

Development Committee



Please contact: Lauren Gregory

Please email: lauren.gregory@north-norfolk.gov.uk Direct Dial: 01263 516108

TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 21 September 2022

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 29 September 2022 at 9.30 am.**

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Please note that members of the public should not speak to Committee Members prior to or during the meeting.

PUBLIC SPEAKING :

Members of the public who wish to speak on applications must register **by 9 am on the Tuesday before the meeting** by telephoning **Customer Services on 01263 516150** or by emailing customer.service@north-norfolk.gov.uk. Please read the information on the procedure for public speaking at Development Committee on our website or request a copy of "Have Your Say" from Customer Services.

Anyone may take photographs, film or audio-record the proceedings and report on the meeting. You must inform the Chairman if you wish to do so and must not disrupt the meeting. If you are a member of the public and you wish to speak, please be aware that you may be filmed or photographed.

Emma Denny
Democratic Services Manager

To: Mrs P Grove-Jones, Mr P Heinrich, Mr A Brown, Mr P Fisher, Mrs A Fitch-Tillett, Dr V Holliday, Mr R Kershaw, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Mr M Taylor, Mr A Varley, Ms L Withington and Mr A Yiasimi

Substitutes: Mr T Adams, Dr P Bütikofer, Mrs S Bütikofer, Mr C Cushing, Mr T FitzPatrick, Mr V FitzPatrick, Mr N Housden, Mr J Punchard, Mr J Rest, Mrs E Spagnola, Mr J Toyne, Dr C Stockton and Mr E Vardy

All other Members of the Council for information.

Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance

If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

Chief Executive: Steve Blatch

Tel 01263 513811 **Fax** 01263 515042 **Minicom** 01263 516005

Email districtcouncil@north-norfolk.gov.uk **Web site** www.north-norfolk.gov.uk

A G E N D A

PLEASE NOTE: THE ORDER OF BUSINESS MAY BE CHANGED AT THE DISCRETION OF THE CHAIRMAN
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PUBLIC BUSINESS

1. CHAIRMAN'S INTRODUCTIONS

2. TO RECEIVE APOLOGIES FOR ABSENCE

3. SUBSTITUTES

4. MINUTES

(Pages 1 - 10)

To approve as a correct record the Minutes of a meeting of the Committee held on Thursday 1st September 2022.

5. ITEMS OF URGENT BUSINESS

(a) To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

(b) To consider any objections received to applications which the Head of Planning was authorised to determine at a previous meeting.

6. ORDER OF BUSINESS

(a) To consider any requests to defer determination of an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.

(b) To determine the order of business for the meeting.

7. DECLARATIONS OF INTEREST

(Pages 11 - 16)

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest. Members are requested to refer to the attached guidance and flowchart.

OFFICERS' REPORTS

8. BACTON PF/21/1878 - PROPOSED GROUND MOUNTED SOLAR PHOTOVOLTAIC ARRAY AND ASSOCIATED INFRASTRUCTURE; LAND EAST OF BACTON GAS TERMINAL (KNOWN AS SEAGULL'S FIELD), PASTON RD, BACTON.

(Pages 17 - 48)

9. WALCOTT - PF/22/0738 - USE OF AGRICULTURAL LAND AS A SEASONAL CAR PARK FROM JUNE TO OCTOBER (INCLUSIVE) EACH YEAR FOR MR AND MRS H BARRINGER. WALCOTT BEACH

(Pages 49 - 56)

CAR PARK, COAST ROAD, WALCOTT.

- 10. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE** (Pages 57 - 60)
- 11. APPEALS SECTION** (Pages 61 - 66)
- (a) New Appeals
 - (b) Inquiries and Hearings – Progress
 - (c) Written Representations Appeals – In Hand
 - (d) Appeal Decisions
 - (e) Court Cases – Progress and Results

12. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution, if necessary:-

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A (as amended) to the Act.”

PRIVATE BUSINESS

- 13. ANY URGENT EXEMPT BUSINESS**
- 14. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA**

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DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 1 September 2022 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present: Cllr P Grove-Jones (Chairman) Cllr P Heinrich (Vice-Chairman)

Cllr A Brown	Cllr P Fisher
Cllr A Fitch-Tillett	Cllr V Holliday
Cllr R Kershaw	Cllr N Lloyd
Cllr G Mancini-Boyle	Cllr N Pearce
Cllr M Taylor	Cllr L Withington
Cllr A Yiasimi	

Substitute Members Present: Cllr J Toye

Officers in Attendance: Major Projects Manager (MPM)
Planning Officer (PO)
Principle Lawyer (PL)
Democratic Services Officer – Regulatory

30 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr A Varley.

31 SUBSTITUTES

Cllr J Toye was present as a substitute for Cllr A Varley.

32 MINUTES

Cllr V Holliday stated at the previous meeting the use of smart glass had been discussed and whether this be made a condition for Planning Application PF/21/3073. She advised she had been in correspondence with the MPM on this matter and that she had advised that this had been made a condition, but that it was not clear within the minutes that the use of glazing would have to be approved by NNDC. The MPM advised whilst it had not been cited within the minutes, it had been covered within the Officers' actions post Committee and secured by condition.

Cllr R Kershaw stated that pagination on the agenda was incorrect and clarified the correct corresponding pages for each item.

Subject to the amendments, the minutes of the Development Committee meeting held Thursday 4th August were approved as a correct record.

33 ITEMS OF URGENT BUSINESS

None.

34 DECLARATIONS OF INTEREST

None.

35 TRUNCH - PF/21/3330 ERECTION OF THREE SINGLE STOREY DWELLINGS AND ACCESS DRIVE: ITARSI, CHAPEL ROAD, TRUNCH, NORWICH WALSHAM: MR ROLAND WALLACE

The MPM introduced the Officers report and recommendation for approval subject to conditions.

He advised that the principle of development for up to three dwellings had been established by grounds of outline permissions, listed within the case history, reference PO/20/2005, which also approved the means of access to the site.

The MPM stated that the main issues for consideration were set out on p.16 of the report. Further, he advised that the applicant, working with Anglian Water, had identified that the scheme would drain outside of the Nutrient Neutrality catchment area, details of which were contained on p.18 – 19 of the Agenda pack. Officers contended that, as Anglian Water had confirmed that the waste water would not be directed into the Nutrient Neutrality catchment, they did not foresee Nutrient Neutrality guidance being an obstacle for approval.

He concluded that Officers were broadly satisfied with the design and appearance of the proposal, which would be in keeping with the surrounding area, with each dwelling providing an acceptable level of amenity space.

The MPM suggested two additional conditions be added, which were linked to Nutrient Neutrality. First, a condition which would require the applicant to confirm at the point they start development that the drainage flows outside of the catchment. Second, a condition to finalise the surface water drainage details, which would provide clarity exactly how surface water would be dealt with. He stated as the competent authority for Habitats Regulations it was important to ensure the Council considered these points.

Public Speakers

Jane Wisson – Trunch Parish Council
John Barbuk – Supporting

Members Debate

- i. The Chairman confirmed that the Local Member who had called the Item to Committee was not in attendance and expressed her disappointment they had failed to attend the meeting, noting the resources involved in bringing items to Committee.
- ii. Cllr P Heinrich expressed his support for the Officers recommendation and reflected that the principle of development on the site had already been established. He considered that the arguments against development did not stand up to scrutiny, and whilst technicality Trunch was considered to be within a designated countryside setting, the reality was that the three properties would serve as infilling of a large backlot site within the built up setting of the village. He reflected that there was a demand for bungalows within the district given the aging population and contended that the application was to the highest environment standard, and of a satisfactory design. He expressed his wish to see more developers work towards such

high standards. Cllr P Heinrich commented that he did not determine that the three properties would add significantly to the volume of foul water, and that the primary issue related to the volume of rain water run off flowing into the sewage system. On balance, Cllr P Heinrich proposed acceptance of the Officers Recommendation.

- iii. Cllr A Brown stated his disappointment that the Local Member was not in attendance at the meeting, and they had failed to provide a supplementary submission. Cllr A Brown commented that he was nervous about the application, and asked for the evidence from Anglian Water, which had been provided via the Applicants Agent, that they considered the application drained outside of the Nutrient Neutrality catchment area. Further, he commented that he would have preferred to have received the opinion of Natural England or another appropriate body prior to determination.
- iv. The MPM affirmed that the agent had communicated with Anglian Water and that there was an email trail evidencing that Anglian Water had confirmed that the discharge would not go the treatment works within the Broads SAC. He advised that Natural England had not been consulted and that had they been approached, they would have provided a general comment without an assessment. Officers therefore came to the determination that, whilst the site was located within the catchment, the foul flow would not affect the catchment, this with the additional added conditions would provide further assurances. The MPM commented that Royal Haskoning were presently working on mapping which would provide a revised accurate map of the catchment provided by Natural England. However, till this work was completed, the Council was in an interim period where it was reliant on evidence.
- v. Cllr A Brown thanked the MPM for his comments and assurances that Officers were satisfied that the evidence supplied would hold up to scrutiny, and with the application of the two additional conditions. He expressed his concerns that that the discharge of foul flow may assist in further discharges into the sea by Anglian Water, whose position could be questioned as a competent Water Authority. Cllr A Brown noted that the previous Landscape Officer for the 2005 application had been very concerned that several trees had been cleared from the site and that no amount of planting would redress the imbalance caused by that clearance to the natural habitat and biodiversity. He asked whether Officers were satisfied that there was a sufficient amount of bio-diversity net gain with respect of the three bungalows rather than two?
- vi. The MPM advised that bio-diversity net-gain was not yet enshrined in law as a legal requirement, and therefore decision makers did not have a legal basis to ask a 10% biodiversity net gain. He stated that Officers had looked at the scheme and determined that they were content that the proposal accorded with the relevant policies.
- vii. Cllr V Holliday echoed the concerns about sewage flow and enquired how many effluence discharges had occurred from Mundesley, stating that she was not comfortable to come to a determination without more data. She noted that there was much asphalt used within the scheme, and questioned if permeable asphalt was truly permeable or if it would result in increased surface drainage water. Additionally, she considered the density of the site to be very tight and further asked if a planning condition could be implemented

for the use of smart glass glazing.

- viii. The MPM advised that there was no conditioned glazing scheme but that, if Members were minded to do so, this could be added. He reflected on Members' comments regarding Anglian Water, and advised that Members must be mindful that discharge from Anglian Water was outside the scope of the Local Planning Authority, and that the proposed scheme would discharge to the Mundesley treatment works with waste water being treated before it was discharged into the sea. Instances where untreated raw sewage was discharged into the sea were subject to an exception process in which water authorities must demonstrate reasons for doing so. Whilst the discharge of raw sewage into the sea was of national concern, this was legislated against, and did not form a reason for refusal on this individual planning application.
- ix. The Chairman asked the Applicant if the tarmac proposed was truly permeable. The Applicant affirmed that it was and that this material had been used to minimise the noise disruption to neighbours which would otherwise occur with shingle. Further, he would be happy to install a permeable brick weave, should this be preferable to Members. With respect to glazing concerns he stated that there was a deep overhang from the roof, and additional planting would minimise the impact of the development.
- x. Cllr V Holliday advised that her comments regarding glazing related to light pollution rather than solar gain.
- xi. The Chairman stated that the application consisted of low-lying single-storey properties with an accompanying planting scheme; it was contended that light pollution was not considered to be an issue.
- xii. The MPM advised that that matter of light spill would have been considered by the Landscape Officer and noted that no external lights were proposed within the scheme. He reiterated that should the Committee wish to have a condition to finalise the detail of the glazing, this could be applied with the consent of the Applicant.
- xiii. Cllr N Lloyd affirmed that the principle of development had already been established and that he was pleased that the Applicant had provided a landscape scheme. He acknowledged that the proposal was designed to be developed beyond current building standards, and that he was disappointed that this had not been highlighted within the Officers' report. He contended that Climate Change should be included within section three of all future planning applications and within Officer Reports going forward. Cllr N Lloyd expressed his support for the application and seconded the Officers' recommendation for approval subject to conditions.
- xiv. Cllr A Fitch-Tillett confirmed that she was aware that Trunch and other villages discharged to Mundesley. She contended that surface water run-off was a large issue and that she was pleased of the insistence within the proposal for permeable surfaces. She noted that surface water drainage was not Anglian Water's fault and that this drainage came under the lead Local Flood Authority which was Norfolk County Council. Cllr A Fitch-Tillett affirmed that the sooner NCC invested the trillions needed to separate surface water runoff from sewage, the better, as this would stop all outpours going into the ocean.

- xv. Cllr J Toye supported comments made by Cllr N Lloyd and agreed that Climate Change needed to be better reflected within Officer Reports. He noted that the scheme was described as carbon neutral and enquired if there were any checks from building control to ensure this. Additionally, he encouraged the developer to go further and work towards a climate negative scheme. Cllr J Toye supported the efficacy of permeable tarmac which was used on motorways and aided to remove a large volume of water off the road.
- xvi. The MPM commented that he could not address comments regarding building control without speaking to the building control manager, and that once he had obtained this information he could feedback to Members.
- xvii. Cllr J Toye stated that he believed the developer had the best of intentions but that in other applications in which plans were submitted and designed by one person but then passed on to a builder who then sub-contracted the work, the final product was not as intended. He asked for assurances that there would be an audit trail.
- xviii. In response to Members questions, the Applicant advised that they would employ a team of local builders and that he was confident that work would not be sub-contracted. Additionally, the telegraph pole located within the site would be moved by Openreach.
- xix. The MPM confirmed that a significant landscaping scheme had been agreed, details of which were outlined in section 4 of the report. With respect of boundary treatment scheme, the MPM advised that a condition could be applied, provided the Applicant was agreeable, which could work to soften the visual impact on the setting.
- xx. Cllr G Mancini-Boyle agreed with Members representations, particularly the need to consider and reference the impact of proposals on Climate Change within Officer Reports. He considered that more information was required to assist Members in making their determinations and reflected that whilst the application went beyond current building regulations, this had not been included within the Officers report.
- xxi. The MPM advised that the local validation list was being reviewed for the information that the Authority requires applicants to provide upfront. He expressed his support for having a section of how an applicant's proposal responds positively to the Climate Emergency, considering that this would be helpful in weighting applications. He advised that he would reiterate to Officers the need to include Climate responses in Officer Reports, and would ensure that this was covered in future reporting.
- xxii. Cllr N Pearce commented that the principle of development had been established some time ago, and that local plans had since been introduced which had changed the perspective. He stated that he could understand each perspective and considered the Local Parish Council to be justified in their comments.
- xxiii. Cllr A Yiasimi thanked Officers on their excellent report and considered that the application had ticked all of the boxes. He emphasised that it was of vital importance that the conditions were met on the application, should it be agreed.

- xxiv. The MPM noted Members comments during the meeting and summarised the conditions which had been included within the outlined Officer Recommendations as well as those added during the meeting.

UNANIMOUSLY RESOLVED by 14 votes for.

That Planning Application PF/21/3330 be APPROVED subject to conditions relating to the following matters and any others considered necessary by the Assistant Director for Planning.

- 1. Time limit for implementation and submission of reserved matters**
- 2. Approved plans.**
- 3. Materials.**
- 4. The development shall be carried out in accordance with the submitted Arboricultural implications Assessment/Method Statement and landscaping plan.**
- 5. Prior to first occupation the vehicle access/crossing over the verge to be constructed in accordance with highways specification and retained as shown.**
- 6. Prior to first occupation the proposed access and on-site car parking and turning areas to be laid out, demarcated and surfaced in accordance with the approved plan and retained for that specific use.**
- 7. Contaminated Land – Any contamination found during the course of construction that was not previously identified shall be reported immediately to the Local Planning Authority.**
- 8. Remove permitted development rights for the enlargement, improvement or other alterations of the dwellings, additions or alterations to the roofs and provision within the curtilage of the dwellings of any building or enclosure.**
- 9. Confirmation to be received that, before works commence, that foul water discharged would not go to treatment works within the Broads catchment.**
- 10. Surface Water Drainage.**
- 11. Driveway surfacing to consist of permeable materials.**
- 12. Glazing scheme – to minimise light spill.**
- 13. Boundary Treatment.**
- 14. External Lighting.**

Final wording of conditions to be delegated to the Assistant Director for Planning.

36 AYL MERTON - PF/22/1298 - INSTALLATION OF 28 GROUND-MOUNTED SOLAR PANELS (RETROSPECTIVE); ROW FARM, HOLT ROAD, AYL MERTON, NORWICH, NORFOLK, NR11 8QA; MR N AYRES

The PO introduced the Officer's report and recommendation for approval subject to conditions set out on p.23. She noted that this was a retrospective application and advised that the item had been brought before Committee for consideration for the reasons detailed on p.21.

The PO advised that the site was located within the AONB, North-West of Aylmerton, and affirmed the sites location, context of the site with the solar panels being located a considerable distance from neighbours, and the type of solar panel used. The key issues relating to the proposal were principle and site history, design and renewable energy, residential amenity, and impact on the AONB.

Members Debate

- i. Cllr V Holliday thanked the PO for her report and asked about the anti-reflective surface of the solar panels and the amount of solar glare limited, as she was uncertain if this could be quantitated. She observed that the Landscape Sensitivity Assessment Document had not been referenced in the report, and considered this document contained detail which may be beneficial.
- ii. The PO advised that information about the solar panels provided to Members had been provided by the Applicant. She confirmed she could speak to the Applicant to seek further clarification about the solar panels and their surface coating, should this be of use.
- iii. The MPM commented that it was in the interest of the developer that the solar panels were anti-reflective and angled correctly, otherwise the efficiency of the panels be reduced. The MPM noted comments regarding the Landscape Sensitivity Assessment Document and advised that he considered that there was enough information presented to Members to enable them to make their determination.
- iv. Cllr G Mancini-Boyle expressed his hope that the solar panels were of the latest technology and were recyclable, noting that this had been a problem for older models.
- v. The Chairman reiterated that this was a retrospective application and that the panels should be considered as they currently were.
- vi. Cllr A Fitch-Tillett noted that the application was contained within the AONB and that she was assured that any application located within the AONB would be scrutinised by Norfolk Coast Partnership with their own team of planners, and that they would have commented had they been concerned about the application. She stated that as Norfolk Coast Partnership were happy with the application, she too was happy.
- vii. Cllr A Brown expressed his support for the application and proposed acceptance of the Officers recommendation subject to conditions. He stated the importance and usefulness of solar panels in generating electricity which could be fed back into the grid, and noted that the proposal accorded with the Local Plan and with the Councils Climate Emergency declaration.
- viii. Cllr P Heinrich commented that had the panels been located on a roof they may not have been brought before Committee. He stated that the panels were on a small scale, out of the way, providing clean energy to the site, and that such developments should be encouraged. He affirmed that small scale schemes were the future and expressed his disappointment that the government did not recognise this and provide appropriate grants for such schemes. Cllr P Heinrich seconded the Officers recommendation.
- ix. The Chairman expressed her support for the use of solar panels and noted the provision for energy to be fed back into the grid was available but that the amount of money being paid to owners was continuing to decrease, something she found extraordinary.
- x. Cllr A Yiasimi expressed his support of the Officers Report and stated that he

saw no issue with the application.

- xi. Cllr J Toye affirmed that he regularly walked past the site, throughout various times of the day and year, and that he was unaware that solar panels had been installed as they were that low lying.
- xii. Cllr P Fisher agreed that the panels could not be easily seen from the adjacent eastern footpath, and that he too was unaware that the panels had been sited. He commended the PO for her report and relayed positive feedback he had received about her.

UNANIMOUSLY RESOLVED by 14 votes for.

That Planning Application PF/22/1298 be APPROVED subject to conditions relating to the following matters and any others considered necessary by the Assistant Director for Planning.

1. Approved plans

2. Removal of installation when no longer required.

Final wording of conditions to be delegated to the Assistant Director for Planning.

Cllr G Mancini-Boyle left at 10.41am

37 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- i. The MPM introduced the Development Management Performance Update Report detailed on p.25 of the Agenda pack, and affirmed an upward trend for planning performance, with many older cases being cleared. He noted that Nutrient Neutrality had impacted some schemes, but in such cases extensions of time had been agreed. He advised that there were some staffing pressures, with members of the team leaving resulting in caseloads being redistributed.
- ii. Cllr A Brown thanked Officers for their continued hard work during challenging times and expressed his hope that non-major performance would match that of the majors, noting the 7% gap. The MPM advised he would pass Members thanks on to the team.
- iii. The MPM advised, with respect of S106 agreements, that the Authority were in a healthy position and that there were three agreements close to be issued. Those marked in grey on the report could not be progressed at this time, leaving just two obligations remaining.
- iv. The PL advised the Sea Marge S106 agreement had been completed and that the West Raynham S106 agreements were out for signatures. The Chairman thanked the PL for her continued hard work.
- v. The MPM advised that where a S106 agreement could not be progressed as a result of the Applicant, the application would return to committee as per the clause in the decision notice, to avoid delay.

38 APPEALS SECTION

- i. The MPM updated Members on the Arcady (References ENF/18/0164, PF/21/0882, RV/21/2583), with the hearing date set of January. He considered that the outcome of this appeal was of interest locally and to developers broadly.
- ii. The Chairman enquired about the Kelling application, reference PF/20/1056. The MPM advised that the Planning Department were still awaiting a decision from the Planning Inspector, and that this was a fundamental case with respect of the Councils 5 year housing land supply.
- iii. The Chairman noted the Roughton Pub application, reference PF/20/1659, and asked the Local Member for details of the location of the proposed carpark. Cllr N Pearce commented that he was against the application, considering it to be ill thought out, and that the area was in danger of becoming a commercial corridor. He stated that this was a very complex situation which he was keeping an eye on.
- iv. Cllr V Holliday stated that she wished to re-register the concerns of the community about the delays of the Cley Appeal for Arcady. In addition she commented, with respect of the Blakeney appeal, reference PF/21/0390 that she understood this had been withdrawn or was not accepted by the Planning Inspectorate. The MPM advised that the team were working on the basis that the appeal was live, as they had been asked by the Planning Inspectorate for submissions from the Authority.
- v. Cllr P Fisher asked for an update on the Wells-next-the-sea application, reference ENF/21/0061, and for details of the conditions for the North Walsham appeal decision ADV/22/0404. The MPM that he would ask the enforcement team for an update regarding Wells-next-the-sea and ask this be communicated to Cllr P Fisher. He advised that, for the North Walsham appeal, the Planning Inspector had imposed standard advertisement conditions to keep the sign clean.
- vi. Cllr A Brown commented that, whilst it had not been covered in the media, there were delays with the Planning Inspectorate, which impacted on the Authority who had to monitor sites in the interim pending decisions.
- vii. Cllr N Lloyd commented that the sign at North Walsham had been there for a long time and that Flagship had not raised an issue, nor had any residents.

39 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 10.57 am.

Chairman

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Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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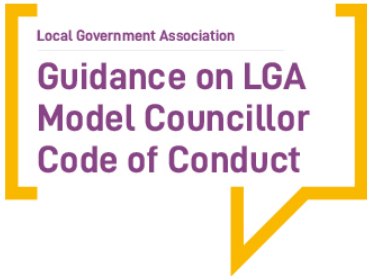
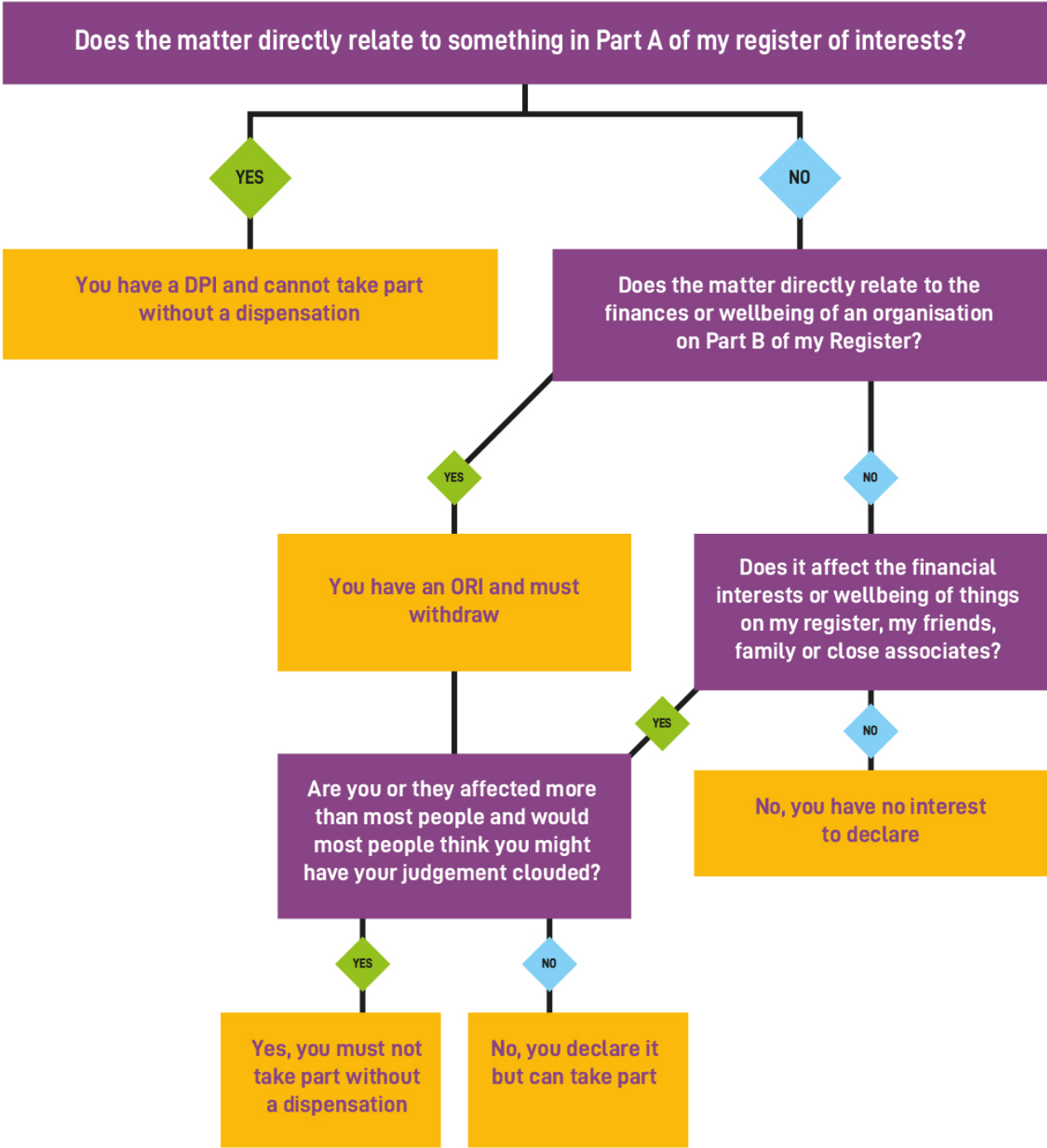
* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)



Bacton PF/21/1878 – Proposed ground mounted solar photovoltaic array and associated infrastructure; Land East of Bacton Gas Terminal (known as Seagull's Field), Paston Rd, Bacton.

Major Development

Target Date: 8th October 2021

Extension of Time: 30th September 2022

Case Officer: Richard Riggs

Full Planning Permission

CONSTRAINTS:

Within the Undeveloped Coast

Within the Countryside

Coastal Plain Landscape Character Area

Coastal Erosion Risk Area (50 Years & 100 Years)

Grade 1 Agricultural Land

Sand and Gravel Mineral Safeguarding Zone

Bacton Gas Terminal buffer zone

Contaminated Land

Health and Safety Executive (HSE) Major Hazards zones (Various)

Gas Pipeline

England Coast Path Coastal Margin (Sea Palling to Weybourne)

Areas Susceptible to surface water and groundwater flooding

Within Several Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GIRAMS) Zones of Influence

RELEVANT PLANNING HISTORY

Application: **DE21/21/1882**

Proposal: Screening Opinion for proposed Solar AV Array (Environmental Impact Assessment)

Decision: Environmental Statement Not Required 04/08/2021

Application: **PF/18/1533**

Proposal: Placement of up to 1.8 million cubic metres of sand to varying depths on the beach frontage covering an area north west of Bacton Gas Terminal to the south eastern extent of the settlement of Walcott. Provision of replacement combined surface and process water outfall and retention of gabion cliff protection at the Bacton Gas Terminal

Decision: Approved 29/11/2018

Application: **PF/15/0184**

Proposal: Installation of replacement concrete ramp for access to beach and associated works

Decision: Approved 21/04/2015

Application: **PF/11/1017**

Proposal: Enlargement of compound and siting of modular buildings, dog kennels and associated development

Decision: Approved 18/10/2011

Application: **PF/07/1523**

Proposal: Formation of overflow car park with earth bund screen

Decision: Approved 25/04/2008

Application: **PF/04/0911**

Proposal: Engineering works to facilitate construction of landfall section of Balgzand to Bacton Gas Pipeline

Decision: Approved 30/09/2004

Application: **PF/99/0444**

Proposal: Refurbishment of cliff face and alteration of field access

Decision: Approved 04/08/1999

Application: **PF/86/0665**

Proposal: Construction of permanent roadway & ramp down cliffs to give access to beach

Decision: Approved 07/07/1986

SITE AND SURROUNDINGS

The site is located on an area of land known as Seagull's Field, which separates the north western tip of Bacton and Bacton Gas Terminal to its immediate west. The site is within the ownership of the applicant and is not considered to represent an area of 'formal' Public Open Space. The site measures circa 3 hectares and has traditionally been kept as a 'buffer zone' between the terminal complex and the village.

The site lies along the cliff tops above Bacton beach to the north; onto which direct access is facilitated by the England (Norfolk) Coast Path which borders the site. To the immediate east of the site are two caravan parks, with residential dwellings directly to the south (over Bacton Road (B1159)) and south east. To the immediate west of the site lies an existing police station which serves the Bacton Gas Terminal complex. The red line boundary area of the site extends into the terminal complex to facilitate the routing of electrical cables to the proposed connection point within an existing building.

The site is accessed via Bacton Road which operates at a speed changeover point from the national speed limit in front of Bacton Gas Terminal to 30mph towards the residential area of the village. There is a bus stop immediately adjacent to the south of the site which is served infrequently by route no. 34.

THIS APPLICATION

This application proposes the installation of a ground mounted solar photovoltaic array and associated infrastructure, including a transformer and electric cable routes. Amended plans were received on 26/04/2022 which seek to reduce to scale of the solar array following public and consultee comments received during the initial consultation period.

The amended proposal would generate c. 1,238 Megawatt-hours of electricity per annum, which would account for 12% of the applicant's current on-site energy usage at Bacton Gas Terminal (a reduction of c. 3% from the original proposal). The array would be formed of 21 rows (east-west) of varying length, with c. 5.5m inter-row spacing. The rows would be formed of c. 2m x c. 1m x c. 2.36m solar photovoltaic panels pitched at a 25° angle. The proposed transformer would be housed in a 4m x 5m x 2m enclosure to the south of the site (adjacent to the vehicle entrance) and would be clad with mesh fencing. A c. 60m gap would be left between the eastern edge of the panel rows and the eastern site boundary with the neighbouring caravan park.

As part of the proposal, a soft landscaping scheme has been proposed to reduce the visual

impacts of the solar array and improve its visual amenity, as well as the proposed introduction of ecology mitigation and enhancement measures, particularly for Birds of Conservation Concern (BoCC) amber and red listed birds. The proposal would also reroute the England (Norfolk) Coast Path from its current path along the eastern and northern site boundaries to its southern and western boundaries. Direct access to Bacton beach would be retained in its current location.

The proposal would have an operational lifespan of 25-30 years, after which it would be removed and the site reverted back to its current state.

The following documents, reports, and information have been submitted in support of this application:

- Application Form
- Location Plan (revised 27/07/2022)
- Proposed Site Plan (revised 27/07/2022)
- Frame Elevation Plan (revised 27/07/2022)
- Planting Plan (revised 12/08/2022)
- Transformer Housing Plans and Elevations
- Planting Plan (revised 29/07/2022)
- Delivery Access and Parking Plan
- Design and Access Statement (plus addendum) (revised 29/07/2022)
- Site Noise Assessment
- Glint and Glare Assessment (revised 27/07/2022)
- Landscape and Visual Appraisal (revised 27/07/2022)
- Preliminary Ecological Assessment (revised 27/07/2022)
- Flood Risk Assessment (revised 27/07/2022)
- Heritage Impact Assessment (revised 27/07/2022)
- Earthing System Design Report

REASON FOR REFERRAL TO COMMITTEE:

Under Section 6.2 (Determination of Planning and Listed Building Applications) *Note (4) (b)* of the Council's Constitution as *ground mounted solar panels in excess of 250kW capacity or with a site area of 0.5 hectares or greater.*

Cllr Wendy Fredericks (Mundesley) has called-in the application to Development Committee citing Parish Council and public interest.

CONSULTATION RESPONSES:

Invitations to comment on the application were sent to the following;

Local Member:

Cllr Clive Stockton (Bacton)

Initial comment – No comments received.

Additional comment following re-consultation – No comments received.

Cllr Wendy Fredericks (Mundesley) – Committee Call-In.

“I have been approached by residents who strongly object. There are several comments left by residents and the parish council on the planning portal. Are you minded to approve? If so I think it would be prudent, given the strength of feeling of the community, for this application to be called into the Development Committee” (05/08/2021).

TOWN/PARISH COUNCIL:

Bacton and Edingthorpe Parish Council: Objects

Initial comment (04/08/2021) – “The Council supports our community in their concerns regarding the installation of this large solar development. Seagull’s Field is a stunning location and gives superb views over towards the sea. During the summer and spring it is filled with wildlife. It would be extremely disappointing to see the loss of this facility to our community. The area is a fundamental and natural barrier and buffer zone between the gas terminal and the community and it would be detrimental to the coastal path and residents if this area of open land was lost.

There must be some way of mitigating the needs of business and the natural environment and perhaps another site on the Terminal would be more appropriate.”

Additional comment following re-consultation – No comments received.

NORTH NORFOLK DISTRICT COUNCIL:

Conservation & Design: No Objections

Landscape: No Objections subject to the imposition of conditions

Coastal Management: Advice received

Environmental Health: No objections subject to conditions.

Planning Policy: No comments received.

NORFOLK COUNTY COUNCIL:

National Trail Officer: No Objections

Highways Authority: No objection subject to conditions.

Lead Local Flood Authority: Advice received.

Minerals and Waste Authority: No objections subject to conditions.

Historic Environment Service – No objections subject to conditions.

OTHER EXTERNAL CONSULTEES:

Environment Agency: No comments received.

Health & Safety Executive: No comments

Natural England: No objections.

National Grid (Cadent Gas Ltd): No objections.

REPRESENTATIONS

An initial public consultation period of 21 days took place between 21/07/2021 to 11/08/2021.

During the public consultation period a total of 26 representations were received. All of these were made in objection to the proposal.

A total of 7 comments were made after the close of the public consultation period. 1 of these comments was made in support of the application, 3 were received as comments on the application, and 3 were received as objections.

Under Paragraph 034 of the National Planning Policy Guidance (NPPG) on Consultation and Pre-Decision Matters, dated 23/07/2019 (Reference ID: 15-026-20190722), the Council has, at its discretion, accepted public comments made after the close of the consultation period for due consideration throughout the determination process.

The key points raised in **SUPPORT** are as follows:

- Proposal is a good use of resources and will be low impact and good for the environment

The key points raised in **COMMENT** are as follows:

- Application should be heard at Development Committee
- Previous neighbour correspondences with NNDC and COMAH Regulations submitted

The key points raised in **OBJECTION** are as follows:

- Seagull's Field is used as a 'buffer zone' between Bacton Gas Terminal and the village
- Obstruction/loss of open and green spaces
- Environmental impact on wildlife (including Barbastelle bats and Skylark)
- Potential noise pollution from wind whistling through panel gaps
- Impacts on the National Coast Path and access to the beach
- Glint and glare and light pollution amenity impacts of solar panels
- Glint and glare highways safety impacts of solar panels
- Potential loss of business for adjacent holiday park and other local businesses
- Loss of views
- Impacts of coastal erosion
- Landscape impacts of solar panels on this site
- Intrusion of CCTV cameras on human rights
- Unknown impacts of explosions at Bacton Gas Terminal (as in 2008)
- Removal of agricultural land
- Creation of 'brownfield' land
- Other areas of Bacton Gas Terminal should be considered for the proposal
- May attract unwanted attention from criminals
- Impacts on people with specific medical conditions and/or disabilities
- Cost/Benefit analysis should be undertaken
- Potential issues of earthing/grounding of solar panels and associated infrastructure and changes to electrical potential of the surrounding area leading to shock and explosion hazards

- Potential for accelerated corrosion of buried metallic structures
- Proposal is contrary to policy as it's in the Undeveloped Coast constraint area
- An Environmental Impact Assessment is likely needed
- Surface water runoff needs to be considered
- A Habitats Regulations Assessment should be undertaken
- Heritage impacts of proposal on the setting of the Grade II* Listed St Andrew's Church
- Important addition of renewable power generation at Bacton Gas Terminal but not at the expense of the abovementioned concerns
- Landscape screening would block natural sunlight to adjacent caravans

A second public consultation took place on the revised proposal, submitted on 24/06/2022.

A total of 5 representations were made. 1 of these comments was made in support of the application and 4 were objections.

A 38 signature petition in objection to the proposal has been submitted to the Local Planning Authority. However, this doesn't specify any reasons for objection and there are no addresses of signatories for corroboration.

Officers are also aware of an online petition in objection to the proposal which has garnered 579 signatures at the time of writing this report (13/09/2022). However, this online petition has not been formally submitted to the Local Planning Authority for consideration under this application. [Petition · Save Bacton's wild meadow · Change.org](#)

The key points raised in **SUPPORT** are as follows:

- The proposal will help to achieve the Government's carbon reduction target of 78% by 2035
- The energy produced will replace electricity from the grid, much of which is fossil fuel generated
- Will allow for continued use of Bacton Gas Terminal in as clean a manner as possible
- Will help to secure greater energy security of the country as Bacton supplies 1/3 of the nation's gas
- Applicant is working with local companies to support local jobs
- Applicant has reduced the proposal based on previous feedback from 15% energy generation to 12% (minimum commercially viable)
- Proposal retains part of the field for local use and includes habitat benefits

The key points raised in **OBJECTION** are as follows:

- Amended scheme would still be detrimental to wildlife, including skylark and sand martin
- Proposal would have a very adverse impact on adjacent businesses and residences
- Proposal still encroaches on landscape buffer between the village and Bacton Gas Terminal
- Proposal should be located within the terminal complex
- Proposal only offers a small gain in renewable energy
- The Council should commission an independent company to re-do the environmental study
- Applicant should make a green contribution to solar panels for local homes and incentivise green vehicles for their staff
- Proposal continues to be contrary to Policy EN 7 in relation to renewable energy
- Proposal represents a genuine threat to the continued existence of the neighbouring caravan park

- The Council should challenge the findings of the Glint and Glare Assessment and proposed boundary landscaping
- Proposal continues to be contrary to Policies SS 4 and EN 9 in relation to biodiversity and ecology
- Proposal remains contrary to Policy EN 3 in relation to landscape impacts in the Undeveloped Coast
- Vulnerability of adjacent businesses to explosions caused by earthing apparatus issues from solar panel electrical charges
- Questions of objectivity and impartiality of consultants
- Footpath improvements are unrelated to the proposal
- The situation is reminiscent of the 1980's acclaimed film "Local Hero" filmed in the Scottish Highlands starring Bert Lancaster.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to:

- Article 8: The Right to respect for private and family life.
- Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

STANDING DUTIES

Due regard has been given to the following duties:

Environment Act 2021

Equality Act 2010

Crime and Disorder Act, 1998 (S17)

Natural Environment & Rural Communities Act 2006 (S40)

The Conservation of Habitats and Species Regulations 2017 (R9)

Planning Act 2008 (S183)

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - *Article 8 – Right to Respect for Private and Family Life*

Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (Adopted September 2008):

Policy SS 1 – Spatial Strategy for North Norfolk

Policy SS 2 – Development in the Countryside

Policy SS 4 – Environment

Policy SS 6 – Access and Infrastructure

Policy EN 1 – Norfolk Coast Area of Outstanding Natural Beauty and The Broads

Policy EN 2 – Protection and Enhancement of Landscape and Settlement Character
Policy EN 3 – Undeveloped Coast
Policy EN 4 – Design
Policy EN 6 – Sustainable Construction and Energy Efficiency
Policy EN 7 – Renewable Energy
Policy EN 8 – Protecting and Enhancing the Historic Environment
Policy EN 9 – Biodiversity & Geology
Policy EN 10 – Development and Flood Risk
Policy EN 11 – Coastal Erosion
Policy EN 13 – Pollution and Hazard Prevention and Minimisation
Policy EC 3 – Extensions to Existing Businesses in the Countryside
Policy CT 5 – The Transport Impact of New Development
Policy CT 6 – Parking Provision

Norfolk County Council Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (September 2011):

Policy CS16 – Safeguarding mineral and waste sites and mineral resources

MATERIAL CONSIDERATIONS

Supplementary Planning Documents (SPDs):

North Norfolk Landscape Character Assessment SPD (January 2021)
North Norfolk Landscape Sensitivity Assessment SPD (January 2021)

National Planning Policy Framework (NPPF) (July 2021):

Chapter 2 – Achieving sustainable development
Chapter 4 – Decision-making
Chapter 6 – Building a strong, competitive economy
Chapter 8 – Promoting healthy and safe communities
Chapter 11 – Making efficient use of land
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 15 – Conserving and enhancing the natural environment
Chapter 16 – Conserving and enhancing the historic environment
Chapter 17 – Facilitating the sustainable use of minerals

North Norfolk District Council Guidance Documents:

Net Zero 2030 Strategy & Climate Action Plan (February 2022)
SMP6: Kelling to Lowestoft Ness Shoreline Management Plan (August 2012)
North Norfolk District Council Coastal Control Guidance – Development and Coastal Erosion (April 2009)

National Planning Policy Guidance (NPPG):

Climate Change (March 2019)
Renewable and low carbon energy (June 2015)

Government Strategy Documents:

Net Zero Strategy: Build Back Greener (October 2021)

OFFICER ASSESSMENT

Environmental Impact Assessment

The proposals falls under Part 3 (a) of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) as an industrial installation for the production of electricity with a site area exceeding 0.5 hectares. The Council published its EIA Screening Opinion on 04/08/2021 under application DE21/21/1882. This concluded that an Environmental Statement was not required for this proposal. Following the amendments made to proposal on 24/06/2022 which would reduce the scale of the solar farm, Officers consider that the proposals would again not constitute EIA development.

MAIN ISSUES FOR CONSIDERATION

- 1. Principle of Development**
- 2. Responding to a Climate Emergency**
- 3. Landscape**
- 4. Coastal Erosion**
- 5. Biodiversity and Ecology**
- 6. Design**
- 7. Amenity**
- 8. Flooding Risk and Drainage**
- 9. Highways Safety and Public Rights of Way**
- 10. Heritage and Archaeology**
- 11. Other Material Considerations**
- 12. Planning Balance and Conclusion**

1. Principle of Development

In accordance with Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan comprises of the Core Strategy (2008) (CS) and the Site Allocations Development Plan Document (DPD) (2011). Although the Development Plan preceded the National Planning Policy Framework (NPPF), published in 2012 and last updated 2021, the relevant policies are consistent with the NPPF and are considered to be up to date. Therefore, the policies should be given full weight in decision-making.

Location of Proposal

A number of public consultation responses question the rationale for the location of the proposal at Seagull's Field and not within the Bacton Gas Terminal complex itself. The site is within the private ownership of the applicant. As such, justification for the location of the proposal at Seagull's Field is not required in order to assess the policy and material planning considerations of this application.

Notwithstanding this, the applicant has submitted some supporting information in this regard which states that Seagull's Field is the only suitable area able to be identified, either in or around the terminal complex, that meets the technical and space requirements needed for this type and size of development. The applicant further notes that the proposal had to take place

in an 'unclassified area' under the terminals' Hazardous Area Classification, which was safe to install electrical equipment and be compliant with the applicant's health and safety regimes, the relevant International Electrotechnical Commission guidelines, and British and International standards. Given the above, Officers consider the rationale behind the location of the proposal to be adequate.

Spatial Strategy

Under the Council's spatial strategy, the proposal is located within the Countryside as defined by Policy SS 1. Policy SS 2 requires development in the Countryside to demonstrate its requirement for a rural location and meet at least one of the closed list of criteria detailed in the policy. In this instance, the proposal is considered to demonstrate its need for a rural location as an integrated proposal to facilitate the off-setting of mains energy usage at Bacton Gas Terminal that could not realistically be located within a settlement boundary, and fulfils the *renewable energy projects* criterion. The proposal is therefore considered to be in accordance with Policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy.

Policy EN 6 requires all new developments over 1,000 sqm to include on-site renewable energy technology to provide for at least 10% of predicted total energy usage. Given that this proposal is for the installation of a ground mounted solar photovoltaic array, Officers consider that it is in accordance with Policy EN 6.

Policy EN 7 states that renewable energy proposals will be supported and considered in the context of sustainable development and climate change, taking account of the wide environmental, social and economic benefits of renewable energy gain and their contribution to overcoming energy supply problems in parts of the District. Furthermore, proposals should not have adverse effects on the surrounding landscape and historical features, residential amenities, highways safety, or designated nature and conservation considerations. Large scale proposals, such as this one, should also deliver economic, social, environmental or community benefits that are directly related to the proposal and are of reasonable scale and kind to the local area. Assessment against Policy EN 7 shall be considered throughout this report and summarised in the Planning Balance in Section 12.

Under Policy EC 3, development at Bacton Gas Terminal that is ancillary to the terminal use will be supported within the defined area as shown on the Proposals Map. The proposal falls outside of this defined area and, as such, is required to demonstrate that it is of a scale appropriate to the existing development and would not have a detrimental effect on the character of the area. Further consideration of the proposal against these requirements shall be considered throughout this report and summarised in the Planning Balance in Section 12.

2. Responding to a Climate Emergency

Government Strategy

The publication of the Intergovernmental Panel on Climate Change (IPCC) report (2021) has demonstrated that '*human influence has unequivocally impacted on our changing climate*'.

The Government has set out its net zero by 2050 target in legislation under the Climate Change Act 2008 (as amended) (CCA). In addition to this, the Net Zero Strategy: Build Back Greener was published in October 2021, and the Industrial Decarbonisation Strategy in March 2021. These Strategies outline the steps to be taken to meet the legally binding net zero targets under the CCA. Officers note the recent High Court ruling on the Net Zero Strategy as unlawful under the CCA, but consider that the Strategy indicates an intended direction of travel with regards to decarbonisation and climate change mitigation.

NPPF (Chapter 14) Paragraph 152 sets out that *the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.*

Furthermore, NPPF (Chapter 14) Paragraph 158 states that when determining planning applications for renewable and low carbon development, Local Planning Authorities should recognise the value of renewable energy projects in contributing to the cutting of greenhouse gas emissions and approve applications where the impacts of proposals can be made acceptable.

North Norfolk District Council Strategy

In February 2022, North Norfolk District Council published its Net Zero 2030 Strategy & Climate Action Plan following its earlier declaration of a climate emergency. The Strategy identifies Bacton Gas Terminal as being one of two major point sources of industrial emissions in the District. In light of this, it further indicates that NNDC generally supports the principle of potential future decarbonisation opportunities at Bacton Gas Terminal.

Core Aim 2 of the adopted North Norfolk Core Strategy is *to provide for sustainable development and mitigate and adapt to climate change* and has specific reference to *encouraging renewable energy production*. Policy SS 4 of the adopted North Norfolk Core Strategy further requires that all development proposals must demonstrate that they will contribute to the delivery of sustainable development, ensure protection and enhancement of natural and built environmental assets, and be located and designed to reduce carbon emissions and mitigate and adapt to future climate change.

Renewable Energy Generation Capacity

The proposal represents a relatively modest solar PV renewable energy scheme which would generate c. 1,238 Megawatt-hours of electricity per annum. The applicant states that this would account for c. 12% of the applicant's current on-site energy usage at Bacton Gas Terminal; all of which is currently supplied from the National Grid. Officers recognise that the amended proposal would represent a reduction of c. 3% from the original proposal, but also note the landscape and ecology rationales behind the reduced capacity of the scheme.

The proposal is acknowledged as being relatively small scale when compared to the overall energy usage of Bacton Gas Terminal (being the minimum threshold required to be considered commercially viable), but is nonetheless considered to be a positive step in the right direction for off-setting non-renewable energy use at the terminal complex. As such, Officers consider the proposal to be in accordance with both national and local climate change and development policies and guidance.

3. Landscape

Impacts on Norfolk Coast Area of Outstanding Natural Beauty

Policy EN 1 states that the impact of individual proposals, and their cumulative effect, on the Norfolk Coast Area of Outstanding Natural Beauty (AONB) and its setting, will be carefully assessed. It further requires proposals to be appropriate to the economic, social and

environmental well-being of the area or is desirable for the understanding and enjoyment of the area, and does not detract from the special qualities of the AONB.

NPPF (Chapter 15) Paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs.

The site lies c. 890m east of the Norfolk Coast AONB. The site is considered to be sufficiently buffered from the AONB by the main Bacton Gas Terminal complex and is not considered to have a significantly detrimental impacts on the special qualities of the AONB. As a result, Officers consider that the proposal is in accordance with Policy EN 1 of the adopted North Norfolk Core Strategy.

Impacts on Landscape Character and Sensitivity

The proposal lies within the Coastal Plain Landscape Character Area, as defined by the North Norfolk Landscape Character Assessment SPD. This highlights that any future changes to Bacton Gas Terminal need to be appropriately managed within the landscape setting. The North Norfolk Landscape Sensitivity Assessment SPD further advises that typical sensitivity of field-scale solar PV development outside of the AONB would be *considered to be moderate and any development would need to be sited with care*.

Policy EN 2 requires that new proposals should be informed by, and sympathetic to, the special qualities and local distinctiveness of the area including gaps between settlements and their landscape setting, patterns of distinctive landscape features, and visually sensitive skylines.

Policy EN 3, relating to the Undeveloped Coast constraint area in which the site is located, requires only development that can be demonstrated to require a coastal location and that will not be significantly detrimental to the open coastal character will be permitted.

NPPF (Chapter 15) Paragraph 174 states that proposals should contribute to and enhance the natural and local environment in a number of ways. These include protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside, and maintaining the character of the undeveloped coast.

The applicant submitted a Landscape and Visual Impact Assessment in support of this application. This concludes that the proposal would, with proportionate and appropriate landscaping mitigation, not have a significant detrimental impact on the surrounding landscape. The report also highlights the temporary nature of the proposal, which would be removed once it reaches the useful limits of its operational lifespan.

Seagull's Field is acknowledged to represent an important visual gap between Bacton Gas Terminal and the village of Bacton. Landscape Officers highlighted the importance of this visual gap in their initial consultee response and noted that the previous iteration of the proposal would likely result in visual landscape harm to the area's open coastal character. Following the amended proposals received in July 2022, Landscape Officers note the reduction in scale of the proposal and the 60m gap (c. 40% of the site) to be retained between the solar array at the west of the site, and the neighbouring businesses at the site's eastern boundary (it is also acknowledged that the settlement boundary for Bacton, as defined under Policy SS 1, is located c. 530m east of the site). As a result of this maintenance of a key visual gap between the terminal complex and the village, Landscape Officers have removed their *in principle* objections to the proposal.

Officers also consider that the amended proposals represent a more suitable solution to balancing the renewable energy requirements of Bacton Gas Terminal and maintaining an

important visual separation between heavy industry and residential/tourism uses, particularly in conjunction with the proposed landscape mitigation (assessed further in Section 6). As such, the proposal is now considered to be in accordance with Policies EN 2 and EN 3 of the adopted North Norfolk Core Strategy.

Agricultural Land Classification

NPPF (Chapter 15) Paragraph 174(b) requires that developments should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

The site is located within a relatively large area of Grade 1 (Excellent Quality) Agricultural Land, as defined by Natural England. However, Officers note that the site is not utilised for commercial agriculture and that as a result, the proposal is not considered to remove any useable Grade 1 agricultural land from circulation. If the site were to be used for agriculture, Officers further consider the temporary nature of the proposal and its relatively light disturbance of the ground in terms of construction would not likely lead to a detrimental effect on the site's future agricultural use potential.

4. Coastal Erosion

Coastal Erosion and Landscaping

The site lies within the 50 and 100 Years Coastal Erosion Constraint Areas (CECA). Policy EN 11 lays out the approach to development within the CECA. It states that new development, or the intensification of existing development or land uses, will not be permitted, except where it can be demonstrated that it will result in no increased risk to life or significant increase in risk to property.

NPPF (Chapter 15) Paragraph 174 states that proposals should prevent new development from contributing to (or being put at risk from) unacceptable levels of pollution and land instability.

In assessing the proposal against the abovementioned policy requirements, it is important to note the Kelling to Lowestoft Ness Shoreline Management Plan, which identifies Bacton Gas Terminal as a key infrastructure along the shoreline and earmarks to protect the site for the next few decades. In light of this, it is also important to highlight that under planning permission PF/18/1533 (Bacton to Walcott Coastal Management Scheme), approximately 1.8 million cubic metres of sand was laid between Bacton and Walcott to slow the erosion of the Mundesley Cliffs; primarily to protect the terminal complex from the effects of coastal erosion. The EIA Screening Opinion undertaken for this proposal also concluded that there would be no Likely Significant Effect in EIA terms in this regard.

The North Norfolk District Council Coastal Control Guidance states that *infrastructure and uses that are fundamental to the normal functioning of a settlement should be considered appropriate within the CECA where it can be demonstrated that there is no more suitable location that is feasible, and that suitable conditions/ agreements can be put in place to secure its removal at the appropriate time.* As highlighted in Section 1 of this report, the site is considered to be the most suitable location for this specific proposal. Given this, Coastal Partnership East do not raise any objections to the proposal and recommend conditions for the removal of the development once it has reached the end of its functional lifespan; as will be assessed in the following section.

Having considered the potential impacts of the proposal in terms of coastal erosion, in-situ mitigation, and noting the technical consultee response, Officers consider that the proposal is in accordance with Policy EN 11 of the adopted North Norfolk Core Strategy and coastal erosion guidance.

Temporary Lifespan, Removal, and Roll-Back

The proposal would have an optimum operational lifespan of between 25-30 years. Officers shall secure the relevant conditions following the cessation of optimal electricity production for the decommissioning and removal of the solar array, and reversion of the site back to its current use.

Policy EN 12 concerns the relocation and replacement of development affected by coastal erosion. This provides a 'roll-back' option for development within the Coastal Erosion Constraint Area, to an area beyond the CECA, if it is threatened by coastal erosion within 50 years of its commencement. Officers do not consider that this position would be appropriate for this proposal due to its operational and locational requirements adjacent to Bacton Gas Terminal, the coastal erosion mitigation already in situ on this stretch of coastline, and the potential landscape and ecological impacts on an unknown inland site. As such, no roll-back position under Policy EN 12 is being considered.

5. Biodiversity and Ecology

Policy SS 4 requires that open spaces and areas of biodiversity interest will be protected from harm, and the restoration, enhancement, expansion and linking of these areas to create green networks will be encouraged through a variety of measures. The policy further states that new development will incorporate open space and high quality landscaping to provide attractive, beneficial environments for occupants and wildlife and contribute to a network of green spaces.

Policy EN 9 states that development proposals should protect the biodiversity value of land and minimise habitat fragmentation, maximise opportunities for natural habitat restoration and enhancement, and incorporate beneficial biodiversity conservation features. The policy further requires proposals not to have a detrimental effect on designated habitats sites or protected species, unless any harm can be satisfactorily mitigated.

NPPF (Chapter 15) Paragraph 174 states that proposals should contribute to and enhance the natural and local environment in a number of ways, including minimising impacts on and providing net gains for biodiversity.

NPPF (Chapter 15) Paragraph 180 further states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The applicant has submitted a Preliminary Ecological Appraisal in support of the application which sets out the methodology and findings of habitats and species surveys, and proposes mitigation for any ecological and biodiversity impacts arising from the proposal.

The site is located c. 680m south east of the Mundesley Cliffs Site of Special Scientific Interest (SSSI), c. 1.2km east of Paston Great Barn SSSI, and c. 15m south of Greater Wash Special Protection Area (SPA) (marine-based). Several bat species were recorded around the site and a single breeding skylark territory – a Birds of Conservation Concern (BoCC) red list species – has also been confirmed on this site. Due to the preference of skylarks for open fields for

their breeding territories, the proposal is likely to remove the possibility of retention of this species' nesting territory on-site. The submitted PEA states that this loss of a single nesting territory is unlikely to have a significant impact on the wider local skylark population due to other suitable habitats in the vicinity.

Notwithstanding this, the loss of BoCC red list species habitat is considered to be of importance. To mitigate for the loss of skylark nesting habitat on-site, the applicant has confirmed that they will mitigate and enhance the ecological value of the site to attract other local BoCC amber and red list species, including linnet (BoCC red), dunnoek (BoCC amber), common whitethroat (BoCC amber), meadow pipit (BoCC amber), and house sparrow (BoCC red). The proposed ecological enhancements include fencing to provide protection for ground-nesting birds from terrestrial predators (including cats), a habitat planting and management scheme (including areas of hedgerow, shrub, and gorse planting), installation of small passerine nest boxes within Bacton Gas Terminal and house sparrow terrace boxes within the site. These ecological mitigation and enhancement measures shall be secured by conditions.

Landscape Officers have reviewed the submitted information. They acknowledge the loss of skylark territory from the site, but consider that the proposed ecological mitigation and enhancement measures would be appropriate and acceptable in this instance. They further note that the proposal would result in a biodiversity net gain on the site and recommend the imposition of conditions to secure a Landscape and Ecological Implementation and Management Plan to co-ordinate and secure all the relevant landscape and ecological measures. Natural England have raised no objections to the proposal.

Officers also recognise the loss of a single skylark nesting territory, but consider the wider benefits to other local BoCC amber and red list species, and the scope for additional habitat creation and achieving biodiversity net gain on-site, to outweigh this loss. As a result, Officers consider that the proposal is in accordance with Policies SS 4 and EN 9 of the adopted North Norfolk Core Strategy and NPPF (Chapter 15), particularly Paragraphs 174 and 180.

Habitats Regulations Assessment

GIRAMS

North Norfolk District Council, in conjunction with Natural England and other Norfolk Councils, produced the Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GIRAMS) to ensure new residential development and any associated recreational disturbance impacts on European designated sites are satisfactorily mitigated and compliant with the Habitats Regulations. Given this proposal is for a ground mounted solar photovoltaic array and associated infrastructure, it falls outside of the scope of the GIRAM Strategy and does therefore not attract any planning obligations in this regard.

Nutrient Neutrality

This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (*Habitats Regulations*). The Habitats Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum SAC or The Broads SAC prior to granting planning permission.

This site is located outside of the catchment area of the sites identified by Natural England. The development proposed does not involve the creation of additional overnight accommodation and as such it is not likely to lead to a significant effect as it would not involve

a net increase in population in the catchment. Nor is the proposal considered to be a high water use development.

This application has been screened, using a precautionary approach, and has been determined not to have a Likely Significant Effect on the conservation objectives either alone or in combination with other projects. Therefore, there is no requirement for additional information to be submitted to further assess any potential effects. The application can, with reference nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

6. Design

Scale and Form

The proposed solar array would be formed of 21 rows of solar PV panels (running east-west) and would be of varying lengths. The rows would have an inter-row spacing of c. 5.5m. The proposed solar PV panels would measure c. 2m x c. 1m x c. 2.36m and be pitched at a 25° angle. The amended proposal represents a reduction in the overall height of the proposed panels by c. 0.14m, but would add 2 additional rows of panels onto the site due to the reduced separation distances. The applicant has noted that the proposed density of proposed solar PV panels is required to achieve the requisite solar energy production to make the proposal commercially viable.

The proposed transformer would be housed in a 4m x 5m x 2m enclosure to the south of the site (adjacent to the vehicle entrance) and would be clad with mesh fencing. The proposed cable route would run from the northern most solar PV panels south along and parallel with the eastern edge of the remaining rows, finally turning west at the south of the site to the transformer and onto the connection point within an existing building at Bacton Gas Terminal.

Landscaping

The applicant has undertaken an iterative design process to the proposed landscaping and planting scheme on this site. The applicant has submitted an amended landscaping and planting scheme which takes into the consideration consultee and public representations regarding the potential landscape and residential amenity impacts of the proposal, and the operational requirements of the solar array.

The landscaping and planting strategy for the site proposes to enhance the existing eastern hedgerow, adjacent to the neighbouring business, and the southern site boundary with B1159 with tree planting of various native species. The existing western boundary hedge would also be retained. The strategy also proposes the introduction of a native instant hedgerow running alongside the eastern side of the solar array. This would include native hedgerow species and gorse habitats for ground nesting birds at the north of the site. The instant hedgerow would be planted at a height of 1.8m and is expected to grow to 2.5m within two years. The existing grassland would be overseeded with native species. To ensure that the proposed planting would satisfactorily thrive on the site, a small scale drip irrigation system and landscape management plan (including the replacement or dead or damaged trees) shall be secured by conditions.

The proposed landscaping strategy also amends the type of security fencing which would be used on-site; from timber post and rail deer fencing to concrete post and rail security fencing with a barbed wire top. Landscape Officers note the preference for the originally proposed deer fencing, however the applicant has confirmed that more secure fencing of not less than 2.4m is required under Section 11(b) of The Electricity Safety, Quality and Continuity

Regulations 2002 (as amended). Officers note the potential visual impacts of this type of fencing in this location, but consider its amended location c. 60m away from adjacent businesses to the east, and the proposed mitigative planting scheme, that the proposed fencing would be acceptable on balance. In all, the proposed landscaping and planting strategy is considered to be acceptable.

Given the above, the proposal is considered to be in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy and NPPF (Chapter 12) in terms of its design.

7. Amenity

Residential Amenity

Policy EN 4 requires that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers and new dwellings should provide acceptable residential amenity. Given the nature of the proposal as a renewable energy scheme with no office or overnight stay infrastructure and good separation distances to neighbouring dwellings, no significant detrimental impacts to the residential amenities of neighbouring occupiers in terms of overbearing, overshadowing and overlooking are expected.

Similarly, no significant detrimental effects are expected with regards to loss of outlook for neighbouring occupiers. Officers acknowledge that the views from nearby dwellings would change. However, a 'view' is not a material planning consideration and cannot be considered in determining this application. Officers consider that the proposal would not impinge in the outlooks of existing dwellings and businesses to the south and east of the site due to the separation distances from them, the retention of a c. 60m open space corridor, and the proposed landscaping enhancements.

As such, Officers consider the proposal to be in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy with regards to residential amenity.

Neighbouring Businesses

Representations have been made during the public consultations in relation to the proposal's potential impacts on the operation of adjacent businesses.

NPPF (Chapter 15) Paragraph 187 requires that proposals should be integrated effectively with existing businesses and community facilities and should not place unreasonable restrictions on existing businesses. It further requires that where the operation of an existing business or community facility could be significantly affected by a proposal, suitable mitigation should be sought from the applicant prior to the completion of the development.

Officers note that no substantive evidence has been provided that the proposal would have a significant effect on the operational requirements of nearby businesses. The principle assertion in this regard is that the solar panels would cause the loss of a view leading to a subsequent loss of bookings. As previously noted, loss of a view is not a material planning consideration and cannot be considered in determining this application. Furthermore, Officers consider it unlikely that the loss of a view would lead to significant operational difficulties for adjacent businesses as existing caravans already look onto Bacton Gas Terminal. As such, the proposal is considered to be in accordance with NPPF (Chapter 15) Paragraph 187.

Glint and Glare

The applicant has submitted a Glint and Glare Assessment in support of this application. This

concludes that despite potential glint and glare impacts being assessed as 'high' at one residential receptor following a review of *actual visibility* from the proposal, the introduction of sufficient landscaping mitigation would reduce the risks of glint and glare to 'low' or 'none'. Overall, the Assessment concludes that the potential impacts of glint and glare from the proposal would be 'negligible' once mitigation measures have been considered.

Environmental Health Officers have reviewed the submitted information and have questioned specific aspects of the Assessment's methodology, particularly the observer height used to calculate potential impacts. However, they also note that the Assessment represents a worst case scenario and makes assumptions for clear skies at all times. It is recognised that solar panels are designed to absorb as much light as possible to be as efficient as possible. Environmental Health Officers also consider that the Assessment could overestimate the potential impacts in this regard which could offset the underestimation of potential observer heights due to neighbouring floor levels.

On balance, Environmental Health raise no objections with regards to glint and glare and proposed conditions for suitable landscaping mitigation, as detailed in Section 6 (and is expected to further reduce any potential risks of glint and glare through closer proximity between the solar array and proposed hedgerows), and external lighting. Given the above, Officers consider that the potential risks from glint and glare are not expected to cause detrimental impacts on the amenities of neighbouring residential occupiers or businesses.

Noise

The applicant has submitted a Site Noise Assessment in support of this application. This concludes that noise from the proposal would not be detectable at the east of the site due to its relatively low level and separation distances from neighbouring uses. The revised proposal submitted in June 2022 has re-oriented the site layout and amended the proposed positions of noise generating equipment, including the transformer and inverters.

Environmental Health Officers have reviewed the submitted information and note that the potential noise levels from the proposed are expected to be below 30 decibels; under the World Health Organisation's recommended noise limit of 45 decibels. Given this, they have raised no objections to the proposal. Officers also consider that the predicted noise levels from the proposal would not have a significantly detrimental effect the amenities of nearby residential occupiers or businesses.

Earthing

Public representations have been received into the potential impacts of earth potential rise (EPR) from the proposal, with regards to health and safety concerns of ground electrical currents from the on-site electrical infrastructure on adjacent underground and earthing infrastructure of adjacent businesses.

Bacton Gas Terminal is an Upper-Tier Control of Major Accident Hazards (COMAH) establishment and is subject to Environment Agency environmental operating permits under the Environmental Permitting (England and Wales) Regulations 2016 (as amended). NPPF (Chapter 15) Paragraph 188 states that planning decisions should focus on whether a proposal is an acceptable use of land rather than the control of processes or emissions, and should assume that these regimes will operate effectively.

Notwithstanding this, the applicant has submitted an Earthing System Design report and an amended site plan [to move the on-site electrical infrastructure away from the eastern site boundary] in support of this application. The Earthing System Design report states that the EPR from the proposal would have no third party impact, either on the terminal complex as a

COMAH site, or adjacent dwellings and businesses. The calculations used in the report contain a 20% safety margin. The touch potential level within Seagull's Field is also considered to be safe; being significantly less than permissible limits for a person standing in shoes on bare ground.

Given the provisions of NPPF (Chapter 15) Paragraph 188, Officers consider that the proposed Earthing System Design would be sufficient to reduce any risks of health and safety impacts on adjacent uses including COMAH sites, residential dwellings, and businesses as its implementation and ongoing use would be governed by existing operational health and safety frameworks and regimes.

Given the above assessment into the potential amenity impacts and pollution minimisation, the proposal is considered to be in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy and NPPF (Chapter 15) Paragraph 185.

8. Flooding Risk and Drainage

Policy EN 10 requires that most new development should be located in Flood Zone 1, as defined by the Environment Agency. The policy further requires land in Flood Zone 1 that is surrounded by areas of Flood Zone 2 or 3 to be treated as if it is in the higher risk zone and will require a Flood Risk Assessment. Details of appropriate surface water drainage arrangements for dealing with surface water run-off from new development is also required.

Policy EN 11 requires that, in any location, development proposals that are likely to increase coastal erosion as a result of changes in surface water run-off will not be permitted.

Flooding Risk

The site lies in Flood Zone 1, but is boarded to the north by an area of Flood Zone 3. Officers recognise, however, that this area of Flood Zone 3 is located below the cliff edge and is associated with the beach. Environment Agency mapping shows the site to be at very low risk of surface water (with small areas of low risk at the north west and is associated with one in 100 and one in 1000 year flooding events) and the Council's Strategic Flood Risk Assessment shows the site to be at low risk (< 25%) groundwater flooding.

The applicant has submitted a Flood Risk Assessment (FRA) in support of this application. This details that the proposal would accord with the sequential test as laid out in Chapter 14 of the NPPF as a 'less vulnerable' use within Flood Zone 1. The submitted FRA further identifies that the site and proposal would be a low risk of surface and groundwater flooding and would not likely exacerbate any known flooding risks and, as such, no flood mitigation measures would be required.

The Lead Local Flood Authority (LLFA) have reviewed the application and have raised no specific comments. However, previous LLFA comments highlighted the need for the sequential test to be satisfactorily undertaken and a Construction Environmental Management Plan (CEMP) to be secured by conditions. Officers consider that the submitted FRA is appropriate in assessing flooding risks and shall secure the relevant conditions. With regard to flooding risk, the proposal is considered to be in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy and NPPF (Chapter 14).

Surface Water Drainage

The submitted Flood Risk Assessment details the proposed method of surface water drainage on the site. It states that an impermeable area of c. 0.606ha would be introduced to the site,

but acknowledges that this would predominantly be formed by raised solar panels and would therefore not remove c. 0.606ha of existing open ground (save for an area of c. 20 sqm associated with the proposed transformer and its enclosure). The FRA states that the quantum of permeable ground would therefore be largely unaffected and would still be able to satisfactorily accommodate and drain the same amount of rainwater as it currently does.

As noted in Section 6 of this report, an on-site landscape scheme has been proposed. In order to establish new plant growth, a small scale drip-pipe irrigation scheme is proposed to be secured via conditions. This would introduce additional new water onto the site, but with the expectation that this water would be taken up by the proposed landscaping and would not likely increase the quantum of water needing to be drained on the site.

Coastal Management Officers have been consulted on the suitability of the imposition of a drip irrigation condition and raise no objections. They do note, however, that drip irrigation should preferably only be used during establishment of the landscaping and in the drier summer months. Officers note these comments and shall secure a drip irrigation system by conditions.

The LLFA have also reviewed the surface water drainage strategy and note that the proposed strategy would likely be appropriate. They suggest enhanced landscaping and well-maintained grass and wildflower planting to prevent an increase in surface water run-off rates and increase biodiversity. Officers are content with this approach and shall secure the relevant conditions.

Given the above, the proposal is considered to be in accordance with Policies EN 10 and EN 11 of the adopted North Norfolk Core Strategy and NPPF (Chapter 14) with regards to surface water drainage.

9. Highways Safety and Public Rights of Way

Highways Safety and Parking

Policy CT 5 requires that developments will be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its particular location. NPPF (Chapter 9) Paragraph 111 further states that developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy CT 6 requires that adequate vehicle parking facilities will be provided by the developer to serve the needs of the proposed development.

The applicant has submitted information pertaining to the potential highways safety impacts of the proposal. This details that once operational, any impact on highway safety would be negligible as the development would be *largely autonomous, with the exception of infrequent servicing/maintenance trips which will likely be facilitated using LGVs in order to transport the relevant technical equipment.*

The submitted information further details that the site would be accessed via the existing 'Gate 4' to the immediate west of the Bacton Gas Terminal complex, off the B1159. The applicant recognises the potential temporary impacts on highways safety during the construction phase of the proposal and has submitted a Delivery Access and Parking Plan.

The Highway Authority has reviewed the application and note the temporary increase in construction traffic, but also the relatively short construction timescales for this type of development. As such, they have raised no objections subject to a recommended pre-commencement condition to secure construction parking and access routes to the site.

Officers are in agreement with the Highway Authority with regards to highways safety and parking provision, and consider the proposal to be in accordance with Policies SS 6, CT 5, and CT 6 of the adopted North Norfolk Core Strategy and NPPF (Chapter 9).

Public Rights of Way

NPPF (Chapter 8) Paragraph 100 states that proposals should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

The site is bounded to the north and the east by the England (Norfolk) Coast Path as a permissive right of way with the agreement of the landowner. There are also a non-permissive rights of way which run along the southern and western boundaries which are used by local dog-walkers.

This application proposes to maintain and improve the permissive route of the England Coast Path, and formalise the non-permissive routes into permissive rights of way. The proposal would also provide an interpretation board about the scheme. Norfolk County Council's National Trail Officer has raised no objections to the proposal and welcomes the public rights of way improvements. The abovementioned improvement works shall be secured by conditions. In this regard, the proposal is considered to be in accordance with NPPF (Chapter 8) Paragraph 100. The public benefits of improving the local rights of way offer shall be considered further in the Planning Balance at Section 12 of this report.

Officers note the mentions of a new car park in Bacton and improvements elsewhere along the England Coast Path within Bacton in the submitted Design and Access Statement. However, these do not form part of this application and, therefore, cannot be considered under the overall planning balance.

10. Heritage and Archaeology

Heritage

Under the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and NPPF (Chapter 16) Paragraph 200, special attention is to be paid to the desirability of preserving or enhancing the character or appearance and settings of Listed Buildings or any features of special architectural or historic interest, and the character of the Conservation Area.

In considering development proposals affecting heritage assets, Core Strategy Policy EN 8 sets out that development that would have an adverse impact on special historic or architectural interest will not be permitted. However, this element of Core Strategy Policy EN 8 is now not fully consistent with the guidance set out in the National Planning Policy Framework which is more permissive towards allowing development affecting heritage assets, but only where there are clear and convincing public benefits in favour, in accordance with the statutory requirements set out above.

The proposal is located within the vicinity of the following designated heritage assets:

- Grade I Listed Church of St Margaret (c. 1.2km west)
- Grade II* Listed Paston Great Barn (c. 1.3km west)
- Grade II* and Grade II Listed Church of St Andrew and memorial complex (c. 665m south)
- Grade II Listed Barn at Church Farm (c. 767m south)

- Grade II Listed Barn at Hall Farm (c. 850m south)
- Grade II Listed Manor House complex (c. 830m south east)

The applicant has submitted a Heritage Impact Assessment in support of this application. This identifies the Church of St Andrew as a key consideration due to its wider setting. The report concludes that the proposal would have the potential for low adverse less than substantial harm on the setting of St Andrews Church, but notes that this could be mitigated against through suitable on-site landscaping.

Conservation and Design Officers have reviewed the proposal and conclude that it would not adversely affect any of the nearby Listed heritage assets. Given the above, Officers consider that the proposal would not have an adverse effect on the significance of nearby designated heritage assets due to the relative separation distances, asset enclosure, the evolving contribution of Bacton Gas Terminal on their settings, and introduction of a mitigative landscaping scheme as detailed in Section 6 of this report.

As such, having given due regard to the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposal is in accordance with Policy EN 8 of the adopted North Norfolk Core Strategy and NPPF (Chapter 16), particularly Paragraph 200.

Archaeology

The submitted Heritage Impact Assessment also details the potential presence of non-designated archaeological assets on the site, including a possible ring barrow and remains of military installations. It recommends archaeological investigations could be appropriately dealt with by conditions.

Norfolk County Council's Historic Environment Service has been consulted on the application and note the potential archaeological interest on this site spanning a number of epochs; from pre-history to World War Two. They further consider that without sufficient assessment of the potential archaeological remains, their significance would be adversely affected by the condition. In light of this, a pre-commencement condition is proposed for an archaeological written scheme of investigation and the publication and dissemination of its findings.

Officers note this position and the potential impacts on the significance of buried archaeological remains, and shall secure the relevant archaeological investigations via pre-commencement conditions. In this regard, the proposal is considered to be in accordance with NPPF (Chapter 16), particularly Paragraphs 200, 203, and 205.

11. Other Material Considerations

Major Hazards

NPPF (Chapter 4) Paragraph 45 requires Local Planning Authorities to consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them. The proposal lies in the vicinity of, and is underlain by, several pipelines and major hazard consultation areas.

Given this, the Health and Safety Executive and the National Grid (Cadent Gas) have been consulted on this application. Neither of these consultees have raised any objections to the proposal subject to informative notes for commencement works guidance. As previously mentioned in Section 7, Bacton Gas Terminal is also a COMAH site and, as such, NPPF (Chapter 15) Paragraph 188 is considered to be applicable in determining this application.

Representations have been received from a neighbouring business about the 'Major Hazard Zone' detailed in an Environmental Statement for Bacton Gas Terminal from 1997. This is considered by the businesses to also represent the 'buffer zone' between the terminal complex and the village. Officers note this designation, but also note the changing designations and HSE major hazard consultation zone requirements in the subsequent 25 years. It is also noted that the neighbouring business also falls within the 1997-defined zone.

Given the above, the proposal is considered to be in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

Minerals Safeguarding

NPPF (Chapter 17) Paragraph 212 states that Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working.

Norfolk County Council is the Minerals and Waste Authority for Norfolk. As such, Policy CS16 of the Minerals and Waste Core Strategy is applicable as part of the development plan. This outlines the provisions for safeguarding existing, permitted and allocated mineral extraction and associated development and waste management facilities within a number of different parameters.

The Minerals and Waste Authority note that the proposal site is underlain by a Mineral Safeguarding Area (Sand and Gravel). Due to the temporary nature of the proposal, the Minerals and Waste Authority have raised no objections, subject to conditions for the lifespan of the development, its decommissioning, and informative notes in relation to any subsequent planning applications, as temporary use of the site would not lead to the sterilisation of the underlying material.

Pre-Commencement Conditions

The recommendation proposes pre-commencement planning conditions. Therefore, in accordance with Section 100ZA of the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018, the Local Planning Authority served notice upon the applicant to seek agreement to the imposition of such conditions. Notice was served on 13/09/2022 and confirmation of the agreement to the imposition of pre-commencement conditions is still awaited. An update will be provided to members at the committee meeting.

12. Planning Balance and Conclusion

This application proposes the erection of a ground mounted solar photovoltaic array with associated infrastructure. The proposal is considered to be in accordance with Policies SS 1, SS 2, SS 4, SS 6, EN 1, EN 2, EN 3, EN 4, EN 6, EN 8, EN 9, EN 10, EN 11, EN 13, CT 5, and CT 6 of the adopted North Norfolk Core Strategy. As a result of this compliance with the relevant Development Plan policies, the proposal is also considered to be in accordance with Policies EN 7 and EC 3.

Policy EN 12 is not considered to be applicable in this instance.

Officers also consider that the proposal contains a number of public benefits which weigh in favour of the proposed development. These are considered to be:

- Renewable energy generation to support a nationally important energy infrastructure establishment
- Small scale boost to the local economy during the construction phase
- Improvements to, and permission for, non-permissive and permissive rights of way
- Providing biodiversity net gain and habitats for a range of BoCC amber and red list species
- Improving understanding of the on-site archaeology and heritage

Given the above, Officers consider that the proposal is in accordance with adopted Development Plan policies and relevant national development policies and guidance.

RECOMMENDATION

Delegate authority to the Head of Planning to **APPROVE** subject to:

1) The imposition of the appropriate conditions to include:

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason:

As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans, except as may be required by specific condition(s):

- Plan ref: 109678 PA01 Revision B (Location Plan), dated 11/05/2022 and received by the Local Planning Authority on 27/06/2022.
- Plan ref: 109678 PA02 Revision C (Site Plan), dated 15/08/2022 and received by the Local Planning Authority on 18/08/2022.
- Plan ref: 109678 PA03 Revision A (Frame Elevation Plan), dated 15/03/2022 and received by the Local Planning Authority on 27/06/2022.
- Plan ref: 109678 P-03 Revision A (Delivery Access and Parking), dated 24/06/2022 and received by the Local Planning Authority on 08/07/2022.
- Plan ref: 109678 PA06 Revision A (Transformer and Enclosure Detail), dated 15/07/2022 and received by the Local Planning Authority on 17/07/2022.
- Plan ref: LAS 234-01 Revision E (Planting Plan), dated 12/08/2022 and received by the Local Planning Authority on 12/08/2022.

Reason:

For the avoidance of doubt and to ensure that the development is carried out in a satisfactory manner in respect of landscape, design, and amenity, in line with Policies EN 2 and EN 4 of the adopted North Norfolk Core Strategy.

Lifespan and De-Commissioning

3. The development hereby permitted is only for a temporary period of 30 years and shall cease on or before 30th September 2052. At the end of this period the development hereby permitted shall cease and all buildings, materials and equipment brought on to the land in connection with the development shall be removed.

Reason:

To ensure that the Local Planning Authority can retain control over use of the land in the long term and to ensure the removal of the equipment when electricity is no longer

being generated on the site in the interests of ecology and the visual amenities of the area, in accordance with Policies EN 2, EN 3, and EN 9 of the adopted North Norfolk Core Strategy.

4. Not less than 12 months prior to the 30th September 2052 or within 3 months of the permanent cessation of electricity production from the solar panels (whichever is sooner) a scheme of works for the decommissioning of the solar farm and associated equipment which shall include; a timetable for works, decommissioning traffic management plan, access, access route including provision for addressing any abnormal wear and tear to the highway and a decommissioning plan to address noise and dust shall be submitted and agreed in writing with the Local Planning Authority.

The subsequent decommissioning of the site shall be carried out in accordance with the agreed details prior to the expiry of this permission or within 6 months of the permanent cessation of the production of electricity production (whichever is sooner).

Reason:

To ensure that the Local Planning Authority can retain control over use of the land in the long term and to ensure the removal of the equipment when electricity is no longer being generated on the site in the interests of the visual amenities of the area and to ensure safe and free flow of traffic and the protection of the amenities of surrounding properties during decommissioning, in accordance with Policies EN 2, EN 3, and CT 5 of the adopted North Norfolk Core Strategy.

5. Not less than 12 months prior to the 30th September 2052 or within 3 months of the permanent cessation of electricity production from the solar panels (whichever is sooner) a scheme of works for the reversion of the site back to its current use shall be submitted and agreed in writing with the Local Planning Authority.

The subsequent decommissioning of the site shall be carried out in accordance with the agreed details prior to the expiry of this permission or within 6 months of the permanent cessation of the production of electricity production (whichever is sooner).

Reason:

To ensure that the Local Planning Authority can retain control over use of the land in the long term and to ensure the removal of the equipment when electricity is no longer being generated on the site in the interests of ecology and the visual amenities of the area, in accordance with Policies EN 2, EN 3, and EN 9 of the adopted North Norfolk Core Strategy.

Pre-Commencement

6. A) There shall be no commencement of the development hereby permitted until an archaeological written scheme of investigation has first been submitted to and approved in writing by the Local Planning Authority.

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;
- 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation; and,

7) Any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A) and any addenda to that WSI covering subsequent phases of mitigation.

C) There shall be no use of the development until the site investigation and post investigation assessment has first 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.

Reason:

In the interests of recording and preserving items of archaeological interest, in accordance with Policy EN 8 of the adopted North Norfolk Core Strategy and its pre-commencement as works involving the breaking of ground could potentially impact on archaeological deposits.

7. There shall be no commencement of the development hereby permitted until a detailed noise, dust and smoke management plan to protect the occupants of residential dwellings surrounding the site from noise, dust and smoke, has been first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include;

- a) Communication with neighbours before and during works.
- b) Contact arrangements by which residents can raise any concerns and, issues.
- c) The mechanism for investigation and responding to residents' concerns and complaints
- d) Management arrangements to be put in place to minimise noise and dust (including staff training such as toolbox talks).
- e) Hours during which noisy and potentially dusty activities will take place.
- f) Measures to control loud radios on site.
- g) Measures to be taken to ensure noisy activities take place away from residential premises where possible such as a separate compound for cutting and grinding activities.
- h) Measures to control dust from excavation, wetting of soil; dust netting and loading and transportation of soil such as minimising drop heights, sheeting of vehicles.
- i) Measures to control dust from soil stockpiles such as sheeting, making sure that stockpiles exist for the shortest possible time and locating stockpiles away from residential premises.
- j) Measures to control dust from vehicle movements such as site speed limits, cleaning of site roads and wetting of vehicle routes in dry weather.
- k) Measures to minimise dust generating activities on windy and dry days
- l) Measures to control smoke from burning activities.

The approved plan shall remain in place and be implemented throughout each phase of the development.

Reason:

To control the noise emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

8. There shall be no commencement of the development hereby permitted (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has first been submitted to and approved in

writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when special ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason:

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and for the undertaking of the council’s statutory function under the Natural Environment and Rural Communities Act (2006) in order to safeguard the ecological interests of the site.

9. There shall be no commencement of the development hereby permitted until a Landscape and Ecological Management Plan (LEMP) has first been submitted to, and approved in writing by, the Local Planning Authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over the lifetime of the development).
- g) Details of the body or organisation responsible for the implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for the delivery. The plan shall also set out (where results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan shall thereafter be implemented in accordance with approved details for the lifetime of the development.

Reason:

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and for the undertaking of the council’s statutory function under the Natural Environment and Rural Communities Act (2006) in order to safeguard the ecological interests of the site.

10. There shall be no commencement of the development hereby permitted until the indicated construction worker parking provision and access routes are in place and available for use.

The parking and access routes shall be implemented throughout the construction period.

Reason:

To ensure adequate off-street parking during construction in the interests of highway safety, in accordance with Policies CT 5 and CT 6 of adopted North Norfolk Core Strategy.

Prior to First Use

11. There shall be no implementation of the landscaping scheme hereby approved until details of a drip irrigation strategy to assist with the establishment of new planting have first been submitted to and approved in writing by the Local Planning Authority.

The approved details shall thereafter be implemented on-site prior to the implementation of the landscaping strategy and retained in place for a minimum of five years following planting.

Reason:

To protect and enhance the landscaping and ecology of the site and visual amenities of the area, in accordance with the requirements of Policies EN 2, EN 3, EN 4, and EN 9 of the adopted North Norfolk Core Strategy.

12. There shall be no use of the development hereby permitted until a scheme for rights of way improvements and installation of an interpretation board for education about the development have first been submitted to and approved in writing by the Local Planning Authority.

The improvements shall be based on those indicated in Section 2 of the Addendum Planning, Design and Access Statement, dated 29/06/2022.

The rights of way improvements and installation of an interpretation board shall be carried out prior to the first use of the development and retained and maintained in accordance with the approved details thereafter for the lifetime of the development.

Reason:

In the interest of facilitating public access along a National Trail and improving local amenities, in accordance with Policies SS 6 and EN 4 of the adopted North Norfolk Core Strategy.

13. The development hereby approved shall be carried out in strict accordance with the ecological mitigation and enhancement measures outlined in Section 4 of the Preliminary Ecological Appraisal, dated June 2022 and received by the Local Planning Authority on 27/06/2022.

The specific details of all of the required mitigation and enhancement measures, including dimensions, location and construction methodology together with a scaled plan or drawing illustrating the requirements, shall first be submitted to and approved in writing by the Local Planning Authority prior to installation.

The mitigation and enhancement measures shall be carried out in accordance with the approved details prior to the first use of the development and thereafter retained

in a suitable condition to serve the intended purpose for the lifetime of the development.

Reason:

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006) in order to safeguard the ecological interests of the site.

14. The development hereby approved shall be carried out in strict accordance with the surface water drainage strategy and maintenance strategy outlined in Section 4 of the Flood Risk & Drainage Assessment, dated June 2022 and received by the Local Planning Authority on 27/06/2022.

The surface water drainage strategy shall be implemented in accordance with the approved details prior to the first use of the development and thereafter retained in a suitable condition to serve the intended purpose for the lifetime of the development.

Reason:

To ensure satisfactory surface water drainage is provided, in accordance with Policies EN 10 and EN 11 of the adopted North Norfolk Core Strategy.

15. The development hereby approved shall be carried out in strict accordance with the earthing system design outlined in Section 8 of ref: ERM R2112 Issue 1 (Earthing System Design for the New Ground Mounted Solar Photovoltaic (PV) Installation), dated 09/06/2022 and received by the Local Planning Authority on 13/07/2022.

The earthing design strategy shall be implemented in accordance with the approved details prior to the first use of the development and shall thereafter be retained in a suitable condition to serve the intended purpose for the lifetime of the development.

Reason:

In the interests of health and safety and amenity, in accordance with Policies EN 4 and EN 13 of the adopted North Norfolk Core Strategy.

Other

16. There shall be no external lighting used on the site unless an external lighting scheme has first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of reducing landscape impacts and maintaining high levels of ecological and residential amenities, in accordance with Policies EN 2, EN 3, EN 4, EN 9, and EN 13 of the adopted North Norfolk Core Strategy.

17. Any tree, shrub or hedgerow forming part of an approved landscape scheme which dies, is removed or become seriously damaged or diseased, within a period of thirty years from the date of planting, shall be replaced during the next available planting season following removal with another of a similar size and species as that originally planted, and in the same place.

Reason:

To protect and enhance the ecology of the site and visual amenities of the area, in

accordance with the requirements of Policies EN 2, EN 3, EN 4, and EN 9 of the adopted North Norfolk Core Strategy.

Notes to Applicant

1. The applicant's attention is drawn to the fact that the above conditions (if any) must be complied with in full. Failure to do so may result in enforcement action being instigated.
2. This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.
3. The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks. However, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse. A fee is payable for each submission made, regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
4. In accordance with Paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-
 - Seeking further information following the receipt of the application;
 - Seeking amendments to the proposed development following receipt of the application;
 - Considering the imposition of conditions and/or the completion of a Section 106 Agreement (in accordance with Paragraphs 54 – 57).

In this instance:

- The applicant was updated of any issues after the initial site visit;
- Considering amended plans;
- The application was subject to the imposition of conditions.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

5. In the event of future planning applications to consider the permanence of the development permitted, the following information will need to be addressed to the satisfaction of the Local Planning Authority and Minerals and Waste Authority:
 - i. The applicant carries out investigations to identify whether the resource is viable for mineral extraction, and
 - ii. If the mineral resource is viable, the applicant considers whether it could be extracted economically prior to development taking place.

6. All works in the vicinity of National Grid high-pressure gas pipeline(s) should be carried out in accordance with British Standards policy:
 - BS EN 13509:2003 - Cathodic protection measurement techniques
 - BS EN 12954:2001 - Cathodic protection of buried or immersed metallic structures – General principles and application for pipelines
 - BS 7361 Part 1 - Cathodic Protection Code of Practice for land and marine applications
 - National Grid Management Procedures
7. A brief for the archaeological works to be covered under Condition 8 can be obtained from Norfolk County Council's Historic Environment Service. The applicant is advised that this is a chargeable service.
8. The Local Planning Authority considers that it has worked positively and proactively with the applicant to address any arising issues in relation to determining this planning application in order to secure a policy compliant proposal.

And any other conditions considered to be necessary by the Assistant Director of Planning.

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Walcott - PF/22/0738 – Use of agricultural land as a seasonal car park from June to October (inclusive) each year for Mr and Mrs H Barringer

Minor Development

Target Date: 18th May 2022

Extension of time: 4th October 2022

Case Officer: Mr J Barrow

Full Planning Permission

CONSTRAINTS

Countryside

Undeveloped Coast

Coastal Erosion Risk Area - 100 years

Coastal Erosion Risk Area - 50 years

Coastal Erosion Constraint Area

Flood Zone 2

Flood Zone 2 SFRA

Flood Zone 3

Flood Zone 3A SFRA

Flood Zone 3B SFRA

RELEVANT PLANNING HISTORY

Application: **EF/21/1395**

Proposal: Lawful Development Certificate for proposed temporary car park from 24/07/2021 to 17/09/21 (inclusive) and including removing a section of earth bund to re open an existing entrance way to the field, located where an existing dipped kerb is on the coast road; to construct a new bridge over a ditch to access the field, erection of post and stock wire fence around the boundary, pay booth shed at the entrance; gate into the field, flood barrier for when the car park is closed; a sign on either side of the entrance.

Decision: Permission not required

THE APPLICATION

The application seeks permission to use a parcel of agricultural land as a seasonal car park from June to October (inclusive) each year.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr. Stockton due to the impact this scheme may have on the 'long standing' and severe issue of parking in this, and other coastal villages.

PARISH COUNCIL

No objection. Comments made re potential extension of opening times and additional bin provision. No objection to following further consultation.

REPRESENTATIONS

Objection received from nearby resident with the following concerns:

- Unsafe highway access/egress.
- Unviable land considering flood risk.
- Wider impact on surrounding area from use of this land for car parking, when it should be flood plain.
- Increase in flood risk caused by engineering works.
- Environmental Health concerns relating to lack of other infrastructure to support additional visitors.

Many civil matters were also raised.

CONSULTATIONS

Environment Agency: No objection for the following reasons:

- The development is classified as 'less vulnerable' and is mostly sited within flood zone 3a.
- A small area at the northern boundary of the site lies within flood zone 3b'. 'Less vulnerable development is not permitted in flood zone 3b. However, no land-raising has been proposed at this site and no permanent parking will occur. Therefore it is considered the land will remain able to function as floodplain and do not consider the development to be inappropriate, provided flood warning is available and signs are in place.
- No objections to the proposed development on flood risk access safety grounds because paragraph 6.4.2 of the FRA states that an Emergency Flood Plan will be produced. The Local Planning Authority should determine its adequacy to ensure the safety of the occupants.
- Given the findings of the FRA, the Council's Emergency Planning Officer should be consulted to assess any evacuation plans.

North Norfolk District Council Emergency Planning Officer: No Objection - the application has no emergency planning implications for flood risk; there is no residential element, the seasonal car park will not be in use during the winter months and the Coast Road would be closed to through traffic in any case if coastal flooding was expected.'

Norfolk County Council (Highways): No objection subject to conditions - following revisions to the submitted plans to provide separate in and out vehicle access arrangements.

North Norfolk Coastal Partnership East: No objection considering that the area sits behind a seawall, there is not much chance of increased erosion due to the increase in footfall. Given that the field is going to remain grass-covered, rainwater will continue to infiltrate naturally, and as stated in the application, any excess will be disposed of via an existing watercourse.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to

- Article 8: The Right to respect for private and family life.

- Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

STANDING DUTIES

Due regard has been given to the following duties:

Environment Act 2021

Equality Act 2010

Crime and Disorder Act, 1998 (S17)

Natural Environment & Rural Communities Act 2006 (S40)

The Conservation of Habitats and Species Regulations 2017 (R9)

Planning Act 2008 (S183)

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - *Article 8 – Right to Respect for Private and Family Life*

Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (Adopted September 2008):

SS1 – Spatial Strategy

SS2 – Development in the Countryside

EN 2 - Protection and enhancement of landscape and settlement character

EN3 – Undeveloped Coast

EN10 – Development and Flood Risk

EN11 – Coastal Erosion

CT5 – Transport Impact of New Development

CT6 – Parking Provision

MATERIAL CONSIDERATIONS

National Planning Policy Framework (NPPF) (2021):

Chapter 2 – Achieving Sustainable Development

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving Well Designed Places

Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

Supplementary Planning Documents (SPDs):

North Norfolk Landscape Character Assessment SPD (2021)

OFFICER ASSESSMENT

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Effect on the character and appearance of the landscape Impact
3. Residential Amenity
4. Flood Risk
5. Coastal Erosion
6. Highway Safety

1. Principle of development (Policies SS 1 and SS 2)

This application proposes the change of use of a parcel of land to the south of Coast Road in Walcott. It is a site located to the western end of existing development on this side of the stretch of Coast Road which sits atop the sea wall. It is proposed to be a seasonal operation, with no use outside of June-October each year.

The location of the proposal is within the countryside, as defined by Policy SS1 of the Adopted North Norfolk Core Strategy. It is a location where Policy SS2 controls the type of development that is allowed. This policy allows for, among other things, recreation and tourism development, as well as community services and facilities meeting a proven local need, providing a countryside location is required.

Safe off-street parking is at a premium within such close range of Walcott beach, which is a popular tourist location within the District. This proposal offers parking for around 100 cars within walking distance of the beach, some pubs/restaurants to the west, and shops/food outlets to the east.

Subject to the proposal according with other relevant Core Strategy Policies including those relating to landscape, amenity, flood risk and highway safety, the principle of development is considered to be acceptable in accordance with Policies SS1 and SS2 of the Adopted North Norfolk Core Strategy as well as Chapter 2 of the NPPF (2021).

2. Effect on the character and appearance of the landscape (Policies EN 2 and EN 3):

At present the applicant site is visually open, and viewed as an extension of the agricultural land to the south of Walcott. It is part of the Coastal Plain landscape character type which is characterised by a flat or nearly flat open coastal landscape of predominantly Grade 1 arable farmland.

The proposal involves minimal construction, other than the erection of open fencing, and a payment booth. It is a site which is currently an open, grassy field, and consideration must be given to any impact upon rurality and the Undeveloped Coast caused by bringing the land into use.

When considering the impact of the proposal upon the character and appearance of the area, in isolation, it is considered that this proposal would create some visual harm in terms of the rurality of the Undeveloped Coast constraint area, albeit for limited periods from May to September. The proposal would be contrary to the aims of Policies EN 2 and EN 3 of the adopted North Norfolk Core Strategy, Chapter 12 of the NPPF (2021), North Norfolk Landscape Character Assessment SPD (2021)

This impact would need to be weighed in the planning balance together with the assessment of any material planning considerations.

3. Amenity (Policy EN 4)

The site is positioned to the west of the existing residential development in Walcott and benefits from reasonable separation distances to nearby residential dwellings. It is in an area which is often busy during the summer months in which it is proposed to operate, with additional noise and disturbance in this season a common occurrence. The separation distances involved are considered to afford residential neighbours suitable levels of privacy and amenity with vehicle noise disturbance likely kept at an acceptable level too.

The application is therefore considered acceptable in terms of its impact on residential amenity, in accordance with policy EN 4 of the Adopted North Norfolk Core Strategy, Chapter 12 of the NPPF (2021) and the North Norfolk Design Guide.

4. Flood Risk (Policy EN 10)

When assessing the flood risk implication of this application particular regard is had to the comments of the Environment Agency and North Norfolk District Council's Emergency Planning Officer.

The majority of the site is sited within flood zone 3a, with a small area towards the north of the site within flood zone 3b. The use of the land as a car park is classified as 'less vulnerable' which is compatible with land in flood zone 3a.

Flood zone 3b is more restrictive, with less vulnerable development not permitted. The advice from the Environment Agency is that with no land-raising proposed, and no permanent car parking proposed within the area of land in flood zone 3b, then it may still function as floodplain.

The Flood Risk Assessment recommends a number of additional measures to increase the site's flood resilience and preparedness including a Flood Response Plan and signage throughout the site. These measures are important to ensure the long term safety of the site, and this will be secured through conditions prior to the first use of the site in 2023 (given the impending conclusion of the 2022 season), along with the requirement to operate as per the submitted Flood Risk Assessment.

Furthermore, an important part of the flooding implications on this site is the emergency planning aspect. The Council's Resilience Manager raises no objection to the scheme, and the securing of a Flood Response Plan will further bolster the site's emergency planning. The use will also have an element of self-regulation, with reduced demand in inclement weather,

the closure of the Coast Road during storm events prohibiting access, and a summer season operating window.

Taking account of the above, it is considered that, with conditions, this application is acceptable in terms of flood risk in accordance with Policy EN10 of the adopted North Norfolk Core Strategy as well as Chapter 14 of the NPPF (2021).

5. Coastal Erosion (Policy EN11)

Policy EN11 of the Adopted North Norfolk Core Strategy seeks to control development within the Coastal Erosion Constraint Area. This policy states that 'new development, or the intensification of existing land use, will not be permitted, except where it can be demonstrated that it will result in no increased risk to life or significant increase in risk to property.'

The comments of the Council's Coastal Partnership are noted, and the location of the car park behind an existing sea wall is considered to protect against additional erosion from increased footfall. The grass surface of the car park should also ensure appropriate drainage, with the seasonal opening hours offering protection against significantly deteriorating this surface in the off season.

Overall, it is considered that this application is acceptable in terms of coastal erosion risk, in accordance with Policy EN11 of the Adopted North Norfolk Core Strategy and Chapter 14 of the NPPF (2021).

6. Highway Safety (Policies CT 5 and CT 6)

Extensive negotiations between the applicant and Norfolk County Council Highway Authority have taken place to achieve an acceptable highway layout. The site will benefit from an access point off Coast Road towards a central point of the site frontage, with an exit onto Coast Road now agreed to the western extremity of the site.

The Highway Authority have considered the application with this revised access/egress and raise no objections on highway safety grounds, subject to conditions.

It is therefore considered that the proposed development is acceptable in terms of highway safety and parking provision, in accordance with Policies CT5 and CT6 of the Adopted North Norfolk Core Strategy, as well as Chapter 9 of the NPPF (2021).

7. Responding Positively to a Climate Emergency

The application has not been supported by information demonstrating how the proposal would respond positively to the Climate Emergency declared by the Council in April 2019.

Conclusion and Planning Balance

Taking account of the above, Officers note that there is a likely negative impact upon the rural character of the immediate area, and the Undeveloped Coast constraint area. This weighs

against the grant of planning permission. However, it is considered that the provision of additional safe off street parking with easy beach access brings with it significant economic benefits, with an acceptable impact upon amenity and flood risk. Officers consider that these positive benefits coupled with the limited time when which the car park can be used each year to be secured by planning conditions, attract sufficient weight to justify approval.

RECOMMENDATION

Delegate authority to the Head of Planning to **APPROVE** subject to the imposition of the following summarised conditions:

1. In accordance with approved plans.
2. Operation restriction between only 1st May and 30th September every year.
3. Opening hours restriction between only 09:00 and 20:00 any day.
4. Vehicular access improvements in accordance with County Highway standard prior to first operation in 2023.
5. Condition requiring and ensuring separate access and egress points.
6. Visibility splay provision prior to first operation in 2023.
7. Signage scheme across the site prior to first operation in 2023.
8. Provision of the parking, turning and manoeuvring layout of the site prior to first operation in 2023.

and any other conditions considered to be necessary by the Assistant Director of Planning.

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DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – SEPT 2021

1. INTRODUCTION:

- 1.1 This report briefly sets out performance in relation to the determination of planning applications in both Development Management and Majors teams for the period up to 31 Aug 2022.
- 1.2 The table below sets out the figures for the number of cases decided and percentage within time set against the relevant target and summary of 24-month average performance.
- 1.3 In addition, the table sets out the number of cases registered and validated within the month (up to 31 Aug 2022).

Performance Measure	Actual Performance	Target	Comments
Decision Notices (Up to 31 Aug 2022)	Major 0 (zero) decisions issued	60% (80% NNDC)	24 month average to 31 Aug 2022 is 87.50%
	Non-Major 95 decisions issued <i>91.58% within time period</i>	70% (90% NNDC)	24 month average to 31 Aug 2022 is 80.27.%
Validation (Up to 31 Aug 2022)	227 applications registered 197 applications validated	3 days for Non- Major from date of receipt 5 days for Majors from date of receipt	Datasets do not currently breakdown validated apps by Major / Minor or those on PS2 returns, but performance data retrieval to be reviewed.

2. S106 OBLIGATIONS

- 2.1 A copy of the list of latest S106 Obligations is attached. There are currently 8 S106 Obligations in the process of being completed, 2 of which are yet to receive a resolution to approve. Four S106 Obligations have been completed and decisions issued and can be removed from the list. Three of the obligations are on hold (these are the cases in grey) where legal work has ceased until the way forward is clearer.

3. RECOMMENDATIONS:

- 3.1 **Members are asked to note the content of this report.**

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SCHEDULE OF S106 AGREEMENTS

UPDATE FOR DEVELOPMENT COMMITTEE:

29 September 2022

Application reference	Site Address	Development Proposal	Parish	Planning Case Officer	Committee or Delegated Decision	Date of Resolution to Approve	Eastlaw Officer	Eastlaw Ref:	Current Position	RAG Rating
PF/21/1749	Land South Of Lea Road Catfield Norfolk	Erection of 18 Affordable Dwellings with associated infrastructure, landscaping and open space	CP018 - Catfield	Russell Stock	TBC	TBC	Fiona Croxon	18647	Decision yet to be confirmed. Early draft in circulation. Application impacted by Nutrient Neutrality advice from Natural England. Legal work to cease until the way forward is clearer	Green
PF/17/0729	Kipton Wood And The Orchard Former RAF Base West Raynham NR21 7DQ	Erection of 94 dwellings with associated infrastructure; conversion of former NAAFI building to provide a new community centre; new allotments (within Kipton Wood); new play area (within The Orchard).	CP078 - Raynham	Geoff Lyon	Committee	19/04/2018	Fiona Croxon	11504	Content of S106 agreed by NNDC. County Council confirmed SoS not needed to be included in S106. Agreement was set for engrossment but now impacted by Nutrient Neutrality advice from Natural England. Legal work to cease until the way forward is clearer	Red
PF/19/1028	Land At Back Lane Roughton	Erection of 30 residential dwellings with associated access, open space, landscaping and off-site highways works. Formation of sports pitch, creation of wetland habitat, construction of 17-space community car park, construction of footpath link to village, and provision of land for community facility (Amended Plans and Additional Supporting Documents)	CP079 - Roughton	Katherine Rawlins	TBC	TBC	Fiona Croxon	14360	Costs undertaking previously requested. Progress delayed until application matters sufficiently progressed and resolution to approve given. Now impacted by Nutrient Neutrality advice from Natural England. Legal work to cease until the way forward is clearer	Green
PF/18/0363	Scottow Enterprise Park Lamas Road Badersfield Scottow	Change of use of parts of the former military taxiway and runway areas for manoeuvring, take-off and landing of light aircraft	CP082 - Scottow	Russell Stock	Committee	20/06/2019	Fiona Croxon	14147	Draft S106 amended and re-circulated for NNDC approval.	Red
PF/21/2377	Seamarge 16 High Street Overstrand Norfolk NR27 0AB	Full application for the siting of seven holiday lodges to the rear of the Sea Marge Hotel and ancillary works and the revocation of planning permission PF/98/1272 for the provision of a two storey rear extension	CP073 - Overstrand	Bruno Fraga da costa	Delegated	14/07/2022	Fiona Croxon	20652	S106 Signed and Completed. Decision Issued 01/09/2022. Can be removed from list of cases.	Green
PF/20/0756	9 & 10 West Raynham Road South Raynham Fakenham NR21 7HG	Erection of extension to side/rear following demolition of existing extension, external alterations including additional windows, formation of retaining wall/ raised patio to rear and re-positioning of vehicular access	CP078 - Raynham	Jamie Smith	Delegated	N/A	Fiona Croxon	20692	S106 Signed and Completed. Decisions Issued 15/09/2022. Can be removed from list of cases.	Green
LB/20/0757	9 & 10 West Raynham Road South Raynham Fakenham NR21 7HG	Internal & external works including underpinning, associated with conversion of two dwellings to a single dwelling	CP078 - Raynham	Jamie Smith	Delegated	N/A	Fiona Croxon	20692		
PF/20/0763	Plot Opposite No. 9 West Raynham Road South Raynham	Change of use of agricultural land to residential and erection of two-storey detached dwelling	CP078 - Raynham	Jamie Smith	Delegated	N/A	Fiona Croxon	20692		

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OFFICERS' REPORTS TO DEVELOPMENT COMMITTEE 01 SEPTEMBER 2022

APPEALS SECTION

NEW APPEALS

HAPPISBURGH – PF/22/1121 – Change of use of detached building ancillary to Wishing Well to single dwelling

Wishing Well, The Street, Happisburgh, Norwich, Norfolk, NR12 0AB

For Mr David Pugh

WRITTEN REPRESENTATION

THURNING – ENF/19/0307 - Appeal against breach of planning control

Courtyard Barn, Roundabout Farm, Hindolveston Road, Thurning, NR20 5QS

For Mr & Mrs Kerrison

INQUIRY

THURNING – ENF/19/0307 - Appeal against breach of planning control

The Office, Roundabout Farm, Hindolveston Road, Thurning, NR20 5QS

For Mr & Mrs Kerrison

INQUIRY

FAKENHAM – CL22/1552 - Certificate of Lawful Development for existing use of land for storage purposes (Class B8)

Unit 4, RS Car Sales, Hempton Road, Fakenham. Norfolk NR21 7LA

For Mr Shaun Brooker

WRITTEN REPRESENTATION

INQUIRIES AND HEARINGS – IN PROGRESS

CLEY-NEXT-THE-SEA - ENF/18/0164 - Alleged further amendments to an unlawful dwelling

Arcady, Holt Road, Cley-next-the-Sea, Holt, NR25 7TU

for Mr Adam Spiegel

INFORMAL HEARING – 1 & 2 March 2022 Re-Scheduled – 22 & 23 June 2022 This has been postponed due to late submission of information – future date to be arranged

CLEY-NEXT-THE-SEA – PF/21/0882 - Erection of dwelling and associated external works and landscaping

Arcady, Holt Road, Cley-next-the-Sea, Holt, NR25 7TU

For Adam and Gay Spiegel

INFORMAL HEARING – to be linked with ENF/18/0164 – Date to be Confirmed

CLEY-NEXT-THE-SEA – RV/21/2583 - Variation of the wording of Condition 2 (Approved Plans) amended site location plan scaled at 1:2500, and drawings 2260-01, 2317-02z1, 2317-03e, 2317-05f and 2317-11b. Approved on Appeal Ref: APP/Y2620/A/13/2205045 relating to Planning Application Ref: PF/12/1219 for Replacement House and Studio - Date of Decision: 05/02/2014

Replace plan 2317-11b with Plan 1660-00-008 as it has been established that the original plan 2317-11b is considered to be inaccurate

Arcady, Holt Road, Cley-next-the-Sea, Holt, NR25 7TU

For Adam and Gay Spiegel

INFORMAL HEARING – to be linked with ENF/18/0164 – Date to be Confirmed

KELLING – PF/20/1056 - Demolition of former Care Home buildings and erection of 8no. dwellings, car parking, associated access and landscaping

Kelling Park, Holgate Hill, Kelling, Holt NR25 7ER

For Kelling Estate LLP

INFORMAL HEARING – Date: 22 & 23 March 2022

WRITTEN REPRESENTATIONS APPEALS - IN HAND

ALBY WITH THWAITE – ENF/20/0066 - Appeal against breach of planning control

Field View, Alby Hill, Alby, Norwich NR11 7PJ

For Mr Karl Barrett

WRITTEN REPRESENTATION

BLAKENEY – PF/21/3265 - Provision of outdoor swimming pool with associated ground works

Three Owls Farm, Saxlingham Road, Blakeney, Holt, Norfolk NR25 7PD

For Mr K Schilling

WRITTEN REPRESENTATION

BRISTON – PO/21/1474 - Erection of 3 no. two-storey detached dwellings following demolition of agricultural buildings - outline with all matters reserved

Brambles Farm, Thurning Road, Briston Norfolk NR24 2JW

For Lewis Keyes Development Ltd

WRITTEN REPRESENTATION

CORPUSTY – ENF/20/0095 - Operational development without planning permission

Manor Farm Barns, Norwich Road, Corpusty, NR11 6QD

For Mr Michael Walsh

WRITTEN REPRESENTATION

FAKENHAM - ENF/21/0002 - Appeal against Enforcement Notice - Material change of use of the Land for the siting of a static caravan to provide overnight accommodation for security staff

Unit 4, RS Car Sales, Hempton Road, Fakenham. Norfolk NR21 7LA

For Mr Shaun Brooker

WRITTEN REPRESENTATION

FAKENHAM – PO/21/2584 - Erection of detached dwelling (all matters reserved)
9 Caslon Close, Fakenham Norfolk NR21 9DL
For Mr M Rahman
WRITTEN REPRESENTATION

FAKENHAM – PF/21/3158 - Siting of a static caravan to provide overnight accommodation for a security staff
RS Vehicle Hire, Hempton Road, Fakenham NR21 7LA
For RS Vehicle Hire Shaun Brooker
WRITTEN REPRESENTATION

HAPPISBURGH – PU/22/0019 - New dwelling house on a detached building currently in use as dwelling house
Annexe At, Wishing Well, The Street, Happisburgh, Norfolk
For Mr David Pugh
WRITTEN REPRESENTATION

KNAPTON – PF/21/2118 - Demolition of barn and erection of 4-bed detached dwelling with detached garage
Land To North Of Parrs Farm, Hall Lane, Knapton, Norfolk, NR28 0SG
For Luke West
WRITTEN REPRESENTATION

LESSINGHAM – PF/21/2896 - Ground and First Floor Extension and Alterations
1 Chapel Cottages, Chapel Lane, Lessingham, Norfolk NR12 0TD
For Mr & Mrs Ford
FAST TRACK HOUSEHOLDER

LUDHAM – PF/21/2851 - Conversion of garages into a single dwelling
Land North Of Magnolia Cottage, Staithe Road, Ludham, Norfolk
For Mrs Val Enever
WRITTEN REPRESENTATION

NORTH WALSHAM – ENF/21/0146 - Appeal against enforcement notice - Erection of single-storey garden annexe building
1 Millfield Road, North Walsham, Norfolk, NR28 0EB
For Mr Robert Scammell
WRITTEN REPRESENTATION

ROUGHTON – PF/20/1659 - Relocation of public house car park and development of the existing car parking area for the erection of 2no. two-storey 3-bedroom detached dwellings, with new boundary treatment; installation of a patio area to rear beer garden, and associated minor alterations and landscaping - [Amended Plans- Revised Scheme]
New Inn, Norwich Road, Roughton, Norwich NR11 8SJ
For Punch Partnerships (PML) Limited
WRITTEN REPRESENTATION

ROUGHTON – PF/21/0693 - Demolition of existing stable block and replacement with a self-build dwelling

Heath Farm, Norwich Road, Roughton, Norwich, Norfolk NR11 8ND

For Amy Zelos

WRITTEN REPRESENTATION

SEA PALLING – PF/21/0729 - Erection of Stable Building

The Marrams, Sea Palling, Norfolk

For Mr F Newberry

WRITTEN REPRESENTATION

SWAFIELD – PO/21/1525 - Erection of 3 bedroom chalet bungalow with garage (outline application with details of access only - all other matters reserved)

The Kingdom Halls, The Street, Swafield, Norfolk NR28 0RQ

For Mr Neville Watts

WRITTEN REPRESENTATION

TRUNCH – PF/21/1561 - Two storey detached dwelling with associated landscaping including tree planting scheme and wildlife pond

Field Near Fairview Barn, Brick Kiln Road, Trunch, Norfolk, NR28 0PY

For Mr Mike Pardon

WRITTEN REPRESENTATION

TUNSTEAD – PF/21/2394 - A Self-Build single dwelling with detached garage. Associated landscaping. Extinguishing a dead-end footpath

Land Opposite Copperfield , Watering Pit Lane, Tunstead, Norfolk

For Mr & Mrs M. & J. Rackham

WRITTEN REPRESENTATION

WELLS-NEXT-THE-SEA – ENF/21/0061 - Appeal against breach of Planning Control - Material change of use of the land for takeaway

Land Adj. 19 The Glebe, Wells-next-the-Sea, Norfolk NR23 1AZ

For Adrian Springett – Pointens

WRITTEN REPRESENTATION

APPEAL DECISIONS - RESULTS AND SUMMARIES

BLAKENEY – PF/21/0390 - First floor and single storey extension rear extensions, including balcony to first floor; external alterations to garage including single storey link to house

The Wells, 3 The Pastures, Blakeney, Holt, Norfolk NR25 7LY

For Mr and Mrs Gillian Cocks

WRITTEN REPRESENTATION – **APPEAL TURNED AWAY BY PINS**

HEMPTON – PO/21/3132 - Erection of 4 no. 2-bedroom live/work units (ground floor work space and with first floor flats) and parking (outline application with all matters reserved)

Land At The Knoll, Hempstead

For Ms. Trudi Seaman

WRITTEN REPRESENTATIONS – **APPEAL WITHDRAWN**

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