

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, 19 October 2022

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 27 October 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
--

PUBLIC BUSINESS

1. CHAIRMAN'S INTRODUCTIONS

2. TO RECEIVE APOLOGIES FOR ABSENCE

3. SUBSTITUTES

4. MINUTES

(Pages 1 - 6)

To approve as a correct record the Minutes of a meeting of the Committee held on Thursday 29th 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 7 - 12)

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. NORTH WALSHAM - PF/21/2650 - TECHNICAL DETAILS CONSENT FOLLOWING FROM PERMISSION IN PRINCIPLE (PP/20/0160) FOR THE DEMOLITION OF THE EXISTING BUILDINGS ON SITE AND THE ERECTION OF FOUR DWELLINGS WITH ASSOCIATED PARKING AND GARDENS, UNIT 1, MELBOURNE HOUSE, BACTON ROAD, NORTH WALSHAM, FOR MR DAVID TAYLOR

(Pages 13 - 38)

9. BINHAM - PF/21/2926 - TWO STOREY SIDE/REAR EXTENSION TO

(Pages 39 - 44)

DWELLING, 87 WARHAM ROAD, BINHAM, FOR MR & MRS WALES

- 10. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE** (Pages 45 - 48)
- 11. APPEALS SECTION** (Pages 49 - 52)
- (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**

This page is intentionally left blank

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 29 September 2022 in the Council Chamber - Council Offices at 9.30 am

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

Mr A Brown	Mr P Fisher
Dr V Holliday	Mr R Kershaw
Mr N Lloyd	Mr G Mancini-Boyle
Mr N Pearce	Mr M Taylor
Ms L Withington	

Officers in Attendance: Development Manager (DM)
Development Management Team Leader (DMTL)
Senior Planning Officer (SPO)
Principle Lawyer (PL)
Democratic Services Officer – Regulatory

40 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr A Fitch-Tillett, Cllr A Yiasimi and Cllr A Varley.

41 SUBSTITUTES

There were no substitutes in attendance at the meeting.

42 MINUTES

The minutes of the Development Committee meeting held Thursday 1st September 2022 were approved as a correct record.

43 ITEMS OF URGENT BUSINESS

None.

44 DECLARATIONS OF INTEREST

Cllr V Holliday declared a non-pecuniary interest in agenda Item 8, PF/21/1878. She advised that she had taken guidance on this matter and had been informed that she could participate in the meeting and that could vote on the application.

Cllr A Brown declared a non-pecuniary interest in agenda Item 8, PF/21/1878, for the same reasons as outlined by Cllr V Holliday.

45 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.

The DMTL introduced the Officers report and recommendation for approval subject to the outlined conditions. He advised that since the publication of the Agenda, the

pre-commencement conditions set out on p.39 had been agreed and signed on 20th September.

Further, the DMTL advised that the Officers recommendations had been updated to reflect feedback from the Highways Authority with the inclusion of an additional condition which would mitigate against glint and glare from the solar farm on larger vehicles. Should Members be minded to approve, final wording would be delegated to the Assistant Director for Planning.

The DMTL noted following the agenda publication questions had been received regarding the detailed contained therein. He clarified that the 12% figure detailed related to the electric generated by the Solar Project resulting in a 12% forecasted decrease in the amount of energy supplied to the gas terminal from the National Grid. Additionally, he informed Members that an online petition on change.org objecting to the proposal been received with 580 signatories, the basis of the objection was detailed in p.21 – 23 of the Officer report.

Public Speakers

Fiona Hollis – Objecting

Damian Baker (RenEnergy Ltd)– Supporting

- i. The DM relayed a statement from Cllr W Fredricks who was unable to attend the meeting. Cllr W Fredricks welcomed the opportunity for residents to give their views on Seagulls Field and noted it had been a long process. She affirmed that the local authority wished to work with residents and ensure their voices were heard by decision makers.
- ii. Cllr G Mancini-Boyle commented that his concerns regarding the anti-glint coating applied to the panels had been addressed, and that he considered the solution acceptable. He noted that objections had been raised relating to unwanted criminal activity and asked if Officers had any knowledge of theft or damage to other Solar Arrays.
- iii. The DM affirmed that he was not aware of any criminal damage to the 150mw of Solar Arrays located within the District, including any theft of cables. He advised that the project would make a significant difference to the site and that the proposal was supported by NNDC Policies and aligned with the Councils Climate Emergency declaration.
- iv. Cllr V Holliday noted that there had been much opposition from the community and considered that the benefit of the 12% energy generation was quite small. She stated that she did not agree with Officers assessment that the proposal was supported by NNDC Core Policies nor did she agree that the proposal required its specific setting within the undeveloped coast.
- v. Cllr N Lloyd provided clarity over the concerns surrounding the potential for criminal activity, and stated that the site was protected by armed Ministry of Defence Police 24/7. He thanked Officers for their comprehensive report and commended Officers and the Applicant for working together to produce the proposal, noting it was perhaps the longest set of conditions he had ever seen for a planning proposal. Cllr N Lloyd considered that the 12% energy use figure was a significant reduction when considering the large amount of energy the site draws from the National Grid. He acknowledged the net bio-diversity gain through the scheme, and commented whilst the affect to Skylarks was disappointing, the enhancements to attract other rare species

was valuable and worth merit. Further, Cllr N Lloyd considered all concerns and issues raised had been addressed or mitigated against. The land was not used for agricultural purposes and he contended that once the planting was established, most passing individuals would not be aware of the Solar Array, as it was quiet, unobtrusive and well shielded. Cllr N Lloyd proposed acceptance of the Officers recommendation for approval subject to conditions.

- vi. Cllr N Pearce thanked Officers for their comprehensive report and affirmed the need for renewable energy sites. He commented that it was a finely balanced application and accepted the comments and objections from neighbouring businesses, which he conceded may be negatively impacted by the proposal, as well as broader public opposition. Cllr N Pearce expressed the importance of Bacton Gas terminal to the Country and the need to support the terminal.
- vii. Cllr P Heinrich recalled the history of the area and noted the proposal was the last remaining open field in the immediate area. He considered that the Officers report was well argued and clearly stated that the proposal would not breach NNDC or National Planning Policy if approved. He expressed his support for the proposal and commented that it was well designed and that it was increasingly critical to consider green energy schemes as Fossil Fuels could not be burned indefinitely. Cllr P Heinrich commended the applicant for providing a high quality scheme including landscaping and shielding. Further, he commented that the gas terminal would remain visible from the neighbouring Caravan site, and the use of Solar Array would not have a significant impact by contrast. Cllr P Heinrich seconded the proposal to accept the Officers Recommendation.

RESOLVED by 10 votes for and 1 against;

That Planning Application PF/21/1878 be APPROVED subject to conditions outlined in the Officers report and any others considered necessary by the Assist Director for Planning. Final wording of conditions to be delegated to the Assistant Director for Planning.

46 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 CAR PARK, COAST ROAD, WALCOTT.

The SPO introduced the Officers Report and recommendation for approval subject to conditions. He advised of a slight amendment to the wording of the proposal for the seasonal car park to start operation from May, and not June as detailed.

The SPO took Members through aerial images of the site, site plans including entrance and egress routes, flood risk maps, and photographs of the area. He advised that the site was estimated to provide 138 spaces as agreed with NCC Highways. Whilst the site was located within a flood zone, Officers had worked with the Environment Agency who were satisfied that there would be no significant risk to life by consequence of the proposal.

The SPO reiterated the highways conditions stipulated in the recommendation and assured Members that if they were minded to grant permission, all conditions must be satisfied before the applicant would be able to commence operation in 2023.

Public Speakers:

Rebecca Barringer – Supporting

- i. The Chairman expressed her disappointment that the Local Member, who had called the item to Committee, was absent and had failed to submit a written statement in his absence. She reminded Members of the expectation to attend or submit a written representation for applications they refer to Committee.
- ii. Cllr R Kershaw commented that he was familiar with the site located on a busy part of the coast and of the challenges surrounding on street parking. He stated he was surprised that this item had been called to Committee, as he considered the proposal to be sensible, remedying an existing problem, and it had the support of the local village. Cllr R Kershaw proposed acceptance of the Officers recommendation for approval subject to the outlined conditions.
- iii. Cllr P Heinrich seconded the proposal and stated that it was a desperately needed facility in Walcott, in an acceptable location, well designed and well managed.
- iv. Cllr L Withington spoke in support of the application, and acknowledged the community support it had received. She recounted her experiences at Walcott helping eldering relatives in and out the car during busy periods, and affirmed that this was a much needed facility which would benefit the local economy.
- v. Cllr V Holliday noted the positive aspects of the proposal but considered that as the Council was working towards being carbon-neutral, the number of car journeys to the coast should be discouraged. Instead the Council should consider operation of a park and ride facility into Walcott as the long-term vision was for fewer car movements and not more.
- vi. Cllr N Pearce noted that car parks often sparked controversy, but agreed with Members that there was a need for a carpark in Walcott.
- vii. Cllr A Brown expressed his support for the scheme which he considered to benefit the community, and concurred with Members experiences of the chaos along that section of road during the high season. He asked if Highways were considering a review of parking restrictions on the road, particularly opposite the proposed entry and exit points.
- viii. Cllr G Mancini-Boyle asked if electric charging points had been considered and noted the remote location of the site may present challenges for such infrastructure.
- ix. The Chairman stated that the only sensible location for an electric charging point would be by the post office shop, and that as the proposed site was an open field which would only operate during the summer months, it was not an appropriate location for charging points.

UNANIMOUSLY RESOLVED by 11 votes for;

That Planning Application PF/22/0738 be APPROVED subject to

conditions outlined in the Officers report, and an amendment to the start date from June to May, and any others considered necessary by the Assist Director for Planning. Final wording of conditions to be delegated to the Assistant Director for Planning.

47 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- i. The DM introduced the Development Management Performance report and spoke to improvements of both Major and Non-Major Performance with 95% of Non-Major performance agreed within time and 92% of Majors agreed in time.
- ii. The PL updated Members of the S106 obligations detailed within the report and confirmed that both the Sea Marge and West Raynham agreements had been completed, with revised paperwork sent out to Scottow Enterprise Park. She advised that those appeals shaded at the top of the report were held in abeyance due to Nutrient Neutrality.

48 APPEALS SECTION

- i. The DM introduced the appeals report and invited Members questions. He advised that the Planning Inspectorate had not reached many decisions within the last few weeks and the Council were awaiting the outcome of several cases. With regards to those appeals which had been decided, one of which had been withdrawn, and the other dismissed by the Planning Inspectorate as the appeal had been considered to be out of time. This decision was made weeks later after the Council had already dedicated resources in defending its decision.
- ii. Cllr A Brown stated that the delays within the Planning Inspectorate Service were dire, and noted that this was not getting much attention within the press.
- iii. The DM advised that the Planning Inspectorate were addressing resourcing issues but there was a backlog due to capacity issues. He commented that NNDC were limited in what it could do to remedy the situation and that it was in the best interest of the local authority, applicants and interested parties, who were increasingly frustrated, that these matters be resolved.
- iv. Cllr R Kershaw commented that he could not see the situation improving given that the government were seeking spending efficiencies in the short and medium term.
- v. Cllr L Withington noted that at the Overview and Scrutiny meeting held the day prior, it was established that the public often didn't know the role of the planning authority and the Planning Inspectorate. She considered it would be beneficial to explain the process and clarify that the delays were caused by the Planning Inspectorate and not by NNDC.
- vi. Cllr N Pearce agreed that there was millage in explaining the decision making process to the public, particularly given the increase in the number of appeals.
- vii. The Chairman affirmed that it was the democratic right for those who had their applications refused to appeal the decision, and noted the growing

number of appeals where applicants did not like or understand why their application had been refused. She reiterated the challenges of the Planning Inspectorate in being understaffed, and inundated with appeals. The Chairman expressed her support in the Council producing an explanation document to broadly outline what happens with planning applications.

- viii. The ADP drew comparisons with the Planning Inspectorate to that of an apex predator. He reminded Members that the number of applications approved by the local authority was extraordinarily high, the statistics of which would be provided to Members as evidence in an enhanced update. He commented that the increase in the number of appeals was symptomatic of the problem and that the current planning system was sick and ailing, and did not have the capacity of the experienced members within the profession to support the complexities it was dealing with. He affirmed that a review and investment was needed in the planning process, and noted the increasing number of issues. The ADP remarked that the Arcady appeal had been very poorly handled by the Planning Inspectorate, and such a situation was likely to repeat itself. The ADP stated his frustrations of the Planning system were shared also with the Planning Inspectorate and reiterated that revision and change were needed.
- ix. Cllr A Brown thanked the ADP for his update and asked whether a commission should be established to look into the failing system, as he did not recall much detail in the White Paper outlining reform to the Planning Inspectorate.
- x. The ADP commented that the situation had been exacerbated in the 18 months since the publication of the White Paper, and reaffirmed the need for investment within the planning system which would continue to struggle without it.
- xi. Cllr V Holliday noted the appeal for Arcady was due to be heard in January 2023, but that this was not reflected within the report. She asked that this be included within future reporting.

49 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 10.31 am.

Chairman

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>

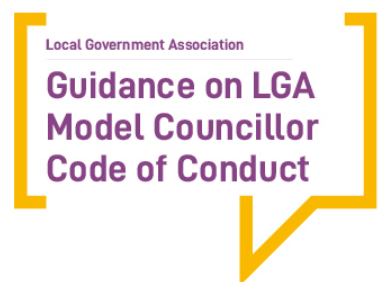
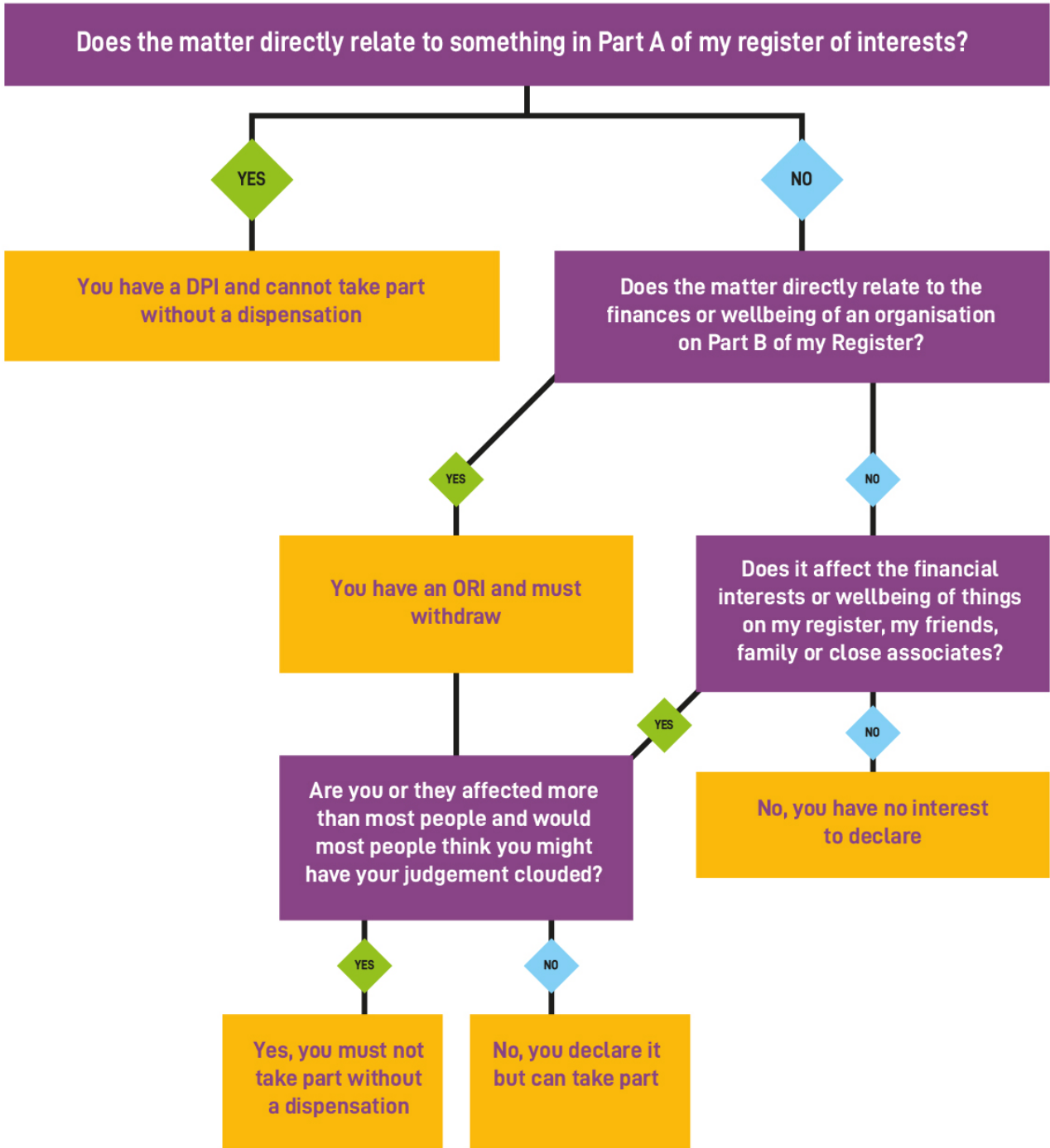
	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
--	---

* '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

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none"> 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 <ul style="list-style-type: none"> (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)
--



North Walsham – PF/21/2650 - Technical Details Consent following from Permission in Principle (PP/20/0160) for the demolition of the existing buildings on site and the erection of four dwellings with associated parking and gardens, Unit 1, Melbourne House, Bacton Road, North Walsham, for Mr David Taylor

Target Date: 09th November 2021
Extension of Time: 28th October 2022
Case Officer: Russell Stock
Technical Details Consent

RELEVANT SITE CONSTRAINTS:

Within a Countryside location outside of a Settlement Policy Boundary in policy terms
The site is partially covered by Tree Preservation Order TPO/19/0954 (TPO)
The site lies within the setting of the Grade II Listed Melbourne House
The site lies within a Mineral Safeguarding Area

RELEVANT PLANNING HISTORY:

Reference	PP/20/0160
Description	Permission in principle for the demolition of the existing buildings on site and the erection of four dwellings with associated parking and gardens and an extension of 30mph speed limit
Decision	Refused 15.01.2021
Appeal	Allowed 24.08.2021

The current Technical Details Consent (TDC) application follows this Permission in Principle (PIP) application which was allowed by the Planning Inspectorate. As set out within paragraph 7 of their decision, the main issues which were considered at the appeal stage were whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development. The Inspector found in the applicant's favour on the main area of dispute which centred around the site's location outside of the settlement boundary of North Walsham. The Inspector found that the relevant Core Strategy policies for determining the appeal were not out-of-date and were broadly in compliance with the latest National Planning Policy Framework (2021). The Inspector acknowledged the conflict with the Core Strategy in terms of the site's location outside of the defined settlement, however determined that the resulting harms in this respect would be limited and that the modest benefits associated with the development would outweigh the harms identified.

The Inspector stated within their decision that the detailed design and layout of the scheme are matters to be resolved at the Technical Details stage and at the time of decision, there was no substantive evidence before them to demonstrate that a suitably designed development, albeit that it may have to be below the maximum proposed, could not be located within the site. The Inspector highlighted that the Council had identified other matters of concern, including residential amenities and highway safety. They note that it is only when details are provided at the TDC stage that the final detailed design and these matters can be resolved. They highlight that this was the agreed approach taken by the main parties.

Reference PP/19/1307

Description Permission in principle for the demolition of the existing buildings on site & the erection of 5 no. dwellings

Decision Refused 19.09.2019

Reference PF/79/2035

Description Furniture store and workshops

Decision Approved 05.02.1980

THE APPLICATION

This application seeks Technical Details Consent for the demolition of the existing buildings on site and the erection of four dwellings with associated parking and gardens. External materials would consist of terracotta rustic pantiles, red stock bricks, timber cladding, windows, doors, glazed screens and fascia boards, and include brick headers and cills.

A full set of amended plans along with a Contamination Desk Study and Heritage Impact Assessment were received on the 04.01.22. Additional reports were received on the 11.01.22 (Protected Species Survey), 24.01.22 (Surface water drainage report), 27.01.22 (Arboricultural Impact and Lighting Assessments), 29.03.22 (Ammonia, Dust, Odour and Noise Impact Assessments) and 05.04.22 (Ammonia Addendum)

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllrs Seward and Heinrich in light of the complex planning issues involved with this proposal at technical details consent stage.

Cllr Seward has indicated that “Residential development in principle is permitted on the site. Further, there are no grounds on the basis of design of dwellings, landscaping and environmental considerations for this application to be refused’.”

PARISH/TOWN COUNCIL

North Walsham Town Council: No Objection

“North Walsham Town Council having read the Highways comments and referring to our previous response to PP/20/0160 we have no objection.”

LOCAL WARD COUNCILLOR COMMENTS

Cllr Eric Seward:

“The above application relates to technical (detailed) consent following outline planning permission (permitted on appeal) for residential dwellings on this site.

I am aware that there is a strong Environmental Health objection on the grounds of loss of amenity value for potential occupiers of residential dwellings due to the proximity of a nearby

poultry farm. How this objection is now addressed is matter for planning officers to determine. My comments at this stage are:

- The EHO objection does not address the appeal decision in PF/17/0902 (a similar case at another site in North Walsham) where the Inspector found against the Council's decision to refuse and also awarded costs against the Council.
- Whether, given the EHO objection, a noise and odour report is now required from the applicant.

I also recognise given the EHO's concerns that this application could be recommended for refusal. I do not believe, given the history of this planning case, that it should be determined by officers but should come before the Development Committee if a refusal is recommended. In order to protect this position I therefore as a local member 'Call In' the application. The grounds are:

'Residential development in principle is permitted on the site. Further, there are no grounds on the basis of design of dwellings, landscaping and environmental considerations for this application to be refused'."

CONSULTATIONS:

Environmental Health Officer: Objection.

Conservation and Design Officer: No objection, subject to conditions.

Ecology Officer: No objection, subject to conditions.

Tree Officer: No objection, subject to conditions.

Norfolk County Council Highway Authority: No objection, subject to conditions.

Norfolk County Council Lead Local Flood Authority: Development falls below threshold for comments.

Norfolk County Council Minerals and Waste: No objection – Refer to comments provided for PP/20/0160.

Environment Agency: Concerns raised.

Internal Drainage Board: No comment.

REPRESENTATIONS:

One letter of objection, from Banham Poultry (2018) Limited (operators of the neighbouring Bluebell Farm) was received as summarised below:

- The adjoining poultry farm was built around 1980 and is subject to the Environmental Permitting Regulations due to the high risk of environmental impacts.
- The site has received numerous odour and noise complaints over a number of years. Increased odour complaints have been received following the recently permitted

residential conversions. The proposed development would result in new dwellings being located in closer proximity to the poultry farm.

- The farm is operating at Best Available Techniques (BAT) and there is no ability to mitigate any impacts further.
- The development proposed would not be integrated effectively with existing businesses as required by the National Planning Policy Framework.
- The development would result in adverse impacts upon the operations of an existing and well established business. This would result in the potential loss of economic activity, both for the site and wider area. There would be climate change considerations should the farms operations be restricted due to the proposed development.

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, refusal 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

RELEVANT POLICIES:

North Norfolk Local Development Framework Core Strategy (September 2008):

Policy SS 1 (Spatial Strategy for North Norfolk)
Policy SS 2 (Development in the Countryside)
Policy SS 4 (Environment)
Policy SS 5 (Economy)
Policy SS 6 (Access and Infrastructure)
Policy SS 10 (North Walsham)
Policy HO 1 (Dwelling Mix and Type)
Policy HO 7 (Making the Most Efficient Use of Land (Housing Density))
Policy EN 2 (Protection and Enhancement of Landscape and Settlement Character)
Policy EN 4 (Design)
Policy EN 6 (Sustainable Construction and Energy Efficiency)
Policy EN 8 (Protecting and Enhancing the Historic Environment)

Policy EN 9 (Biodiversity & Geology)
Policy EN 10 (Development and Flood Risk)
Policy EN 13 (Pollution and Hazard Prevention and Minimisation)
Policy CT 5 (The Transport Impact of New Development)
Policy CT 6 (Parking Provision)

Minerals and Waste Development Framework - Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026

Policy CS16 (Safeguarding mineral and waste sites and mineral resources)

Material Considerations:

Supplementary Planning Documents and Guidance:

Design Guide Supplementary Planning Document (December 2008)
North Norfolk Landscape Character Assessment (January 2021)
North Norfolk Landscape Sensitivity Assessment (January 2021)

National Planning Policy Framework (2021):

Chapter 2 (Achieving sustainable development)
Chapter 4 (Decision-making)
Chapter 5 (Delivering a sufficient supply of homes)
Chapter 6 (Building a strong, competitive economy)
Chapter 8 (Promoting healthy and safe communities)
Chapter 9 (Promoting sustainable transport)
Chapter 11 (Making effective 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)

Other material documents/guidance:

Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy - Habitats Regulations Assessment Strategy Document (2021)
Natural England National Character Areas – 78 Central North Norfolk (2014)
Technical housing standards – nationally described space standard (March 2015)

BACKGROUND

On 01 June 2018, a new route for obtaining planning permission via an application became available for most small, housing-led developments: an application for Permission in Principle (PIP) followed by an application for Technical Details Consent (TDC). Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed. The granting of technical details consent has the effect of granting planning permission for the development.

The requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 apply in that PIP and TDC applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

Permission in principle was allowed on appeal for between 1no and 4no. dwellings at this site on the 24.08.2021. This followed the refusal of PIP application reference PP/20/0160, which was determined by the Development Committee on 14.01.2021. The current proposals are for the subsequent Technical Details Consent (TDC) in relation to this PIP.

An application for technical details consent must be in accordance with the permission in principle that is specified by the applicant. The requirements that apply to decisions on other types of application for planning permission also apply, including that the decision must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise (Planning Practice Guidance - Paragraphs: 003 Reference ID: 58-003-20190615 and 015 Reference ID: 58-015-20170728).

A TDC must cover the whole of the PIP development and separate TDC applications for different phases cannot be made (Paragraph: 019 Reference ID: 58-019-20180615). Conditions can be attached to a TDC provided they meet the relevant tests (Paragraph: 021 Reference ID: 58-021-20170728).

It should be borne in mind that a TDC should not reconsider the acceptability in principle of the type of development, in the location and up to the maximum specified in the PIP.

SITE DESCRIPTION

The application site is located on the eastern side of Bacton Road on the north eastern edge of the settlement of North Walsham. The site contains an existing steel frame former agricultural/commercial building whilst the site also extends across a large area of woodland along the eastern side of Bacton Road, which is subject to a tree preservation order.

OFFICER ASSESSMENT:

MAIN ISSUES FOR CONSIDERATION

- 1. Background and Principle of Development**
- 2. Impact on the Character of the Area/ design**
- 3. Impact on Heritage Assets**
- 4. Housing Mix**
- 5. Ecology and Trees**
- 6. Habitats Regulations**
- 7. Residential Amenities**
- 8. Highways and Parking**
- 9. Waste and Refuse**
- 10. Flood Risk and Surface Water Drainage**
- 11. Contaminated Land**
- 12. Energy Efficiency**
- 13. Other Matters**
- 14. Planning Balance/Conclusion**

1. Background and the permission in principle

Permission in principle (PIP) was granted (on appeal) in August 2021 where it was considered that given its location, land use and amount of development proposed, development comprising a minimum of one and a maximum of four dwellings was considered acceptable for the site. Although the PIP did not grant any type of planning permission (because of the operation of sections 336, 70(2ZZZA) and (2ZZZB) of the Town and Country Planning Act 1990, the allowing of the PIP established the acceptability in principle of the type of development, in the location and up to the maximum specified in the PIP.

The relationship between the TDC and the PIP is set out in the Background section above. Officers consider that the PIP and the Inspector's Decision have settled all issues around the application of Core Strategy Policies SS1 and SS2.

A detailed assessment of the other pertinent matters, having regard to other relevant policies of the Development Plan is set out below. As part of the assessment below, due regard has been given to the Inspector's Decision and the details of the permission in principle.

2. Impact on the character of the area/ design

Policy SS 4 states that all development proposals will contribute to the delivery of sustainable development, ensuring protection and enhancement of natural and built environmental assets and geodiversity. Policy EN 2 seeks amongst other matters to ensure that development be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment. Proposals should demonstrate that their scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area, distinctive settlement character and the setting of, and views from, Conservation Areas.

Core Strategy Policy EN 4 states that all development will be of a high quality design and reinforce local distinctiveness. Design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable.

The existing building within the site is not considered to make a positive contribution to the character and appearance of the area. The proposed design of the dwellings has sought to represent an agricultural barn style building. The dwellings would be single storey and would be sited within the existing historic walled garden on the adjoining Grade II Listed Melbourne House. Vehicular parking and private garden areas would be provided on either side of the centrally located building. Public views into the site would be limited, whilst fleeting glimpses through the entrance from Bacton Road may be afforded. The scale of the dwellings would be appropriate in the context of the surrounding development where there can be found a mix of single and two storey buildings.

Following amendments to the proposals, the design of the dwellings would be acceptable, albeit that the number, design and scale of openings would undermine to a degree the agricultural character being sought through the scheme. The proposed materials are considered to be acceptable on balance, albeit that an alternative brick choice could better reflect the North Norfolk context.

A covered bike and bin store is proposed at the entrance to the walled enclosure. To ensure that this structure has an acceptable appearance in this prominent location, conditions can be used to secure further details.

The development would therefore accord with Policies EN 2 and EN 4 in respect of these matters.

3. Impact on heritage assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) places a duty on Local Planning Authorities to have special regard to the desirability of preserving a Listed Building, or its setting, or any features of special architectural or historic interest it possesses.

Policy EN 8 of the Core Strategy states that development proposals should preserve or enhance the character and appearance of designated assets, historic buildings/structures, monuments, landscapes and their settings through high quality, sensitive design. Where required, development proposals affecting sites of known archaeological interest will be required to include an assessment of their implications and ensure that provision is made for the preservation of important archaeological remains. This policy also seeks to ensure that the character and appearance of Conservation Areas is preserved, and where possible enhanced, encouraging the highest quality building design, townscape creation and landscaping in keeping with these defined areas.

It should be noted that the strict '*no harm permissible*' clause in Local Plan Policy EN 8 is not in full conformity with the guidance contained in the latest version of the National Planning Policy Framework (2021). As a result, in considering the proposal for this site, the Local Planning Authority will need to take into consideration the guidance contained within Section 16 of the NPPF as a material consideration. A number of these requirements are alluded to below, including the requirement to balance any less than substantial harm to a designated heritage asset against the public benefits of the development.

Paragraph 194 of the NPPF state that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 202 of the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 203 states that effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

The Inspector made clear within their decision relating to the PIP appeal that the development would provide an opportunity to enhance the setting of the Grade II List Melbourne House (paragraph 28). The Inspector confirmed that the detailed consideration of the layout and design of the proposals were a matter for the TDC stage.

Following requests from officers in light of the requirements set out within paragraph 194 of the NPPF, the proposals have been supported by a Heritage Impact Assessment prepared by Alfie Robinson. This assessment found that the development would both preserve and enhance the value of the historic environment.

The removal of the existing large storage shed and its replacement with the single-storey form of development is something which is broadly welcomed in heritage terms. This would ensure that the new building is appropriately subservient to the 'principal' listed house. In addition to the main listed building itself, the development would be located within the former walled garden to Melbourne House. Whether or not the brick walls which frame this space are technically 'accessory' structures to the 'principal' listed building, they are nonetheless associated with it and contribute to its overall significance and wider setting. If not listed as part of the principle building, these walls would qualify as non-designated heritage assets. The removal of the large existing building within the site would aid with the visual appreciation of this walled enclosure and its association to the listed building.

Following amendments to the design of the dwellings and the treatment of the historic wall, and whilst some reservations about the proposed design remain, the Conservation Officer is satisfied that the development would have an acceptable impact upon the affected heritage assets. Conditions are suggested to ensure that the development is carried out in an acceptable manner.

It is considered, having regard to the points made above, and having due regard for the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that the proposals would accord with the requirements of Core Strategy Policy EN 8, the relevant guidance contained within Section 16 of the National Planning Policy Framework, and that contained within the North Norfolk Design Guide.

4. Housing Mix

Policy HO 1 states that unless demonstrated that a proposal will address a specific identified local need for sheltered/supported accommodation, for all new housing developments of three or four dwellings, at least one dwelling shall comprise not more than 70sqm internal floor space and incorporate two bedrooms or fewer.

The supporting text for this policy highlights that through the Strategic Housing Market Assessment (SHMA), there is an identified preponderance of larger, detached dwellings in the existing housing stock. One of the aims of this policy is to help address the imbalance and support the provision of smaller homes

Following receipt of amended plans, the proposed development would provide one two bedroomed dwelling (Plot 4) with an internal floor area of 70sqm in line with the policy requirements. The remaining dwellings would each have three bedrooms and have floor areas ranging from 118sqm to 132sqm. All of the proposed dwellings would exceed the minimum gross internal floor areas set out within the Governments Technical housing standards – nationally described space standard document.

The development would therefore accord with the requirements of Policy HO 1 in respect to these matters.

5. Ecology and Trees (Including Habitats Regulations)

The Council has a duty under the Natural Environment and Rural Communities Act 2006 to have full regard to the purpose of conserving biodiversity which extends to being mindful of the legislation that considers protected species and their habitats and to the impact of the development upon sites designated for their ecological interest.

Core Strategy Policy SS 4 states that 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. Policy EN 2 states that development should protect, conserve and, where possible, enhance distinctive landscape features, such as woodland, trees and field boundaries, and their function as ecological corridors for dispersal of wildlife.

Policy EN 9 States that all development should protect the biodiversity value of land and buildings and minimise the fragmentation of habitats, maximise opportunities for restoration, enhancement and connection of natural habitats and incorporate beneficial biodiversity conservation features where appropriate. Proposals which cause a direct or indirect adverse effect to nationally designated sites, other designated areas or protected species will not be permitted unless:

- they cannot be located on alternative sites that would cause less or no harm;
- the benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats; and
- prevention, mitigation and compensation measures are provided.

The policy also states that development proposals that would be significantly detrimental to the nature conservation interests of nationally designated sites will not be permitted.

Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 180 states that when determining planning applications, significant harm to biodiversity should be avoided, adequately mitigated, or, as a last resort, compensated for. Should this not be possible, then permission should be refused. Opportunities to incorporate biodiversity improvement in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Following a request from officers, the application has been supported by a Protected Species Survey which has been prepared by Glaven Ecology. The report found that the site lies within the Site of Special Scientific Interest (SSSI) Impact Risk Zone for Southrepps Common, however the development type does not fall into a category requiring further consultation with Natural England. The existing building was assessed as having negligible potential for bats, with minimal roosting opportunities noted. The report sets of a number of mitigation and enhancement measures. Conditions can be used to secure such matters should the application be approved.

Trees

The front section of the application site, which comprises of an area of woodland, is covered by a Tree Preservation Order. This TDC application has been supported by an Arboricultural Impact Assessment (AIA) which considers the impact of the proposed development upon existing trees at the site, including those subject to the preservation order.

The AIA confirms that the development would not require tree removals to accommodate the construction of the proposed four dwellings. A minor breach of the root area for T25 would occur, however the existing built form means that tree roots are unlikely to be present. It is however suggested that precautionary root pruning take place. The proposed foot path would be constructed using no dig methods and a section detail has been provided to support this element of the development.

The AIA sets out within paragraph 3.6.1 that a tree protection plan would need to be submitted prior to works commencing. In addition to this, an arboricultural method statement would also be required. Such details could be secured via condition should the application be approved.

Subject to such conditions, the development would accord with Policies EN 2, EN 4 and EN 9 in respect to the arboricultural matters.

6. Habitats Regulations

Nutrient Neutrality

Long-term nutrient pollution has led to adverse impacts upon designated Habitats Sites to the extent that the condition of some sites, including The Broads Special Area of Conservation (SAC) and Ramsar site, are no longer considered to be favourable. Nutrient neutrality guidance was issued by Natural England on 16th March 2022 requiring competent authorities to ensure that any planning applications proposing a net gain in overnight accommodation (e.g. new dwellings) must evidence that there will be no net increase in nutrient loads (nitrates and phosphates) within an affected catchment area as a result of the proposal; i.e. that the development would be nutrient neutral. As the competent authority, North Norfolk District Council is required to have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended). Where the Local Planning Authority cannot lawfully conclude that development within the catchment of The Broads Special Area of Conservation and Ramsar site will not have an adverse effect, permission would have to be refused. However, where there is sufficient evidence to rule out likely significant effects, permission can be granted.

Whilst the application site lies within the catchment area for The Broads Special Area of Conservation (SAC) and Ramsar site, further work on behalf of the Norfolk Authorities by Royal Haskoning has identified that foul flows from the North Walsham area do not discharge into the catchment but travel north to waste water treatment works at Mundesley and therefore discharge outside of the catchment. Foul flows from the development would not therefore have an adverse effect on The Broads Special Area of Conservation (SAC) and Ramsar site. The application can therefore be screened out under the Habitats Regs in relation to nutrient neutrality.

GIRAMS

Since this application was initially submitted, the Norfolk wide Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) has been adopted and agreed between the Norfolk planning authorities and Natural England. The Strategy enables growth in the District by implementing the required mitigation to address adverse effects on the integrity of Habitats Sites arising from recreational disturbance caused by an increased level of recreational use on internationally designated Habitat Sites, particularly European sites, through growth from all qualifying development.

The GIRAM Strategy is a strategic approach to ensure no adverse effects are caused to European sites across Norfolk, either alone or in-combination from qualifying developments. Taking a coordinated approach to mitigation has benefits and efficiencies and ensures that developers and the Local Planning Authorities (LPA) meet with the Conservation of Habitats and Species Regulations 2017 (as amended).

The application site falls within the Broads Sites, East Coast Sites, North Coast Sites, North Valley Fens and The Wash Zones of Influence as defined within the strategy. Increased recreation without mitigation is likely to affect the integrity of these Habitat Sites across Norfolk. It would result in the significant features of the sites being degraded or lost, and these internationally important areas losing significant important areas for birds, plants and wildlife generally and, therefore, their designations.

All new net residential and tourism development are required to mitigate the effects of the development and show how this will be achieved before approval of planning permission. The tariff is collectively set at £185.93 per net new residential dwelling and is index linked. In relation to this application, the tariff required is £743.72.

The applicant has been provided with a copy of the GIRAMS report, alongside the Council's letter and Section S111 form which provides further details of the requirements. The required £743.72 tariff has not been received, neither has the applicant demonstrated that this development would not have localised and in-combination effects and ensure no adverse impact on the European sites.

Under the Conservation of Habitats and Species Regulations 2017 (as amended)., the Local Planning Authority as competent authority has considered the guidance and advice from Natural England in relation qualifying development under GIRAMS. On the basis that the proposal will result in four net new dwellings and in the absence of evidence to rule out likely significant effects and in the absence of suitable mitigation measures to address likely significant effects from the proposed development, the Local Planning Authority cannot reasonably conclude it is satisfied that there is no reasonable doubt as to the absence of adverse effects on the integrity of European sites in relation to GIRAMS. The proposal therefore does not accord with Core Strategy policies SS 4 and EN 9.

7. Residential Amenities

Existing Neighbours

Policy EN 4 of the Core Strategy states that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers. Paragraph 130 of the NPPF states that developments should create places with a high standard of amenity for existing and future users.

Paragraph 3.3.10 of the North Norfolk Design Guide states that residents have the right to adequate privacy levels, nor should new development lead to any overbearing impacts upon existing dwellings. Existing residents should also be kept free from excessive noise and unwanted social contact. In order to ensure a degree of privacy between neighbouring properties guidance minimum separation distances are set out within this section of the document.

The Aviary, the closest existing dwelling to the application site lies approximately 16 metres from the southern elevation of Plot 1. The removal of the existing industrial building from within the application site and the erection of the single storey dwellings would result in a better 'built form' relationship between the site and this existing dwelling. The proposed dwellings would be sited at a greater distance from the site boundary and would reduce any overbearing impacts currently experienced.

The proposals would introduce glazing which would look south towards existing dwellings, however given that the proposals are single storey in height, coupled with existing and proposed boundary treatments, the privacy of these existing properties would not be adversely impacted upon. There are significant ground level changes between the site and neighbouring dwellings however it is not envisioned that these would give rise to significant harm. Careful consideration should be given to boundary treatments as the current separating close-boarded fencing is visually unappealing. Conditions can be used to secure details of boundary treatments should the application be approved.

There are a number of other residential dwellings to the south of the site, however due to the intervening distances and boundaries, it is not considered that the proposed development would result in significantly detrimental effects upon residential amenities of these nearby properties.

The developments impact upon neighbouring businesses are considered further within the 'other matters' section below.

Future Occupiers

Policy EN 4 of the Core Strategy states that new dwellings should provide acceptable residential amenity. Policy EN 13 states that all development should minimise and reduce forms of pollution and development will only be permitted where there are not unacceptable impacts on general amenity, health and safety of the public and air quality, amongst other matters.

Paragraph 130 of the NPPF states that developments should create places with a high standard of amenity for existing and future users. Paragraph 174 states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Paragraph 185 states that planning decisions should ensure new development is appropriate for its location taking into account the likely effects of pollution on health and living conditions.

Paragraph 3.3.9 of the North Norfolk Design Guide states that dwellings should include refuse disposal and recycling storage facilities, drying areas and access to outdoor amenity space.

Internally, dwellings should have not less than 20 square metres of habitable floor area. Paragraph 3.3.10 states that residents have the right to adequate privacy levels and to be kept free from excessive noise.

Paragraph 14 of the Inspectors Appeal Decision for Permission in Principle Application PP/20/0160 states:

“The Council have identified other areas of concern including matters associated with residential amenity and highway safety. However, Permission in Principle allows for development up to a maximum number of units. Detailed design and layout are matters to be resolved at a later date, when Technical Details are provided. There is no substantive evidence before me to demonstrate that a suitably designed development, albeit that it may have to be below the maximum proposed by the appellants, could not be located within the site, and it is only when details are provided at a later date that this matter can be resolved. I note that this accords with the approach taken by the main parties.”

Paragraph 15 continues to acknowledge that the Council accepted that, on the evidence provided, the site could accommodate up to four residential units and the main issue of dispute (*in respect of the appeal*) relates primarily to the suitability of the location for housing.

The main area of concern relating to the future residential amenities of the occupiers of the proposed dwellings are the impacts associated with the existing neighbouring Bluebell Poultry Farm which adjoins the application site and which has permission for 150,000 birds. This farm's operations are subject to a permit issued by the Environment Agency. The Environment Agency permit regime relates to poultry farms housing 40,000 birds or more. This is due to the known higher risks in terms of environmental pollution and nuisances associated with 'intensive' farms.

Following requests for further information to support the proposed development from Officers, the application was subsequently supported by the following reports:

- Ammonia, Dust and Odour Assessment prepared by Create Consulting Engineers Limited
- Ammonia Assessment – Addendum prepared by Create Consulting Engineers Limited
- Noise Impact Assessment Report prepared by Climate Acoustics
- Light Pollution Report prepared by unknown author

Ammonia/Dust and Odour

The applicant's Ammonia, Dust and Odour Assessment was undertaken by Create Consulting Engineers and was subsequently supported by an Addendum. Ammonia monitoring was conducted between 18th January 2022 and 15th March 2022. The report concludes that based on this data, the levels of ammonia emitted from Bluebell Farm are well below the relevant thresholds and that this existing use is no concern to existing and future sensitive receptors, and no mitigation is required.

Dust Monitoring was undertaken between 20th January 2022 and the 5th March, using a single dust monitor placed on the south-east boundary of the site. The report found that dust concentrations detected as part of this monitoring would not cause discomfort or have any

dust-related effects on future site users. This is based upon the 24-hour average detached dust concentrations being below the relevant thresholds alongside meteorological data.

Olfactometric odour surveys were undertaken on 18th January 2022, 1st February 2022, 15th February 2022, 1st March 2022 and 15th March 2022. The 15th February 2022 survey was invalid due to unfavourable meteorological conditions experienced. The olfactometric surveys show that there was only one recognisable odour, 'Farmyard/Cheese' detected at one location at the site and thus, the report concludes that it is not persistent. The report continues to state that ordinary sensitive receptors are unlikely to notice odour under ordinary conditions. The report concludes that the odours detected during these surveys would not cause discomfort to future site users due to the unrecognisable status of them overall as per the relevant guidance.

These reports have been considered by the Council's Environmental Protection Team alongside the Environment Agency, the later of whom is responsible for the permitting of Bluebell Farm. The Environment Agency raised issues in particular with the assessment relating to odour. The Environmental Protection Team raised concerns with the assessments in the reports. They have visited the poultry farm and have observed the operations which take place during the production cycle.. These concerns largely relate to the limited scope of the assessments which were undertaken during colder months, with favourable wind conditions, which were not representative of the location of the proposed dwellings, and did not consider the cycled operations of the poultry farm. The data collected during the surveys has then been taken to be representative of the conditions likely to be experienced during the whole year. No/limited consideration has been given to the actual operations which take place at the farm and no 'worst case scenario' has been presented/considered as would be expected as part of an assessment of this nature. Consequently, the reports do not provide a fully representative or typical assessment of the onsite odour and dusts conditions throughout the year, which the occupants of the proposed dwellings would experience.

The concerns raised by the Environment Agency and the Environmental Protection Officer in respect to the impacts to sensitive users are supported by the records of complaints received regarding the farm from existing surrounding residents. As a permitted site, the Environment Agency oversee the majority of complaints raised regarding the poultry farm. During 2021 our records indicate the Environment Agency received 14 complaints relating to odour, whilst the Environmental Protection Team also received 4 complaints relating to odour. Since January 2022 to date (13-07-2022), the Council's records indicate the Environment Agency have received 10 complaints, whilst the Environmental Protection Team have received 2 complaints relating to odour. Two odour complaints were received by the Environmental Protection Team in 2020 with further complaints dating back to 2008 (records from pre-2008 are no longer retained).

The submitted Ammonia, Dust and Odour Assessment has not provided sufficient information in order to demonstrate that the development would provide acceptable residential amenity in respect to such matters as required by Policy EN 4. Furthermore, as required by Policy EN 13 it has not been demonstrated that the development would not result in unacceptable impacts on general amenity, health and safety of the public and air quality. These requirements are also reflective of paragraph 130 of the NPPF aims to create places with a high standard of amenity for existing and future users and paragraph 174 requirements that decisions should prevent new development from being put at unacceptable risk from, or being adversely affected by, unacceptable levels air pollution.

Noise

The applicant's Noise Impact Assessment was undertaken by Climate Acoustics. Unattended noise measurements were taken from areas within and adjoining the application site between 16th and 21st December 2021. As a result of this data, the report highlights that the noise from the poultry farm would result in significant adverse daytime and night-time impacts if unmitigated. Mitigation measures in the form of acoustic glazing and Mechanical Ventilation with Heat Recovery (MVHR) are proposed within the report. The report concludes that acceptable noise levels could be achieved with such mitigation in place and when windows are closed.

Comments from the Environmental Protection Officer highlight the weakness of the assessments made given the limited range of the data provided and used to inform the assessments. Similar to the odour considerations set out above, the data was collected during a time when ventilation fans within the poultry farm would not have been fully operational, i.e. during warmer conditions. Furthermore, the assessments do not provide a representative or a typical noise climate, including a worst-case scenario, that any future residents of the proposed dwellings would experience. The assessment is limited to the roof fans operating minimally at a cold time of year, the transport of poultry feed and the use of hopper silos on the site. These noise emitting operations are not reflective of the full site conditions or the wide ranging and extensive activities which take place at the site. Such conditions and activities include:

- 90 side inlets/vents per poultry shed;
- 18 roof fans per shed (108 in total), which run continuously between April and September and intermittently at other times;
- 2 large Alpha 48" fans per poultry shed (12 in total);
- Vehicular movements and idling engines associated with the poultry production cycle, including the catching/loading phase;
- Use of machinery, including forklifts;
- Operations at the site outside of 'normal' working hours and during weekends and bank holidays. Catching/loading phase takes place overnight for animal welfare reasons;

The assessments do not consider the tonal element (i.e., whine, hiss, screech, hum, etc) of the noise-making activity/equipment, the intermittent nature of the noise (i.e., cutting in and out, etc), the impulsivity (i.e., bangs, clicks, clatters, thumps, etc) and any other features identified which would then incur a correction penalty to each specific sound/noise-making activity. The Environmental Protection Team would expect that all corrections applied for these features are fully justified and reasons given for their inclusion or exclusion. However, there is a significant degree of reliance on the limited range of data provided from the unattended sound measurement results. Consequently, the resulting noise levels provided are likely to be inaccurate and potentially considerably lower than would actually be experienced in reality, particularly during warmer times of year and during more intensive phases of the production cycle. Accordingly, the merits of any proposed mitigation are limited and would not address the impacts of the unreported noise making activities which take place on the Poultry Farm site on such a regular basis.

Whilst odour complaints have been more frequently received regarding the farm, noise complaints have also been raised. Again as a permitted site, complaints received by North

Norfolk District Council have been referred onto the Environment Agency as sites regulatory authority.

The submitted Noise Impact Assessment has not provided sufficient information in order to demonstrate that the development would provide acceptable residential amenity in respect to such matters as required by Policy EN 4. Furthermore, as required by Policy EN 13 it has not been demonstrated that the development would not result in unacceptable impacts on general amenity and health and safety of the public. These requirements are also reflective of paragraph 130 of the NPPF aims to create places with a high standard of amenity for existing and future users and paragraph 174 requirements that decisions should prevent new development from being put at unacceptable risk from, or being adversely affected by, unacceptable levels noise pollution.

Lighting

The applicant has submitted a Light Pollution Report in support of their development. This provides six photographs taken in two locations distanced from the main part of the application site (i.e. the proposed location of the dwellings). This report concludes that no adverse impacts would result from the proposed development.

The extent of the report is limited to photos of areas surrounding the application site taken at 16:30 and 18:30 on the 26th January 2022. The assessment does not consider the impact of artificial light used during the activities which take place at the site, including the associated vehicular movements. The report does not provide any quantitative evidence to support its findings and there is no reference to relevant standards or guidance.

The submitted Light Pollution Report has not provided sufficient information in order to demonstrate that the development would provide acceptable residential amenity in respect to such matters as required by Policy EN 4. Furthermore, as required by Policy EN 13 it has not been demonstrated that the development would not result in unacceptable impacts on general amenity and health and safety of the public. These requirements are also reflective of paragraph 130 of the NPPF aims to create places with a high standard of amenity for existing and future users.

Pests

Pest problems associated with poultry (and pig) farms include rodents and insects (flying insects) are well documented. Properties in close proximity to poultry farms often incur problems associated with migrating and expanding pest populations, providing further harbourage and searching for food. Pests move indiscriminately between filthy and clean surfaces, transmitting bacteria, viruses and diseases and cause damage to properties and additional distress to residents.

The siting of the proposed dwellings would be in close proximity to the adjacent poultry farm and would be at increased risk from amenity loss and pest problems arising from rodents (rats and mice) and flying insects (flies). The applicant has not provided any details assessing this matter, which would potentially highlight requirements for mitigation. A comprehensive assessment is requested to ensure that pest prevention and management features are

incorporated into all aspects, including the siting, design, construction, drainage and waste/refuse storage facilities at the proposed dwellings.

The decision in PF/17/0902

In his consultation response, Councillor Seward commented on the Environmental Health objection and referred to appeal decision in PF/17/0902, where the Inspector found against the Council's decision to refuse planning permission and also awarded costs against the Council. There are three key differences with this application.

- First, in PF/17/0902 there was no recent evidence of noise or odour complaints from any nearby occupiers. Here there is such evidence.
- Second, in PF/17/0902 there was an acoustic report which showed the noise from the poultry farm fell below background daytime noise levels and significantly below the World Health Organisation's recommended levels for internal spaces. Here, the applicant's acoustic report shows that noise from the poultry farm would result in significant adverse daytime and night-time impacts if unmitigated; and there is evidence the merits of the proposed mitigation are limited.
- Third, in PF/17/0902 there was no detailed substantiation provided by the Environmental Health Officer. Here, the Environmental Protection Team have provided detailed substantiation, including based on having visited the poultry farm and observed its operations. There is also substantiation on some issues provided by the Environment Agency.

Officers consider that the Technical Details Consent application before Committee is not alike to the appeal case PF/17/0902 cited by Cllr Seward. The Committee should give little or no weight to that matter when making its decision.

Garden sizes

The PIP established that, in principle, a maximum of four units could be developed on the site. The Inspector stated that a "suitably designed development" may have to be below the maximum proposed by the appellant and that this should be resolved "when details are provided at a later date".

Paragraph 3.3.9 of the North Norfolk Design Guide states that dwellings should include drying areas and access to outdoor amenity space. Paragraph 3.3.10 states that residents have the right to adequate privacy levels and that private garden areas should be of adequate size and shape to serve their intended purpose. They should be substantially free from shading and are recommended to be of an area equal or greater than the footprint of the dwelling they serve.

As noted above, the proposed dwellings would have internal floor areas ranging from 118sqm to 132sqm. The proposed rear private garden spaces proposed for Plot 1 would accord with the guidance above, providing 146sqm of external amenity space, albeit that it would likely experience significant shading during the late afternoon/evening given the proximity to existing mature trees. Plots 2 – 4 however would all provide external amenity spaces below the recommended levels. In the case of Plot 4, only 43sqm of external amenity space would be provided comparative to its 70 sqm internal floorspace.

No further amenity space is proposed within the application site to serve the proposed dwellings, and whilst there are areas of public open space within a 10-minute walk of the site, these may not be attractive alternative options to all future occupiers. The conflict with guidance and the shortfall in the proposed external amenity space sizes has not been justified through the submission. It is considered that this matter would compound the poor quality amenities being proposed for the future occupants of the dwellings having regard to the issues raised above.

Summary

It is understood that the poultry farm is already employing best practicable means (BPM) according to their regulator, the Environment Agency. This means that the Poultry Farm are already employing every available means of mitigating or reducing the extent of the issues on site and cannot do any more to improve conditions for the application site. Consequently, were the application to be approved, based upon the above, the proposals have not demonstrated that the future residents would not be subject to high levels of adverse noise, odour, dust and pest impacts and that these levels would not have adverse health implications for residents.

In light of the issues described above, insufficient information has been received in order to demonstrate that the development proposed would provide acceptable residential amenities having regard to such matters, as required by Policies EN 4 and EN 13 of the Core Strategy as well as the guidance set out within paragraphs 130 and 174 of the NPPF.

8. Highways and parking

Policy CT 5 requires amongst other matters that all development provide safe and convenient access for all modes of transport, including access to the highway network. Policy CT 6 requires adequate vehicle parking facilities to be provided by the developer to serve the needs of the proposed development. Development proposals should make provision for vehicle parking in accordance with the Council's parking standards, including provision for people with disabilities.

Paragraph 111 of the NPPF states that development 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. Paragraph 112 of the NPPF states that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second, so far as possible, facilitate access to high quality public transport.

Vehicular access to the site would be via the existing gated entrance from Bacton Road which serves the existing building within the site as well as parking areas serving neighbouring dwellings. The proposals seek permission for a 1.5-metre-wide footpath which would extend from the proposed built form through the woodland, out onto the access track serving Melbourne House. Pedestrians would then be required to either walk along the grass verge, or cross the Bacton Road at a diagonal in order to join the existing footpath network which extends into the town. The proposed off-site footway creation/improvements put forward under application PP/20/0160 and shown on 03/002D do not form part of this Technical Details Consent application.

In terms of vehicular parking, the Council's parking standards require 2 spaces for 2 or 3 bedroom units. Based on the mix of housing proposed, the development would need provide 8 vehicular parking spaces in total. In this instance the proposals seek to provide 8 spaces, 2 for each of the four dwellings. Consequently, the development would accord with the required standards in respect to vehicular parking.

Policy CT 6 requires development proposals make provision for cycle parking in accordance with the Council's parking standards. The standards set out that for individual houses, provision could be accommodated within garages or within sheds in rear gardens. No garages are proposed and external access to the rear gardens for Plots 2 and 3 would not be possible. Consequently, the applicant has proposed a covered communal area for cycle parking. Limited information has been provided of this structure and given its separated siting from the Plots, the design would need to demonstrate that it would provide secure parking provision. Achieving a secure and covered bike store would ensure that this is an attractive feature which would be used by residents, helping to reduce the reliance upon the use of private car. Further details of this provision can be required by planning condition.

Having considered the proposed development, the Highway Authority raise no objection to the proposed development, subject to a number of conditions. These include a requirement to keep visibility splays clear and for the footpath to be provided prior to occupation of any of the dwellings. Subject to conditions, the development would accord with the requirements of Policies CT 5 and CT 6 of the Core Strategy.

9) Waste and refuse

Policy EN 6 seeks to ensure that adequate provision for separation and storage of waste and recycling is made. Paragraph 3.5.5 of the North Norfolk Design Guide states that sufficient covered external space should be provided to house wheelie bins. These structures should be conveniently located and be designed as an integral of a scheme utilising compatible materials.

The proposals seek to provide a shared covered bin/bike store at the entrance of the site. This location will require occupiers of the development to drag bins to and from the kerbside on collection day. Further details of the design and materials of the bin store structure are required in line with the requirements set out within the Design Guidance referenced above. These details can be suitably secured via planning conditions.

Subject to such conditions, the development would accord with the requirement of Core Strategy Policy EN 6 and the relevant sections of the North Norfolk Design Guide.

10. Flood risk and surface water drainage

Policy EN 10 of the Core Strategy states that the sequential test will be applied rigorously across North Norfolk and most new development should be located in Flood Risk Zone 1. This policy also states that appropriate surface water drainage arrangements for dealing with surface water runoff from new development will be required. The use of Sustainable Drainage Systems will be the preference unless, following an adequate assessment, soil conditions and / or engineering feasibility dictate otherwise.

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). The Planning Practice Guidance details what sort of sustainable drainage system should be considered. Generally, the aim should be to discharge surface run-off as high up the following hierarchy of drainage options as reasonably practicable. This is 1) Into the ground (infiltration); 2) To a surface water body; 3) To a surface water sewer, highway drain or another drainage system; 4) To a combined sewer. This hierarchy follows the same order of priority of Approved Document H3 of the Building Regulations.

The application site lies within Flood Zone 1 and is therefore at the lowest risk of flooding with no known historic instances of such.

Following request for further information in respect of surface water management from officers, a SUDS Statement and Surface Water Drainage Strategy was subsequently submitted. This report has had regard to the sites existing surface water management and proposes a new strategy. This consists of infiltration drainage, including the use of an underground geo-cellular soakaway tank and permeable road surfacing. The report concludes that the development would reduce the overall flood risk at the site, provide adequate pollution mitigation and incorporate a sustainable surface water drainage strategy.

The report confirms that the maintenance and management of the tank and the main access road surface would be undertaken by a private management company. The private/shared permeable road drainage system would be the responsibility of the Plot owners. A Maintenance Regime is set out within Section 5.4 of the report which may need to be updated once the final detailed design is agreed. Such details can be conditioned as part of any approval of this application.

Subject to conditions securing the details of the report and the future management and maintenance of the surface water drainage system, the development would accord with Core Strategy Policy EN 10 and the guidance provided within Section 14 of the NPPF.

11. Contaminated land

Policy EN 13 of the Core Strategy states that all developments should minimise, and where possible reduce, all emissions and other forms of pollution, and ensure no deterioration in water quality. Development proposals on contaminated land (or where there is reason to suspect contamination) must include an assessment of the extent of contamination and any possible risks. Proposals will only be permitted where the land is, or is made, suitable for the proposed use.

Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing development from contributing to or being put at risk from unacceptable levels of pollution; along with remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 183 states that planning policies and decisions should ensure that sites are suitable for the proposed use, taking account of ground conditions and risks arising from contamination.

Following a request for further contamination information from officers, the application has been supported by an Interpretive Desk Study. This information was required as the Council's records note historic agricultural use of the land and traditionally, historical agricultural

practices have incorporated waste disposal practices which have caused land contamination issues. Furthermore, historical records indicate the presence of a “tank” on the site and current visual records show evidence of waste storage on site.

The Environmental Protection Team have reviewed the Study and largely concur with its findings, albeit consider that the contamination risks are higher than presented within the Study. Notwithstanding this, as set out within chapter 7.2 of the Interpretive Desk Study, intrusive investigations across the site will be required, following the demolition of existing structures. This further information can be suitably secured via planning condition should the application gain approval.

Subject to conditions securing phase 2 intrusive investigations and any subsequent remedial actions, the development would accord with the requirements of Policy EN 13 of the Core Strategy.

12. Energy Efficiency

Policy EN 6 states that new development will be required to demonstrate how it minimises resource and energy consumption and how it is located and designed to withstand the longer term impacts of climate change. All developments are encouraged to incorporate on site renewable and / or decentralised renewable or low carbon energy sources, and regard should be given to the North Norfolk Design Guide in consideration the most appropriate technology for the site.

The initial proposals included solar panels on the rear, south facing roofslope of the dwellings, however for design reasons, these were removed during the consideration of the application. The latest proposals seek to utilise photovoltaic roof tiles and air source heat pumps. These are welcome additions to the scheme which would support the use of low carbon energy sources and provide on-site renewable energy generation. Given the contribution that an uninterrupted roofslope provides when attempting to create a ‘barn-like’ building, the visual appearance of the roof tiles would need to be carefully considered. These details, along with further information of the air source heat pumps can be suitably secured via conditions.

Subject to such conditions, the development would accord with the requirements of Policy EN 6 of the Core Strategy.

13. Other Matters

Impact on existing neighbouring business

Paragraph 187 of the NPPF states that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.

The conclusions reached in relation to amenity matters would strongly suggest that by allowing the proposed development, a statutory nuisance could well arise given the operations of the

neighbouring poultry farm. At this stage, the applicant has not proposed any credible mitigation for the proposed dwelling for the impacts from the poultry farm. Without appropriate mitigation, a significant conflict would likely arise. This would conflict with the NPPF paragraph above and would likely have significant social and economic impacts locally and wider afield. The poultry farm is a well-established business which employs a number of staff, whilst supporting other associated industries. The business also forms part of the essential food infrastructure for the UK, a key issue which is currently receiving significant media attention.

There is real concern that in allowing this development, the farm would face significant pressures to mitigate/reduce its existing operations, options which are likely to not be possible or viable. The operator of the farm, alongside the Environment Agency have highlighted these concerns. Paragraph 188 of the NPPF highlights that planning decisions should focus on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities. These matters are relevant in this case as the Environment Agency have confirmed that Bluebell Farm is operating at best practicable means (BPM) and is currently compliant with their EA permit. This means that the farm would unlikely be able to mitigate any adverse impacts, should further complaints arise, including from the occupants of the proposed development.

Therefore, at this stage in light of the shortcomings of the noise, odour and lighting reports submitted with this application, the applicant has not demonstrated that the proposed development would not adversely impact upon the operations and viability of the adjoining existing business. Consequently, the development would be contrary to paragraph 187 of the NPPF and, if permitted, could eventually result in significant conflict between land uses. The social and economic impacts of such conflict could be significant having both local and wider ranging effects.

14. Planning Balance/Conclusion

Following amendments to the proposed design of the dwellings and subject to conditions, the removal of the existing building within the site and its replacement of a single storey barn-like building would not harm the significance of the Grade II Listed Melbourne House or the character and appearance of the area. Minor benefits would result of the loss of the exiting building and the reinstatement and exposure of the historic walled enclosure.

Safe access would be provided via the sites existing entrance from Bacton Road and an internal footpath would provide a better/safer route for occupants to access the facilities and services within North Walsham by foot/cycle. The trees within the application site would be adequately protected, whilst minor gains for on-site biodiversity could be achieved via conditions. Conditions could also secure appropriate contaminated land investigation and remediation, once the existing building has been safely removed. Subject to conditions, a suitable surface water drainage scheme and means of on-site renewable energy generation would be provided in line with the relevant requirements.

The proposals have however not demonstrated that the future occupants of the proposed dwellings would be provided with acceptable residential amenities. The submitted reports are not considered to accurately represent the full impacts that the adjoining poultry farm would

have upon future occupants of these dwellings. These issues relate to odour, noise, dust, lighting and pests. The external amenity spaces proposed for the dwellings would also fall below the relevant standards and guidance in respect to such matters.

The proposals have not demonstrated that the development could be integrated effectively with the adjoining existing businesses contrary to the requirements of the NPPF.

Finally, the application has not demonstrated that this development would not have localised and in-combination effects and ensure no adverse impact on the European Protected ecological/biodiversity sites having regard to the GIRAMS report. In the absence of evidence to rule out likely significant effects and in the absence of suitable mitigation measures to address likely significant effects, the proposal would conflict with the legal requirements placed on the Local Planning Authority as competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended).

Having regard to the matters above, the harms identified would outweigh the benefits associated with the development. The proposals conflict with the Development Plan and there are no material considerations which would indicate that other than in accordance with such plan. Refusal of this Technical Details Consent is therefore recommended.

RECOMMENDATION:

REFUSE for the following reasons:

- 1. The application has failed to demonstrate that future occupants of the proposed dwellings would be provided with high quality residential amenities having regard to matters such as odour, noise, dust, lighting and pests which are associated with the adjoining poultry farm. Furthermore, the proposed development would fail to provide external amenities in accordance with relevant guidance resulting in deficient levels of useable private amenity space. When considered together, the proposed development would result in compromised internal and external environments for use by occupiers of the proposed dwellings contrary to Policies EN 4 and EN 13 of the of the North Norfolk Local Development Framework Core Strategy (September 2008), Chapters 12 and 15 of the National Planning Policy Framework (2021) and Chapter 3 of the North Norfolk Design Guide Supplementary Planning Document (December 2008).**
- 2. The application has failed to demonstrate that it could be integrated effectively with the existing adjoining poultry farm business, or that unreasonable restrictions would not be placed upon this existing business as a result of development permitted after it was established. Given the shortcomings of the submitted odour, noise, dust, lighting assessments and the lack of consideration given to pests, suitable mitigation has not been proposed by the applicant (or 'agent of change'). Therefore, the proposed development would be contrary to the requirements of Paragraph 187 of the National Planning Policy Framework (2021).**

3. The Local Planning Authority considers that the proposed development falls within the Broads Sites, East Coast Sites, North Coast Sites, North Valley Fens and The Wash Zones of Influence and affects European Designations as set out in the Norfolk Green Infrastructure and Recreational Impact Avoidance Mitigation Strategy. The application has failed to demonstrate that the proposed development would not result in adverse effects, either alone or in combination on the integrity of European Sites arising as a result of the development including in relation to recreational disturbance. In the absence of evidence to rule out likely significant effects and in the absence of suitable mitigation measures to address likely significant effects, the proposal is contrary to the requirements of Policies SS 4 and EN 9 of the North Norfolk Core Strategy (September 2008) and approval of the application would conflict with the legal requirements placed on the Local Planning Authority as competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended).

Informative(s)

- 1 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:-
 - proactively offering a pre-application advice (in accordance with paragraphs 39 - 46);
 - seeking further information following receipt of the application;
 - seeking amendments to the proposed development following receipt of the application;
 - considering the imposition of conditions (in accordance with paragraphs 54-57).

In this instance:

- the Applicant was updated of any issues after the initial site visit;
- additional information was requested by officers, some of which was submitted by the Applicant and has been given due consideration;

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

The final wording of the above reasons for refusal and informative notes to be delegated to the Assistant Director – Planning.

This page is intentionally left blank

BINHAM – PF/21/2926 – Two storey side/rear extension to dwelling, 87 Warham Road, Binham, for Mr & Mrs Wales

Householder application

Target Date: 28th December 2021

Extension of Time: 01st Nov 2022

Case Officer: Colin Reuben

Full Planning Permission

RELEVANT SITE CONSTRAINTS

- Landscape Character Area
- SFRA – Areas Susceptible to Groundwater Flooding
- LDF – Countryside
- Conservation Area
- LDF Tourism Asset Zone
- C Road

RELEVANT PLANNING HISTORY

PF/19/2153: Two-storey rear and single storey side extensions – approved 06/10/2020

THE APPLICATION

A two-storey extension to the south side of the existing detached dwelling is proposed. It would project beyond the rear elevation of the main part of the dwelling. Following consideration of the application at Development Committee on 20th January 2022, the proposed extension has been re-designed to include a reduction in overall length of the extension, along with a small decrease in height, re-design/re-positioning of fenestration and a slight set-back of the linking central section on both the east(rear) and west (front) elevations. The walls of the extension would mainly be clad with vertical timber boarding whilst the roof covering would be reclaimed pantiles.

REASONS FOR REFERRAL TO COMMITTEE

This item was deferred from the previous Development Committee meeting held on 20th January 2022, to enable further discussion between officers and the applicant relating to the materials and positioning of the extension in relation to the existing building – this has taken place and a resolution now reached, to be put before committee again.

PARISH/TOWN COUNCIL

Binham Parish Council: Support.

The PC consider the proposed extension is sympathetic to the surrounding landscape and conservation area. The proposed extension is in character and complimentary to the existing building and; would not over dominate in the surrounding landscape. It is understood that materials to be used will maintain the character of the building and be in keeping with the vernacular style of the area.

Due to the rural location of the property, the PC ask that consideration is given to the impact of any additional lighting sources to wildlife and preserving a dark skies environment.

As the property is located on one of the main busy roads through the village the PC ask that every effort is made by the contractors to park on site as opposed to the highway and to implement traffic management and supervision of traffic and during deliveries to the site for safety reasons.

CONSULTATIONS

Conservation & Design Officer (NNDC) – No Objection subject to conditions

Substantive reservations remain regarding form and impact of the proposed extension, however, it is considered that the amendments made now prevent a sustainable objection being put forward.

Cumulatively, it is acknowledged that the foreshortening of the main cross wing, and the narrowing and lowering of the connecting link would reduce the overall impact of the new build. Therefore, mindful of its position on site, and the partial screening provided by the boundary wall and tree, it is considered that the gains to be had from securing the optimum viable use of the dwelling would now outweigh the residual harm caused to the overall significance of the Binham Conservation Area.

Request provision of tile and boarding samples.

REPRESENTATIONS

None received.

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):

SS 1 - Spatial Strategy for North Norfolk
SS 2 - Development in the Countryside
HO 8 - House extensions and replacement dwellings in the Countryside
EN 4 - Design
EN 8 - Protecting and enhancing the historic environment
CT 5 – The Transport Impact of New Development
CT 6 – Parking Provision

National Planning Policy Framework (NPPF):

Chapter 2 – Achieving sustainable development
Chapter 4 – Decision-making
Chapter 12 - Achieving well-designed places
Chapter 16 - Conserving and enhancing the historic environment

Supplementary Planning Documents

North Norfolk Design Guide – Supplementary Planning Document (2008)

MAIN ISSUES FOR CONSIDERATION

1. **Principle of development: *policies SS 1, SS 2 and HO 8***
2. **The effect on the character and appearance of the existing dwelling and the Binham Conservation Area: *policies HO 8, EN 4 and EN 8***
3. **The effect on the living conditions of the occupiers of neighbouring dwellings: *policy EN 4***
4. **Highway safety and parking: *policies CT 5 and CT 6***
5. **Responding to a Climate Emergency**

1. Principle of development

The property, a detached two-storey house, is situated within designated Countryside under policy SS 1. Policy SS 2 lists the types of development that can be acceptable in principle within the Countryside and these include extensions to existing dwellings. The proposed development is therefore acceptable in principle and complies with Policies SS 1 and SS 2. To be acceptable overall however, the proposed development must comply with all other relevant development plan policies unless material considerations indicate otherwise.

2. Effect on the character and appearance of the existing dwelling and the Binham Conservation Area

Policy EN 4 states that all development will be designed to a high quality, and design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable. Development proposals such as extensions and

alterations to existing dwellings are expected to have regard to the North Norfolk Design Guide, which as a Supplementary Planning Document is a material consideration.

The North Norfolk Design Guide gives clear guidance regarding the appropriate design of extensions. The scale of an extension should ensure that the architectural character of the original building is not harmed and remains dominant. Extensions should use forms, detailing and materials which are compatible with the original building.

The property is located within the Binham Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, places a statutory duty on local planning authorities in respect of proposed development with a conservation area and states "*special attention shall be made to the desirability of preserving or enhancing the character or appearance of that area*". This is broadly reflected in the requirements of policy EN 8.

Policy HO 8 indicates proposals to extend existing dwellings within the Countryside will be permitted provided that the proposal would not result in a disproportionately large increase in the height or scale of the original dwelling, and would not materially increase the impact of the dwelling on the appearance of the surrounding countryside.

Previous Scheme

The proposed extension was identical to that first submitted under a previous application (PF/19/2153). The Conservation & Design officer's comments on the 2019 application (which are equally relevant now given there is no difference in what is proposed) were as follows:

'The property is of mid-19th century origin and stands gable end-on to Warham Road. It features a 'politely' detailed front elevation facing west and a vernacular rear elevation under a traditional catslide roof facing east. Although not of special architectural or historical interest, it is nonetheless an attractive and prominent property, which makes a positive contribution to the form and character of this part of Binham.

'Against this context, it is difficult to see how Conservation & Design can possibly support this application. By virtue of its size, form, design and materials, it is considered that the proposed new build would neither be compatible with or subservient to the existing building and would thus fail to accord with some of the principles contained in section 3.6 of the North Norfolk Design Guide'.

'More specifically, the concerns can be summarised as follows: -

- The extension would 'plug' directly into the south-facing gable where it would compete directly with the existing building.
- Notwithstanding its largely glazed connection, and the slight setback at first floor level on its western side, there would be no meaningful separation between the existing and proposed elements. Instead, it would finish flush with the 'polite' face of building and feature matching ridge and eaves heights.
- The addition would introduce a new cross wing which would not only be longer than the existing building but which would also be discordant with its simple linear form. It would also completely mask the existing building when viewed from the garden and agricultural land to the south.
- Elevationally, the new build would feature contrasting timber cladding and relatively plain window styles. Whilst such a divergent approach can be successful, it

requires clear separation from the host building. In this case, the addition would be conjoined rather than separate and would not be viewed as its own discrete entity’.

‘For these reasons, and because both sides of the property are visible from public vantage points, the only conclusion is that the proposed development would have a detrimental impact upon its appearance and character, and thus would result in harm being caused to the overall significance of the wider designated heritage asset. Therefore, unless there are other material planning considerations or public benefits accruing from the proposals to outweigh the identified harm, the application would need to be refused in accordance with paras 193 & 196 of the NPPF, as well as Policies EN4 and EN8 of the Core Strategy.’

Officers subsequently advised that the recommendation for the previous scheme in 2019 would be one of refusal, which led to a series of amendments, eventually resulting in approval in October 2020. The approved scheme was substantially different to that first submitted, with amongst other things, the side extension reduced to a single storey. Even as amended however, the approved scheme was considered less than ideal in design terms and the conservation officer’s view was that it was questionable as to whether it would actually preserve the appearance and character of the existing building or the overall significance of the wider conservation area. The recommendation to approve the application was finely balanced, as whilst there was still harm, it was considered to be very low.

Current Application

Under the current application, as originally submitted, and as presented at the previous Development Committee meeting in January 2022, the proposed extension was not considered to be subservient in terms of its scale and would have appeared as an incongruous addition, completely at odds with the traditional design of the dwelling’s principal elevation.

Due to its overall scale and massing, height, appearance (including proposed materials) and its expanse across the side of the dwelling, with the projection to the rear, it was considered that the proposal would be an unacceptable form of development which would be out of keeping with the form and character of the original dwelling. Whilst the principle elevation of the dwelling sits side-on to Warham Road and the extension would be sited predominantly to the side and rear of the property, given the orientation of the dwelling, the extension would be visible from the road, albeit set back, and was considered to have a detrimental visual impact in the street scene.

Since deferral from the previous Development Committee meeting, a number of amendments to the design have been made, which are summarised as follows:

- A reduction in the overall ridgeline height by approx. 0.2m.
- A reduction in the width of north/south extension by approx. 0.7m and a reduction in depth of the extension east/west by approx. 1.3m.
- A re-design/rationalisation of the southern elevation with a large barn-style opening and small ground floor window
- Reduction in glazing on the south elevation and introduction of brick either side of the glazing.
- A degree of set-back of the extension from the main front elevation of the dwelling.
- A reduction in glazing on the east elevation, shallower roof slope and smaller lean-to addition.

There remain some residual reservations about the proposed extensions, in particular it’s overall form and size, and the arrangement on the east side with a higher eaves line and small

lean-to which perhaps doesn't link as well. However overall, when balancing this with the positive amendments made overall, the recessed position of the extension, and partial screening provided by the boundary wall and trees, it is considered that the proposed development is now acceptable in respect of design and resultant impact upon the Conservation Area.

3. The effect on the living conditions of the occupiers of neighbouring dwellings

Policy EN 4 of the Core Strategy and the North Norfolk Design Guide requires that proposed development must not significantly impact upon the residential amenities of the occupiers of nearby dwellings in respect of light, privacy and disturbance.

It is considered that there would be no material effects on the occupiers of the closest dwellings and the proposed development would adequately safeguard residential amenity in accordance with Policy EN 4 and the North Norfolk Design Guide.

4. Highway safety and parking

The proposed extensions and alterations to the dwelling would not have any material effects in terms of access, parking arrangements and highway safety. The proposal therefore complies with Policies CT 5 and CT 6.

5. Responding to a Climate Emergency

No Specific information has been provided by the applicant setting out how the proposal would respond positively to a climate emergency. The proposal would be reliant on adherence to Building Regulation requirements.

CONCLUSION:

The amendments to the design that have been achieved are now considered to result in an on balance, acceptable scheme, which is broadly compliant with the aims of the relevant Development Plan policies. The recommendation is therefore one of conditional approval.

RECOMMENDATION:

APPROVE subject to the imposition of the following summarised conditions:

- 1. Time limit for implementation (3 years)**
- 2. In accordance with approved plans**
- 3. Brick, tile and boarding samples to be agreed prior to installation**

Any other conditions considered necessary, and final wording of conditions, to be delegated to the Assistant Director – Planning.

DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – OCT 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 30 Sept 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 30 Sept 2022).

Performance Measure	Actual Performance	Target	Comments
Decision Notices (Up to 30 Sept 2022)	Major 1 decision issued within time period 100% within time period	60% (80% NNDC)	24 month average to 30 Sept 2022 is 87.50%
	Non-Major 62 decisions issued 95.16% within time period	70% (90% NNDC)	24 month average to 30 Sept 2022 is 80.38.%
Validation (Up to 30 Sept 2022)	258 applications registered 225 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 4 S106 Obligations in the process of being completed, 2 of which are yet to receive a resolution to approve. 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.**

This page is intentionally left blank

SCHEDULE OF S106 AGREEMENTS

UPDATE FOR DEVELOPMENT COMMITTEE:

27 October 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	Bruno Fraga da costa	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

This page is intentionally left blank

OFFICERS' REPORTS TO DEVELOPMENT COMMITTEE 27 OCTOBER 2022

APPEALS SECTION

NEW APPEALS

NO NEW APPEALS STARTED

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~~ – Re-scheduled again to 24th-26th January 2023

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~~ – Re-scheduled again to 24th-26th January 2023

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~~ – Re-scheduled again to 24th-26th January 2023

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

(and RV/21/2645 linked with the above) - Removal of Condition 3 of planning permission PF/13/1048 the condition to be simply deleted and not included in the the new permission

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

For Mr & Mrs Kerrison

INQUIRY

THURNING – ENF/19/0307 - Appeal against breach of planning control
(and CL/20/2055 linked with the above) - Certificate of lawfulness for existing use of "The Office"
at Courtyard Barn as a residential dwelling (C3)
The Office, Roundabout Farm, Hindolveston Road, Thurning, NR20 5QS
For Mr & Mrs Kerrison
INQUIRY

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

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

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

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

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

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/21/3265 - 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
APPEAL DISMISSED 04.10.22

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
APPEAL DISMISSED 12.10.22