

# Development Committee



**Please contact:** Lauren Gregory

**Please email:** [lauren.gregory@north-norfolk.gov.uk](mailto:lauren.gregory@north-norfolk.gov.uk) Direct Dial: 01263 516108

**TO REGISTER TO SPEAK PLEASE SEE BOX BELOW**

Wednesday, 14 December 2022

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 22 December 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](mailto: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 J Toye

**Substitutes:** Mr A Yiasimi, 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, Dr C Stockton, Mr E Vardy and Mr H Blathwayt

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](mailto:districtcouncil@north-norfolk.gov.uk) **Web site** [www.north-norfolk.gov.uk](http://www.north-norfolk.gov.uk)

## A G E N D A

<b>PLEASE NOTE: THE ORDER OF BUSINESS MAY BE CHANGED AT THE DISCRETION OF THE CHAIRMAN</b>
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### **PUBLIC BUSINESS**

**1. CHAIRMAN'S INTRODUCTIONS**

**2. TO RECEIVE APOLOGIES FOR ABSENCE**

**3. SUBSTITUTES**

**4. MINUTES**

(Pages 1 - 18)

To approve as a correct record the Minutes of a meeting of the Committee held on Thursday 24<sup>th</sup> November 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 19 - 24)

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. LANGHAM - PF/21/2186 - CHANGE OF USE OF LAND TO STORAGE OF CARAVANS AND BOATS, SITING OF 39 STORAGE CONTAINERS, SITING OF PORTABLE BUILDING FOR OFFICE USE AND ERECTION OF BOUNDARY FENCE. LAND ON, LANGHAM ROAD, LANGHAM, NORFOLK**

(Pages 25 - 44)

**9. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE**

(Pages 45 - 48)

**10. APPEALS SECTION**

(Pages 49 - 54)

- (a) New Appeals
- (b) Inquiries and Hearings – Progress
- (c) Written Representations Appeals – In Hand
- (d) Appeal Decisions
- (e) Court Cases – Progress and Results

**11. 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**

**12. ANY URGENT EXEMPT BUSINESS**

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

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## DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 24 November 2022 in the Council Chamber - Council Offices at 9.30 am

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

Cllr A Brown	Cllr P Fisher
Cllr A Fitch-Tillett	Cllr V Holliday
Cllr R Kershaw	Cllr G Mancini-Boyle
Cllr N Pearce	Cllr A Varley
Cllr L Withington	

**Substitute Members Present :** Cllr J Toye

**Officers in Attendance:** Assistant Director for Planning (ADP)  
Development Manager (DM)  
Development Management Team Leader (DMTL)  
Senior Landscape Officer (SLO)  
Democratic Services Officer – Regulatory  
Democratic Services Officer – Scrutiny

**Also in attendance:** Cllr V Fitzpatrick (Local Member for Item 8)

### 60 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr N Lloyd, Cllr M Taylor and Cllr A Yiasimi.

### 61 SUBSTITUTES

Cllr J Toye was present as a substitute for Cllr N Lloyd.

### 62 MINUTES

The minutes of the Development Committee meeting held Thursday 27<sup>th</sup> October were approved as a correct record.

### 63 ITEMS OF URGENT BUSINESS

None.

### 64 DECLARATIONS OF INTEREST

Cllr R Kershaw declared a non-pecuniary interest in Item 8 (PF/20/0523 and PO/20/0524) and advised that he had been lobbied by the Parish Council and the business.

The Chairman advised that all Committee Members had been in receipt of both correspondence.

65 GREAT RYBURGH - PF/20/0523 (APPLICATION 1) - CONSTRUCTION OF 15 NO. GRAIN SILOS AND 1 NO. 5,574 SQM (60,000SQFT) WAREHOUSE WITH ASSOCIATED DRAINAGE, ACCESS AND EXTERNAL LIGHTING

GREAT RYBURGH - PO/20/0524 (APPLICATION 2) - HYBRID APPLICATION FOR CREATION OF HGV ACCESS ROAD TO SERVE AN EXPANDED CRISP MALTINGS GROUP SITE (FULL PLANNING PERMISSION) AND CONSTRUCTION OF BUILDINGS AND STRUCTURES REQUIRED TO INCREASE THE MAXIMUM OUTPUT TONNAGE OF MALT OF THE MALTINGS SITE IN ANY ONE CALENDAR YEAR TO 175,000 TONNES (CURRENTLY 115,000 TONNES) (OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS).

**SITE: LAND NORTH OF FAKENHAM ROAD, GREAT RYBURGH, FAKENHAM.  
APPLICANT: ANGLIA MALTINGS (HOLDINGS) LTD**

The DM introduced the Officers Report and recommendation for approval subject to conditions for Planning Applications PF/20/0523 and PO/20/0524.

He commented that these were complex proposals as set out in the Officers report, the six accompanying appendices and a set of draft planning conditions which were supplied to Members of the Committee prior to the meeting.

#### **Updates**

The DM updated Members that further representation had been received from the Environment Agency on 21<sup>st</sup> November, confirming that guidance issued by Natural England to the Local Planning Authorities (LPAs) in March advising that a Nutrient Neutrality approach should be used in certain planning decisions, was not replicated for applications under the environmental permitting regime. Applications under the environmental permitting regime for discharge to a watercourse were already subject to assessment and modelling of the ecological impacts on the receiving waterbody and catchment.

The Environment Agency (EA) advised, as the Competent Authority in respect of environmental permitting, the existing HRA is considered adequate for discharges up to the permitted volumes and until such time as any variation is applied for. The EA's position was therefore one of no objection but Officers suggested appropriate conditions linked to surface water.

The DM further updated that a late representation had been received from Natural England on 16<sup>th</sup> November. Natural England indicated that they require further information in order to determine the significance of impacts and the scope for mitigation. The following information was required:

1. An update to the Council's HRA which records North Norfolk District Council's conclusion as to whether an adverse effect on integrity will occur as a result of the development proposals, and
2. Any necessary conditions or limitations that need to be secured to avoid any adverse effects on integrity and/or mitigation measures.

Without this information, Natural England have indicated that they may need to object to the proposal.

The DM stated, since receiving the response from Natural England, Officers had

provided Natural England with a copy of the Committee report and appendices, a copy of the draft conditions and further comments from the Council's ecologist. Officers had been unable to secure updated comments from Natural England, despite Officers attempts to obtain a response. The DM reiterated the Officer recommendation, set out on pages 88 and 89 of the agenda, requesting delegated approval subject to no objection from Natural England in relation to Habitats Regulations matters or subject to Natural England being comfortable with the Council as competent authority to discharge its duties under the Habitats Regulations.

The DM noted that one further letter of representation had been received on 22<sup>nd</sup> November from Mr Rundle, which had been circulated to Members of the Committee. The DM stated that whilst many of the issues contained within the letter from Mr Rundle were captured within the public representations set out across pages 23 to 29 of the agenda, the representations set out that the author of the letter did not agree with the Officer assessment that the departure from the Development Plan in relation to Landscape and extensions to business were outweighed by material planning considerations in favour in terms of the balance of pros and cons. The DM advised it was for Members of the Committee to consider and weigh up the various competing issues and apply a planning judgement.

The DM noted the comments from Ryburgh Parish Council objecting to the proposals were set out on page 22 of the agenda, and a full copy of their comments were attached at Appendix A (pages 91 to 95) which included photographs of traffic in the village.

**The DM outlined the main considerations for the proposals were:**

**Principle** (Page 34) set out key policy considerations.

**Ryburgh Neighbourhood Plan** (Page 35) set out the status of the neighbourhood plan and the relevant policies applicable to these applications.

**Environmental Statement** (Page 35) set out the context of the EIA Regulations for these applications.

**HRA** (Page 37) set out a summary of the issues that have been considered linked to the potential impact of the proposals on the River Wensum Special Area of Conservation and Site of Special Scientific Interest. HRA matters had been a significant factor leading to delays in determination of the applications with additional information and updates provided across multiple stages.

Officers considered that subject to the imposition of conditions, a conclusion of no adverse effect on the integrity of a European site (in this case the River Wensum SAC) can be reached. However, the DM set out in relation to updates, Natural England require further information to enable them to remove any objections and stated this is reflected in the Officer recommendation.

**Responding to the Climate Emergency** (Page 42) The DM advised that much work had been undertaken by the applicant resulting in a Sustainability Statement submitted in October 2022 (Appendix D pages 177 to 184 of the agenda). He affirmed that the Committee will recognise it was important to turn words into actions and the commitments set out in the sustainability statement will be secured through suggested planning conditions. Officers considered substantial positive weight should be afforded to these commitments.

**Extensions to existing businesses in the Countryside** (Page 50) Officers considered that the proposals did not accord with the aims of this policy because of the detrimental effect the proposal would have on the landscape character, are considered in Section 8.

**Highway safety** (Page 51) The DM advised that the Highway Authority had indicated their overall support for the proposals as a whole but this support was subject to securing Traffic Regulation Orders to limit HGV traffic through the village, limiting when certain aspects of the scheme can be delivered as part of a phasing plan, ensuring existing off-site storage activities within the village cease when the warehouse is first used and on the basis that the benefit of the HGV access road is delivered as early as possible to reduce impacts within the village centre.

The measures would be secured through a combination of planning conditions and legal agreements. Discussions were ongoing in the preparation of planning conditions and drafting of the S106 Obligation to ensure the Highway Authority objectives enabling support of the proposals were met including the requirements of the CIL regulations.

**Impact on landscape** (Page 60) whilst lighting impacts could be made acceptable through imposition of conditions, the report concluded landscape impacts contrary to the aims of Core Strategy Policy EN 2. These impacts weigh against the grant of planning permission as set out in the conclusions for each application.

**Noise Impacts** (Page 68) whilst the silos, warehouse, new access road and increase in output tonnage of malt would likely add additional noise sources, subject to the imposition of conditions to control activities on site, both applications would be capable of being made acceptable in planning terms and would accord with Development Plan Policy.

**Impact on Residential Amenity** (Page 71) when considered as a whole, the residential amenity impact of the development is in the main capable of being made acceptable in planning terms via planning conditions, legal obligations and traffic regulation orders. There were positive benefits through reductions in HGV traffic using Fakenham Road, Station Road and Bridge Road, to which significant weight should be given. However, the DM advised that these positive benefits overall need to be tempered by the impact of the warehouse for an extended period until landscape mitigation matures and as a result of the adverse impacts likely to arise as a result of the noise and disturbance impacts from the increase in the output tonnage of malt, including on the amenity value of the land along Highfield Lane.

**Surface Water Drainage** (Page 74) Officers consider that surface water drainage matters in relation to the applications are satisfactorily resolved and the required mitigation measures could be secured through the imposition of appropriate planning conditions.

**Impact on Ecology and Biodiversity** (Page 78) In the current form and based on the existing supporting information, notwithstanding the submission set out at Appendix F (pages 187 to 193) the Council's Landscape Officer (Ecology) considers that the development proposals for both applications would fail to accord with policy EN9 of the Core Strategy and other relevant local and national policies. Officers acknowledge the concerns raised by the Landscape Officer and consider that, through the use of a Grampian condition, it would be possible to secure the necessary ecological scheme with the aim to reduce impacts, remedy and



offset/compensate where impacts on ecological features are unavoidable. Conditions had been drafted on the basis of securing a % of biodiversity net gain. Officers would like to see a figure of 10% net gain but the applicant was yet to commit to that figure. Subject to securing an acceptable scheme, Officers considered on balance the proposal would be compliant with the objectives of Core Strategy Policy EN 9 and the general biodiversity objective set out within the Natural Environment and Rural Communities Act 2006.

**Phasing of Delivery** (Page 83) whilst it was envisaged that phasing matters would be secured by way of conditions, it was likely that this would be secured across both applications through S106 obligation, affecting the recommendations for both applications.

**Cumulative Impacts** (Page 84) The Environment Statement was submitted on the basis of both proposals occurring together and Officers considered that cumulative impact issues are appropriately assessed by the applicant. Conditions will be required to secure mitigation in line with agreed phasing plans.

**Material Planning Considerations** (Page 85) sets out the range of economic benefits associated with the applications and other benefits.

**Planning Balance** (Page 86) outlines the material considerations in favour and considerations against with indicated weight to be afforded.

## **Conclusion**

The DM stated that both PF/20/0523 and PO/20/0524 were significant planning applications which individually and cumulatively impacted the surrounding area, some impacts were considered negative and which would amount to a departure from the Development Plan, but many were considered positive impacts that would collectively attract sufficient positive weight to outweigh the conflicts with the Development Plan and thus enable the conditional grant of planning permission.

He affirmed that the applicant had provided a significant volume of information within the Environmental Statement and Addendum Jan 2021 and Addendum March 2022 and across supporting documentation. This additional information had helped address key matters, including those linked to the understanding of the impact of the scheme on the River Wensum (SAC, SSSI), particularly those impacts associated with the increase in output tonnage of malt from 115,000 tonnes in any one calendar year to 172,000 tonnes, such that a positive way forward had been identified with the assistance of DTA Ecology.

The DM advised, In order to grant permission, the Development Committee would need to be satisfied that North Norfolk District Council, as a competent authority under the Habitats Regulations, has properly exercised its duty to help protect, conserve and restore European sites. He stated that Officers offered assurance to the Development Committee that HRA matters had been properly addressed but this was subject to Natural England confirming their final position.

He commented that these applications represented a significant milestone in the history of the Crisp Maltings site at Great Ryburgh. Whilst Crisp have indicated ambitions to reduce environmental impacts, it was only right that, if permission was granted and operations significantly expand, that every effort was taken to secure commitments that ensure that expanded operations are undertaken in a way that reduces adverse impacts on the environment. The applicant's commitments set out

in the Sustainability Statement (October 2022) to be secured as part of the permission(s) would provide a robust framework for delivery of the identified 10 strategies including a Net Zero Strategy that will aid the transition to achieving net-zero carbon by 2050, in line with Government legislation. The DM advised that the applications were the first in the District to secure such commitments and the applicant should be commended for their stated ambitions in this regard. It was considered that the proposals will derive environmental benefits far beyond the application site and would help shape positive farming practices involved in all aspects of the production of barley to be used by the Maltings.

The DM concluded, taking all of the issues into consideration that Officers could make, on balance, a positive recommendation for both applications subject to conditions.

The DM went through the Officers presentation and established the location of the proposals, their relationship with surrounding landscape, site photos, planting mitigation scheme and various elevations.

### Public Speakers

Elizabeth Savory - Great Ryburgh Parish Council

Nina Basset – Objecting

David Holliday – Supporting

Rebecca Gee – Supporting

Stuart Sands – Supporting

Jim Papworth – Supporting

- i. The Local Member – Cllr V FitzPatrick – expressed his thanks to Officers and commended them for their efforts in bringing the proposals to Committee. He offered historical context for the site location, and stated that Great Ryburgh and the Maltings had grown together and existed in their current mutually beneficial forms because of each other. The Local Member considered the Maltings provided tremendous support in helping to establish and sustain the community shop and other community spaces.

He affirmed his support for the Officers recommendation for both applications, and encouraged Members to approve the applications subject to conditions for the following reasons; public benefit, economic development within North Norfolk and the wider East Anglian region, and a more sustainable production process, all of which outweighed the public harm.

The Local Member stated that the relief road would reduce the number of HGV movements through the village, and considered the applicant had made attempts to help improve the traffic situation. He accepted that there was some disagreement on the number of movements and degree of reduction, however considered that the road, which would cost the applicant several million pounds, along with the proposed traffic regulation orders, would result in a substantial reduction in HGV movements through Great Ryburgh and would by extension improve the local amenity of residents.

Cllr V FitzPatrick stated that he was most compelled by the economic argument, and was minded of the current economic crisis both nationally and globally. He argued that the applications would result in significant gains for North Norfolk and the region, and noted that Norfolk's climate was especially suitable to growing Maris Otter Barley. Further, the applications would

increase value-added processing, creating jobs in North Norfolk both at Crisp Maltings and across the supporting businesses. Crisp Maltings as part of a supply chain, was supported by local farmers; with the malt sold locally, nationally and globally, and noted that upwards of 280 farmers contributed to Crisp Maltings. The Local Member reflected that many food and drink processors made use of the Malt produced, and commented on the explosive growth of microbreweries in North Norfolk fuelled in part by the ready supply of good quality Malt. He considered such businesses to be local and sustainable, employing local people within their own communities. Further, those individuals associated with the Great Ryburgh Crisp Maltings site added to the economic prosperity of the region by spending money supporting other local businesses.

The Local Member considered the applications to be more sustainable, increasing output whilst using resources in a far more environmentally, and less resource intensive manner, with greater reuse of energy and water, and including the introduction of solar panels.

With regards to landscape matters, Cllr V FitzPatrick noted that the Maltings had existed as part of the landscape for 150 years and were well established, rather than an adjunct. The Maltings had changed over the years just as the other landscape artefacts have done.

Finally, the Local Member reflected on comments received from members of the public. He commented that whilst most of the representations were against the developments, some of the submissions were against the Maltings in general rather than the applications specifically. He noted that there was also a degree of support for the applications; a silent minority, as well as those who were indifferent to by the expansion (or otherwise) of the Maltings.

Cllr V FitzPatrick urged the Committee to support the delegated approval of the applications.

- ii. Cllr G Mancini-Boyle asked for clarification regarding the Natural England representation, as he considered the report to be misleading regarding Nutrient Neutrality. Additionally, he asked whether HGV vehicles would have to go through Ryburgh to gain access to the Crisp Malting site, should the access road be approved.
- iii. The DM advised that the Council had sought a response from Natural England following their 16<sup>th</sup> November communication. He stated that Members should not dismiss Natural England advice, but reiterated that it was the Council who were the relevant competent authority under the HRA. If the Council were to ignore Natural England's advice, its reasons must be justified. The DM commented that Members were asked to delegate authority to the ADP to make a decision, and in the interim Officers would continue discussions with Natural England to ensure they were satisfied with NNDC's ability to properly discharge its duties as a competent authority.
- iv. Cllr R Kershaw advised that he was familiar with the site as portfolio holder for sustainable growth, but this had not swayed his opinion. He was encouraged by the environmental considerations in the proposal, specifically around carbon reductions, water extraction within the existing license, and control of the amount of water in the seepage tanks. Further, he considered

the proposed new road and TRO critical in reducing traffic through the village. He questioned the differing of opinion with respect of whether the weigh bridge would be accessible from within the site.

Cllr R Kershaw acknowledged that these were complex applications, and was minded that through Crisp Maltings 180 local farmers were supported. He argued that there were not the alternate sites within North Norfolk for Crisp Maltings to move its operations to as an alternate, which would result in a loss of employment. Additionally, any relocation may result in increased mileage from local farms, whose climate were well suited to growing the Malt crop, to a processing site elsewhere.

Arguably, without investment the Maltings would likely close with the potential that the site to become a housing estate, which would lead to an increase of traffic. He expressed his support for the Officers report and so proposed acceptance of the Officers recommendation for approval subject to conditions.

- v. Cllr L Withington noted public representations and concerns about the weigh-bridge. She considered the impact on the river to be important, with SAC and SSSI status locally, and was pleased that the Council were continuing conversations with Natural England, as she would not wish for NNDC to ignore their suggestions. She considered the important cyclical nature of Crisp Maltings on the local economy across the district, and noted farmers within her ward contributed to Crisp Maltings, as well as those who were employed through their graduate programme. Cllr L Withington seconded the Officers recommendation.
- vi. The DM stated that, in addition to the new access road, there will be existing gates which will remain open, as addressed in the Officers report. The weigh-bridge was not located on site but adjoining traffic would need to move through the existing part of the site to go onto the weigh-bridge. He noted as part of the list of conditions for PF/20/0524, draft condition 34; The Crisp Maltings Traffic Plan, provided an effective way to ensure management and traffic control going into the site, encouraging HGV Vehicles and other traffic movements via the proposed new road.
- vii. Cllr P Heinrich acknowledged that these were a complex set of applications, and commended Officers for the detailed reports provided. He stated that there was widespread concern in Ryburgh regarding the expansion of the significant industrial site particularly on traffic and environmental grounds, and Members' need to be assured that all appropriate mitigations were in place if approved. Cllr P Heinrich noted the history of the site and area, stating that Crisp Maltings was a long established business, predating the arrival of many current residents of the village. He further commented that while it may not be the ideal site, it must be accepted that given the scale of the business a relocation of any or all operations to a completely new site within the District or elsewhere is not realistic. Crisp Malting had made clear that expansion was essential to their growth and to the many local farms producing malting barley. Additionally, the business supported the employment of agricultural workers, HGV drivers, farm supplies, agricultural engineers and well as others. The economic importance to North Norfolk and the county as a whole was highly significant, which he argued must be given considerable weight.

Cllr P Heinrich stated the importance that the landscape planting would be fast growing to support native species and provide an effective screen as rapidly as possible. He considered that while there will still be some level of intrusion into the landscape, he considered that this could be mitigated to an acceptable level. In addition, he stated that the proposed access road would reduce traffic in the village, and stressed the importance of the TRO to effectively restrict larger vehicles and in mitigating traffic problems.

Cllr P Heinrich stated he had some concerns over the potential impact on the upper Wensum, however noted that Officers were broadly content that these matters could be resolved and secured through conditions.

He concluded that this was perhaps the most controversial non-residential application to come before the committee, and that whilst the recommendations would require a departure from planned policy, he considered the economic argument could not be underestimated nor could the assurances from the business regarding not only mitigations but their overall environmental approach including working towards net zero carbon emissions. Cllr P Heinrich affirmed his support for the Officers recommendation and for the conditions outlined.

viii. Cllr P Fisher asked if the proposed new road would be private road or adopted by NCC, and how maintenance of the road could be guaranteed. He noted that prior road improvements had focused on the existing route, and noted the need to improve other junctions as a result of proposed change. He concluded that different types of road surfacing resulted in different sounds, with some being much louder than others. He asked if this could be considered within the final set of recommendations.

ix. The DM advised that traffic movements to the site currently travel from the east but, if the applications were granted, would come from the west. Regarding the adopted status of the road, The DM advised that it would remain a private road. He demonstrated this route on the map to Members.

The DM stated that one of the conditions outlined related to construction materials, and agreed that noise surfacing could impact on types and volume of noises. He confirmed that Officers would work with Crisp to ensure road finish was made as quiet as possible.

x. The Chairman asked if the road surface would be permeable. The DM advised that a hard finish would be required in accordance with the outlined scheme.

xi. Cllr J Toye thanked Officers for their report but expressed disappointment that the applicant could be considered to have paid lip-service to some of the environmental considerations. He noted 3 parts of the NPPF focused on cycling and walking, and yet this had not been discussed in the report once. Further, it had not been considered whether the old railway could be used as a cycle route for workers from Fakenham, only a few miles down the road, nor had any other methods of sustainable movement. Cllr J Toye considered the scheme could go further and acknowledged the Castle Maltings site in Belgium which utilised a large solar panel roof.

Whilst Norfolk was considered the right climate for malt barely, there was no specific merit in the site being located in Great Ryburgh as opposed to

another site in the area, perhaps making use of former airbases. The site didn't have to be located in Ryburgh to be North Norfolk produced, to ensure the continued use of the local barley, and to support local people.

He noted the use of language in the applicant's sustainability statement that they were 'considering' 'could include' or were 'in process of', which did not represent a guaranteed commitment to the environment, and he was unconvinced that Crisp Maltings were indeed committed. Whilst he considered the applications may be acceptable in planning terms, he stated he was undecided on the applications, and although he understood the economic benefits associated with the applications, he was unconvinced this was the right way forward for the scheme.

- xii. The DM advised that Crisp Maltings had set out its net-zero strategy commitment contained within the list of conditions, but agreed with Cllr J Toye that the Council would expect words to be turned into actions. He commended the applicant on their environmental ambitions and noted that this was the first application in the district to agree to net-zero as a planning condition.
- xiii. In response to questions from the Chairman, the DM advised that Officers had not focused on how Crisp Malting employees travelled to work, and contended that it was difficult to predict where employees may travel in from. There was no guarantee that workers would live in Fakenham and would therefore benefit from a cycle route.
- xiv. Cllr J Toye expressed his support for the current list of conditions but considered that more could be done.
- xv. The ADP advised that the application of Planning Policy was a matter of balance. He was uncertain what the government may seek to introduce through the 'Levelling Up Paper' in the New Year, and commented that the Committee and Officers could only form decisions on current policy and guidance for what was acceptable at the time in which the decision was made.
- xvi. Cllr N Pearce noted that these were extremely complex applications, and acknowledged both sides of the argument were very emotive. He stated that the village was located in the heart of an agricultural county and reflected that the business sought to expand its operations due to its success. Cllr N Pearce wished to congratulate Officers for their report, and for the extensive list of conditions detailed. He expressed his support for the applications which he believed would benefit the local economy.
- xvii. Cllr V Holliday stated, whilst understanding the positive impacts of the agribusiness on the local economy, she considered that the economic and highways benefits of the proposed development were overstated, and the residential amenity and landscape impacts understated. Cllr V Holliday commented that the residents should be listened to, and considered the landscape and environment should be put first.
- xviii. The Chairman permitted the objecting speaker, Ms Nina Basset, to make a further representation with regard to the proposed relief road.
- xix. The Chairman permitted Mr Stuart Sands, to make an additional

representation as a supporting speaker.

**IT WAS RESOLVED** by 11 votes for and 1 against.

**That Planning Application PF/20/0523 be APPROVED subject to conditions circulated to the Development Committee. Any other conditions considered necessary, and final wording of conditions, to be delegated to the Assistant Director – Planning.**

**IT WAS RESOLVED** by 11 votes for and 1 against.

**That Planning Application PO/20/0524 be APPROVED subject to conditions circulated to the Development Committee. Any other conditions considered necessary, and final wording of conditions, to be delegated to the Assistant Director – Planning.**

*The meeting took a break from 11.20am and resumed at 11.31am.*

*The DM left the meeting at 11.20am*

**66 WELLS-NEXT-THE-SEA - PF/21/3227 - TWO STOREY EXTENSION TO SIDE AND FIRST FLOOR EXTENSION OVER DETACHED GARAGE TO FORM HOLIDAY LET; SINGLE STOREY DETACHED BUILDING FOR USE AS HOLIDAY LET. MARSH TIDE, NORTHFIELD LANE, WELLS-NEXT-THE-SEA FOR MR JAMES ISSAC**

The DMTL introduced the Officers report and recommendation for approval subject to conditions. He noted that Planning Permission had previously been refused for an earlier proposal in June 2021, the reasons for refusal were outlined on P.195 of the agenda pack.

Whilst the proposal was considered contrary to NNDC Core Strategy policies SS1, SS2 and EC7, as the site was located within the area designated as countryside, Officers considered the application to be acceptable and determined that the conflict with these policies was not cited as a reason for refusal of the prior application. Further, it was therefore reasonable assume that the current application was acceptable in principle. He confirmed that the applicant had sought to address the prior reasons for refusal.

The DMTL advised that the site was related to the existing built up part of Wells-next-the-sea, designated as a secondary settlement, lying only 60 metres outside of the settlement boundary and within easy walking distance of the town centre. Officers considered that there would be no significant harm to the aim of the policies in approving this application subject to conditions.

He proceeded to go through the presentation detailing the sites location, an aerial photo, settlement boundary, site plans, elevations, views of the site, and main issues for consideration.

Public Speakers

Michelle Lyon – Supporting

- i. The Local Member – Cllr P Fisher, thanked Officers for their report and noted

that no objecting speakers or Members of the Town Council were present as a consequence of timing rather than lack of inclination or disinterest. He considered the proposal failed to accord with NNDC Core Strategy Policy EC7 and was also contrary to policies SS1 and SS2. Wells Town Council had commented on the previous application that it was located outside of the settlement boundary, but the application was refused by the Officer due to matters of height and scale of unit 2, use of external materials failing to comply with EN4, and use of glass on unit 1 which would create light pollution. Cllr P Fisher noted that the revised application sought to address these issues alone, however this failed to address the Town Council's prior objections. He noted that, as issues surrounding the boundary settlement had not been cited as a reason for refusal, it was considered by Officers that introducing this as a reason now was unreasonable and inconsistent; which he disagreed. Further, the Local Member considered that Wells-next-the-sea had a large proportion of holiday lets, and that the town did not require additional holiday accommodation. He drew Members attention to the representations and objections on p.196 from Landscape Officer and Norfolk Coast Partnership.

Cllr P Fisher disagreed with Highways lack of objection to the proposal and considered existing issues on Northfield lane which often had obstructed access due to the parking on vehicles by holiday makers. The Local Member stressed the importance to protect the AONB and considered that such boundaries were being eroded whether by bricks and mortar, noise or light and affirmed that he would be voting against the proposal.

- ii. Cllr A Fitch-Tillett considered that too much glass had been utilised on the eastern elevation of unit 2, and noted that this might adversely affect the migratory path of wild fowl. Further, she did not see any reference to flood zones within the Officer report and sought clarification of the sites status, noting prior issues of flooding in the area. She reiterated her role as Vice-Chairman of Norfolk Coast Partnership and expressed her support for the view of the landscape officer. Cllr A Fitch-Tillett relayed the importance of the AONB as detailed on p.197 of the agenda pack as a nationally designated site, and commented that she did not consider that this application preserved or enhanced the AONB.
- iii. Cllr A Varley sought clarification on the Officers conclusion and planning balance section, and asked the presenting Officer why the application had not previously, and was not currently, refused on basis of failure to accord with policies SS1, SS2 or EC7, and whether this was because Officers considered other matters were given greater weight.
- iv. The DMTL advised that Officers did not consider that harm would arise from a departure from policies for this application due to the sites close proximity, and easy access to the Town.
- v. The ADP advised that this was a departure from policies for the specific reason that the application site was outside of the settlement boundary in which it would normally be acceptable in principle. When departing from policy, it was important to consider the materiality of reasons raised, and with this application it was important to consider the distance from services and impact on surrounding buildings in the area. The ADP noted that Wells-next-the-sea was a service centre and was in easy walking distance from the proposed site.



The ADP commented that it may be considered unreasonable to raise a matter at a later stage having made an earlier refusal, but that this does not necessarily mean the Council should not consider the matter or decide it be a consideration in any refusal. However, it may be the case the applicant or appellant appeals for costs against the council because it is an issue which was previously raised when the application was refused. The ADP acknowledged that the applicant had worked hard to resolve and overcome those issues which had been materially raised under the previous refusal.

- vi. The DMTL advised, in response to the question by Cllr A Fitch-Tillett, that the site was located in Flood-zone 1, which was not considered to be the highest risk.
- vii. Cllr V Holliday stated, despite the reassurances supplied by the ADP, that she was uncomfortable to depart from policy, regardless of whether these matters formed part of the prior reason for refusal. She supported comments made by Cllr A Fitch-Tillett with respect of glazing, and the need to protect the AONB. When considering applications within the AONB, she commented it was important to consider reduced visible light transition which she believed should be an absolute requirement that any vertical glazing is 0.65 VLT and any roof lights are 0.5 VLT.
- viii. The ADP advised that polices relating to light pollution were set out in the Officers report, and the policy ideas raised by Cllr V Holliday were not contained within the Councils supplementary planning guidance. He commented that the Committee must consider the application on the basis of current planning policy, the NPPF, and national guidance.
- ix. Cllr N Pearce stated he was disappointed that the boundary settlement status had not been previously raised as an issue, and expressed the need for consistency. He noted the need to protect the AONB, and commented that he would vote against the application.
- x. Cllr J Toye asked what potential there would be for the windows to be replaced and made bigger, or if conditions could be applied to eliminate this risk. He further asked how overdevelopment of the site had been considered by Officers, and whether there was a metric used?
- xi. The DMTL advised that a condition had been recommended to withdraw permitted development rights for additional windows and roof lights on the eastern elevation of unit 1. With respect of overdevelopment, the DMTL advised this was a matter of planning judgement based on site coverage of buildings, and reiterated that this had not formed part of the prior reasons for refusal.
- xii. Cllr P Heinrich commented that he considered the boundary between countryside and built up areas rather arbitrary, and considered this specific site was located in an area with a number of buildings, within the curtilage of the existing site. On balance, he did not consider the site to be overcrowded given the scale of buildings surrounding. He commented that he would far rather see the creation of purpose built holiday accommodation as opposed to existing residential accommodation being taken over as a holiday property. Cllr P Heinrich proposed the Officers recommendation subject to conditions.

xiii. Cllr L Withington seconded the Officers recommendation.

**IT WAS RESOLVED** by 7 votes for and 5 against.

**That Planning Application PF/21/3227 be APPROVED subject to conditions circulated to the Development Committee. Any other conditions considered necessary, and final wording of conditions, to be delegated to the Assistant Director – Planning.**

*Cllr L Withington left the meeting 12.04pm.*

*The DM returned to the meeting at 12.05pm.*

## **67 HOLT TPO/22/0994 LAND REAR OF 5 PEARSONS CLOSE**

The SLO introduced the Officers report and recommendation that the TPO be confirmed. She advised that the initial TPO was served on the sycamore tree in 2021, and she had since reviewed the TPO and considered whether to continue preservation. The SLO relayed the site location plan, aerial photograph and photos of the tree.

She noted that representations had been received both for and against the TPO, as detailed within the report. The Council were working with the land owner to facilitate tree work, and noted work had been halted due to nesting birds within the tree, but would be completed by 25th November.

The SLO set out the key issues, and advised that the tree contributed positively to local amenity, and was important in terms of wildlife habitat and biodiversity value.

*There were no public speakers.*

- i. Cllr V Holliday expressed her support for the TPO, and commented on the lack of trees in Holt.
- ii. The ADP thanked the SLO for her report, and welcomed her to her first Development Committee meeting. He advised that the Council had been minded to serve a TPO on the sycamore tree some time ago, but the TPO had not been confirmed. There had been an objection from a local resident who had been very concerned about the implications of having a large mature tree next door to their home, details of which had been considered within the report. The ADP commented that the Officers report made clear the reasons to bring forward the TPO, offering amenity to the local environment, and was encouraged by the positive communication the SLO had engaged the land owner with regards to the management of the tree going forward.
- iii. Cllr G Mancini-Boyle proposed confirming the TPO and stated that the tree predated the houses and should not be removed for the sake of giving residents more light.
- iv. Cllr A Fitch-Tillett seconded the Officers recommendation.
- v. Cllr N Pearce spoke in support of the TPO and considered that trees were a valuable community asset providing a splash of green to the landscape.

**IT WAS UNANIMOUSLY RESOLVED** by 11 votes for.

**That TPO/22/0994 be confirmed.**

**68 NORTH WALSHAM TPO/22/0993 LAND AT LONG BARROW DRIVE**

The SLO introduced the Officers report and recommendation that the TPO be confirmed. She confirmed that, as a condition of development for the neighbouring estate in the 1990's, a landscape buffer strip had been proposed and planted to aid the visual transition into the countryside. The buffer strip consisted of a mixture of species, planted in formal rows, in some instances residents had removed trees and mowed paths had been created to allow access, in other areas improvements had been made with the introduction of bird boxes and hedgehog houses.

The SLO relayed the key issues and provided site photographs, map, and aerial photographs. She confirmed that the TPO would provide a mechanism for works and allow greater scrutiny of tree work. Further, the buffer strip provided amenity and biodiversity value which were important to retain.

*There were no public speakers.*

- i. Cllr P Heinrich relayed a written statement by the Local Member – Cllr V Gay, to which she confirmed that she was familiar with the area having visited the woodland on several occasions. She considered that the Woodland was intended to form a soft wooded boundary to the town, which had been neglected for some years. Cllr V Gay expressed the commitment of NNDC Countryside team to ensure its maintenance, and with the co-operation of residents, in the last few years had introduced schedules for work with a regime in place to explain the trees for safety at regular intervals. The Local Member considered England to be one of the least biodiverse countries in Europe, and stressed the importance of biodiversity to the emerging Local Plan, and the importance of protecting trees more broadly.
- ii. Cllr R Kershaw spoke in support of the Officers recommendation and proposed the TPO be confirmed.
- iii. Cllr A Brown seconded the Officers recommendation.
- iv. Cllr P Fisher asked who owned the land. The SLO confirmed the land was owned by NNDC.
- v. The ADP stated that, in general, a TPO would not be applied to Council owned land as it was considered that the Council would be good custodians, managing the land appropriately. It was extremely rare for a TPO to be served on Council owned land.
- vi. Cllr A Varley stressed the important role buffer strips have on landscapes, and spoke in support of confirming the TPO.
- vii. Cllr P Heinrich advised that he was aware of various concerns from residents, but stated that the majority of comments were in favour of confirming the TPO and ensuring the trees be properly maintained.

**IT WAS UNANIMOUSLY RESOLVED** by 11 votes for.

**That TPO/22/0993 be confirmed.**

**69 NORTH WALSHAM TPO/22/0995 LAND EAST OF 19 ROSEWOOD AND WEST OF 6 VALLEY GARDENS**

The SLO introduced the Officers report and recommendation that the TPO be confirmed. The matter was brought before the Committee following the concerns from residents that the oak tree was in the process of being removed.

The SLO advised that the tree was located in a piece of unregistered land, and demonstrated to Members through historic maps, evidence of the tree being in situ since 1836, with further aerial imaging from the RAF dated 1946, and an NCC map dated 1988 when valley gardens had been built. She commented that the tree formed part of a field boundary and was a historic wildlife corridor, and provided images of one of the nearby oak trees, also part of the ancient field boundary, which had recently been heavily pruned and since died. The SLO advised that this was the last tree remaining from the group and stated the importance that the TPO be confirmed.

*There were no public speakers*

- i. The Local Member – Cllr P Heinrich, advised that he had been contacted by an objector to the TPO, and agreed following a site visit that the tree was in need for attention. He considered that this was a substantial oak tree, offering important bio-diversity, and so proposed acceptance of the Officers report.
- ii. Cllr G Mancini-Boyle asked who would be responsible for maintaining the tree.
- iii. The SLO advised that the owner of the land would be responsible for tree maintenance. She noted that fences had been moved and adverse possession may on this occasion be a positive thing. She commented that Tree work applications did not necessarily have to be undertaken by the land owner.
- iv. Cllr A Brown advised that adverse possession was 12 years for registered land and 10 years for unregistered land. He spoke in support of the TPO and seconded the Officers recommendation.

**IT WAS UNANIMOUSLY RESOLVED** by 11 votes for.

**That TPO/22/0995 be confirmed.**

**70 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE**

- i. The DM introduced the Development Management Performance Update report and advised of the continued good performance of the planning team. He commented that the performance of non-majors had dipped due to a period of poor performance following the introduction of the new uniform system. He advised the Committee, with regards to S106, that Scottow Enterprise Park was moving towards completion.
- ii. Cllr R Kershaw commented that Swift Air had expressed concern that the S106 would not be completed within the time limit as it was considered that

NCC were delaying the process.

- iii. Cllr J Toye asked if or when S106 software would be introduced.
- iv. The DM advised that S106 software would be introduced on 5th December, though it would not be fully functioning at this time. The Council were pending the appointment of a S106 Officer.

## **71 APPEALS SECTION**

- i. The DM introduced the appeals section and noted that there had been no further outcome for outstanding appeals. He welcomed questions from Members.
- ii. Cllr R Kershaw commented that it was refreshing how much Planning Officers had engaged with Members on applications in recent months, having a dialogue on the direction of the applications. He advised this had been positively received by parish councils and was a great improvement, and asked that his thanks be passed on.

## **72 EXCLUSION OF PRESS AND PUBLIC**

None.

The meeting ended at 12.36 pm.

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Chairman

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## Registering interests

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

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

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

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

## Non participation in case of disclosable pecuniary interest

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

## Disclosure of Other Registerable Interests

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

## Disclosure of Non-Registerable Interests

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

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

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

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

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

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



**Table 1: Disclosable Pecuniary Interests**

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

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	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.
<b>Contracts</b>	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>
<b>Land and Property</b>	<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>
<b>Licenses</b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b>Corporate tenancies</b>	<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>
<b>Securities</b>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

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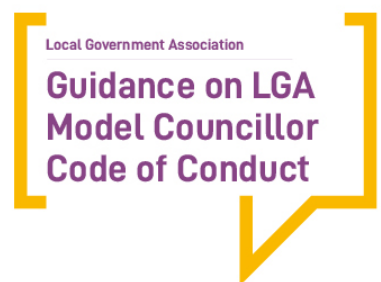
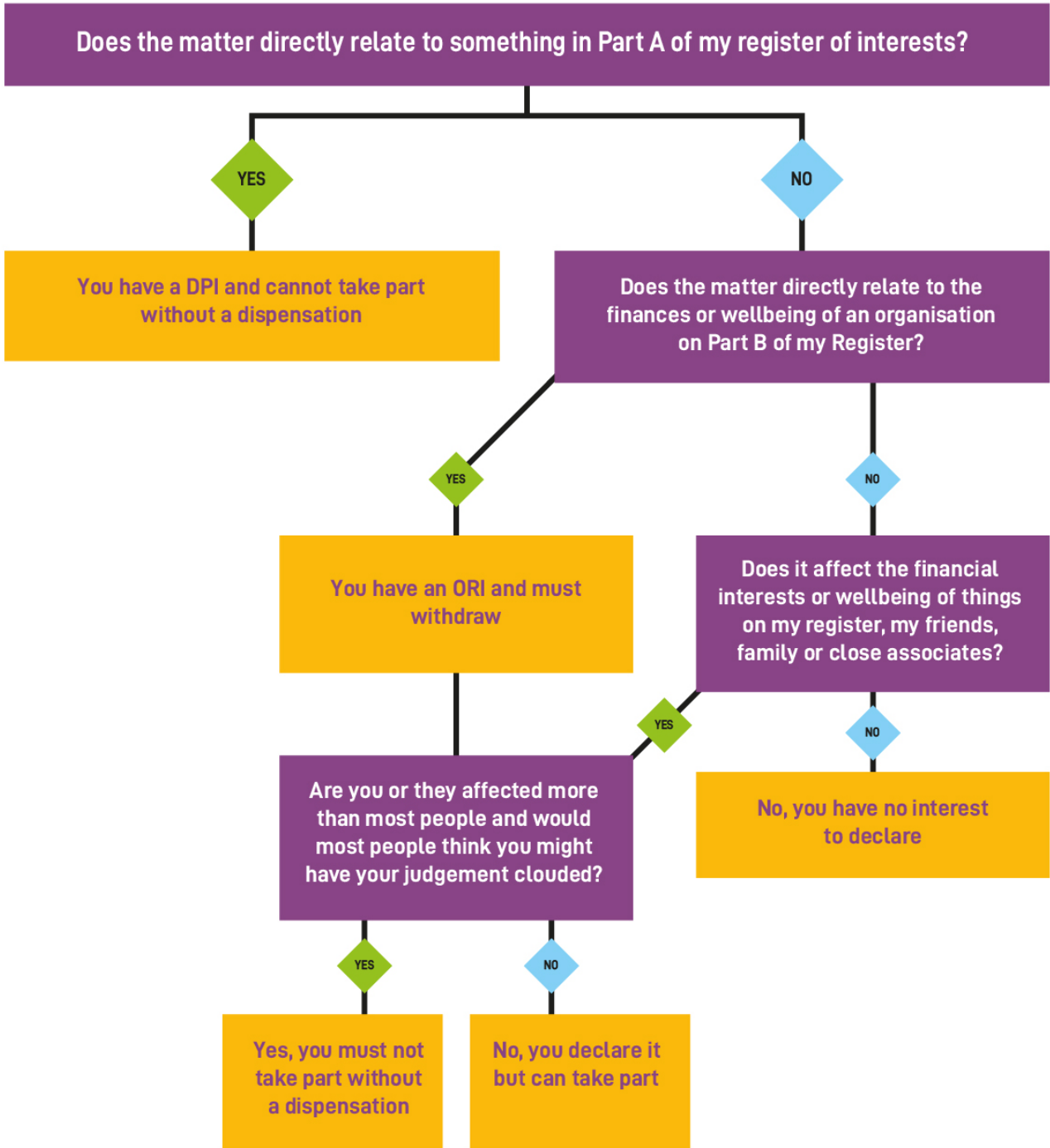
\* 'director' includes a member of the committee of management of an industrial and provident society.

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

**Table 2: Other Registrable Interests**

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

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



## Protect OFFICER REPORT

**Application Ref:** PF/21/2186  
**Site Address:** Land On, Langham Road, Langham, Norfolk  
**Ward:** Priory  
**Proposal:** Change of use of land to storage of caravans and boats, siting of 39 storage containers, siting of portable building for office use and erection of boundary fence  
  
**Site Visit Date:** 19th August 2021  
**Expiry Date:** 11th November 2021  
**Extension Date:** 29th April 2022

### **Recommendation:**

Refuse for the reason(s) set out at the end of this report.

### **Site Constraints:**

The site falls within a Countryside Location (Outside of Settlement Policy Boundary)  
The site lies within a Mineral Safeguarding Area  
The site is within the Norfolk Coast Area of Outstanding Natural Beauty (AONB)  
The site lies within the Undeveloped Coast

### **Relevant Site History:**

#### PF/20/0747

Change of use of land to storage of caravans and boats, siting of 40 storage containers, siting of porta- cabin for office use, erection of up to 33 No. 3m high security lights and erection of boundary fencing.  
Withdrawn 09.11.2020

### **The Application**

The application site is located approximately 380 metres to the north of the village of Langham and just over 1km to the south of the village of Morston. The site forms an area of woodland and scrub which is connected by hedging and trees to other parcels of woodland within a rolling arable coastal landscape. Access to the site is provided via metal gates set off the Langham Road. The site was used during the Second World War by the Royal Air Force and areas of hardstanding remain, some more visually exposed than others.

This application seeks planning permission for the change of use of the land for the siting of 39 containers and for open boat and caravan storage. The supporting Design and Access Statement notes that there would be up to 107 caravans or boats stored at the site. The

proposals include the siting of a site office near to the entrance from the Langham Road. The proposals seek to expose areas of hardstanding from within the site which the majority of the storage would take place on, whilst security lighting and fencing would also be provided.

### **Reasons for referral to Committee**

The planning agent for this application is a close relative of a staff member.

### **Consultations:**

**Cllr R Kershaw:** “Thank you for the notification re PF/21/2186. I have read through the application and associated objections, comments etc... on my return from leave. To my mind this application varies only very slightly from the last one that was submitted. I cannot see how this has improved the situation and I am very concerned at the increase in heavy traffic that this would cause on narrow country lanes and can see no reason why these craft could not be accommodated at any of the coastal boatyards.

I also note the concerns of residents and am concerned by any light pollution this would cause.”

**Langham Parish Council:** Objection.

**Morston Parish Council:** Objection.

**Economic Development Officer:** Support.

**Conservation and Design Officer:** No comments.

**Environmental Protection Officer:** No objection, subject to conditions.

**Landscape, Ecology and Tree Officer:** Objection.

**Norfolk County Council Lead Local Flood Authority:** No comments.

**Norfolk County Council Minerals and Waste Officer:** No objection.

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

**Norfolk Coast Partnership:** Objection.

### **Representations:**

37 letters of objection received as summarised below:

- This latest application is similar to that previously considered by the Local Authority. Insufficient information has been provided.
- The applicant's submission is misleading. The reports submitted in support do not accurately consider the development being proposed.
- There is existing boat storage provision within the area, including sites with capacity to spare. It is not understood why boats would need to be stored within containers.

- The applicant has not proven a local need for this development.
- The application seek permission for major development within the Norfolk Coast Area of Outstanding Natural Beauty, contrary to governmental policy.
- The site lies in close proximity to another woodland block which was subject to a dismissed appeal following the refusal of application PF/16/1157.
- The proposals would result in a significant industrial storage area within the Norfolk Coast Area of Outstanding Natural Beauty and wider rural area.
- The development would have adverse visual impacts.
- The increase in traffic, and the nature of the vehicles, would diminish the natural beauty of the designated area.
- There is no need for any artificial lighting. The proposals would result in significant light pollution and adversely impact upon the areas Dark Skies designation.
- The development would be detrimental to the open coastal character.
- The development would have an adverse impact upon birds and animals which rely on the site as an area of refuge from the surrounding intensely farmed land.
- The applicant's ecological reports have not considered the wider woodland setting which the site forms part of.
- The development would adversely impact upon protected species.
- Oil, fuel and other pollutants would leach into the ground.
- The site is within sight of a designated Heritage Coastline and long distance footpath.
- The road which serves the site is narrow and unsuitable for large vehicles, such as those transporting boats, goods and shipping containers. Passing such vehicles would be difficult-impossible.
- There are existing highway issues in the area which this development would exacerbate.
- On-street parking in Langham has resulted in a narrowing of the road and would impact upon the additional movements from the application site.
- The development would impact upon the local school through the addition of cars, boats, and container lorries alongside the general traffic.
- The development would not result in benefits to the local population as claimed within the applicant's submission.
- There would be adverse impacts upon health and living conditions, including through the additional exhaust fumes.
- Ambient noise levels would increase, particularly at night if generators are to be used on site.
- The development would attract criminal activity to the area.

**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 EN 1: Norfolk Coast Area of Outstanding Natural Beauty and The Broads

Policy EN 2: Protection and Enhancement of Landscape and Settlement Character

Policy EN 3: Undeveloped Coast

Policy EN 4: Design

Policy EN 6: Sustainable Construction and Energy Efficiency  
Policy EN 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 6: Building a strong, competitive economy  
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:**

(Working document) Norfolk Coast Area of Outstanding Natural Beauty Management Strategy 2019 – 2024  
Norfolk Coast Area of Outstanding Natural Beauty Management Strategy 2014 – 2019  
Norfolk Coast AONB Integrated landscape character guidance  
Natural England National Character Areas – 78 Central North Norfolk (2014)  
Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy - Habitats Regulations Assessment Strategy Document (2021)

### **OFFICER ASSESSMENT:**

#### **Main Sections/Issues:**

1. Relevant planning history
2. Principle of development



3. Impact on the Norfolk Coast Area of Outstanding Natural Beauty (AONB), Undeveloped Coast, Landscape Character and Design
4. Ecology
5. Arboricultural impacts
6. Highways safety
7. Residential amenities
8. Flood Risk and Drainage
9. Heritage
10. Other matters
11. Planning balance/Conclusion:

## **1. Relevant planning history**

Application PF/20/0747 was withdrawn by the applicants on the 09.11.2020. This previous application sought to provide 40 storage containers on the site, a site office and up to 33 security lights and boundary fencing. The current application has been submitted with the aim of successfully addressing the material concerns raised at that time. The assessment below has had due regard to the information submitted by the applicant alongside the most up to date policy and guidance documents which largely remain identical to those relevant as part of the considerations of application PF/20/0747.

## **2. Principle of development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case the Development Plan for the area consists of the North Norfolk Local Development Framework Core Strategy (2008) (Core Strategy), the North Norfolk Site Allocations Development Plan Document (2011) and the Minerals and Waste Development Framework - Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (2011). At a national level, the National Planning Policy Framework (NPPF) constitutes guidance which the Local Planning Authority must have regard to. The NPPF does not change the statutory status of the development plan as the starting point for decision making, but is a material consideration in any subsequent determination.

- Core Strategy

Core Strategy Policy SS 1 sets out the spatial strategy for North Norfolk seeking to locate the majority of new development within the towns and larger villages, dependent on their local needs, their role as employment, retail and service centres and particular environmental and infrastructure constraints.

Policy SS 2 of the Core Strategy states that in areas designated as Countryside development will be limited to that which requires a rural location and is one or more of a list of certain forms of development. Most relevant to this application, the list includes 'new-build employment generating proposals where there is particular environmental or operational justification'.

Overarching Policy SS 5 relates to the economy and supports the creation of jobs and economic development through the designation of employment sites. The rural economy and farm diversification will be supported including extensions to existing businesses of an appropriate scale and re-use of existing buildings, including appropriate re-use of the operational land at redundant defence establishments.

Whilst the site was formally used by the Royal Air Force during the Second World War, redundant defence establishments as set out within Policy SS 5 are limited to the four sites defined within the Core Strategy itself. Consequently, these provisions, as expanded upon within Policy EC 4, are not relevant to this development or site.

The applicant has not demonstrated via evidence that there is a need for the development proposed, either locally or within the wider area. Whilst statements to suggest that there is a lack of suitable caravan and boat storage facilities available, no data or supporting justification has been provided. Comments received from third parties on the application state that there is sufficient capacity at existing boat storage facilities locally.

The Council look to support local businesses and employment generating proposals wherever possible and the provisions made within the Core Strategy provide the planning mechanisms to achieve these aims. In this instance Policy SS 2 is clear that new build development within the countryside will be limited to that which has a particular environmental or operational justification. The information provided in support of this application does not demonstrate that there is a site or countryside specific justification for this development. The nature of the uses being sought would appear to be capable of being met via existing provision or through new build development within settlements or identified employment sites.

Consequently, the development would conflict with the aims of Core Strategy Policy SS 2 in this respect.

- National Planning Policy Framework (NPPF)

In terms of the NPPF, paragraph 81 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 84, which provides support for a prosperous rural economy, states the planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Paragraph 85 continues to state that “decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

Having regard to the Framework in this respect, it is considered that the provisions made within the Core Strategy for enabling sustainable economic development are largely consistent with the latest national planning policy, albeit that the Framework’s approach does not require the demonstration of need for a rural location. In relation to this proposal, the development would involve new built form on an undeveloped parcel of land within an area which is not well served by public transport. The proposals do not demonstrate that opportunities for making the location more sustainable have been considered. Furthermore, the site is not considered to constitute previously developed land as in line with the NPPF

glossary definition (see extract below), the site's fixed surface structures have blended into the landscape:

*“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; ....and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”*

Further consideration of the developments impact on the Norfolk Coast Area of Outstanding Natural Beauty, landscape, and local roads is set out within the relevant sections below.

### **3. Impact on the Norfolk Coast Area of Outstanding Natural Beauty (AONB), Undeveloped Coast, Landscape Character and Design**

#### Impact on the Norfolk Coast Area of Outstanding Natural Beauty (AONB)

Core Strategy Policy EN 1 relates to the Norfolk Coast Area of Outstanding Natural Beauty (AONB) and The Broads. The policy states that The impact of individual proposals, and their cumulative effect, on the Norfolk Coast AONB, The Broads and their settings, will be carefully assessed. Development will be permitted where it;

- is appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area;
- does not detract from the special qualities of the Norfolk Coast AONB or The Broads; and
- seeks to facilitate delivery of the Norfolk Coast AONB management plan objectives.

The policy continues in stating that opportunities for remediation and improvement of damaged landscapes will be taken as they arise. Proposals that have an adverse effect will not be permitted unless it can be demonstrated that they cannot be located on alternative sites that would cause less harm and the benefits of the development clearly outweigh any adverse impacts. Development proposals that would be significantly detrimental to the special qualities of the Norfolk Coast AONB or The Broads and their settings will not be permitted.

The National Planning Policy Framework (NPPF) sets out within paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. This paragraph also states that the scale and extent of development within AONB's should be limited.

The Norfolk Coast Management Plan (2014-2019) provides a summary of the special qualities of the AONB. Relevant to these proposals the qualities include the; dynamic character of the coast, strong and distinctive links between land and sea, exceptionally important, varied and distinctive habitats and species, sense of tranquillity, wildness and remoteness and quiet enjoyment of the area and dark night skies.

The application site falls within national landscape Character Area 78 – ‘Central North Norfolk’, the key characteristics of which include, amongst other things, a gently undulating landscape dissected by river valleys and a tranquil agricultural landscape with extensive areas of arable

land, with some relatively well-wooded areas. The site is characteristic of these broad landscape classifications within the Norfolk Coast AONB.

The applicant has supported their application with a planning statement, design and access alongside a number of plans and other documents. The applicant's planning statement sets out that the development would support the tourism industry whilst the landscape impact would be limited by the retention of the existing mature vegetation on site, alongside proposed mitigative planting.

The Landscape Officer, having considered the submission, states that the proposed change of use would result in the intensification and industrialisation of an area of woodland within the sensitive open elevated landscape of the Norfolk Coast AONB. Although altered from the previous application so that an area in the north west portion of the site remains undisturbed, the proposed storage areas would still occupy a large proportion of the site. A site office is proposed close to the site entrance and a mesh wire fence is proposed around the entire site boundary. The design and access statement states that additional planting is proposed as mitigation however the Landscape Officer does not consider that the additional planting to screen the development necessarily makes it acceptable.

The change of use of the site at the scale proposed would not only fundamentally alter the character and ecology of the site, but will also alter the character of the wider area through generation of traffic movements along the quiet rural road network that is characteristic of this part of the AONB. As classified in the North Norfolk Landscape Character Assessment, (LCA) the site lies within the Tributary Farmland Landscape Type (TF1, Tributary Farmland). Open rolling rural farmland with areas of elevated plateau resulting in long range uninterrupted panoramic views are typical characteristics of this Type. At the coast near Morston, in proximity to the site, there is a strong visual relationship between the farmland, the coastal marshes and the sea beyond with few detracting features. This is very apparent when moving north along Langham Road from Langham to Morston and past the site.

Defined Valued Features of this Landscape Type (LCA p. 59), which if diluted or adversely affected would detrimentally change the landscape character, include 'a strong rural character with a sense of remoteness and tranquillity'. This arises from the land use, rural settlement pattern with areas of quiet farmland and dark night skies between the villages.

The AONB Integrated Landscape Character Guidance notes that the Morston & Hindringham Tributary Farmland Character Area has a lower than average density of woodland (often in small fragmented parcels) (p.5). The Landscape Guidance (p.9) assesses that all existing woodland copses and hedgerow trees are part of the inherent sensitivity of the Character Area because they create significant visual structure and provide biodiversity value and should therefore be retained and enhanced. This development would dilute and erode one of these noted parcels of woodland and for this reason would have an adverse effect on the landscape character of the AONB. One of the defined key qualities of the Norfolk Coast AONB is a 'Sense of remoteness, tranquillity and wildness' resulting from the low level of development, population density and road infrastructure. Dark night skies and a sense of remoteness and wildness are qualities rare in lowland coastal England. This site is within a part of the AONB that strongly demonstrates this quality and the proposed development would not reinforce this identified quality.

The Landscape Officer considers that the proposed change of use would introduce an incongruous land use into a naturally regenerated wooded area resulting in the

industrialisation of a highly rural location which fails to reinforce, conserve or enhance this “Valued Feature” and therefore the prevailing landscape character. Other “Valued Features” that would be adversely affected include woodland cover and long range views over undeveloped skylines.

The proposal relies unrealistically on the existing vegetation effectively screening the development and advocates additional mitigation planting. Screening the development as proposed indicates that the change of use is not appropriate in this location. Should the development go ahead, it is inevitable that the site would become more visible in the landscape due to tree pruning required to facilitate visibility splays at the entrance and within the site for vehicle access (as set out in the Tree Survey) and to facilitate delivery and placing of the 39 containers. There would also be a considerable loss of scrub vegetation (both mature and scattered) and self-sown trees to accommodate access to the six open boat/caravan storage areas located around the site. The vegetation along the boundaries of the site is not dense or particularly significant in height and views of stored and stationed boats, caravans and containers would be readily perceivable from the surrounding landscaping, including from the Langham Road, the B1156 and the unnamed road connecting them.

The storage of valuable boats, outboards and caravans in this remote location will require effective security measures, a perimeter boundary fence is proposed. Paraphernalia and enclosure associated with securing this use appears incompatible with the quiet, remote, location within an elevated open rural landscape. Storage of such valuable equipment in an urban setting such as an industrial estate, where there is more surveillance and where security measures as described above could be implemented without harm, could be more appropriate and policy compliant.

In light of the above, Policy EN 1 sets out that proposals that would have an adverse effect will not be permitted unless it can be demonstrated that they cannot be located on alternative sites that would cause less harm and the benefits of the development clearly outweigh any adverse impacts. The application has not demonstrated that alternative sites are/are not available.

The proposed development, if permitted, would be significantly detrimental to the special qualities of the Norfolk Coast AONB contrary to the requirements of Policy EN 1 of the Core Strategy and Chapter 15 of the NPPF. The benefits associated with the development are considered further in light of the adverse impacts identified as required by Policy EN 1 within the Planning Balance section at the end of this report.

- Major development

Paragraph 177 of the NPPF states that planning permission should be refused for major development<sup>60</sup> within AONBs other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

Footnote 60 of the NPPF states for the purposes of paragraph 177, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

The application site would extend to approximately 4 hectares, above the 1 hectare threshold for 'major' development as set out within The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO). Whilst this may be case, as explicitly stated within footnote 60 of the NPPF, whether or not a proposal is 'major development' for the purpose of paragraph 177 is a matter for the decision maker.

In this case, the 39 storage containers, office building, boundary fencing and areas of hardstanding for up to 107 caravans/boats storage proposed within the 4 hectare site would be a significant scale in the sites rural context. The landscape between Langham and Morston is open, predominantly arable with sporadic woodland blocks and no built form, contributing to the distinct separation between the two villages. The proposals would result in the loss of an appreciable area of undeveloped highly sensitive countryside characteristic of the AONB, introducing a significant footprint of development and associated activities and vehicle movements.

As set out above, it would do so in a way which have a significantly harmful visual impact in certain perspectives and would harmfully disturb the remote, wild and tranquil character of the AONB. This form of development would not be compatible in this setting and it would not preserve and enhance the defined features of the designated landscape. It would, by virtue of its scale and harmful impact, in this location, amount to major development in the AONB. Consequently, paragraph 177 of the NPPF states that planning permission should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

Turning to these matters, whilst the provision of the proposal would have some economic benefit, these have not been quantified by the applicant and based on the submission, would be expected to be relatively modest in scale. These economic benefits would not amount to exceptional circumstances which would outweigh the identified environmental harm to the Norfolk Coast AONB. Additionally, no alternative sites have been considered by the applicants, albeit that vague statements regarding lack of suitable alternative provisions have been made. As such the development would not be in the public interest. Consequently, paragraph 177 of the NPPF indicates that planning permission should be refused.

Moreover, the proposal would not accord with the linked requirements in Policy EN 1 to demonstrate: (1) that less harmful alternative sites exist; and (2) that the benefits clearly outweigh any adverse impacts. Due to the environmental harm identified to the character and special qualities of the AONB the proposal would also conflict with Policy SS 5 and so would not be a form of sustainable development which the development plan encourages.

### Undeveloped Coast

Policy EN 3 of the Core Strategy states that within the Undeveloped Coast area, only development that can be demonstrated to require a coastal location and that will not be significantly detrimental to the open coastal character will be permitted. This is reflected within

the NPPF at paragraph 174 where it is stated that decisions should contribute to and enhance the natural environment by maintaining the character of the undeveloped coast.

The site also lies within Undeveloped Coast. Para. 3.3.10 of the Core Strategy explains that this designation is designed to minimise the wider impact of general development, additional transport and light pollution on the distinctive coastal area. It has not been demonstrated through this submission that this development requires a coastal location (as required under Policy EN 3), nor that it should be within the AONB (required under Policy EN 1). The Landscape Officer does not consider that it is essential for such a storage facility to be close to where the boats/caravans are sited during the summer months and that an alternative location should be first considered. Indeed, it would not be possible to restrict the use of the site to visitors and customers of nearby tourist sites/activities via condition, rather the development, if permitted, would result in a general commercial/industrial storage use, which may or may not be used by tourists/holiday makers. A type of use which should be located within settlements or designated sites for such uses, where there is suitable infrastructure to accommodate the nature of the use.

Consequently, the effect of the proposed development on the area of Undeveloped Coast would be significantly detrimental and would not accord with the requirements of Policy EN 3 of the Core Strategy.

#### Landscape Impact and Design

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 location, 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 plans provided for the proposed portacabin are not to scale, albeit demonstrate that the building would be functional in design with limited, if any, architectural merit or interest. Similarly, the proposed storage containers would have a functional and industrial appearance. In light of the analysis set out above, such development would contrast with the rural and undeveloped character of the area, failing to have regard to the local context and adversely impacting upon the character and appearance of the area through the introduction of incongruous industrial built form into the landscape. Limited details of the proposed fencing have been provided with the application and whilst additional information could be secured via condition, the visual impacts of 0.86km of security fencing would add to the industrialisation of the site, contributing to the adverse impact this form of development would incur upon the sites rural and undeveloped character.

For the reasons set out within the Norfolk Coast AONB section above, the development would fail to protect or conserve the special qualities and local distinctiveness of the area and would be inappropriate in its location. Conflict with the aims of Policies EN 2 and EN 4 of the Core Strategy would therefore arise.

#### 4. Ecology

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 development proposals that would cause a direct adverse effect to protected species will not be permitted unless they cannot be located on alternative sites that would cause less or no harm and the benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats. 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.

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.

The applicants have supported their application with a Preliminary Ecological Appraisal dated May 2020. This appraisal found that the site supports habitats including broadleaved woodland, dense continuous scrub, rough grassland and areas of existing internal hardstanding roads and areas of concrete pads. The appraisal found that the intrinsic value of the habitats on-site within a defined geographic context is generally considered to be of importance at site level only with some features of local interest. The site comprises a patch of woodland and scrub surrounded by arable fields and these habitats are widespread and abundant locally. The appraisal highlights that the on-site woodland and hedgerows are both Habitats of Principal Importance (HPI) under the Natural Environment and Rural Communities (NERC) Act but considers that the proposed use would not result in the loss of any areas of these habitats.

The appraisal states that the site contains a range of natural and semi-natural habitats, which in turn support protected species including bats, birds and mammals, and also has some potential for reptiles and hedgehogs. However, the author highlights that the proposed site would be for (winter) storage of boats and caravans and activity on site will be almost entirely limited to the existing areas of hardstanding. The author notes that localised clearance of small areas of encroaching scrub and tall herbs would be required but the habitat across the majority of the site would be largely retained. The appraisal considers that the operational activities occurring at the site would be very low key with limited potential for disturbance or indirect



impacts to local wildlife, albeit noting that the site would be fenced which could lead to restrictions of animal movement including protected mammal species, but this will be mitigated by providing gaps or gates in the fencing to allow unobstructed passage. The appraisal provides a number of recommended mitigation measures.

The Council's Ecology Officer has considered the submitted information and notes that the vegetation loss proposed is significant for its ecological value and the clearance of areas of scrub would result in considerable habitat loss and disturbance, particularly to the protected species within the site. Officers consider that to accommodate this development on the site, there would be a requirement for removal of considerably more vegetation within the site than is stated. This conflict is shown by comparing the Phase One Habitat Survey Plan (Figure 1) provided as part of the Ecology and the proposed site plan.

The dense scrub habitat on the site is of high value to nesting birds, and the site supports a diverse assemblage of breeding and passage birds. The clearance and loss of this habitat (which has not been quantified by the applicant but is likely to be significant given the dense and overgrown nature of the site) would diminish the value of the site to the local and migrant bird populations. The proposed landscape mitigation would not compensate for the loss of this habitat resulting in a net loss of biodiversity, contrary to the aims of paragraph 174 of the National Planning Policy Framework. In addition, any potential lighting required on the site could have an impact on protected bat and mammal populations that use the site.

The site is known to contain protected species as well as suitable foraging habitats for them. The applicant's ecological appraisal and validation letter highlights that these are present onsite, with activity increasing between the Ecologist visits to the site. The development proposals would result in areas of open boat and caravan storage in close vicinity to the breeding/nesting areas of the protected species. The creation of these storage areas would require extensive scrub removal which would result in disturbance to the protected species, and a licence for these works is likely to be required from Natural England. The Ecology Officer considers that the removal of the scrub and vegetation, together with the increased activity, including human, associated with the storage use on the site would cause significant disruption to the protected species breeding/nesting areas as well as their foraging activities, such that it could cause the breeding/nesting areas to be abandoned. Given the size and significance of the protected species population supported by the site, the proposed development is likely to result in an adverse impact at the District level.

Having regard to the above, the development would not meet the requirements of Policy EN 9 and the application has failed to demonstrate that the development cannot be located in a less sensitive location that would cause less harm. The development would result in net losses for biodiversity and adversely impact upon the sites ability to provide safe and undisturbed refuge to local and migratory wildlife. Furthermore, the development does not comply with the mitigation hierarchy as set out in paragraph 180 (a) of the National Planning Policy Framework.

## **5. Arboricultural impacts**

Policy EN 2 states that development should protect, conserve and, where possible, enhance distinctive landscape features, such as woodland, trees and field boundaries. Policy EN 9 seeks to maximise opportunities for restoration, enhancement and connection of natural habitats.

Paragraph 174 of the NPPF states that decisions should recognise the intrinsic character and beauty of the countryside, including the benefits associated with trees and woodland.

The application has been supported by a Tree Survey and Arboricultural Impact Assessment/Method Statement/Tree Protection Plan dated April 2020 as well as Addendum dated August 2021. These reports, prepared by the applicant themselves, conclude that the development would not have an impact upon trees within the site. This is predicated on the intention to utilise the hardstanding within the site for the storage purposes.

The Tree Officer has considered the proposed development alongside the information submitted by the applicants. They note that trees at the site entrance would need to be pruned back to achieve the required visibility splays and that the clearance of scrub and small self-sown trees which are establishing on the areas of hard standing would be required to facilitate the development. The ecological and landscape value of these areas has been considered above. The whole site is covered by a Tree Preservation Order and this order was made to ensure that the woodland that is establishing on the site, which is providing significant public amenity and biodiversity value, is retained and indiscriminate removal of vegetation is prevented.

The extent of shrub and small tree clearance is not fully known as the applicant has not provided sufficient information in this respect. Based upon the applicants Ecological Report, supporting photographs and Officer site visits, the balance of probability is that development would necessitate a significant amount of biomass clearance in order to expose and utilise the historic concrete slabs for storage purposes. Further tree works/loss would be expected in order to facilitate the movements of large vehicles, containers and boats, as well as security fencing.

The development would therefore fail to protect, conserve or enhance this distinctive natural landscape feature, and the individual trees contained within, contrary to the requirements of Policies EN 2 and EN 9 of the Core Strategy.

## **6. Highways safety**

Policy CT 5 requires development to provide safe and convenient access for all modes of transport, including access to the highway network. 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.

The applicant has supported their application with a Design and Access Statement which provides a copy of informal Highways advice. The Design and Access Statement confirms that the proposals seek to store a total of 107 caravans and boats on the site, in addition to the 39 containers. Such a use of the site would result in additional traffic when compared to the sites longstanding inactivity.

The Highway Authority were consulted as part of this planning application and having considered the latest development proposals, raise no objection, highlighting that the C314 Langham Road is a classified route and the access visibility proposals are acceptable. A condition is suggested in order to ensure the visibility splays are provided and maintained in accordance with the approved plans.

It is noted that many of the objections to the development highlight concerns regarding traffic generation, the condition of surrounding highway network and existing highway related issues. In this instance however, in light of the comments provided by the Highway Authority, the experts in highway safety matters, a reason for refusal could not be justified.

Therefore, the proposals would accord with the requirements of Policy CT 5 of the Core Strategy, subject to a condition ensuring that suitable visibility splays at the sites entrance are provided and maintained.

## **7. Residential amenities**

Policy EN 4 states that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers. In this case, the proposed development would be sited over 360 metres from the nearest residential property. The extent of this distance, coupled with intervening field and road boundaries would result in no adverse amenity concerns. The increase in traffic, including larger vehicles, on the surrounding highway networks would be perceived by local residents, however in light of the lack of objection from the Highway Authority, an adverse impact cannot be demonstrated. The development would therefore comply with Policy EN 4 in respect to these matters.

## **8. Flood Risk and 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. The 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.

Paragraph 159 of 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). Paragraph 167 of the NPPF sets out that development should ensure that flood risk is not increased elsewhere and where appropriate, applications should be supported by a site-specific flood-risk assessment.

The application site measures approximately 4 hectares and is located within Flood Zone 1. In accordance with Policy EN 10 of the Core Strategy, a site-specific flood risk assessment should be provided. The proposals have not been supported by such an assessment. It is however noted that paragraph 167 of the National Planning Policy Framework and associated footnote 55, that an assessment should be provided for such sized sites where the development would introduce a more vulnerable use. In the case of this application, the proposed use would fall within the same vulnerability category as the existing (Less Vulnerable).

The Lead Local Flood Authority were consulted on this application and responded by stating that the development falls below their current thresholds for providing detailed comments.

In light of this, and taking into account that the proposals seek to utilise existing areas of hardstanding and no flooding issues are known at or in the vicinity of the site, a reason for refusal based on the lack of a flood risk assessment would not be justified. Should the application have been found acceptable, conditions could have been imposed to secure

further details in relation to surface water drainage, given that exposing the hardstanding would alter the current hydrological situation.

## **9. Heritage**

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. This policy also seeks to ensure that the character and appearance of conservation areas are preserved, and where possible enhanced, encouraging the highest quality building design, townscape creation and landscaping in keeping with these defined areas.

The application site lies approximately 350 metres to the north of the Langham Conservation Area and the listed buildings contained within it, and 1.5 kilometres south of the North Norfolk Heritage Coast and Morston Conservation Area and listed building contained within. Having considered the proposed development, the Conservation and Design Officer raises no objection and it is not considered that the development would harm the significance of these designated heritage assets.

## **10. Other matters**

### Nutrient Neutrality

Alongside all other local planning authorities in Norfolk, the Council received a letter in March 2022 from Natural England about nutrient pollution in the protected habitats of the River Wensum Special Area of Conservation (SAC) and the Broads Special Area of Conservation and Ramsar site. This letter placed a moratorium on granting new planning permissions for new overnight accommodation proposals, either themselves or for those where their eventual foul water outfall is within the affected catchments. For those applications affected, they must demonstrate by way of Habitat Regulations Assessment - Appropriate Assessment that they have a neutral effect on the ingress of nutrients into the watercourses of the affected catchments.

In this instance the proposal lies outside of the catchment areas for The Broads and River Wensum SACs and Ramsar sites. No information has been provided by the applicant as to how the foul water generated on-site would be dealt with. A condition could secure these details. Notwithstanding the lack of detail in this respect, given the distance of the site from the affected catchment area and that the development seeks a commercial/industrial use, rather than overnight accommodation, significant effects on the protected sites concerned can be ruled out and the proposal can therefore be considered for determination.

### Mineral safeguarding area

The application site is partially underlain by a Mineral Safeguarding Area (Sand and Gravel) and falls within Mineral Safeguarding Areas whereby Norfolk County Council as the Minerals and Waste Authority have been consulted. Having had regard to the proposed development the Minerals and Waste Authority consider that as a result of the nature of the proposed development (change of use of existing hardstanding), it would be exempt from the requirements of Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy. No objection is therefore raised in this respect.

## 11. Planning balance/Conclusion:

The proposed development has been found to conflict with the Core Strategy in respect to the locational requirements for new build employment generating uses (Policy SS 2 and SS 5). This conflict with the Core Strategy's aims of delivering sustainable employment uses weighs against the development. Having regard to the NPPF, the proposals have not demonstrated that opportunities for making the location more sustainable have been considered. Notwithstanding this, it is acknowledged that the development would result in some economic benefits, including on-site employment opportunities as well as potential support to other local business. Economic growth is supported by the Council and Core Strategy, however in this instance, whilst there would be benefits in this respect, the full extent of the local business need(s) are unclear. Nevertheless, weight is given to the economic and employment generating benefits associated with the development.

The proposals have been found to represent major development within and which would be significantly detrimental to the special qualities of the Norfolk Coast AONB contrary to the requirements of Policy EN 1 of the Core Strategy and Chapter 15 of the NPPF. Mindful of the requirements set out within paragraph 176 of the NPPF, great weight is afforded to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty and the harms identified weight heavily against the grant of permission. In a similar vein, the proposals would conflict with Core Strategy Policy EN 3 and paragraph 174 of the NPPF with respect to the adverse impacts upon the sites Undeveloped Coast location. The development would also fail to protect or conserve the special qualities and local distinctiveness of the area conflicting with the aims of Policies EN 2 and EN 4 of the Core Strategy.

The proposals would result in net losses for biodiversity and adversely impact upon the sites ability to provide a safe and undisturbed refuge to local and migratory wildlife, contrary to the requirements of Policy EN 9. The development does not comply with the mitigation hierarchy as set out in paragraph 180 (a) of the National Planning Policy Framework. The development would also fail to protect, conserve or enhance this distinctive natural landscape feature, and the individual trees contained within, contrary to the requirements of Policies EN 2 and EN 9 of the Core Strategy.

Matters which are neutral in the overall planning balance in this instance include the developments acceptable impact upon neighbouring amenities, upon the historic environment, flooding risk and in respect of highway safety.

In undertaking an overall balance of the competing aspects of the proposal, it is considered that the harms identified, would demonstrably outweigh the benefits of the development. The proposals would not be in accordance with the requirements of the Development Plan, and it has been concluded that there are no material considerations which would outweigh departure from the Development Plan. Therefore, **REFUSAL** of the application is recommended.

### **RECOMMENDATION:**

To refuse on the following grounds:

1. The site is located in an area designated as Countryside where Policy SS 2 limits development to that which requires a rural location. The proposals have not demonstrated that there is a particular environmental or operational justification for the development. The site is isolated from the nearest settlement, not well served by public

transport and would rely on the use of the private car and would not respond positively to tackling the impacts of climate change contrary to Policies SS 1, SS 2 and CT 5 of the adopted North Norfolk Core Strategy (2008) and the sustainable development principles detailed within the National Planning Policy Framework (2021).

2. The proposed development would be of a significant scale, representing major development within the sites rural context and Norfolk Coast Area of Outstanding Natural Beauty (AONB). The introduction of built form and change of use of land would introduce an incongruous use into a naturally regenerated wooded area resulting in the industrialisation of a highly rural open coastal location which would not reinforce, conserve or enhance the sites remote, tranquil, open and elevated landscape setting. The development would fail to conserve or enhance the special landscape and scenic beauty qualities of the AONB and prevailing landscape character and fails to have regard to local context and does not preserve or enhance the character and quality of an area contrary to the requirements of Policies EN 1, EN 2, EN 3 and EN 4 of the adopted North Norfolk Core Strategy, Chapter 15 of the National Planning Policy Framework (2021) and the guidance contained within the North Norfolk Landscape Character Assessment Supplementary Planning Document (2021), the Norfolk Coast Area of Outstanding Natural Beauty Management Strategy 2014 – 2019 and the Norfolk Coast AONB Integrated Landscape Character Guidance.
3. The proposals would necessitate the removal of a significant amount of scrub and woodland which is known to support breeding populations for a range of protected species, including mammals and birds of conservation concern, and considered likely to also provide shelter and foraging opportunities for other protected species (e.g. reptiles). The disturbances and increased activities associated with the proposed use would have an adverse impact upon these species. The proposed landscape mitigation would not compensate for the loss of habitat resulting in a net loss of biodiversity, contrary to the aims of paragraph 174 of the National Planning Policy Framework (2021). The proposals have not demonstrated that the development could be located in a less sensitive location that would cause less harm contrary to the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy (2008). Furthermore, the development does not comply with the mitigation hierarchy as set out in paragraph 180 (a) of the National Planning Policy Framework (2021).

#### 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 submitted by the Applicant and has been given due consideration;
- the details of this application have been passed onto the Council's Economic Development Team with the hope that positive engagement can be made which will

help support the applicant and their business needs.

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

**Human Rights:**

Art. 8: The right to respect for private and family life.

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

Having considered the above matters, the recommendation to Refuse this application is considered to be justified, proportionate and in accordance with planning law.

**Standing Duties:**

Due regard has been given to the following duties:

Equality Act 2010

Crime and Disorder Act, 1998 (S17)

Natural Environment & Rural Communities Act 2006 (S40)

The Conservation of Habitats and Species Regulations 2010 (R9)

Planning Act 2008 (S183)

Human Rights Act 1998

Rights into UK Law – Art. 8 – Right to Respect for Private and Family Life

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

Mr Russell Stock

Team Leader (Development Management)

29th November 2022

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## DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – NOV 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 month up to 30 Nov 2022.
- 1.2 The table below sets out the figures for the number of cases decided within the month 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 Nov 2022).

Performance Measure	Actual Performance	Target	Comments
<b>Decision Notices</b> (Month up to 30 Nov 2022)	<b>Major</b> 2 decisions issued within time period  100% within time period	60%  (80% NNDC)	24 month average to 30 Nov 2022 is <b>86.49%</b>
	<b>Non-Major</b> 72 decisions issued  97.2% within time period	70%  (90% NNDC)	24 month average to 30 Nov 2022 is <b>80.65%</b>
<b>Validation</b> (Month up to 30 Nov 2022)	258 applications registered  218 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 2 S106 Obligations across three planning applications which are in the process of being completed.

### 3. RECOMMENDATIONS:

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

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**SCHEDULE OF S106 AGREEMENTS**

**UPDATE FOR DEVELOPMENT COMMITTEE:**

**22 December 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/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. NCC and Hethel have accepted that they need to sign before 31 December 2022 or the application will be returned to the January 2023 committee for failure to complete the planning undertaking.	
PF/20/0523	Land North Of Fakenham Road Great Ryburgh Fakenham NR21 7AN	Construction of 15 no. grain silos and 1 no. 5,574 sqm (60,000sqft) warehouse with associated drainage, access and external lighting	CP080 - Ryburgh	Geoff Lyon	Committee	24/11/2022	Fiona Croxon	21423	Draft s106 is circulating. North Norfolk have provided comment. Awaiting feedback from Norfolk County Council.	
PO/20/0524	Land North Of Fakenham Road Great Ryburgh Fakenham NR21 7AN	Hybrid application for creation of HGV access road to serve an expanded Crisp Maltings Group site (Full Planning permission) and construction of buildings and structures required to increase the maximum output tonnage of malt of the Maltings site in any one calendar year to 175,000 tonnes (currently 115,000 tonnes) (Outline application with all matters reserved except for access).	CP080 - Ryburgh	Geoff Lyon	Committee	24/11/2022	Fiona Croxon			

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## **OFFICERS' REPORTS TO DEVELOPMENT COMMITTEE 22 DECEMBER 2022**

### **APPEALS SECTION**

#### **NEW APPEALS**

**EDGEFIELD – PF/22/0727** - Change of use of land from agriculture to dog exercise area (sui generis)  
(Retrospective)

**Land At Top Of Sands Loke, Sands Loke, , Edgefield, Norfolk**

**For Ms Caroline Sands**

WRITTEN REPRESENTATION

#### **INQUIRIES AND HEARINGS – IN PROGRESS**

**CLEY-NEXT-THE-SEA - ENF/18/0164** - Alleged further amendments to an unlawful dwelling  
Arcady, Holt Road, Cley-next-the-Sea, Holt, NR25 7TU

for Mr Adam Spiegel

**INFORMAL HEARING – 1 & 2 March 2022 Re-Scheduled – 22 & 23 June 2022** This has been  
postponed due to late submission of information – ~~future date to be arranged~~ – Re-scheduled  
again to 24<sup>th</sup>-26<sup>th</sup> 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 24<sup>th</sup>-26<sup>th</sup> 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 24<sup>th</sup>-  
26<sup>th</sup> 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 – PO/21/2697** - Demolition of former snooker hall and erection of 2 semi-detached self/custom dwellings (Outline with all matters reserved)  
**Alby Billiards Club, Church Road, Alby, Norfolk NR11 7HE**  
**For Mr N Rounce**  
WRITTEN REPRESENTATION

**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

**DILHAM - PU/21/2825** - Change of use of an agricultural building to 5 dwellinghouses (4 "smaller" dwellinghouses and 1 "larger" dwellinghouse), and building operations reasonably necessary for the conversion  
**Agricultural Barns, Oak Road, Dilham, Norfolk**  
**For Mr Luke Paterson, Bindwell Ltd**  
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

**RUNTON – PF/21/2593** - Removal of existing outbuilding and raised paving and steps to rear of building; two storey side extension; new outbuildings to side and rear; raised rear seating area and glass wind screen to rear of building incorporating ramp and steps; new fire escape stair; pergola and glass wind screen to front of building; replacement of 2 no. roof windows by dormer windows; change window to bi-fold doors from restaurant to outside seating area; 2m high screen fence to eastern boundary (retrospective)  
**Dormy House Hotel, Cromer Road, West Runton, Norfolk NR27 9QA**  
**For Mr Steve Brundle - Highview Properties (London) Ltd.**  
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



**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**

**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

**APPEAL DISMISSED**

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