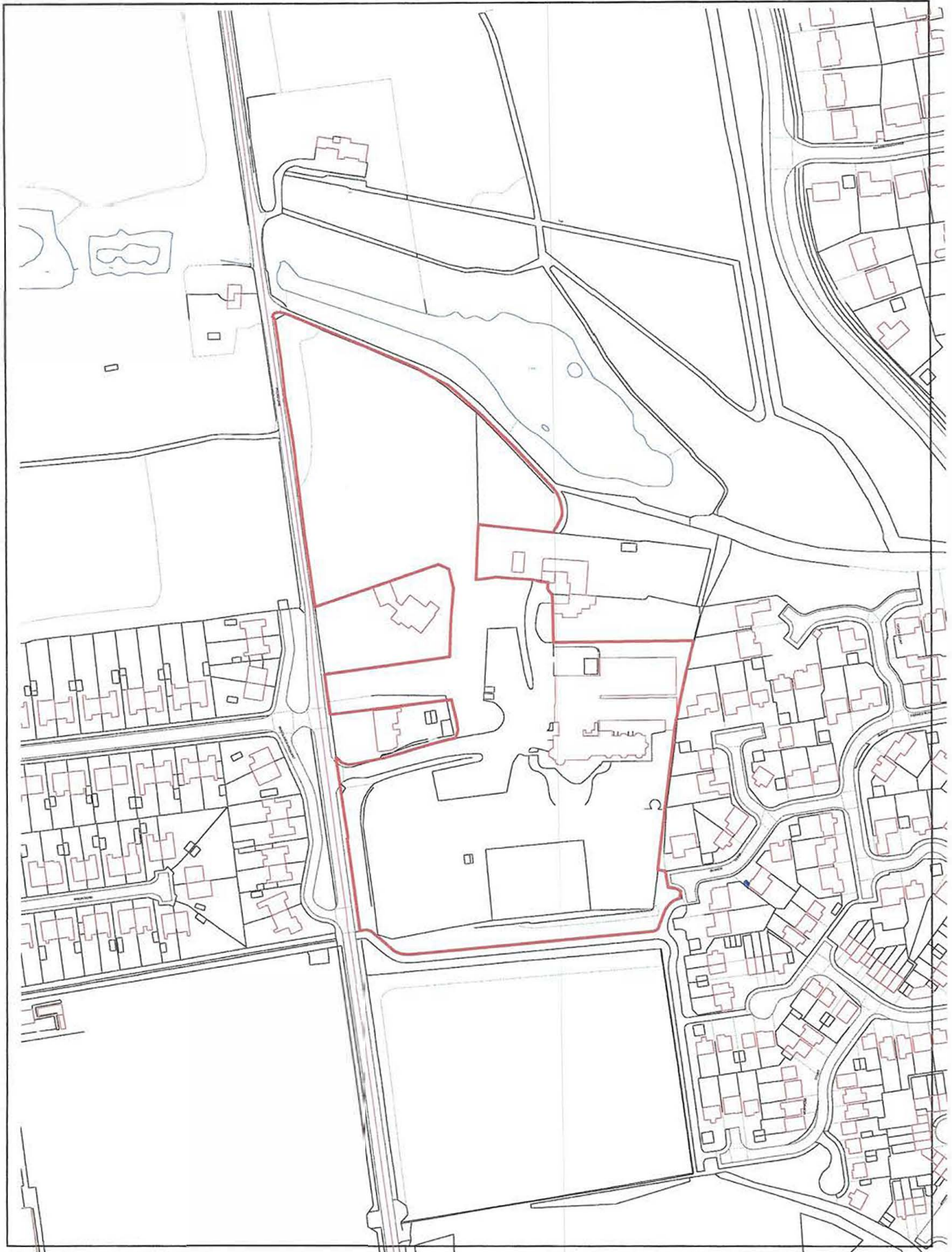


<b>1a. Contact Details</b>	
Title	MR
First Name	DAVID
Last Name	FUTTER
Job Title (where relevant)	MD
Organisation (where relevant)	DFAL
Address	ARUNTECH HOUSE 35 WHIFFLER ROAD NORWICH NR3 2AX
Post Code	NR3 2AW.
Telephone Number	01603 788878
Email Address	David.futter@dfal.eu.

<b>1b. I am...</b>	
Owner of the site <input type="checkbox"/>	Parish/Town Council <input type="checkbox"/>
Developer <input type="checkbox"/>	Community Group <input type="checkbox"/>
Land Agent <input type="checkbox"/>	Local Resident <input type="checkbox"/>
Planning Consultant <input checked="" type="checkbox"/>	Registered Social Landlord <input type="checkbox"/>
Other (please specify):	

<b>1c. Client/Landowner Details</b> (if different from question 1a)	
Title	
First Name	
Last Name	
Job Title (where relevant)	
Organisation (where relevant)	
Address	
Post Code	
Telephone Number	
Email Address	

<b>2. Site Details</b>	
Site location / address and post code  (please include as an attachment to this response form a location plan of the site on an scaled OS base with the boundaries of the site clearly shown)	OASIS SPORT & LEISURE CENTRE 4 POUND LANE, THORPE ST ANDREW NORWICH NR7 0UB.  (EDGED RED ON THE ATTACHED PLAN)
Grid reference (if known)	TG 627435 / 310098
Site area (hectares)	3.278 ha.



**Application No: 20151132**

**Oasis Sport and Leisure Centre, 4 Pound Lane, Thorpe St Andrew, NR7 0UB**

**Scale:  
1:2500**

**Date:  
16-May-16**



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Site Ownership		
<b>3a. I (or my client)...</b>		
Is the sole owner of the site	Is a part owner of the site	Do/Does not own (or hold any legal interest in) the site whatsoever
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>3b. Please provide the name, address and contact details of the site's landowner(s) and attach copies of all relevant title plans and deeds (if available).</b>  <i>SEE 1C</i>		
<b>3c. If the site is in multiple landownerships do all landowners support your proposal for the site?</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>3d. If you answered no to the above question please provide details of why not all of the sites owners support your proposals for the site.</b>  <i>N/A</i>		

Current and Historic Land Uses		
<b>4a. Current Land Use</b> (Please describe the site's current land use e.g. agriculture, employment, unused/vacant etc.)		
<i>PART SPORT &amp; LEISURE CENTRE REMAINDER GARDEN TO TANNY LODGE &amp; BECH LODGE.</i>		
<b>4b. Has the site been previously developed?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**4c. Describe any previous uses of the site.** (please provide details of any relevant historic planning applications, including application numbers if known)

*SEE PARAGRAPH 6 OF ATTACHED REPORT.*

**Proposed Future Uses**

**5a. Please provide a short description of the development or land use you proposed** (if you are proposing a site to be designated as local green space please go directly to question 6)

*AS PROPOSED UNDER APPLICATION 2015 1132  
- SEE OFFICERS RECOMMENDATION 25/05/2016*

**5b. Which of the following use or uses are you proposing?**

Market Housing	<input checked="" type="checkbox"/>	Business & offices	<input type="checkbox"/>	Recreation & Leisure	<input type="checkbox"/>
Affordable Housing	<input checked="" type="checkbox"/>	General industrial	<input type="checkbox"/>	Community Use	<input type="checkbox"/>
Residential Care Home	<input type="checkbox"/>	Storage & distribution	<input type="checkbox"/>	Public Open Space	<input type="checkbox"/>
Gypsy & Traveller Pitches	<input type="checkbox"/>	Tourism	<input type="checkbox"/>	Other (Please Specify)	

**5c. Please provide further details of your proposal, including details on number of houses and proposed floorspace of commercial buildings etc.**

*SEE OFFICER REPORT TO PLANNING COMMITTEE  
25/05/2016 RECOMMENDING APPROVAL TO  
APPLICATION 2015/1132.*

**5d. Please describe any benefits to the Local Area that the development of the site could provide.**

*AS PER OFFICERS REPORT*

**Local Green Space**

If you are proposed a site to be designated as Local Green Space please complete the following questions. These questions do not need to be completed if you are not proposing a site as Local Green Space. Please consult the guidance notes for an explanation of Local Green Space Designations.

**6a. Which community would the site serve and how would the designation of the site benefit that community.**

N/A

**6b. Please describe why you consider the site to be of particular local significance e.g. recreational value, tranquillity or richness in wildlife.**

N/A.

**Site Features and Constraints**

Are there any features of the site or limitations that may constrain development on this site (please give details)?

**7a. Site Access:** Is there a current means of access to the site from the public highway, does this access need to be improved before development can take place and are there any public rights of way that cross or adjoin the site?

EXISTING ACCESS FROM HIGHWAY

**7b. Topography:** Are there any slopes or significant changes of in levels that could affect the development of the site?

JEE PROPOSED SITE PLAN APPENDED TO APPLICATION 20151132

**7c. Ground Conditions:** Are ground conditions on the site stable? Are there potential ground contamination issues?

JEE SITE INVESTIGATION REPORT APPENDED TO APPLICATION 20151132

**7d. Flood Risk:** Is the site liable to river, ground water or surface water flooding and if so what is the nature, source and frequency of the flooding?

NO SEE FRA APPENDED TO APPLICATION 20151132

**7e. Legal Issues:** Is there land in third party ownership, or access rights, which must be acquired to develop the site, do any restrictive covenants exist, are there any existing tenancies?

EXISTING S. 52 AGREEMENT

**7f. Environmental Issues:** Is the site located next to a watercourse or mature woodland, are there any significant trees or hedgerows crossing or bordering the site are there any known features of ecological or geological importance on or adjacent to the site?

*SEE AIA & SUPPLEMENTAL REPORTS ATTACHED TO APPLICATION 20151132 (AND ECOLOGICAL REPORT)*

**7g. Heritage Issues:** Are there any listed buildings, Conservation Areas, Historic Parklands or Schedules Monuments on the site or nearby? If so, how might the site's development affect them?

*SEE HERITAGE STATEMENT ATTACHED TO APPLICATION 20151132*

**7h. Neighbouring Uses:** What are the neighbouring uses and will either the proposed use or neighbouring uses have any implications?

*SEE 7.45 IN OFFICERS REPORT.*

**7i. Existing uses and Buildings:** are there any existing buildings or uses that need to be relocated before the site can be developed.

*SEE FULL DETAILS IN 20151132*

**7j. Other:** (please specify):

*/*

**Utilities**

**8a. Which of the following are likely to be readily available to service the site and enable its development? Please provide details where possible.**

	Yes	No	Unsure
Mains water supply	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mains sewerage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Electricity supply	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gas supply	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public highway	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Broadband internet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other (please specify):	
<b>8b. Please provide any further information on the utilities available on the site:</b>  <p style="text-align: center;"><i>ALL AVAILABLE ON SITE.</i></p>	

<b>Availability</b>	
<b>9a. Please indicate when the site could be made available for the land use or development proposed.</b>	
Immediately	<input checked="" type="radio"/>
1 to 5 years (by April 2021)	<input type="radio"/>
5 - 10 years (between April 2021 and 2026)	<input type="radio"/>
10 – 15 years (between April 2026 and 2031)	<input type="radio"/>
15 - 20 years (between April 2031 and 2036)	<input type="radio"/>
<b>9b. Please give reasons for the answer given above.</b>	
<i>OWNED &amp; OCCUPIED BY SINGLE ENTITY          DETAILED PROPOSAL PREPARED IN SUPPORT          OF APPLICATION 2015/1152</i>	

<b>Market Interest</b>		
<b>10. Please choose the most appropriate category below to indicate what level of market interest there is/has been in the site. Please include relevant dates in the comments section.</b>		
	Yes	Comments
Site is owned by a developer/promoter	<input checked="" type="radio"/>	<i>READY TO UNDERTAKE THE DEVELOPMENT.</i>
Site is under option to a developer/promoter	<input type="radio"/>	
Enquiries received	<input type="radio"/>	



Site is being marketed	<input type="radio"/>	<i>No.</i>
None	<input type="radio"/>	
Not known	<input type="radio"/>	

<b>Delivery</b>	
<b>11a. Please indicate when you anticipate the proposed development could be begun.</b>	
Up to 5 years (by April 2021)	<input checked="" type="radio"/>
5 - 10 years (between April 2021 and 2026)	<input type="radio"/>
10 - 15 years (between April 2026 and 2031)	<input type="radio"/>
15 - 20 years (between April 2031 and 2036)	<input type="radio"/>
<b>11b. Once started, how many years do you think it would take to complete the proposed development (if known)?</b>	
<i>2 YEARS</i>	

<b>Viability</b>			
<b>12a. You acknowledge that there are likely to be policy requirements and Community Infrastructure Levy (CIL) costs to be met which will be in addition to the other development costs of the site (depending on the type and scale of land use proposed). These requirements are likely to include but are not limited to: Affordable Housing; Sports Pitches &amp; Children's Play Space and Community Infrastructure Levy</b>			<input checked="" type="checkbox"/>
	Yes	No	Unsure
<b>12b. Do you know if there are there any abnormal costs that could affect the viability of the site e.g. infrastructure, demolition or ground conditions?</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>12c. If there are abnormal costs associated with the site please provide details:</b>			
<i>SEE PLIMSOLL ANALYSIS OF OASIS FINANCIAL HEALTH</i>			
<b>12d. Do you consider that the site is currently viable for its proposed use taking into account any and all current planning policy and CIL considerations and other abnormal development costs associated with the site?</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

12e. Please attach any viability assessment or development appraisal you have undertaken for the site, or any other evidence you consider helps demonstrate the viability of the site.

**Other Relevant Information**

13. Please use the space below to for additional information or further explanations on any of the topics covered in this form

*THIS SITE HAS BEEN RECOMMENDED FOR  
APPROVAL.*

<b>Check List</b>	
Your Details	<input checked="" type="checkbox"/>
Site Details (including site location plan)	<input checked="" type="checkbox"/>
Site Ownership	<input checked="" type="checkbox"/>
Current and Historic Land Uses	<input checked="" type="checkbox"/>
Proposed Future Uses	<input checked="" type="checkbox"/>
Local Green Space (Only to be completed for proposed Local Green Space Designations)	<input type="checkbox"/>
Site Features and Constraints	<input checked="" type="checkbox"/>
Utilities	<input checked="" type="checkbox"/>
Availability	<input checked="" type="checkbox"/>
Market Interest	<input checked="" type="checkbox"/>
Delivery	<input checked="" type="checkbox"/>
Viability	<input checked="" type="checkbox"/>
Other Relevant Information	<input checked="" type="checkbox"/>
Declaration	<input checked="" type="checkbox"/>

<b>14. Declaration</b>	
<p>I understand that:</p> <p><b>Data Protection and Freedom of Information</b>  The Data Controller of this information under the Data Protection Act 1998 will be Norfolk County Council, which will hold the data on behalf of Broadland District Council, Norwich City Council and South Norfolk District Council. The purposes of collecting this data are:</p> <ul style="list-style-type: none"> <li>• To assist in the preparation of the Greater Norwich Local Plan</li> <li>• To contact you, if necessary, regarding the answers given in your form.</li> <li>• To evaluate the development potential of the submitted site for the uses proposed within the form.</li> </ul> <p><b>Disclaimer</b>  The responses received as part of the Greater Norwich Local Plan "Call for Sites" will be published and made available for public viewing. By submitting this form you are consenting to the details about you and your individual sites being stored by Norfolk County Council, and the details being published for consultation purposes. Any information you consider to be confidential is clearly marked in the submitted response form and you have confirmed with the Council(s) in advance that such information can be kept confidential as instructed in the Greater Norwich Local Plan Call for Sites Response Form Guidance Notes.</p> <p>I agree that the details within this form can be held by Norfolk County Council and that those details can be shared with Broadland District Council, Norwich City Council and South Norfolk District Council for the purposes specified in this declaration.</p>	
Name	Date
DAVID FUTTER	04/07/2016.

AREA East

PARISH Thorpe St Andrew

1

APPLICATION NO: [20151132](#) TG REF: 627435/310098

LOCATION OF SITE Oasis Sport and Leisure Centre, 4 Pound Lane,  
Thorpe St Andrew

DESCRIPTION OF DEVELOPMENT Re-development of Oasis Leisure Club including  
(1) Erection of replacement spa and wellbeing club (full) and  
(2) Provision of 27 no residential units (outline planning),  
revised proposal

APPLICANT Serruys Property Company Ltd

AGENT Pike Partnership Ltd

Date Received: 8 July 2015  
13 Week Expiry Date: 7 October 2015

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## 1 THE PROPOSAL

- 1.1 The application is a hybrid application comprising the erection of a new leisure building to replace the existing club (full planning permission) and an outline application (including matters of access and landscaping) to establish the principle of the construction of 27 residential units, including 9 affordable units on the site (outline). In relation to the proposed new leisure club building, materials would comprise brick / larch cladding for the external walls with a sedum roof and aluminium windows and doors. The new club would utilise the existing access off Pound Lane with a new access spur behind (to the east) of Beech Lodge and Tawny Lodge.
- 1.2 The application is accompanied by a Design and Access Statement, policy statement, summary of existing facilities, Plimsoll's analysis of Oasis Financial Health, public consultation document, protected species survey, Arboricultural Impact Assessment, Tree Protection Plan and Method Statement, Landscaping Schedule and Landscape Management Plan, Heritage Statement and photographs of the site.
- 1.3 The application is a resubmission of a previous proposal submitted under planning reference [20140898](#). The proposal differs from the previous scheme in relation to the indicative housing layout which has been replaced with a lower density scheme of detached houses.

- 1.4 Significant revisions have been made to the originally submitted scheme including a reduction in the number of dwellings proposed from 59 to 27 units.

## **2 KEY CONSIDERATIONS**

- Whether the proposed development accords with the provisions of the adopted and emerging development plan, the NPPF and National Planning Practice Guidance.
- Whether there are material considerations sufficient to outweigh the presumption of determining the application in accordance with some of the provisions of the development plan – in this instance whether it is appropriate to build new dwellings outside of a defined settlement limit.
- Impact of the development on the character and appearance of the area.
- Design and appearance.
- Impact of the development on residential amenity.
- Impact of the development on the functioning of the local highway network.
- Trees and landscaping.

## **3 CONSULTATIONS**

### **3.1 Thorpe St Andrew Town Council:**

Object to the originally submitted proposal on the following grounds:

Acknowledge that the site may be suitable for a future development but that this application is not suitable on the following grounds:

- Unacceptable loss of mature and established trees on the site, with remaining trees being put at risk through additional strain when the site is fully occupied.
- Clear ecological concerns on the site, particularly the presence of species protected by law.
- Over development.
- Traffic impacts.
- Houses bordering Gunner Close should be bungalows or set further from the boundary. The terrace and town houses have inadequate amenity space.

- Demolition of the main house, the house is seen as important to the heritage of Thorpe St Andrew and has been a key part of its history; the Council believe that the house could have formed part of the development.
- Existing Section 52 Agreement.

Object to the revised proposals on the following grounds:

- Potential impact on the colony of Great Crested Newts, request that the Council do a full assessment of situation / area concerned.
- Concerns over protection of ancient boundaries / borders along Gunner Close.
- Traffic and its impact with the single entrance / exits.
- Design of windows / properties in general; welcome more detailed plans in the future.

### 3.2 Highway Authority:

No objections subject to conditions.

### 3.3 Highways England:

No objection.

### 3.4 Environmental Services (Pollution):

It is agreed that the level of risk at this site is not likely to be very high but it is also agreed that there needs to be some form of assessment during the initial ground works to show that the site is suitable for the proposed use. A condition is recommended requiring an assessment of the ground in line with that proposed by the consultants as a minimum. Further work may be required based on the findings of the site work.

### 3.5 Environmental Health:

Following the receipt of further information in relation to plant associated with the swimming pool, no objections are raised on the grounds of noise impacts from the proposed swimming pool plant.

### 3.6 District Ecologist:

No objections subject to condition.

### 3.7 Norfolk Wildlife Trust:

No comments received.

3.8 Local Lead Flood Authority:

The application falls below the threshold where bespoke advice on surface water drainage would be provided and therefore the Local Planning Authority is referred to standing advice. It is recommended that any development complies with the National Planning Policy Framework (NPPF) to avoid the increase in the risk of flooding by taking account of national standards and guidance including:

- Non statutory technical standards for sustainable drainage systems (March 2015 by Department for Environment, Food and Rural Affairs)
- The SuDS Manual C697 (2007 CIRIA).

3.9 Anglian Water Services Ltd:

The foul drainage from this development is in the catchment of Whitlingham Water Recycling Centre that will have capacity for these flows. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

3.10 Environmental Services (Amenity, Open Spaces and Street Cleansing):

Waste collection and recycling; in particular the storage and collection of bins must be carefully considered in the overall design and layout of all new residential developments.

3.11 Heritage Environment Officer:

No objections.

3.12 Historic Environment Service:

No objection subject to a condition requiring a programme of archaeological and historic building recording work in accordance with National Planning Policy Framework, paragraph 141.

3.13 Conservation Officer (Arboriculture and Landscape):

No objections. The detailed recommendations within the AIA and the Landscape Management Plan must be implemented in full if the existing trees

are to be retained and protected and the new planting is to successfully establish.

3.14 Housing Development Manager: (Enabling Officer):

Policy 4 of the Joint Core Strategy requires 33% of affordable housing to be provided which for 27 units equates to 9 units. None units are being provided and therefore the policy requirement in this respect is satisfactorily met.

3.15 Historic England:

On the basis of the information provided it is not considered that it is necessary for the application to be notified to Historic England.

3.16 Business Support and Leisure Services Manager:

Fully support the above application which would result in the provision of an improved modern leisure facility with attached uses which benefits the immediate local community and the wider area.

3.17 Spatial Planning:

In summary, being near existing development, facilities and public transport means the location is generally sustainable for development. There are no in principle policy objections. A private members club, continuing and modernising the Oasis Leisure facility brings a community benefit. However, this has to be balanced against physical factors including tree preservation, finding a suitable drainage solution and the level of housing density being suitable. The importance of maintaining and enhancing green corridors between Thorpe Ridge and Thorpe Woodlands should be noted as well.

3.18 Norfolk Fire and Rescue Services:

No objections providing the proposal meets the necessary requirements of the current Building Regulations 2000 – Approved Document B (volume 1-2006 edition, amended 2007) as administered by the Building Control Authority. A minimum of 1 fire hydrant would be required.

3.19 National Grid:

National Grid has identified that it has apparatus in the vicinity which may be affected. Request they are informed, as soon as possible, of the decision the Local Planning Authority is likely to make.



3.20 Norfolk Constabulary:

Advice to applicant.

3.21 Norfolk County Council (Infrastructure and Growth):

No objections subject to appropriate planning obligations being agreed.

3.22 Norfolk County Council Minerals and Waste:

No objection subject to condition.

**4 PUBLICITY**

4.1 Site Notice: 3 August 2015

Expired: 24 August 2015

4.2 Notice in local newspaper: 28 July 2015

Expired: 18 August 2015

4.3 Neighbour Notification: 21 July 2015

38 Neighbour notification letters sent out.

Expired: 13 August 2015

**5 REPRESENTATIONS**

5.1 Fifteen letters of representation have been received from residents of Thorpe St Andrew raising the following issues:

- Too dense for an important historical and wildlife site.
- Demolition of a perfectly sound Victorian building and removal of attractive grounds, presently giving a gardenlike nature to the site, which would be lost.
- Impact on trees.
- It is proposed that the new club be built on the meadow land on the north side of Tawny Lodge. In 1985 there was an agreement made between Mrs Serruys and Broadland District Council that stated that no further development would be allowed on the Tawny Lodge site.

- The adjacent pond to Tawny Lodge has great crested newts (highly protected) and lots of visiting wildlife (kingfishers, otters, muntjac etc).
- Traffic impacts including additional noise and light pollution with respect to those residents who live near the junction.
- Overlooking, proximity of proposed housing to boundary fence (Gunner Close).
- Hedge and adjacent screening trees should be retained.
- Existing schools already oversubscribed; difficult to register with a local GP and this pressure will increase.
- The Council should require the applicant to demonstrate there is no market for the Oasis building in its present use (hotel / spa / restaurant) through a formal market testing exercise to be agreed with a reputable agency and on the national property market and should have evidence that no alternative business use would come forward before considering the merits of a change of use.
- Broadland has already approved its share of the Greater Norwich allocation, given the huge numbers of housing already approved, this scheme must surely be viewed as completely unnecessary.

5.2 Eight letters of representation from residents of Thorpe St Andrew in relation to the revised plans commenting as follows:

- By reducing the overall number of dwellings the proposal would appear to be rather more acceptable; some continuing concern regarding the eastern side of the site, which impacts on the boundaries of adjacent neighbouring properties; lack of clarity in relation to building types; additionally some houses on the southern side have very large gardens although not adjacent to existing houses, whereas those on the eastern side have small cramped gardens bringing them closer to existing housing.
- Also need to establish clearly where the boundary line actually stands; existing hedge and trees; boundary between properties in Gunner Close and The Oasis consists largely of a mature hedge that formed the original field boundary to the Oasis site; alongside the hedge there are a number of mature trees including oak and several wild plum trees. The hedge and trees add considerable amenity value as well as helping to maintain privacy.
- Remain concerned regarding existing Section 52 agreement which was put in place over the meadow when planning consent was granted for the construction of Tawny Lodge, at the time there was great concern that the site should never be built on and this remains the case for numerous reasons not least that it borders a county wildlife site and a lake

containing a colony of great crested newts, together with bats, grass snakes and other protected or rare species.

- Woodland House is one of the last remaining Georgian houses in Thorpe St Andrew, detailed information about the importance of this property to the area has been provided by residents and it is essential that the original part of the house is preserved and protected for future generations.
- Affordable housing could be incorporated into existing leisure building rather than demolish it.
- Are these homes really needed when there are hundreds if not thousands which have been, are being and will be built in the local area.
- Highways Impacts; for such a tight development there should be at least two entrances available.

## 6 RELEVANT POLICY GUIDANCE

### **National Planning Policy Framework (NPPF):**

- 6.1 This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that at the heart of the NPPF is a presumption in favour of sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.
- 6.2 Paragraphs 47-55 of the NPPF set out the Government's view on delivering a wide choice of high quality homes. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

### **Written Ministerial Statement: Planning for Growth (March 2011):**

- 6.3 When deciding whether to grant planning permission, Local Planning Authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. In determining planning applications, Local Planning Authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably and that they give clear reasons for their decisions.

### **Joint Core Strategy for Broadland, Norwich and South Norfolk 2011:**

### 6.4 Policy 1: Addressing climate change and protecting environmental assets

This policy sets down a number of standards that new development should achieve in its attempts to address climate change and promote sustainability including giving careful consideration to the location of development and the impact it would have on ecosystems of an area.

### 6.5 Policy 2: Promoting good design

Seeks to ensure that all development is designed to the highest possible standard, whilst creating a strong sense of place. It also states that developments will respect local distinctiveness.

### 6.6 Policy 3: Energy and water

Amongst other things seeks to ensure that the highest levels of energy and water efficiencies are met through the planning submission and conditions if necessary.

### 6.7 Policy 4: Housing delivery

States that proposals for housing will be required to contribute to the mix of housing required to provide balanced communities and meet the needs of the area, as set out in the most up to date study of housing need and/or Housing Market Assessment. Furthermore it sets out appropriate percentages for the delivery and tenure of affordable housing.

### 6.8 Policy 6: Access and transportation

In particular, it seeks to ensure that the transport system will be enhanced to develop the role of Norwich as a Regional Transport Node, particularly through the implementation of the Norwich Area Transport Strategy (NATS).

### 6.9 Policy 7: Supporting communities

Requires development to maintain or enhance the quality of life and the well-being of communities and will promote equality and diversity, and protect and strengthen community cohesion.

### 6.10 Policy 9: Strategy for growth in the Norwich Policy Area

Housing need will be addressed by the identification of new allocations to deliver a minimum of 21,000 dwellings distributed across various locations, including; Broadland smaller sites in the NPA: 2,000 dwellings, to be made in accordance with the settlement hierarchy and local environmental and servicing considerations.

- 6.11 Policy 10: Locations for major new, or expanded, communities in the Norwich Policy Area.

Of particular relevance is the identification of the Old Catton, Sprowston, Rackheath, Thorpe St Andrew Growth Triangle. It states that this location will deliver an urban extension on both sides of the Northern Distributor road. However, there is scope for partial delivery, the precise extent of which will be assessed through the Area Action Plan. It also states that the new community will take the form of inter-related new villages and gives details of what these will include.

- 6.12 Policy 20: Implementation

A co-ordinated approach will be taken to the timely provision and ongoing maintenance of infrastructure, services and facilities to support development. Contributions towards strategic infrastructure from all residential and commercial development, made through the introduction of an areawide Community Infrastructure Levy (CIL) plus appropriate Section 106 contributions for site specific needs.

- 6.13 Policy 21: Implementation of proposals in the Broadland part of the Norwich Policy Area

When considering development proposals in their part of the Norwich Policy Area Broadland District Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

### **Development Management Development Plan Document (DMDPD) 2015:**

- 6.14 Policy GC1: Presumption in favour of sustainable development

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

- 6.15 Policy GC2: Location of new development

New development will be accommodated within settlement limits defined on the proposals map. Outside of these limits, development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan.

- 6.16 Policy GC4: Design

Development is expected to achieve a high standard of design and avoid any significant detrimental impact.

6.17 Policy EN1: Biodiversity and Habitats

Development proposals will be expected to protect and enhance the biodiversity of the district, avoid fragmentations of habitats and support the delivery of a green infrastructure network.

6.18 Policy EN2: Landscape

In order to protect the landscape of the area, development proposal should have regard to the Landscape Character Assessment Supplementary Planning Document (SPD).

6.19 Policy EN3: Green Infrastructure

All development will be expected to maximise opportunities for the creation of a well-managed network of wildlife habitats. Residential development consisting of five dwellings or more will be expected to provide at least 4 ha of informal open space per 1,000 population. Development will also be expected to make adequate arrangements for the management and maintenance of green infrastructure.

6.20 Policy RL1: Provision of formal recreational space

Residential development consisting of five dwellings or more will be expected to make adequate provision and subsequent management arrangements for recreation. The provision of formal recreation should equate to at least 1.68 ha per 1,000 population and the provision of childrens play space should equate to at least 0.34 ha per 1,000 population.

6.21 Policy TS3: Highway Safety

Development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network.

6.22 Policy TS4: Parking guidelines

Within new developments, appropriate parking and manoeuvring space should be provided to reflect the use and location as well as its accessibility by non-car modes.

**Site Allocations Development Plan Document (SA DPD) Submission document (2014):**

- 6.23 The site SA DPD has not allocated the application site for development

**Supplementary Planning Document on Recreational Open Space (2007):**

**7 LOCATION AND DESCRIPTION OF SITE**

- 7.1 The site is located on the northern side of the town of Thorpe St Andrew. The site is bounded to the east by the Dussindale estate, to the south by a strip of woodland and playing fields and to the west by existing residential housing estates. The site has a mixture of leisure and commercial uses including pool, gym, bar, restaurant and treatment rooms.

**8 PLANNING HISTORY**

- 8.1 [20140898](#): Redevelopment of Oasis Leisure Club including (1) Erection of Replacement Spa and Leisure Club (full planning) (2) Provision of 59 residential units (outline). Withdrawn 17 July 2014.
- 8.2 [20131633](#): EIA Screening Opinion – replacement Leisure and Health Club, retirement apartments and low density housing: Not EIA development 11 December 2013.
- 8.3 [20041351](#): Erection of bungalow, Tawny Lodge, Pound Lane (outline). Refused 30 September 2004. Appeal dismissed 10 May 2005.
- 8.4 [20031428](#): Rear extension to Beech Lodge, 8 Pound Lane. Approved 16 October 2003.
- 8.5 [20031366](#): Conversion of existing indoor squash court to enlarge existing crèche facility. Approved 6 October 2003.
- 8.6 [20020371](#): Erection of bungalow adjacent to Tawny Lodge (outline). Refused 7 May 2002. Appeal dismissed 3 December 2002.

Between 1974 and 1999, numerous applications have been submitted in relation to the site. The most relevant of which are set out below:

**Oasis Sports and Leisure Centre**

- 8.7 [991211](#): Single storey glazed access way to restaurant. Approved 15 December 1999.
- 8.8 [990867](#): Single storey glazed access way to restaurant. Approved 14 February 2000.

- 8.9 [990832](#): (1) Conversion of squash court to form crèche (2) single storey extension to crèche. Approved 16 August 1999.
- 8.10 [981006](#): (1) Internal alterations to enhance existing facilities (2) External alterations including new entrance, conservatory extension to swimming pools. Approved 18 November 1998.
- 8.11 [901366](#): Two storey rear extension. Approved 19 September 1990.
- 8.12 [892522](#): Gymnasium extension. Approved 9 March 1990.
- 8.13 [891646](#): Gymnasium extension additional parking. Approved 11 October 1989.
- 8.14 [882161](#): Single Storey rear extension. Approved 3 October 1988.
- 8.15 [880757](#): (1) Extension to car parking area 2) landscaping. Refused 19 May 1988.
- 8.16 [860354](#): Extension to form restaurant. Approved 21 April 1986.
- 8.17 [851816](#): Extension for use as restaurant. Approved 29 January 1986.
- 8.18 [831772](#): Erection of Badminton Courts and Viewing Gallery. Approved 4 October 1983.
- 8.19 [801393](#): Three tennis courts. Approved 17 June 1980.
- 8.20 [770872](#): Change of use to health and sports centre Approved 23 August 1977.

In relation to other development:

- 8.21 861724: (Beech Lodge) Change of use from dwelling to office. Approved.
- 8.22 850340: Erection of house and double garage. Outline planning permission granted subject to a Section 52 Agreement regulating the use of the adjoining land to prevent further development on it and part of the site fronting Pound Lane.
- 8.23 840836 Residential. Approved.
- 8.24 821559: House and garage. Refused. Appeal dismissed.
- 8.25 802444: Dwelling and double garage. Refused.



- 8.26 790364: Dwelling and garage. Refused.
- 8.27 760189: House and double garage. Refused.
- 8.28 741925: Bungalow and garage. Refused. Appeal dismissed.
- 8.29 741380: Eleven houses. Refused.

## 9 APPRAISAL

- 9.1 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the adopted and emerging development plan, the NPPF and Planning Practice Guidance, its impact on the character of the area, the access, layout, scale and appearance and landscaping of the development.

### **Policy framework and sustainability of the site:**

- 9.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This point is reinforced by the NPPF, which itself is a material consideration as is the web-based Planning Practice Guidance. The relevant parts of the development plan to this application are the JCS and the DM DPD.
- 9.3 The site lies outside the defined settlement limit of Thorpe St Andrew and for this reason the proposal conflicts with Policy 1 of the JCS and Policies GC1 and GC2 of the DM (DPD).
- 9.4 However, paragraph 49 of the National Planning Policy Framework (NPPF) states that where an authority does not have an up to date five year housing land supply (at present the District figure is 4.39 years), the relevant local policies for the supply of housing as referred to above should not be considered up-to-date and that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 9.5 Paragraph 14 of the Framework indicates that the presumption in favour of sustainable development means that *for decision taking, where the development plan is absent, silent or the relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 9.6 In relation to sustainability, Paragraph 7 of The Framework defines sustainable development as having three roles:

- economic, in terms of building a strong economy and in particular by ensuring that sufficient land of the right type is available in the right places;
  - social, by supporting, strong vibrant and healthy communities by providing the supply of housing required to meet future need in a high quality environment with accessible local services; and
  - environmental, through the protection and enhancement of the natural, built and historic environment.
- 9.7 Paragraph 8 of the NPPF also stresses that these roles should not be undertaken in isolation because they are mutually dependent; therefore a balanced assessment against these three roles is required.
- 9.8 In terms of the economic and social criteria, the proposal would provide 18 open market dwellings and nine affordable housing units. The development would therefore make a contribution to the housing supply shortfall and provide some short-term economic benefits through its construction.
- 9.9 The social role of sustainable development seeks to ensure, amongst other matters, the creation of a high quality built environment with accessible local services. The site lies immediately adjacent to the settlement boundary of Thorpe St Andrew with good accessibility to a range of facilities and public transport and the site is considered to be a sustainable location for development.
- 9.10 The environmental role of sustainable development seeks to, in part, to contribute towards protecting and enhancing the natural, built and historic environment. Consideration of a proposal's impact on the character and appearance of the area within which it is situated is therefore integral to the environmental dimension of sustainable development.
- 9.11 In this regard, an important characteristic of the site is its landscaped setting and trees. As described in the submitted Arboricultural Implications Assessment, trees are widely distributed around the boundary areas of the site and within the site grounds. The tree locations result from the development of the site over a number of years from at least the mid 19<sup>th</sup> century and form a heavily enclosed 'parkland garden' type planting format into which a number of more modern houses/conversions of buildings and development of the existing main house site as a leisure centre have imposed significant changes. However, the proposed development retains the main basic structure of the landscape with tree belts surrounding the main boundaries and a large number of mature trees and shrubs retained within the site itself together with a significant number of new trees proposed to be planted.

- 9.12 Emerging Policy GT2 of the Growth Area Action Plan is also relevant to the application site. Policy GT2 seeks to achieve biodiversity and habitat connectivity through the delivery of two primary and seven secondary green infrastructure corridors. These corridors are shown on the emerging policies map. One of these Primary Corridors: Thorpe Ridge, runs through the Oasis Sports and Leisure site.
- 9.13 The delivery of a green infrastructure corridor comprises the protection of key habitats and wildlife interests along its route and improving the quality of these sites and the linkages between them. This does not itself prevent development along the route of a corridor. Indeed some improved linkages on some GI Corridors in the Growth Triangle will only be achieved through landscaping, open space and other ecological measures provided by new development.
- 9.14 In this instance, the proposals for the Oasis Sports and Leisure Centre site include the retention of important trees, enhanced landscaping and ecological mitigation measures agreed with the Natural Environment Team at Norfolk County Council and in relation to great crested newts will require approval by Natural England through the grant of a European Protected Species Licence. In the light of the above, it is considered that the proposals are consistent with the aims and objectives of Policy GT2.
- 9.15 In summary, it is considered that the application site is capable of accommodating the proposed development without significantly compromising the character and appearance of the area.

**Access:**

- 9.16 Norfolk County Council Highways has been consulted on the proposals and its comments are summarised as follows: both parts of the development would be served from the same access point. The access road would need to be widened to 4.8 m and footways along both sides would be required in order to provide safe access for pedestrians to the site. In addition, visibility splays of 2.4 m x 59 m in both directions would need to be provided at the site junction with Pound Lane. A footway is also required along the site boundary (eastern edge of Pound Lane) together with a crossing point at an appropriate location (to be agreed with the Highway Authority) to connect to the footway along the western edge of Pound Lane. Conditions are also required in relation to both parts of the application to ensure delivery of the works.
- 9.17 In addition, the existing access to Tawny Lodge would need to be closed as shown on Drawing No 2357-28j before either the first use of the new club or commencement on site of the residential development. This is required to avoid conflict with the increased level of traffic associated with the development.

**Design:**

- 9.18 The proposed new club building would be single storey. Eaves height would be around 4m with the apex of the curved roof being at 5.5m. The building would be built on a brick plinth which would increase in size as the land slopes down to the north. Above the plinth the building would be clad in horizontal (with some vertical insertions) cedar cladding, with a curved portal sedum roof. The design and eaves height together with landscaping and timber boarding aims to present a low profile on the edge of the woodland belt.
- 9.19 The proposed new nursery building would be sited in the north-west corner of the site adjacent to the proposed new club building. The proposed nursery would be a low rise flat sedum roofed timber frame building with larch cladding to match the cladding on the proposed new club building.
- 9.20 The design, appearance, layout and scale of the residential element of the proposals are reserved for future consideration. However, it is considered that the indicative site plan satisfactorily demonstrates that 27 dwellings can be accommodated on the site without causing significant harm to residential amenity or the character and appearance of the area.

**Ecology:**

- 9.21 The application is supported by an ecology report (Protected Species Survey, Oasis Sports and Leisure Centre; Wild Frontier Ecology, July 2015). The Senior Green Infrastructure Team at Norfolk County Council has been consulted on the content of the report and its comments are summarised below.
- 9.22 The report conforms to BS42020 Code of Practice for Biodiversity and Development and is fit for purpose. The report describes appropriate ecological surveys that were undertaken and that conform to industry guidelines and best practice.
- 9.23 Impacts from the proposed development would be the destruction of bat resting places and great crested newt terrestrial habitat, which would be offences under the Conservation of Habitats and Species Regulations 2010. As such European Protected Species licences (EPS) will be required for the development to proceed. Details of necessary mitigation would be considered under the EPS licence, however the ecology report makes it clear that mitigation is possible and the derogation tests could be met. Therefore, if the Council are minded to grant consent, there should be no ecological constraints.
- 9.24 A condition is recommended that copies of the EPS licences are provided to Broadland District Council prior to commencement of any works on site including works on the fitness centre buildings, ground clearance and

vegetation removal. If this approach is taken, there is no need to require any additional ecological conditions and the ecological mitigation for the EPS will be covered by the licences.

**Trees and Landscaping:**

- 9.25 The site is subject to Tree Preservation Order 1978 No.8. At the time the Tree Preservation Order was made, this included 19 individual trees and five groups of trees (a total of 80 trees). The proposal would result in the loss of trees and includes 13 trees which are protected by the Tree Preservation Order. However, the total number of new trees proposed to be replanted as replacement trees is 146.
- 9.26 The application is submitted with a Landscaping Schedule, Landscape Management Plan, Arboricultural Impact Assessment, Tree Protection Plan and Method Statement.
- 9.27 In terms of landscape impacts, the proposed development involves the removal of the existing Oasis Leisure facility and the introduction of a number of new buildings over the site as a whole. A new leisure centre building would be sited at the northern end of the site. This area of the site is well screened from views into it from the area of Pound Lane by an existing hedge and tree belt along the western boundary. The area to the north of the site is similarly well screened by existing trees and vegetation on the site boundary area. The trackway to the northern boundary is not a public right of way and land to the north of this area is heavily wooded and consequently views are limited. There may be limited views of the new building and car parking/nursery in winter, however, views of the structures would be limited.
- 9.28 The proposed housing to the south-western part of the site is similarly well screened from views into the site by existing vegetation (hedges and trees) on the western boundary. Whilst some of the trees within the interior of this area of the site are intended to be removed, the majority of the trees and the boundary hedge would be retained and would maintain a strong screening element which would limit views of the new housing which would be similarly limited from beyond the boundaries of the application site.
- 9.29 The Council's Conservation (Arboriculture and Landscape) Officer has agreed in principle to the removal of 53 individual trees and five groups, as the amended layout has been carefully considered, allowing the retention of the most significant trees. He considers that the landscaping proposals are acceptable as a great deal of thought has been given to the species choice, so as to complement the location and existing trees and to strengthening the existing boundary planting which has suffered tree losses in the last three decades. The detailed recommendations within the Arboricultural Impact Assessment and Landscape Management Plan must be implemented in full and appropriately worded conditions can be attached to any planning permission granted in order to secure this.

**Flood Risk / Drainage:**

- 9.30 The application has been submitted with a Flood Risk Assessment. The site is located wholly within Flood Zone 1, the lowest flood risk category. With regard to foul drainage the development is in the catchment of Whitlingham Water Recycling Centre that will have capacity for these flows. All surface water run-off from the site will be drained using infiltration forms of SUDS. The initial designs show cellular features for all buildings with private drives and roadways draining via permeable paving. All private drives and roadways would be comprised of permeable paving which would include appropriate storage within the build-up. The cellular storage would include appropriate storage to ensure the 1 in 100 years plus 30% climate change event is retained below ground.
- 9.31 Flood risk mitigation measures are proposed in order to both mitigate flood risk posed to the development and to ensure the development poses no risk to the surrounding area.

**The Community Infrastructure Levy and S106 Heads of Terms:**

- 9.32 Broadland District Council implemented the Community Infrastructure Levy (CIL) on 1 July 2013 (these are current CIL figures and are subject to change for a combination of reasons including changing indices).

Residential dwellings – £91.74 per net square metre of development.

Further to this there is still a requirement for a S106 agreement to accompany this application. At present the heads of terms are as follows:

- Affordable housing – 33% comprising 7 affordable rent tenure properties (5 x 1 bedroom (2 person) flats), 1 x 2 bedroom (4 person) house, 1 x 3 bedroom (6 person) house and two intermediate tenure properties (Shared Ownership/Shared Equity) (1 x 2 bedroom house and 1 x 3 bedroom house).
- Off-site open space contributions for play, sport, Green Infrastructure and allotments – approximately £102,732.92.
- The setting up of a management company for managing and maintaining on site amenity areas.
- Revocation of existing Section 52 Agreement.



**Other matters:**

- 9.33 Concerns have been raised by both the Town Council and third parties in relation to trees, highway safety, overdevelopment and ecology and these matters are discussed within the report. In addition, the Town Council and third parties have raised concerns in relation to the proposed demolition of the main house and have also referred to an existing Section 52 Agreement (1985).

**Existing Section 52 Agreement (1985):**

- 9.34 In February 1985, an application for planning permission was made to erect a bungalow and double garage on land adjoining Pound Lane [850340](#). Planning permission was granted in outline by the Planning Committee subject to a Section 52 Agreement regulating the use of the adjoining land to prevent further development on it and part of the site fronting Pound Lane (the area shown hatched black on the plan annexed to the [Section 52 Agreement](#). The Planning Committee at this time considered that without such agreement the proposal would be contrary to the provisions of the Thorpe St Andrew (Pound Lane) Local Plan which at the time stated the following:

*'Development of any kind will be resisted on the small site north west of the Oasis Club, in order to retain the rural nature of the area and reduce the pressure for improvement to Pound Lane'*

- 9.35 The Section 52 Agreement divided the land owned by the landowner into two areas in which development was prohibited. One shown hatched black on the plan annexed to the agreement; the other shown edged blue. The area hatched black relates to land to the west of Tawny Lodge which is within the applicant's ownership but outside the application site. The blue land, with the exception of a narrow piece of land to the east is the land on which the new club / spa building is proposed to be sited.
- 9.36 Clearly, in relation to the current application the Local Plan which was in place in 1985 is now superseded by the current national and local plan policies which are set out within Section 6 of this report. The application must therefore be considered on its planning merits having regard to the current policy context.
- 9.37 With respect to the legal agreement, legal advice has been sought in this respect. If Members are minded to approve the application then the existing legal agreement would require variation / revocation and the applicant seeks agreement to this as part of the submission.
- 9.38 In effect, Members will need to consider two issues firstly whether or not planning permission should be granted and secondly whether or not to agree to the variation / revocation of the existing legal agreement.

**Demolition of existing house:**

- 9.39 Paragraph 135 of the NPPF requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 9.40 A heritage statement has been submitted with the current application. The statement considers the significance of the existing former early 19<sup>th</sup> century house 'Woodlands'. The submission has been considered by the Planning Archaeologist at Norfolk Historic Environment Service, Historic England and the Council's Historic Environment Officer.
- 9.41 The Historic Environment Service concludes that there is sufficient information in the submitted heritage statement to indicate that its significance as an undesignated heritage asset has been heavily compromised through later alterations. They do however consider the building is worthy of a fuller record being made before and during its demolition and this can be secured by way of a suitably worded condition.
- 9.42 Historic England has also been consulted on the proposals and it has responded that it does not consider it is necessary for the application to be notified to them.
- 9.43 The Council's Historic Environment Officer comments that the building has suffered many unsympathetic changes over the years which have badly eroded its historic interest. The building has been re-roofed with poor quality tiles and finished with a hard cement based product. In addition, unsympathetic window replacements have been installed. To the rear various extensions have been added to provide accommodation for the current use, including swimming pool and function rooms. Unfortunately owing to the alterations, it is difficult to justify the retention of the building on heritage grounds, particularly as it is neither listed nor within a conservation area.
- 9.44 In summary, in the light of the above, it is considered that the redevelopment of the site as proposed, having regard to the significance of the undesignated heritage asset is acceptable and would not conflict with the aims and objectives of paragraph 135 of the NPPF in this regard.

**Other matters:**

- 9.45 Concerns have been raised by the Town Council in relation to protection of boundaries along Gunner Close; traffic impacts; design and appearance of the proposed dwellings and the potential impact on Great Crested Newts. In relation to the boundary of the site with Gunner Close, the existing trees and hedges on this boundary are proposed to be retained, with regard to traffic



impacts a number of highways improvements are proposed as set out in paragraphs 9.16 and 9.17 and Norfolk County Council Highways has raised no objections to the proposals subject to conditions. The design and appearance of the proposed dwellings are reserved for future consideration by way of a separate reserved matters application.

- 9.46 With regard to potential impact on Great Crested Newts, the application is supported by an ecology report which identifies that surveys have been carried out on ponds 5, 6 and 7 as identified on page 17 of the report. A medium population of Great Crested Newts (GCN) were identified in Pond 7 (to the north of the site) but no GCN were found in ponds 5 and 6 (north-west of the site). Section 7 of the report recommends a number of mitigation and compensation measures which will include a method statement which would be drawn up and agreed with Natural England during the EPS Licence application process. A mitigation method statement is likely to include the following; GCN capture / translocation and exclusion from the development by means of pitfall trapping and newt fencing; a minimum of 60 trap nights is the Natural England expectation for a medium sized population; having a licensed GCN worker to provide an induction talk to contractors and subsequent GCN population monitoring. Compensation requirements may, depending on consents from the landowners, involve either enhancements to Pond 7 or new pond creation (most likely in the north-east corner of the site).
- 9.47 As referred to in paragraphs 9.21 – 9.24 of this report, the Senior Green Infrastructure Team at Norfolk County Council has been consulted on the content of the report and it advises that the report conforms to BS42020 Code of Practice for Biodiversity and Development and is fit for purpose. Subject to conditions it is considered that there should be no ecological constraints with regard to the proposals.

**Conclusion:**

- 9.48 It is considered that the site can be regarded as a suitable site for housing having regard to the principles of sustainable development. In particular, having regard to paragraphs 14 and 49 of the NPPF, the development would not result in significant harm to the character and appearance of the area, residential amenity or highway safety and would result in a number of significant benefits including the provision of a new enhanced leisure facility, a contribution to the housing supply shortfall, short-term economic benefits through construction, affordable housing and off site contributions towards green infrastructure and open space.
- 9.49 Accordingly, the recommendation is to delegate authority to the Head of Planning to approve the application subject to the satisfactory completion of a Section 106 Agreement to secure on-site provision of affordable housing and an off site commuted sum for open space.

9.50 The application is reported to the Planning Committee at the request of the Head of Planning in the absence of a 5 year supply of land for housing in the NPA and as the site lies outside the settlement limit.

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**RECOMMENDATION:** to delegate authority to the Head of Planning to:

**A APPROVE** the application subject to the satisfactory completion of a legal agreement within six months and subject to the following conditions. In the event that the legal agreement is not completed within six months of the date of Planning Committee, planning permission will be refused.

and

**B** Include a clause within the legal agreement releasing the land from the Agreement dated 5 November 1985 made under Section 52 of the Town and Country Planning Act 1971 as amended by a Deed of Variation dated 14 July 1995.

Conditions

- (1) The development to which this permission relates in respect of the replacement spa and well-being club and associated infrastructure shall be begun not later than TWO years beginning with the date on which this permission is granted.
- (2) Application for approval of the “reserved matters” with respect to the residential dwellings must be made to the Local Planning Authority not later than the expiration of THREE years beginning with the date of this decision.

The development hereby permitted must be begun in accordance with the “reserved matters” as approved not later than the expiration of TWO years from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved (A5).

- (3) Application for the approval of the “reserved matters” shall include plans and descriptions of the:
  - i) the appearance of all buildings including the precise details of the type and colour of the materials to be used in their construction
  - ii) scale
  - iii) layout

Approval of these “reserved matters” must be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved (A5).

- (4) The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents.

[Drawing No. 28j](#)

[Drawing No.30A](#)

[Drawing No.32](#)

[Drawing No. 03i](#)

[Drawing No. 28g Landscaping](#)

[Drawing No. 28g Arb 1](#)

[Drawing No. 28g Arb 2](#)

### **Highways – spa and well being club**

- (5) Vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access shown on drawing No 2357-28j only. Any other access(es) or egresses (including access/egress to Tawny Lodge) shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.
- (6) Prior to the commencement of the development hereby permitted the vehicular access shall be upgraded / widened to a minimum width of 4.8 metres. 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.
- (7) Prior to the commencement of the development hereby permitted a visibility splay measuring 2.4 x 59 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 0.225 metres above the level of the adjacent highway carriageway.
- (8) Prior to the commencement of the development 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 and retained thereafter available for that specific use.
- (9) (A) No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

- (B) For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in Part A.
- (10) (A) 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 (a footway along the site frontage and an appropriate crossing facility) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (B) Prior to the commencement of the use hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

**Highways – residential units – outline:**

- (11) Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:
  - i) Roads and footway
  - ii) Foul and surface water drainage
  - iv) Visibility splays (including the access visibility of 2.4 x 59 m)
  - iv) Access arrangements (including the widening of the access road and the closure of the access to Tawny Lodge from Pound Lane)
  - v) Parking provision in accordance with adopted standard
  - vi) Loading areas
  - vii) Turning areas.
- (12) (A) No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- (B) For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in Part A.
- (13) (A) 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 (a footway along the site frontage and an appropriate crossing facility) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

- (B) Prior to the commencement of the use hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

**Archaeology:**

- (14) No demolition shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording which has been submitted by the applicant and approved in writing by the local planning authority.

In this instance the programme of historic building recording will comprise a photographic survey of the former early 19<sup>th</sup> century dwelling to be carried out prior to demolition and monitoring and further photographic recording during its demolition.

- (15) (A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation.
- (B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).
- (C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this instance the programme of archaeological work will commence with trial trenching to establish the scope of any further archaeological mitigation measures required. Briefs for the historic building recording and

archaeological work will be issued by Norfolk Historic Environment Service on request.

**Contamination:**

- (16) Prior to the commencement of construction work and following the clearance of the existing structures from the site an assessment of the ground for the presence of contamination must be undertaken by a suitably qualified and competent professional. Where the risk of contamination or the possible risk of contamination is identified further site investigation work must be undertaken by a suitably qualified and competent professional to determine the ground conditions and carry out a risk assessment based on the findings. Details of the work undertaken and the findings must be provided to the LPA in a written report. If further investigation and/or remediation work is required this must be referred to the LPA for written approval before implementation.
- (17) Prior to occupation of the development a report detailing the nature, source and quality of the imported soils must be submitted to the LPA for written approval. The imported soils must be demonstrated to be fit for use at the development and not pose a risk to human health or the wider environment. If the soil is not found to be suitable for use further work will be required to ensure suitability of gardens and other areas of soft landscaping.

**Minerals:**

- (18) Prior to the commencement of development a Materials Management Plan - minerals (MMP-M) shall be submitted to and approved in writing by the Local Planning Authority jointly with the Mineral Planning Authority (Norfolk County Council): The MMP-M shall contain the following information:

The MMP-M will estimate; based on particle size distribution testing, the extent to which on site materials extracted during the proposed development would meet specifications for use on site.

The MMP-M will outline the amount of material which could be reused on site;

For material which cannot be used on-site, the MMP-M will specify its movement to an aggregate processing plant.

The development shall then be carried out in accordance with the approved MMP-M.

During the construction phase, the developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant through the MMP-M. The developer shall provide an annual return of these amounts

to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or Mineral Planning Authority.

- (19) Prior to the commencement of development, including a timetable for implementation, to secure at least 10% of the energy supply of the development from decentralised and renewable or low-carbon energy sources shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
- (20) No development shall take place until a surface water drainage scheme is submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of:
- On-site storage of surface water
  - Modelling of the surface water drainage network, and
  - Details of run-off into Anglian Water sewers and confirmation that Anglian Water has given permission for discharges into their sewers.
- (21) Prior to the commencement of any parcel or phase of development a scheme for the provision of fire hydrants as may be required shall be submitted to and approved in writing by the Local Planning Authority in consultation with Norfolk County Council.

### **Ecology:**

- (22) Prior to the commencement of any works on site including works on the fitness centre buildings, ground clearance or vegetation removal the Local Planning Authority shall have been provided with either:
- (a) a licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead; or
- (b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence
- (23) The development hereby permitted shall be carried out in strict accordance with the mitigation and compensation measures as set out in paragraphs 7.1 to 7.5 of the submitted Protected Species Appraisal by Wild Frontier Ecology dated July 2015.

### **Landscaping:**



- (24) The detailed recommendations in the Arboricultural Impact Assessment, Tree Protection Plan and Method Statement, dated January 2016 including supplemental information for installation of services and phasing of development in relation to trees dated February 2016, shall be carried out to the satisfaction of and in consultation with the Broadland District Council Conservation (Arboricultural) Officer and in accordance with the requirements of BS 3998:2010 and BS 5827:2012 'Trees in relation to design, demolition and construction – Recommendations' prior to the commencement of construction work on site.
- (25) The landscaping scheme as indicated on the approved plan (drawing number 2357-29g/Landscaping) received by the Local Planning Authority shall be carried out prior to the occupation of any part of the development in accordance with a programme agreed in writing with the Local Planning Authority.

The scheme as approved shall be carried out not later than the next available planting season following the commencement of development or such further period as the Local Planning Authority may allow in writing. If within a period of FIVE years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

- (26) No trees or hedges shall be cut down, uprooted, destroyed or pruned in any manner, (be it branches, stems or roots), other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

Any trees or hedges removed without consent shall be replaced during the next available planting season with trees of such size and species as agreed in writing with the Local Planning Authority. All tree works shall be carried out in accordance with BS3998 and BS8545 Trees: from Nursery to independence in the landscape – Recommendations.

- (27) The Landscape Management proposals shall be carried out and subsequently maintained in accordance with the details contained in the Landscape Management Plan dated January 2016 and which are hereby approved. All tree works shall be carried out in accordance with BS8545 Trees: from Nursery to independence in the landscape – Recommendations.
- (28) The reserved matters referred to above shall relate to the construction of up to a maximum of 27 dwelling(s) only.
- (29) Within 12 months from the new club building first being brought into use, all existing buildings and structures associated with the existing leisure use shall



have been demolished and all materials not to be reused in the development hereby permitted have been removed from the site.

Reasons:

- (1) This limit is imposed in accordance with the requirements of 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 time limit condition is imposed in compliance with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- (3) The application is submitted in outline form only and the reserved matters are required to be submitted in accordance with the requirements of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (4) For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.
- (5) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (6) In the interests of highway safety and traffic movement in accordance with Policy TS3 of the Development Management DPD 2015.
- (7) In the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (8) To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with Policy TS3 of the Development Management DPD 2015.
- (9) To prevent extraneous material being deposited on the highway in accordance with Policy TS3 of the Development Management DPD 2015.
- (10) To ensure that the highway improvement works are designed to an appropriate standard in the interests of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD 2015.
- (11) In the interests of satisfactory development and highway safety. This is a pre-commencement condition as it relates to infrastructure which needs to be planned for at the earliest stage in the development in accordance with Policy TS3 of the Development Management DPD 2015.

- (12) To prevent extraneous material being deposited on the highway in accordance with Policy TS3 of the Development Management DPD 2015.
- (13) To ensure that the highway improvement works are designed to an appropriate standard in the interests of highway safety and to protect the environment of the local highway corridor in accordance with Policy TS3 of the Development Management DPD 2015.
- (14) To enable the archaeological value of the site to be properly recorded before development commences in accordance with Policy EN2 of the Development Management DPD 2015.
- (15) To ensure the potential archaeological value interest of the site is investigated in accordance with Policy EN2 of the Development Management DPD 2015.
- (16) To ensure that risks from land contamination to the 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 in accordance with Policies GC4 and EN4 of the Development Management DPD (2015).
- (17) To ensure that risks from land contamination to the 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 in accordance with Policies GC4 and EN4 of the Development Management DPD (2015).
- (18) To ensure that mineral resources are not needlessly sterilised in order to comply with the requirements of paragraph 144 of the NPPF.
- (19) To ensure the development complies with the energy performance requirements of Policy 1 of the Joint Core Strategy.
- (20) To ensure a satisfactory method of surface water drainage in accordance with Policy CSU5 of the Development Management DPD (2015).
- (21) To ensure that the development is adequately served by fire hydrants in the event of a fire in accordance with Policy GC4 of the Development Management DPD (2015).
- (22) To comply with the requirements of the Habitats Regulations and to protect species of conservation concern in accordance with Policy EN1 of the Development Management DPD (2015).

- (23) To comply with the requirements of the Habitats Regulations and to protect species of conservation concern in accordance with Policy EN1 of the Development Management DPD (2015).
- (24) To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity in accordance with Policies EN2 and GC4 of the Development Management DPD (2015).
- (25) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies GC4, EN1, EN2 and EN3 of the Development Management DPD 2015.
- (26) To ensure the continuity of amenity afforded by existing trees in accordance with Policy EN2 of the Development Management DPD 2015.
- (27) To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies GC4, EN1, EN2 and EN3 of the Development Management DPD 2015.
- (28) To ensure that the development is compatible with the form and character of the surrounding area in accordance with Policies GC4 of the Development Management DPD 2015.
- (29) In the interests of the visual amenities of the locality in accordance with Policy GC4 of the Development Management DPD 2015.

### Informatives:

- (1) The local planning authority has taken a proactive and positive approach to decision taking in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework.
- (2) The applicant needs to be aware that the Community Infrastructure levy (CIL) will be applied to development on this site. Further information about CIL can be found at [www.broadland.gov.uk/housing\\_and\\_planning/4734.asp](http://www.broadland.gov.uk/housing_and_planning/4734.asp)
- (3) The site is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.
- (4) If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from CNC Building Control Consultancy who provide the Building Control service to Broadland District Council. Their contact details are; telephone 0808 168 5041 or

[enquiries@cncbuildingcontrol.gov.uk](mailto:enquiries@cncbuildingcontrol.gov.uk) and the website  
[www.cncbuildingcontrol.gov.uk](http://www.cncbuildingcontrol.gov.uk)

- (5) It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary. Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the applicant's own expense.