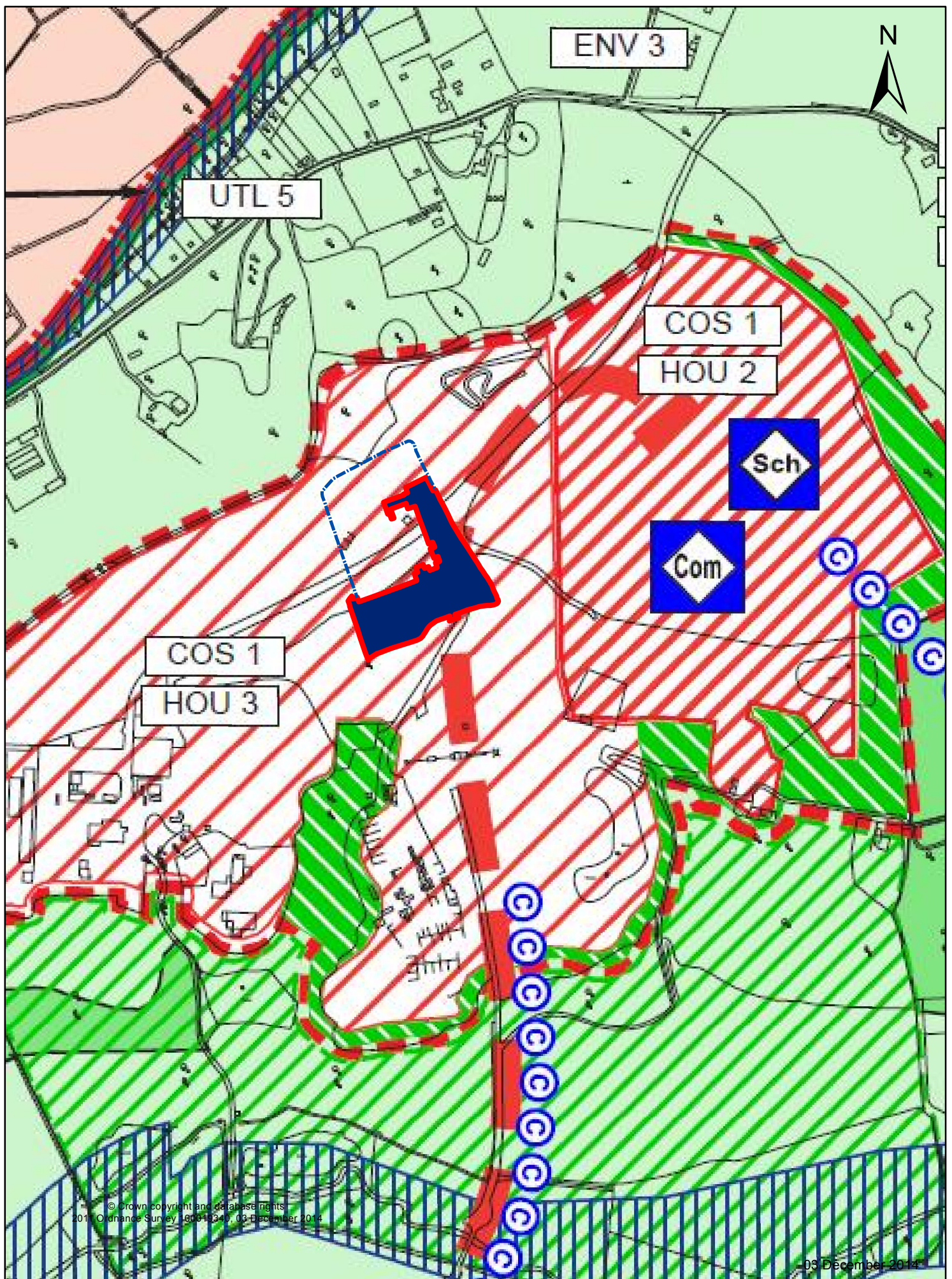
Officer Contact

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If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 and ask for Paul Rudkin or textphone 0344 800 8011 and we will do our best to help.





Y/7/2014/7011 - Queen's Hill Primary School

Costessey

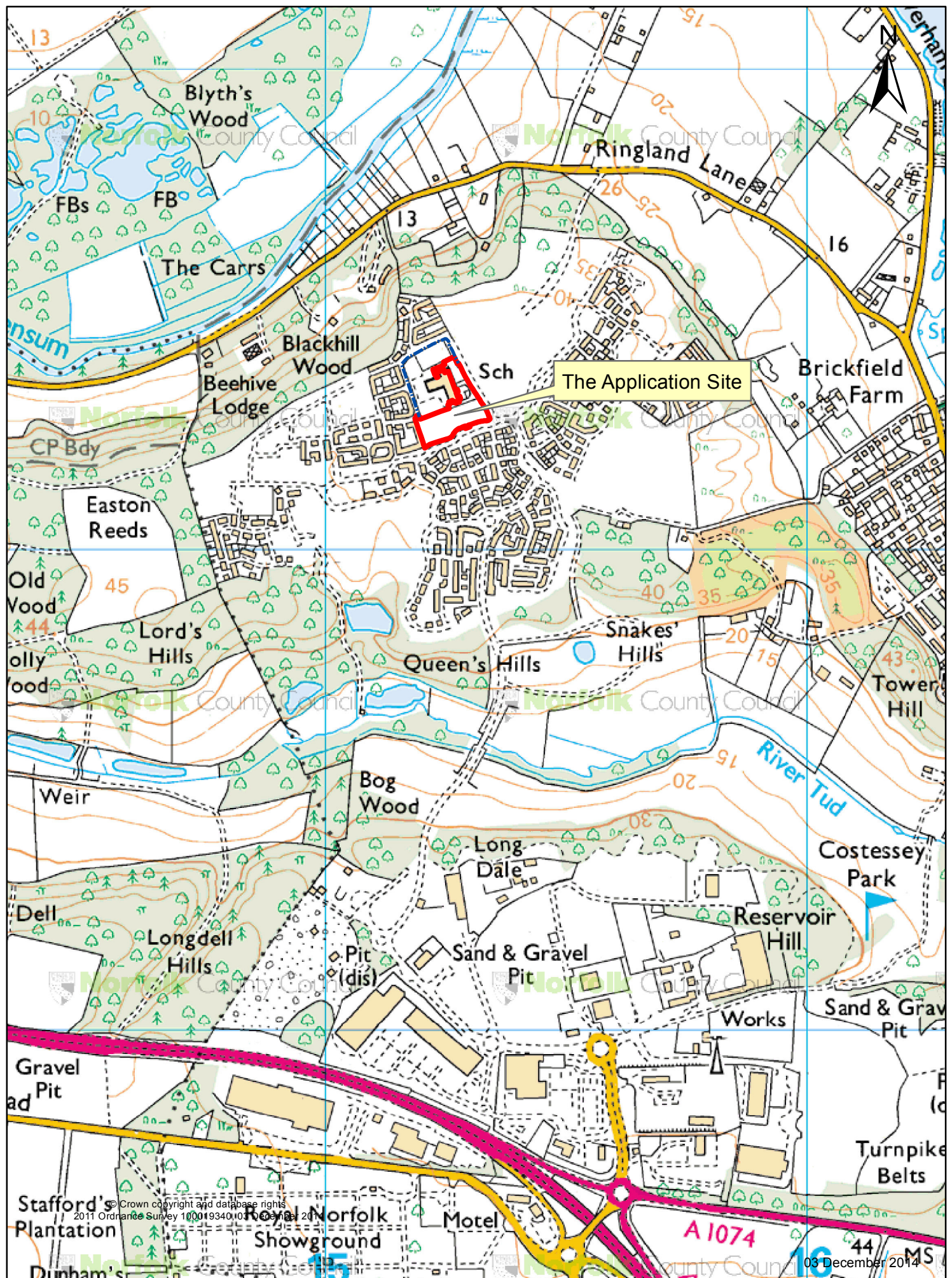
0 25 50 Metres



Norfolk County Council

Scale 1: 1500

Centred on 5267 312329



Y/7/2014/7011 - Queen's Hill Primary School

Costessey

0 250 500 Metres

Norfolk County Council

Scale 1: 10000

Centred on 15569 311805

Applications Referred to Committee for Determination:

Breckland District:

C/3/2013/3017:

Retrospective minor material amendment: Variation of condition 2 of planning permission ref. C/3/2011/3021 to make changes to reuse shelter (PV panels), and layout of site (drainage layout, ramp, car parking and addition of safety bollards):

Norfolk County Council, Interim Executive Director of Community and Environmental Services

Report by the Interim Executive Director of Community and Environmental Services

Summary

Planning permission is sought to vary condition 2 of planning permission reference C/3/2013/3107 to authorise a number of minor changes to the existing Household Waste Recycling Centre at Telford Way, Thetford. The changes proposed are in respect of the number and configuration of PV panels of the roof of the re-use building, and the layout of the site with regards to drainage arrangements, the ramp that connects the split levels, car parking, and also the installation of safety bollards.

No objections have been received from statutory or non-statutory consultees, or from any other third parties.

In accordance with the Council's Constitution, the application is being reported to the Planning (Regulatory) Committee because it was submitted by the Interim Director of Environment, Transport and Development (now the Executive Director of Community and Environmental Services), and therefore cannot be dealt with under delegated powers.

The proposal conforms with development plan policies and national guidance, and there are no material considerations that application should be refused.

Recommendation

It is recommended that the Interim Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12.
- (ii) To discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

1. The Proposal

- 1.1 Location : Thetford HWRC, 15-17 Telford Way, Thetford.
- 1.2 Type of development : Household Waste Recycling Centre.
- 1.4 Site Area : 0.51 hectares
- 1.5 Annual tonnage : 5,500 household waste
- 1.7 Duration : Permanent
- 1.9 Hours of working : 1 October – 31 March (winter hours)
Sunday to Saturday: 08.00 – 16.00
1 April to 30 September (summer hours)
Sunday to Saturday: 08.00 – 18.00
- 1.10 Vehicle movements and numbers : Estimated maximum of 500 domestic vehicles visiting the site per day (500 in and out, therefore 1000 movements in total).
- 1.11 Access : Two accesses onto Telford Way: one for the main site providing an in/out for the circulation and parking area and one for the re-use building on the lower tier.

2. Constraints

- 2.1
- The site is allocated as a General Employment Area in Breckland District Council's Adopted Local Development Framework (LDF) Thetford Area Action Plan (TAAP) Proposals Map;
 - The A11 trunk road is located approximately 1 kilometre to the north of the site via the A1066 although closer as the crow flies (some 700 metres to the north west);
 - The site is located within 700 metres of Breckland Special Protection Area and Breckland Forest Site of Special Scientific Interest (SSSI), and some 1.5 kilometres away from Breckland Special Area of Conservation (SAC).

3. Planning History

- 3.1 Planning permission was granted in December 2011 for the 'Creation of a new recycling centre for the disposal, recycling and resale of household waste, and small scale sale of bagged compost. Re-use of existing building as site office (to be fitted with photovoltaic cells), siting of steel type cabin to be used as kiosk and information point, use of various receptacles for the storage of waste, and installation of associated surface and foul water drainage system' following a resolution by the committee. The site has since been developed for this use.
- 3.2 Further to this planning application, in February 2012 a 'Non-material amendment' was granted for the permission relating to changes to the elevations of the re-use shelter (concerning the windows and doors).
- 3.3 Prior to its current use, the site was used for storage of HGV trailers and environmental waste trailers by private operator Pearson's Capital Projects Ltd.

- 3.4 In terms of Norfolk County Council's planning records, planning permission was originally granted in 1998 under permission reference C/3/1997/3024 for 'Soil and hardcore recycling and resale depot'. In 2005, Pearson's successfully applied to vary condition 14 of that consent to allow the crushing of waste material to take place under permission reference C/3/2005/3010. Further to that, in 2006 planning permission was granted for 'Additional areas for recycling of waste materials' under reference C/3/2006/3010 that permitted an additional area (0.8 hectares) for the recycling of non-hazardous waste albeit still within the previously approved application boundary.

4. Planning Policy

- | | | | | |
|-----|--|---|---|---|
| 4.1 | Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 (2011) | : | CS5
CS6
CS7
CS13
CS14
CS15
DM1
DM3
DM4
DM8

DM10
DM12
DM13 | General location of waste management facilities and associated facilities
General waste management considerations
Recycling, composting, anaerobic digestion and waste transfer stations
Climate change and renewable energy generation
Environmental protection
Transport
Nature conservation
Groundwater and surface water
Flood risk
Design, local landscape and townscape character
Transport
Amenity
Air quality |
| 4.2 | Breckland Core Strategy (2009) | : | CP10
DC1
DC6
DC12
DC16 | Natural Environment
Protection of Amenity
General Employment Areas
Trees and Landscape
Design |
| 4.3 | The National Planning Policy Framework (2012) | : | 11 | Conserving and enhancing the natural environment |
| 4.4 | National Planning Policy for Waste (2014) | | | |
| 4.5 | National Planning Practice Guidance Notes (2014) | | | |

5. Consultations

- | | | | |
|-----|----------------------------|---|-----------------------|
| 5.1 | Breckland District Council | : | No objection. |
| 5.7 | Anglian Water | : | No response received. |
| 5.8 | Environment Agency | : | No objection. |

- 5.10 Highway Authority (NCC) : No objection on the basis all existing highway conditions remain.
- 5.15 Local residents : No representations received.
- 5.16 County Councillor (Terry Jermy) : No response received.

6. Assessment

Proposal

- 6.1 The application is to address a number of minor changes that were made to the now built and operational Thetford Household Waste Recycling Centre (HWRC), during its construction, as follows.
- 6.2 The ramp layout between the two levels (the HWRC is split level), and the car park spaces on the upper level have been re-configured with the pedestrian ramp extended some 7.5 metres northwards as far as the existing adjacent electricity substation, and then running beside the substation for a further 4 metres in an easterly direction. At the same time, the four parking spaces to serve the reuse shelter have been moved several metres westwards to accommodate the extended ramp. The justification for this change was to enable a different technique to be used for the construction of the wall (which separates the two levels of the HWRC), with a pile driven technique used rather than the pre-cast concrete originally anticipated to be used.
- 6.3 Safety bollards have been added to the upper walkway within the HWRC in order to provide an additional barrier and protection for cars and pedestrians using the upper yard and split level.
- 6.4 Changes were made to the design of the reuse building in respect of the solar panels installed on the eastern (roof) elevation. The originally specified panel was unavailable to be used hence the developer sourced an alternative which has resulted in a different configuration of panels. Initially, it was proposed to install 22no. x 180w panels in two rows however in light of this the developer has installed a single row of 18no. x 218w panels. It is understood that the alternative panels produce some 4000 kwh of energy for the site per annum, (a similar output to the original panel proposed).
- 6.5 An amended drainage plan/layout was used in order to simplify the construction process for the site and at the same time achieving the appropriate drainage for the site.
- 6.6 Because of the number and nature of the changes proposed, and the requirement to consult statutory consultees on the proposals, it was considered that these amendments would need to be dealt with as a 'minor material amendment' (i.e. a formal application under section 73 of The Town and Country Planning Act 1990, as amended) rather than a 'non-material amendment' where consultation is not necessary.

Site

- 6.7 The HWRC site occupies 0.51 hectares and is located in the north west of

Thetford on the Telford Way Industrial Estate which currently serves small businesses including automotive hire, spares and repairs, refuse disposal and hygiene and industrial supplies. The site is allocated as a General Employment Area in Breckland District Council's Adopted LDF Proposals Map for Thetford. The A11 trunk road is located a kilometre to the north (and west) of the site and is accessed via the A1066 (Mundford Road) which adjoins Telford Way.

- 6.8 As stated above, in 2012 the site was developed into an HWRC which is split into two levels. To the east, west and south of the site are industrial units and uses that form part of the industrial estate. An existing electrical substation is located between the two access points to Telford Way. The nearest residential properties is some 140 metres to the north east of the site on Mundford Road.

Principle of development

- 6.9 A basic principle when assessing planning applications is outlined in Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004 which states:

“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

- 6.10 In terms of the development plan, the County Planning Authority considers the relevant documents in relation to this application are the Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 (the “NMWDF Core Strategy”), and the policies in the Breckland Core Strategy (2009). The original application was assessed against both of these policy documents. Whilst not part of the development plan, policies within both the National Planning Policy Framework and the Government's recently published National Planning Policy for Waste are also further material consideration of significant weight.
- 6.11 As stated in the original committee report, the site is located within land allocated as a General Employment Area in Breckland District Council's adopted LDF Proposals Map for Thetford and is also regarded as both previously developed land and contaminated or derelict land. Therefore this site was considered appropriate in the context of NMWDF policy CS6: *General waste management considerations* and Breckland Core Strategy Policy DC6: *General Employment Areas*. It is consistent also with the recently adopted National Planning Policy for Waste (2014) which also gives priority to the re-use of previously developed land for waste development.

Amenity

- 6.12 The site has operated to date without complaint and is also the subject of an Environmental Permit to control issues such as noise, dust, odour etc, issued by the Environment Agency. The minor changes proposed are not likely to give rise to any additional adverse impacts on amenity, particularly given the site's location on industrial land and away from residential property.

- 6.13 It is considered that the proposal complies with both NMWDF Policies CS14: *Environmental Protection* and DM12: *Amenity* which both seek to ensure there are no unacceptable adverse amenity impacts created.

Landscape / Design etc

- 6.14 NMWDF Policies CS14: *Environmental Protection* and DM8: *Design, local landscape and townscape character* both seek to only permit development that does not have unacceptable impacts on the character and quality of the landscape or townscape.
- 6.15 The HWRC is located in an existing industrial area deemed suitable for this nature of use, and associated buildings and infrastructure, when the development was initially considered. The site is the subject of a landscaping scheme by virtue of a condition of the current approved consent although this has yet to fully come to fruition due to the infancy of the trees planted.
- 6.16 The changes proposed that would be visible outside the site, primarily the amendment to the PV array on the eastern side of the roof of the re-use building, are minor in nature, functional in their design, would not have an adverse impact particularly given the existing land use and industrial setting.
- 6.17 It is considered that there are no landscaping or design issues with revised design of the HWRC, and accordingly the proposal does not undermine the NMWDF policies CS14 or DM8.

Biodiversity

6.18 Habitats Regulation Assessment

As stated in section 2.1, the site is within 700 metres of Breckland Special Protection Area and Breckland Forest Site of Special Scientific Interest (SSSI) and some 1.5 kilometres away from Breckland Special Area of Conservation (SAC) which are both to the east of the town. However, in accordance with an assessment under Article 61 of The Conservation of Habitats and Species Regulations 2010, it is felt that the amended development would be very unlikely to have any adverse impacts on the ecology of the designated area thus an Appropriate Assessment is not required.

- 6.19 In light of this, the proposal is considered to be compliant with policy CS14: *Environmental Protection* and also DM1: *Nature Conservation* of the NMWDF Core Strategy and Breckland Core Strategy policy CP10: *Natural Environment* given that it is not felt the amended scheme would harm the SPA or SAC or any other locally designated nature conservation or geodiversity sites or habitats, species or features identified in UK and Norfolk biodiversity and geodiversity action plans.

Transport

- 6.20 The Highway Authority raised no objections to the revised proposals in respect of the safe functioning of the HWRC with regards to the amended car parking arrangements / layout of the site, and the positioning of the bollards. It is therefore considered that the proposal complies with NMWDF Policy

CS15: *Transport*, which considers proposals acceptable in terms of access where anticipated vehicle movements do not generate unacceptable risks or impacts.

Sustainability

- 6.21 The application proposes to amend the number and layout of the PV panels on the roof of the re-use shelter. It was initially proposed that 22no. x 180w panels in would be installed in two rows on the north-eastern side of the pitched roof. However, due to the unavailability of that specification of panel, the developer has instead installed a single row of 18no. x 218w panels.
- 6.22 NMWDF Core Strategy policy CS13: *Climate change and renewable energy generation* has an aspiration that a minimum of 10% renewable energy is provided for waste developments from decentralized and renewable sources (such as this). It is understood the amended arrangements for PV panels would have a similar annual output in terms of energy produced (circa 4000 kwh). Although the developer does not at this time have a figure for the annual energy consumption of site, and therefore a it is not possible to calculate an exact percentage of the site's energy use that the PV panels produce, it is however expected that it would exceed the 10% specified in the policy given the limited energy requirements of a site such as this. Therefore, this minor amendment does not undermine this policy.

Groundwater/surface water & Flood risk

- 6.23 The original committee report recognized that the HWRC is located on the Cam and Ely Ouse Chalk groundwater body which is designated a Principal Aquifer and coupled with that the that the soils at the site are classified as having a high leaching potential. The HWRC is located in Flood Zone 1 (i.e. the lowest risk of flooding). NMWDF Policy DM3: *Groundwater and surface water* seeks to ensure development does not adversely impact on groundwater quality or resources, and policy DM4: *Flood risk* seeks to ensure flood risk is not increased by new waste development.
- 6.24 The Environment Agency raised no comments in respect of the amended proposals and it is not expected that the amended layout would therefore pose any further risk to groundwater resources or flood risk on or off site. Therefore the amended proposals are compliant with these policies.

Responses to the representations received

- 6.25 The application was advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper. No objections or other representations were raised by third parties.

7. Resource Implications

- 7.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 7.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.
- 7.3 **Property:** The development has no property implication from the Planning Regulatory perspective.

7.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

8. Other Implications

8.1 Human rights

8.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.

8.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.

8.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to make use of their land. An approval of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.

8.5 Equality Impact Assessment (EqIA)

8.6 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.

8.7 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.

8.8 **Communications:** There are no communication issues from a planning perspective.

8.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.

8.10 **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

9. Section 17 – Crime and Disorder Act

9.1 It is not considered that the implementation of the proposal would generate any issues of crime and disorder, and there have been no such matters raised during the consideration of the application.

10. Risk Implications/Assessment

10.1 There are no risk issues from a planning perspective.

11. Conclusion and Reasons for Grant of Planning Permission

- 11.1 Planning permission is sought to vary condition 2 of the current extant planning permission, reference C/3/2011/3021, for Thetford Recycling Centre in order to address a number of minor amendments that have been made to the development during its construction.
- 11.2 These relate to the PV panels on the re-use building, and also a number of changes to the layout of the site in terms of drainage arrangements, the ramp between the two split levels, the car parking configuration, and also the addition of safety bollards.
- 11.3 No objections have been received from statutory or non-statutory consultees, or from any other third parties.
- 11.4 The proposed development is considered acceptable, accords with the development plan, and there are no other material considerations why it should not be permitted. Accordingly, full conditional planning permission is recommended.

12. Conditions

- 12.1 The development shall not take place except in accordance with drawing references and documents:
- i. Application form, date stamped 20 Sept 2011;
 - ii. Site Location and Landowner Plan: 256387-NA01-301 P2 dated '30.08.11' and dated stamped 20 Sept 2011;
 - iii. Site Plan-Proposed: 256387-NA01-303 P2, dated June 11 and date stamped 20 Sept 2011 (except where amended by iv);
 - iv. Thetford Recycling General Arrangement: MMD-256387-C-DR-NA01-XX-0503 E, dated 12 November 2013 and date stamped 13 August 2014;
 - v. Proposed Re-use Shelter and Welfare: 256387-NA01-306 AB1, dated 7 November 2013 and date stamped 13 August 2014;
 - vi. Proposed Kiosk and Information Point: 256387-NA01-307 P2, dated May 11 and date stamped 20 Sept 2011;
 - vii. Fencing Gates and Security: 256387-NA01-308 P2, dated June 11 and date stamped 20 Sept 2011;
 - viii. Containers: 256387-NA01-309 P1, dated May 11 and date stamped 20 Sept 2011;
 - ix. Existing and Proposed Site Sections 256387-NA01-310 P1, dated Sept 10 and date stamped 20 Sept 2011;
 - x. Planning Statement, dated May 2011 and date stamped 20 Sept 2011;
 - xi. Design and Access Statement, dated July 2011 and date stamped 20 Sept 2011;
 - xii. Landscaping Details, dated July 2011 and date stamped 20 Sept 2011;
 - xiii. Foul Sewage Assessment, dated July 2011 and date stamped 20 Sept 2011;
 - xiv. Lighting Assessment, dated May 2011 and date stamped 20 Sept 11; and
 - xv. Site Waste Management Plan dated May 2011 and date stamped 20 Sept 2011.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 12.2 The development must be carried out in strict accordance with the Arboricultural Implications Assessment, and specifically the Tree Protection Plan (Appendix 4) provided by AT Coombes Associates, dated 25 March 2011.

Reason: To ensure the protection of existing trees on the site and the replacement of those removed, to protect the amenity of the area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026

- 12.3 All planting, seeding or turfing comprised in the approved details of landscaping (as referenced in condition 2) shall be carried out in the first planting and seeding season following the granting of planning permission. Any trees or plants which within a period of 5 years from the implementation of the scheme, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: To protect the amenities of the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.4 No material other than household waste shall be brought onto and sorted on the site.

Reason: To protect the amenities of neighbouring residential properties, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.5 No operation authorised or required under this permission or under Part 23 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended, including the movement of vehicles and operation of any plant, shall take place other than during the following periods:

1 October to 31 March (Winter Hours)
Sunday to Saturday: 08.00 - 16.00

1 April to 30 September (Summer Hours)
Sunday to Saturday: 08.00 - 18.00

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.6 The noise level resulting from the use hereby approved, on the South East boundary and the West boundary on the site shall not exceed 73dB(A) measured as a 5minute Laeq between the hours of 08:00 – 09:00 Tuesday to Saturday and between 13:00 Saturday and 09:00 Monday and during the construction phase on the South East boundary and the West boundary on the site shall not exceed 73dB(A) measured as a 5minute Laeq between the hours of 07:30 – 09:00 Tuesday to Saturday and between 13:00 Saturday and 09:00 Monday. All measurements to be taken with a sound level meter of IEC 651 Type 1, or BS EN 61672 Class 1, standard (or the equivalent relevant UK adopted standard in

force at the time of the measurements) set to measure using a fast time weighted response. This should be calibrated in accordance with the procedure specified in BS 4142: 1997 (or the equivalent relevant UK adopted standard in force at the time of the measurements).

Reason: To protect the amenities of residential properties, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.7 During the construction stage, all reasonable steps to control dust migration must be undertaken including, where necessary the periodic spraying of surfaces.

Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.8 Any drums and small containers used for oil and other chemicals on the site shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaways, and all oil or chemical storage tanks, ancillary handling facilities and equipment, including pumps and valves, shall be contained within an impervious bunded area of a least 110% of the total stored capacity.

Reason: To safeguard hydrological interests, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.9 Any oil storage tanks on the site shall be sited on impervious bases and surrounded by oil tight bund walls; the bunded areas shall be capable of containing 110% of the tank volume and shall enclose all fill and draw pipes.

Reason: To safeguard hydrological interests, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.10 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect the quality of inland fresh waters and groundwater in accordance with section 11 of the NPPF (2012) and the Environment Agency's Groundwater Protection: Principles and Practice (GP3) document.

- 12.11 The gradient of the vehicular access shall not exceed 1:12 for the first 15 metres into the site as measured from the near channel edge of the adjacent carriageway.

Reason: In the interests of the safety of the persons using the access and users of the highway, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.12 Prior to the commencement of the use hereby permitted the proposed access /

on-site car and cycle parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan (Drawing No: 256387-NA01-303 Rev A) and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking manoeuvring area in the interests of highway safety, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

Recommendation

It is recommended that the Interim Executive Director of Community and Environmental Services be authorised to:

- (i) Grant planning permission subject to the conditions outlined in section 12 above.
- (ii) Discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.

Background Papers

Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 (2011)

<http://www.norfolk.gov.uk/view/NCC089104>

Breckland Core Strategy (2009)

http://www.breckland.gov.uk/sites/default/files/Uploads/planning_building_control/Core%20Strat%20Final%2020%2003%202012.pdf

The National Planning Policy Framework (NPPF) (2012)

http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Planning Practice Guidance (2014)

<http://planningguidance.planningportal.gov.uk/>

Application references: C/3/2011/3021, C/3/2012/3004

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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Ralph Cox

Telephone Number

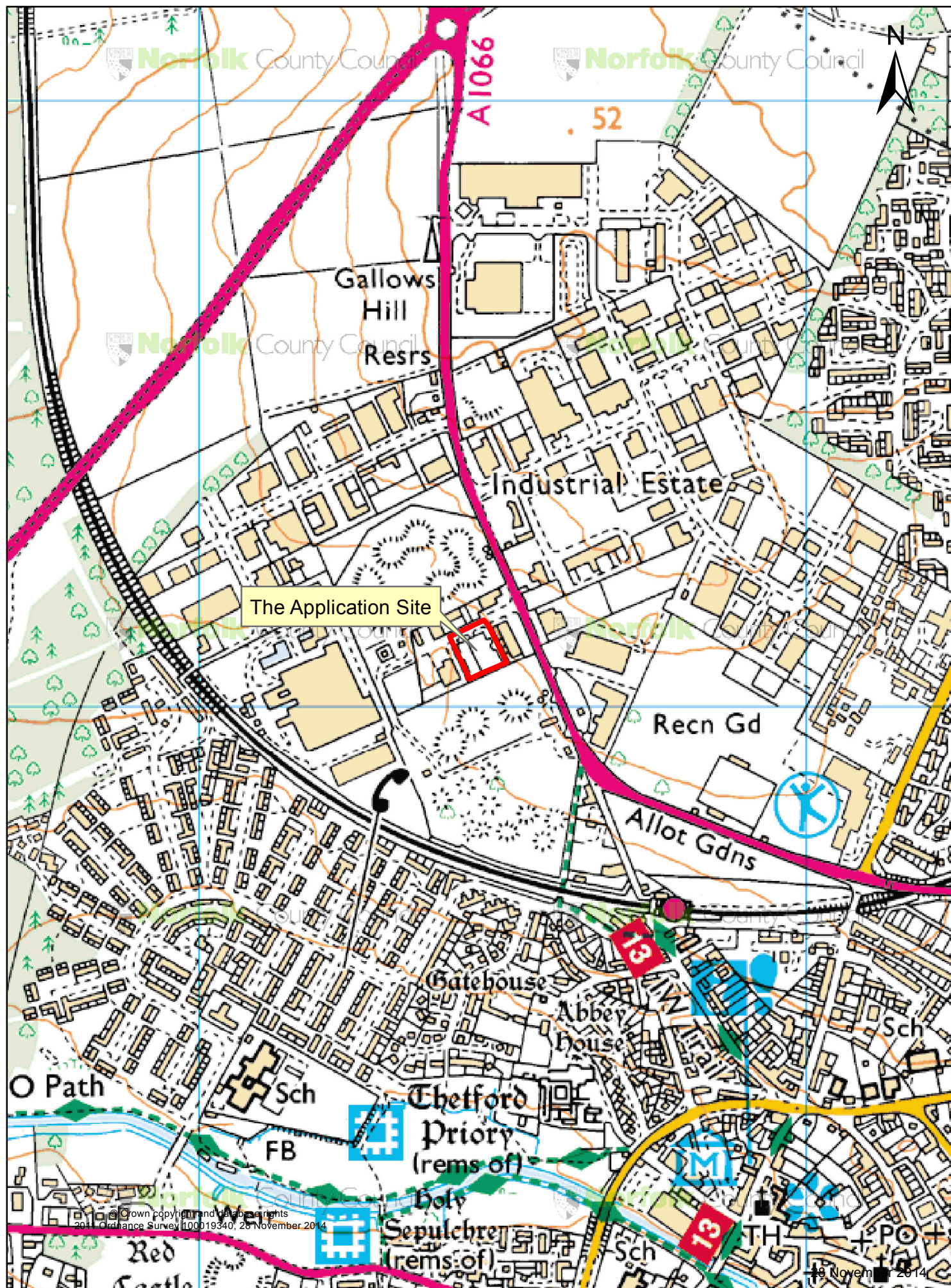
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C/3/2013/3017: Thetford HWRC

Thetford

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Norfolk County Council

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