David Futter Associates Ltd
Arkitech House
35 Whiffler Road
Norwich
NR3 2AW

Date Of Decision : 25 April 2018
Development : Erection of 4 No Dwellings and Associated Works (outline)
Location : Woodbastwick Road, Blofield, NR13 4QH
Applicant : Mr Robert Jenkinson
Application Type : Planning Application Outline

Town & Country Planning Act 1990

The Council in pursuance of powers under this Act GRANTS OUTLINE PLANNING PERMISSION for the development referred to above in accordance with the submitted plans and application forms subject to the following conditions:-

1 Application for approval of the 'reserved matters' must be made to the Local Planning Authority not later than the expiration of TWO 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.

2 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. the landscaping of the site
III. layout
IV. scale

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.

3 The details required by conditions 1 and 2 above shall not include provision for more than 4 dwellings.

4 The details required by conditions 1 and 2 above shall not include provision for more than 1000 sq m of combined development floor space (including any garaging).
The dwelling(s) shall be of single storey construction and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order, revoking, re-enacting or modifying that order), no dormer windows or other openings to the roof space shall be provided.

The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents:

Location Plan 5904/LM/10 Rev A
Site Plan 5904/SL/10 Rev B
Site Access Plan 5904/SL/11 Rev C
Arboricultural Impact Assessment ref: 13.01.29 AIA (Rev C)

No development shall commence until a detailed scheme of phasing for the construction of the dwellings and access road has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme of phasing. In addition, prior to the commencement of any works in relation to any phase, the Local Planning Authority shall be notified in writing of the commencement date of that phase.

As part of the reserved matters application, details of the surface water drainage scheme to serve the dwellings and shared private driveway shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following:

a) Calculations of the existing greenfield run-off rates for the proposed impermeable area and modelling to demonstrate that the surface water runoff will be restricted to the existing greenfield run-off rates in the equivalent rainfall events.
b) Modelling of the surface water drainage scheme to show that the attenuation features will contain the 1 in 100 year rainfall event including climate change.
c) Modelling of the conveyance system to demonstrate that there would be no above ground flooding in the 1 in 30 year rainfall event, and to detail the volumes of flooding in the 1 in 100 year climate change event, along with plans and drawings to show where any flood volumes would flow and be stored to prevent flooding of buildings and offsite flows.
d) Plans depicting the exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system.
e) Details of who will maintain each element of the surface water system for the lifetime of the development, and submission of a maintenance schedule.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the local planning authority.

The development shall be carried out in accordance with the submitted Arboricultural Impact Assessment Ref: 13.01.29 AIA (Revision C) dated August 2017 by Robert Thackray Ltd unless otherwise agreed in writing with the Local Planning Authority.

All hard and soft landscaping works shall be carried out in accordance with the approved details and BS 4428: 1989 Code of practice for general landscape operations. The works shall be carried out within the first planting season following
the commencement of work in accordance with the approved scheme of phasing.

11 Prior to the commencement of works full details of the construction of the 'shared private driveway' shall be submitted to and agreed in writing with the Local Planning Authority. Such details shall include a minimum width of 3.7m, structural and horizontal designs to serve a 32 tonne refuse vehicle to each dwelling, a minimum size 3 turning head and full details of the management of the same for maintenance and upkeep. The agreed details shall be implemented as approved prior to the first occupation of any of the dwellings hereby permitted and retained as such thereafter.

12 Notwithstanding the details indicated on the submitted drawings no works shall commence on site (unless otherwise agreed in writing with the Local Planning Authority) until a detailed scheme for the highway improvement works comprising alterations to carriageway width of Woodbastwick Road to allow improved visibility splays to site access, has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme to be submitted shall include:

- the upgrading works as indicated on drawing 5904/SL/11/Rev C and to be in accordance with the Norfolk County Council residential access construction specification (highway specification No. TRAD 1 attached) for at least the first 5 metres as measured back from the near channel edge of the adjacent realigned highway carriageway

- Arrangements for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Prior to the first occupation of the development hereby permitted these highway improvement works shall be completed in accordance with the details as approved.

13 Prior to the first occupation of any of the dwellings hereby permitted access visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

14 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access (within 25m back from the near channel edge of the adjacent carriageway) unless details have first been submitted to and approved in writing by the Local Planning Authority.

The reasons for the conditions are:-

1 The time limit 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.

2 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.

3 To ensure the satisfactory development of the site in accordance with Policies GC4 and EN2 of the Development Management DPD (2015) and Policy HOU4 of the Blofield Neighbourhood Plan (2016).
4 To ensure satisfactory compliance with Paragraph 031 Reference ID:23b-031-20161116 of National Planning Practice Guidance.

5 To ensure the satisfactory development of the site in accordance with Policies GC4 and EN2 of the Development Management DPD (2015) and Policy HOU4 of the Blofield Neighbourhood Plan (2016).

6 For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans and documents.

7 To enable individual commencement dates so that CIL exemptions for self-build properties on a plot by plot basis can be applied for.

8 To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amendments adopted 2014), Policy CSU5 of the Development Management DPD (2015) and Policy ENV3 of the Blofield Neighbourhood Plan (2016).

9 To ensure the proper development of the site without prejudice to the amenities of the area, in accordance with Policies GC4 and EN2 of the Development Management DPD (2015) and Policy ENV2 of the Blofield Neighbourhood Plan (2016).

10 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) and Policy ENV2 of the Blofield Neighbourhood Plan (2016).

11 In the interests of highway safety and accessibility of the site in accordance with Policies GC4 and TS3 of the Development Management DPD (2015) and Policy TRA1 of the Blofield Neighbourhood Plan (2016).


Plans and Documents

Amended Dwg No 5904_SL11_C Site Access Plan received 19 October 2017
Amended Arboricultural Impact Assessment received 28 August 2017
Amended Dwg No 5904_LM_10_A Location Plan received 08 November 2016
Amended Dwg No 5904_SL_10_B Site Plan received 08 November 2016

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

(3) It is an offence to disturb, harm or kill breeding birds in the UK under the Wildlife and Countryside Act 1981. The removal of the vegetation should take place outside of the breeding season (March - September). In the event that this is not possible, the vegetation to be removed should be inspected by a suitably qualified ornithologist and if any nests are found a 10 metre exclusion zone should be established until such time as the nest has been fledged.

(4) This development involves works within the Public Highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

(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 and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact Stephen Coleman on 01603 430596.

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

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.

Signed

Mr P Courtier
Head of Planning
Broadland District Council, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich, NR7 0DU
Information relating to appeals against the decision of the Local Planning Authority.

If you are aggrieved by this decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

There are different time limits for appealing against the different types of application:

- If this is a decision relating to a householder application then any appeal must be made within 12 weeks of the date of this notice.
- If this is a decision against any other type of application then any appeal must be made within 6 months of the date of this notice.
- If an enforcement notice has been served for the same or substantially the same development within the period of two years before this application was made, or subsequently, then the period within which an appeal can be lodged is reduced to 28 days from the date of this decision or 28 days from the serving of the enforcement notice, whichever is the later.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel: 0303 444 00 00 or via the Planning Portal at https://www.gov.uk/appeal-planning-inspectorate

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.