

# Development Committee



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

Wednesday, 18 January 2023

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 26 January 2023 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

## 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 - 16)

To approve as a correct record the Minutes of a meeting of the Committee held on Thursday 8<sup>th</sup> December and Thursday 22<sup>nd</sup> December 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 17 - 22)

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. FULMODESTON - PF/21/3458 - ERECTION OF TWO ONE-BED TREE HOUSES WITH EXTERNAL WORKS AND SERVICING (TO INCLUDE BIOROCK DRAINAGE SYSTEM AND SOLAR PANELS) AT LAND AT WOODLAND, BROWNS COVERT, HINDOLVESTON ROAD, FULMODESTON**

(Pages 23 - 42)

**9. SHERINGHAM - PF/22/2901 - ERECTION OF A 396 KWP SOLAR**

(Pages 43 - 48)

**CAR PORT AND ASSOCIATED INFRASTRUCTURE - THE REEF  
LEISURE CENTRE, WEYBOURNE ROAD, SHERINGHAM FOR  
NORTH NORFOLK DISTRICT COUNCIL**

10. **SLOLEY - LA/22/1910 - RETENTION OF INTERNAL AND EXTERNAL ALTERATIONS TO FACILITATE CONVERSION OF BARN TO DWELLING, THE OLD WORKSHOP, SLOLEY ROAD, SLOLEY, NORWICH.** (Pages 49 - 52)
11. **SLOLEY - PF/22/1909 - CONVERSION OF BARN TO DWELLING (RETROSPECTIVE), THE OLD WORKSHOP, SLOLEY ROAD, SLOLEY, NORWICH** (Pages 53 - 58)
12. **EDGEFIELD - LA/22/0542: - WORKS ASSOCIATED WITH CONVERSION OF PART OF BARN TO ADDITIONAL BEDROOM FOR ANNEXE AND PART FOR HOME OFFICE AND PLANT ROOM; INSTALLATION OF SOLAR PANELS** (Pages 59 - 62)
13. **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE** (Pages 63 - 66)
14. **APPEALS SECTION** (Pages 67 - 72)
- (a) New Appeals
  - (b) Inquiries and Hearings – Progress
  - (c) Written Representations Appeals – In Hand
  - (d) Appeal Decisions
  - (e) Court Cases – Progress and Results

15. **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**

16. **ANY URGENT EXEMPT BUSINESS**
17. **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, 8 December 2022 in the Council Chamber - Council Offices at 9.30 am

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

Mr A Brown	Mr P Fisher
Mrs A Fitch-Tillett	Dr V Holliday
Mr R Kershaw	Mr M Taylor
Ms L Withington	

**Substitute** Cllr J Toye  
**Members Present:**

**Officers in Attendance:** Development Manager (DM)  
Development Management Team Leader (DMTL)  
Principle Lawyer (PL)  
Senior Environmental Protection Officer (SEPO)  
Democratic Services Officer – Regulatory

### 73 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr N Lloyd, Cllr G Mancini-Boyle, Cllr N Pearce, Cllr A Varley and Cllr A Yiasimi.

### 74 SUBSTITUTES

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

### 75 MINUTES

It was noted that the minutes of the meeting held 24<sup>th</sup> November 2022 would be presented for consideration for the Committee meeting scheduled Thursday, 22<sup>nd</sup> December 2022.

### 76 ITEMS OF URGENT BUSINESS

None.

### 77 DECLARATIONS OF INTEREST

- i. Cllr V Holliday declared a non-pecuniary interest in Agenda Item 8, Planning Application PF/22/1885, and advised she considered herself pre-disposed but not pre-determined.
- ii. Cllr A Fitch-Tillett declared a non-pecuniary interest in Agenda Item 9, Planning Application PF21/3221, she is the Local Ward Member and a customer of the business and advised as she had been consistently lobbied, she would abstain from voting.

- iii. Cllr A Brown noted that all Members had been in receipt of communication from Mr Tassie sent prior to the meeting.

**78 WEYBOURNE - PF/22/1885 - ERECTION OF SINGLE-STOREY FRONT AND REAR EXTENSIONS AND RENDERING OF PROPERTY, HEATH VIEW, HOLT ROAD, WEYBOURNE**

The DMTL introduced the Officers report and recommendation for approval subject to conditions. He affirmed that the main considerations were set out on p.9 of the report:

1. Whether the proposed development was acceptable in principle;
2. The effect on the character and appearance of the existing dwelling and surrounding area;
3. The effect on the living conditions of the occupiers of neighbouring dwellings;
4. Whether the proposed development would result in a detrimental impact upon the surrounding landscape/AONB, and;
5. The impact of the proposed development on highway safety and parking.

The DMTL noted that the concerns contained in the representations from the public and Parish Council related to over-development, the effect on neighbouring dwellings, light pollution, proximity of the extension to the shared driveway, use of render being different to other buildings in the vicinity, lack of parking and increased traffic with cars having to reverse onto the road.

He advised that Officers were satisfied that the proposal accorded with core strategy and national planning policies and was therefore considered acceptable subject to conditions.

The DMTL proceeded to go through the presentation, establishing the sites location, relationship with neighbouring buildings within the wider context of the built up settlement and AONB, as well as site plans, existing and proposed elevations, proposed floor plans, and photographs of the site.

*Cllr M Taylor arrived at 9.45am*

Public Speakers

Charlie Harrison – Weybourne Parish Council

Lyndon Swift – Objecting

Christopher Harwood – Supporting

Members Debate and Questions

- i. The Local Member – Cllr V Holliday – disagreed with the Officers assessment, and considered that the proposed development did not accord with NNDC Core Strategy Policies HO8, EN1, EN4, EN9 and paragraph 185 of the NPPF. She noted that the extensions would result in a 50% increase in the footprint of the dwelling, which was in conflict with policy HO8, creating a disproportionately large increase to a modest dwelling. Further, the proposed use of glazing would approximately double the glazing on the southern elevation, triple the glazing on the eastern elevation, and would add a roof lantern on the rear extension, which she argued contravened policy EN1 and would result in light pollution, adversely impacting the nearby Kelling Heath Dark Skies Discovery Site.

The Local Member considered the close proximity of the proposed rear extension, 0.8m to the southern neighbour, and argued this was counter to policy EN4, as was the application of render was not commonplace in the village or neighbouring dwellings. Cllr V Holliday further considered the development in conflict with policy CT5, with the number of bedrooms increasing to four, and considered that cars accessing the site would be forced to reverse onto a busy road. With regard to EN9, Cllr V Holliday argued there had been a loss of a biodiversity rich hedge, removed without requirement for planning permission, but with no mention of a replacement planting scheme or another planting scheme which may otherwise mitigate the development. The Local Member stated, if approved, she would expect the conditioned application of reduced visible light transmission factor glass of 0.5 for the large areas of glazing and less than 0.4 for the roof lantern, as recommended in other AONB sites, controls on external lighting, and a planting scheme with biodiverse rich features such as bird boxes.

- ii. Cllr A Brown noted on p.9 of the report, that the site was located within Weybourne's designated settlement boundary, therefore policy HO8 would not apply as this applied dwellings in designated countryside only. Consequently, he contended that extensions of up to 50% of the ground area of the property would be permissible under planning policy, and considered the potential margin of increase between any potential permitted development and the proposed scheme.
- iii. Cllr A Fitch-Tillett advised, as Vice-Chairman for Norfolk Coast Partnership (the governing body for the AONB), that she supported the concerns raised by Cllr V Holliday with respect of light pollution, and sought for the inclusion of conditions which would prevent increased light pollution to the sky or over the open countryside to the rear of the site. Cllr A Fitch-Tillett reflected on the hedge removal, though noted this was not a material consideration.
- iv. The DM confirmed that the site was not contained in the designated countryside, and therefore affirmed policy HO8 would not be applicable.
- v. The DMTL advised that the proposed parking scheme complied with the core strategy. Further, with respect of permitted development, the DMTL advised under permitted development a rear extension could be erected up to 4m without the need for planning consent (the proposed scheme was 5m deep), though it would not be able to project beyond the side elevation of the property. He noted that a full glazed conservatory could be erected under permitted development.
- vi. The Chairman asked if permission was required for the removal of the hedge.
- vii. The DMTL advised that permission was not required, and understood that the hedge was not a native species.
- viii. Cllr P Heinrich reflected on the DMTL comments regarding permitted development rights, and the associated risk that this may result in a fully glazed scheme. He noted that the proposal was for a large extension but contended that it was both acceptable and well designed. He considered that the street scene would be improved, and understood the application of render was proposed, drawing on his experience that matching exactly existing brick could be challenging. He considered that the application would

bring a non-descript 1970's bungalow into the 21<sup>st</sup> century, which would be an overall improvement. Cllr P Heinrich proposed acceptance of the Officers recommendation.

- ix. Cllr J Toye seconded the Officers recommendation, and noted, with respect of light pollution, that people did not leave Velux windows open during the night emitting light pollution, and the application of ground source heat pumps in the proposal further evidenced that curtains and blinds would be closed for energy conservation.
- x. Cllr L Withington appreciated the concerns relating to the AONB and light pollution and asked if a condition could be added for the type of glass used, which may serve to alleviate issues.
- xi. The DM acknowledged this had been used in the past, and noted the presence of the applicant at the meeting should they wish to respond.
- xii. The Applicant indicated they were supportive of the glazing condition requested by Members

**IT WAS RESOLVED** by 8 votes for a 1 against.

**That Planning Application PF/22/1885 be APPROVED subject to conditions to cover the matters listed below and any other considered necessary by the Assistant Director – Planning**

- **Time limit for implementation**
- **Approved plans**
- **Materials as submitted**

**Final wording of conditions to be delegated to the Assistant Director – Planning**

*The meeting was suspended from 10.09am and resumed at 10.13am*

**79 OVERSTRAND - PF/21/3221 - CONTINUED USE OF LAND FOR STORAGE ANCILLARY TO OVERSTRAND GARDEN CENTRE AND PROVISION OF OVERFLOW CAR PARKING FOR STAFF (RETROSPECTIVE): OVERSTRAND GARDEN CENTRE, MUNDESLEY ROAD, OVERSTRAND**

The DM introduced the report and the Officers recommendation for approval subject to conditions. He noted that a site visit had been held in July 2022 which enabled Members to see the relationship between the application site and the neighbouring dwellings.

Since the site visit Officers from Planning and Environmental Health had worked with the Applicant to try and address some of the issues which were preventing a positive resolution. The primary issues centred on the surfacing of the application site, discussions of HGV deliveries and forklift truck impacts.

The Applicant had subsequently removed the gravel from the site, following concerns raised about the noise of passing vehicles, which left a hard-core surface.

In relation to addressing the impacts on HGV and forklift trucks, the Applicant had



produced an updated noise impact assessment and layout plan, referred to within the Officers report. Further, since the site visit, the Applicant had acquired a new forklift truck for the site, and noted concerns about the noise impact of the former forklift truck. The change in equipment had been reflected in the noise impact assessment.

The DM noted the changes in the proposed application layout, amended since the site visit, with the final submission seeking to retain the 9m wide landscape buffer, removal of the pedestrian access from the site (effectively removing public access from this portion of the site), and inclusion of 3m high acoustic fence located on the edge of the landscape buffer strip.

6 public representations had been received since the Agendas publication, which touched upon many of the points raised in pages 15 and 16. Comments included concerns that the land would be operated on from 8am till 6pm, disturbing residents and spoiling their use and enjoyment of their home and garden, concerns that the scheme was not dissimilar to the last with the exemption of public parking, and concerns that the new forklift truck was just as noisy as the old one. Suggestions had been made to condition the use of staff parking from 8.30am – 5.30pm Monday to Saturday and 9.30-4.30pm Sunday and Bank Holidays, with forklift and delivery movements restricted to 10am at the earliest to 4.00pm at the latest Monday – Friday only. Further controls had been suggested to minimise the number of deliveries on the site, the DM noted that the applicant had advised that there would be 9 HGV deliveries across the year, however concerns were raised that this may increase if unmonitored.

The DM advised that a copy of draft conditions had been circulated subsequent to agenda publication, and highlighted that HGV conditions were still a matter for consideration. It had proposed that a 10am – 4pm Monday – Friday HGV delivery restriction be imposed, though noted the Applicant would prefer this to be a 9am-5pm Monday-Friday which the Environmental Protection team had indicated they were agreeable to.

Further Forklift truck hours of use were to be agreed, with the Applicant wishing to align permission with opening hours.

*The meeting was suspended at 10.24am and reconvened at 10.53am*

#### Public Speakers

Gordon Partridge - Overstrand Parish Council

Mark Tassie – Objecting

Alan Preslee – Supporting

#### Members Questions and Debate

- i. The Local Member – Cllr A Fitch-Tillett reflected on the necessity for the garden centre to continue its operations, being both important to the village and to the local economy. She congratulated the Applicant and Officers for working together, and noted the lengthy discussions made. The Local Member reiterated that she would abstain from voting on the application, but encouraged Members to support the application and the business.
- ii. The SEPO advised that Officers had considered noise and disturbance from

a nuisance perspective as well as assessing the planning application, with the aim to positively address issues and areas of concern. She advised that Officers were content with the draft conditions, and stressed the importance of having appropriate protective measurements in place to ensure local residential amenity could be achieved. The SEPO was minded that this was an operational garden centre, which wished to grow and expand.

- iii. Cllr R Kershaw spoke in support of the application and stated that the business was an asset to the community, and he was encouraged to see it prospering during challenging economic times. He thanked the Applicant and Officers for working together to form a comprehensive set of draft recommendations and conditions, which he believed encompassed the core issues. Cllr R Kershaw understood the concerns of local residents but considered that the majority of concerns would be addressed by conditions. He was therefore satisfied with the application and so proposed acceptance of the Officers recommendation subject to conditions.
- iv. Cllr V Holliday questioned whether an acoustic fence higher than 3m could be utilised, and noted discrepancies with the number of HGV movements as being either 9 or 12 per annum, and the operating hours of forklifts on a Saturday.
- v. The DM advised that the noise report referenced 9 HGV movements, and although originally Officers did not consider limiting the number of HGV movements as it would be challenging to enforce, it was asked as a condition that the applicant record the number of HGV movements. The slightly higher figure of 12 movement would allow some flexibility, whilst remaining a sensible figure, and was not considered to cause an unacceptable impact should the control measures be in place. With respect of forklift movement times, it was noted that the Applicant would prefer greater flexibility, the DM advised it was for the Committee to consider this request and whether times could be extended.

With reference to questions about the acoustic fence, the DM commented that was a matter of balance, as a taller fence would have a greater visual impact. Officers contended that the 3m fence would achieve the necessary noise reductions without having as much of a visual impact. Further, the impact would be softened through the conditioned introduction of landscape planting, though it was noted that the planting would take some time to establish.

- vi. Cllr V Holliday asked if HGV movements being permitted to a later time would have an adverse impact on local roads.
- vii. The SEPO advised that HGV movements could be restricted per annum, and reflected that a concession had been made to prevent deliveries on Saturday, Sundays and Bank Holidays. She considered the versatility of the forklift truck in performing a number of tasks on site, and stated that whilst the number of movements could not be limited, the time of operation on the application site could be considered.
- viii. The Applicant's Agent was permitted by the Chairman to address Members questions. He clarified the business request that forklift truck hours (detailed in Condition 16) be aligned with HGV times, preferably 9.00am – 5.00pm Monday – Friday and 9.00am – 1pm on Saturday. He further requested, with

relation to staff parking (Condition 20), that the hours be extended to enable staff to park on site an hour before and after the business opening times. The Agent also commented on Condition 12, and noted that as drafted the condition required measures to reduce glare and reflection from stored pallets and materials, but he considered that other conditions including the 3m acoustic fence and landscape buffer would preclude views of the pallets. He stated it would be onerous on the business for the Committee to expect the pallets to be uncovered and recovered at regular intervals.

- ix. The Chairman asked how many staff cars there would be on average at any one time, and noted previously that staff were arriving many hours earlier than when the business opened.
- x. The Applicants Agent advised there would be approximately 6 or 7 staff cars at any one time. The Applicant confirmed that the General Manager would arrive for work at 7.00am but that that measures had been put in place so that they would not access the application site before 8.00am. They would make use of the car park to the front of the property.
- xi. The DM noted that the operating hours of the Forklift on Saturday was a matter of contention and it was for Members to determine if there would be additional harm though extended hours.
- xii. Cllr J Toye asked if natural features could be used on the acoustic fence, and that this be considered when the design and materials be agreed. He considered natural planting would aid to soften the glare and noise coming from the site on neighbouring dwellings.
- xiii. The DM advised that the purpose of the 9m planting scheme was to soften the visual impact of the acoustic fence, and advised that bird and bat boxes had been included as a condition to enhance the biodiversity of the area. The DM assured Members that the acoustic fence would meet specifications, and commented it was important to ensure that nothing interfered with the primary function of the fence.
- xiv. Cllr J Toye was satisfied with the recommendations and was encouraged by the Applicants willingness to with the community and Officers towards an acceptable scheme, and so seconded the Officers recommendation.
- xv. Cllr P Heinrich thanked Officers and the Applicant for their efforts in producing an acceptable scheme. He sought to confirm that native species would be used within the planting scheme, given the nature of the business. With respect of potential noise, he considered that 1 HGV movement a month was not excessive. Through good management of the site, and implementation of conditions, he was content to accept the Officers recommendation.
- xvi. Cllr A Brown echoed Members thanks to Officers and the Applicant, and to Mr Tassie in his communication. He questioned the landscaping scheme and asked if trellises could be added to the fence, with vine planting to help mitigate the effect of the site until such time as the planting scheme matured.
- xvii. The DM commented that the higher the plant stock, the greater for the risk of failure, and the greater the need for maintenance. He advised that Officers were satisfied with the proposed mitigation which would be secured by

condition, and noted the Applicant was in attendance and may be happy to address Members additional queries.

- xviii. The Applicants Agent advised that they had secured a Landscape Architect to prepare a scheme, and it was envisioned that this would include some standard species as well as a mixture of whip plants. The exact planting was still to be agreed with the Landscape Architect.
- xix. Cllr L Withington noted that Applicants request that the conditioned Forklift use hours be brought in line with the conditioned HGV hours, and reflected that the weekend would likely be the busiest time for the business, therefore there may be some impact on the ability of the business to function if the Forklift hours were limited on Saturdays.
- xx. The DM advised that the use of hours had be thoroughly considered to seek a balance between the interests of all parties. Officers contended that forklift movements were necessary to respond to HGV deliveries on weekdays, the conditioned forklift hours commencing on Saturday were not considered to have a detrimental impact on the business, and that through forward planning the business could still prepare for Sunday trading within the realms of the proposed condition.
- xxi. The SEPO advised that from the noise report, and Officers own monitoring that background noise levels in the area were very low, particularly at certain times of the day. She commented that a forklift was a very versatile piece of equipment which would reduce the impact on staff through manual handling, and that its use on the main site (not the application site) was not for discussion. The Forklift truck could still be used as needed on the core site. The SEPO reaffirmed the Environmental Health Teams recommendation for a 10am forklift start on Saturday.
- xxii. Cllr J Toye clarified Members discussion and proposed an amendment to the Officers recommendation that the HGV and Forklift be conditioned for use between 9am to 5pm Monday to Friday, and Forklift use be conditioned to remain as 10am to 1pm on Saturday. This was accepted by Members.

**IT WAS RESOLVED** by 9 votes for and 1 abstention.

**That Planning Application PF/21/3221 be APPROVED subject to conditions to cover the matters listed below**

- 1. No new grounds of objection from consultees following re-consultation period;**
- 2. The imposition of appropriate conditions (detailed list of draft conditions to be provided to Development Committee ahead of the meeting); and**
- 3. Any other conditions that may be considered necessary at the discretion of the Assistant Director for Planning**

**Final wording of conditions to be delegated to the Assistant Director – Planning**

*Cllr V Holliday and the SEPO left the meeting at 11.35am*

**80 DILHAM - RV/21/3306 - VARIATION OF CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION PF/18/1928 TO ALLOW FOR CHANGE OF MATERIAL FROM GALVANISED STEEL TO OAK STRUCTURE (RETROSPECTIVE), NORTHBROOK COTTAGE, CHAPEL ROAD, DILHAM**

The DM introduced the Officers report for a variation of condition on a previous planning application for use of galvanised steel to an oak structure. He advised that the application was not a designated fire escape under building control, and therefore this was not a material consideration. The DM noted that the key issue was whether the change to galvanised steel was acceptable in planning terms. Officers contended within the report that there were no planning reasons to object to the proposed change, and therefore their recommendation was one for approval.

- i. Cllr P Heinrich noted that the stairwell was not a fire escape and would simply be a timber access stairwell, which he did not see issue with. Cllr P Heinrich proposed acceptance of the Officers recommendation.
- ii. Cllr A Brown seconded the Officers recommendation, and considered the change a non-material amendment.
- iii. The DM, in response to Members questions, advised that as this was a Section 73 application, a variation of condition, which created a new planning permission, therefore any conditions on the original application would need to be re-imposed. He advised that he would ensure this was included.

**IT WAS UNANIMOUSLY RESOLVED** by 9 votes for.

**That Planning Application RV/21/3306 be APPROVED subject to conditions to cover the matters listed below and any other considered necessary by the Assistant Director – Planning**

- In accordance with approved plans
- Materials as submitted

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

**81 EXCLUSION OF PRESS AND PUBLIC**

Not applicable.

The meeting ended at 11.43am.

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Chairman

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## DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 22 December 2022 in the Council Chamber - Council Offices at 9.30 am

**Committee Members Present:**

Cllr P Heinrich (Chairman)	Cllr A Brown
Cllr P Fisher	Cllr A Fitch-Tillett
Cllr V Holliday	Cllr R Kershaw
Cllr N Lloyd	Cllr G Mancini-Boyle
Cllr N Pearce	Cllr M Taylor
Cllr A Varley	

**Substitute Members Present:**

Cllr H Blathwayt

**Officers in Attendance:**

Assistant Director of Planning (ADP)  
Development Management Team Leader (DMTL)  
Principle Lawyer (PL)  
Democratic Services Officer – Regulatory

### 82 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr P Grove-Jones (Development Committee Chairman) and Cllr L Withington.

### 83 SUBSTITUTES

Cllr H Blathwayt was present as a substitute for Cllr P Grove-Jones. The Vice-Chairman; Cllr P Heinrich, served as Chairman for the meeting.

### 84 MINUTES

The Minutes of the Development Committee held Thursday 24<sup>th</sup> November 2022 were approved as a correct record.

### 85 ITEMS OF URGENT BUSINESS

None.

### 86 DECLARATIONS OF INTEREST

Cllr A Fitch-Tillett declared a non-pecuniary interest for agenda item 8, planning application PF/21/2186. She advised that the application site was located in AONB and she was the Vice-Chairman for the Norfolk Coast AONB Partnership.

Cllr H Blathwayt declared a non-pecuniary interest for agenda item 8, planning application PF/21/2186. He advised he is a Member for Norfolk Coast AONB Partnership.

**87 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**

The DMTL introduced the Officers report and recommendation for refusal for the reasons outlined on the agenda.

Public Speakers

Jonathan Cheetham - Supporting

Members discussion & debate

- i. The Chairman asked the DMTL about the history of the land and its prior uses.
- ii. The DMTL advised that the land had previously been used as an RAF base during WWII but was now populated by trees. It was understood that part of the site had been used ad-hoc for agricultural storage purposes, however it was unknown the full extent of the sites history.
- iii. The Chairman sought clarity whether, if approved, the application site would be permitted to accommodate 107 caravans/ boats.
- iv. The DMTL confirmed, as per the Officers report (p.25) that in addition to the 39 containers, permission was sought to house up to 107 caravans/boats.
- v. The Local Member – Cllr R Kershaw – expressed his support for the Officers recommendation, and thanked the case Officer for his lengthy report. He noted that there had been 37 letters of objection and that the parish council had objected to the proposal. Having attended the site, and read the Officers report, the Local Member stated he was convinced that the proposal was contrary to NNDC Core Strategy Policies SS1, SS2, SS5, EN1, EN3 & EN9, and considered that the harm outweighed any benefits. He commented that the proposal would result in an intensification of a rural site, resulting in damage to the ecosystem, and a loss of bio-diversity. Further, the containers would be visible from the quiet lane. Cllr R Kershaw questions the suitability of the lane in supporting the volume of traffic in installing and moving the containers, and subsequent delivery and removal of boats and caravans throughout the tourist season. He contended that the site would likely require security measure including fencing, CCTV and lighting, given the value of the assets proposed to be located on the site, and noted that the lighting would have a detrimental effect on the AONB. The Local Member noted paragraph 174 of the NPPF, and argued that the proposal was counter to these aims. He commented that some of the trees on the application site were subject to TPO's, and approval in the application would require removal of mature trees at the entrance to facilitate access. Having considered all of the above, Cllr R Kershaw proposed acceptance of the Officers recommendation for refusal.
- vi. Cllr A Fitch-Tillett remarked on the length harm described to the AONB in the Officers report, and stated that she could not support the application. She considered the proposal would have a significant detrimental effect on the surrounding natural beauty, and on dark skies. Cllr A Fitch-Tillett seconded the Officers recommendation for refusal.



- vii. Cllr N Pearce spoke in support of the Officers recommendation, and commented that access to the site was highly restricted. He considered the harm brought through the proposal would outweigh any good, and noted that the proposal was counter to many of NNDC's core strategy policies, as identified in the Officers report.
- viii. Cllr A Brown advised he was unable to support the application, and considered the harmful impact on the AONB. He noted that many policies were not satisfied by way of the application, and the responsibility fell to the applicant to make a case of material considerations which would outweigh the harm. Cllr A Brown did not consider the Applicants arguments compelling to justify a departure from policy, and reflected on the lack of detail for the fencing scheme, tree removal, why no alternate site had been considered, or demand for the site itself. He was unsighted of any traffic report, but had doubts of the representations made by NCC Highways, as he considered the lanes unsuitable for this type of traffic movement. Further, the site was not considered to be a sustainable location for the proposal, a consideration of which would be given greater weight under the emerging Local Plan.
- ix. Cllr V Holliday, ward member for the neighbouring parish of Morston, noted their objection and stated that she did not consider that the economic benefits outweighed the landscape or ecological harm which the proposal would cause. Further, she noted the Officers report, and the description of the impact on 'long views', and commented that she considered the proposal would have a negative impact on views of the landscape from the coast and looking down from Langham, with boats and caravans being white, shiny, and plastic, reflective in the sunshine.
- x. The ADP provided clarity and advised the Committee that the site was not situated in a designated dark skies site, the impact of lighting was to be judged under the terms of current adopted local plan policies.
- xi. Cllr J Toye commented that he was very familiar with the site, and noted one of the main routes to the site was past a school down a narrow road. He considered the application contrary many policies, and expressed his support for the Officers recommendation.

**IT WAS UNANIMOUSLY RESOLVED by 13 votes for**

**That Planning Application PF/21/2186 be refused 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).

## 88 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- i. The ADP introduced the Development Management Performance Report and advised that performance remains solid with sustained improvement both with respect of major and non-major performance. He reiterated prior advice that that the introduction of the new software system still had a lingering impact on figures but that he was confident that the two-year figure would improve significantly. The ADP affirmed that validation of applications continued to be completed in a timely manner, with low rates of validation outside of the timeframe.
- ii. Cllr A Brown thanked the ADP for his comments, and asked that his thanks be supplied to the Planning Service for their work over the last 12 months.

- iii. Cllr J Toye noted the significant workload of Officers, and commended them for validating applications in time under challenging circumstances.
- iv. The PL advised, with regard to the S106 report, Scottow Enterprise Park that NCC had explained the delay had arisen on the property side as they were discussing overage provisions. NCC had requested for additional time to secure completion until the end of February 2023.
- v. Cllr R Kershaw commented that the applicant for Scottow Enterprise Park understood the situation with overage as relating to the runway, and considered that this would not impede completion.
- vi. Cllr A Brown expressed his support for the extended deadline for Scottow Enterprise Park, and thanked the PL for her work in this matter.
- vii. Cllr G Mancini-Boyle noted that a S106 Officer was sought and advised that he was keen to implement schemes in his area. He expressed his frustration over the difficulties in accessing S106 money.
- viii. The ADP advised he would be pleased to discuss S106 revisions with any Council Member. He commented that when Members wished to secure S106 money, they would be required to have a qualifying development within their Ward. The key stages with progressing schemes involved the engagement through the planning application process. The ADP noted that a new S106 software had been launched, with a Member training session organised for January 2023. Interviews had been held for a dedicated S106 Officer, and the Council were awaiting confirmation of acceptance of a job offer for one of the candidates.
- ix. Cllr A Brown asked that a link be circulated to Members for S106's. It was agreed that the Democratic Services Officer would provide this to all Members.
- x. The Officers report was noted by Members.

## **89 APPEALS SECTION**

- i. The ADP advised that the significant hearing for Arcady, Cley-next-the-sea (ENF/18/0164, PF/21/0882 & RV/21/2583) was due to be heard on 24<sup>th</sup> – 26<sup>th</sup> January 2023 in NNDC officers, which Members were welcome to attend. The enforcement appeals for Thurning (ENF/19/0307 & ENF/19/0307) were due to be heard, date pending.
- ii. The ADP confirmed that 3 appeals had been determined since the agenda publication – PU/22/0019 and PF/22/1121 which were dismissed in addition to PF/21/1561 which was also dismissed. The ADP noted that there were still a significant number of written representation appeals awaiting determination.
- iii. Cllr A Brown was pleased to see the Councils decisions upheld by the Planning Inspectorate, and noted the Councils exemplary record at appeal of 95%.

**90 EXCLUSION OF PRESS AND PUBLIC**

None.

The meeting ended at 10.09 am.

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Chairman

## Registering interests

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

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

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

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

## Non participation in case of disclosable pecuniary interest

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

## Disclosure of Other Registerable Interests

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

## Disclosure of Non-Registerable Interests

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

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

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

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

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

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

**Table 1: Disclosable Pecuniary Interests**

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

<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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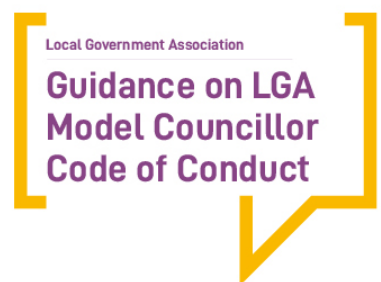
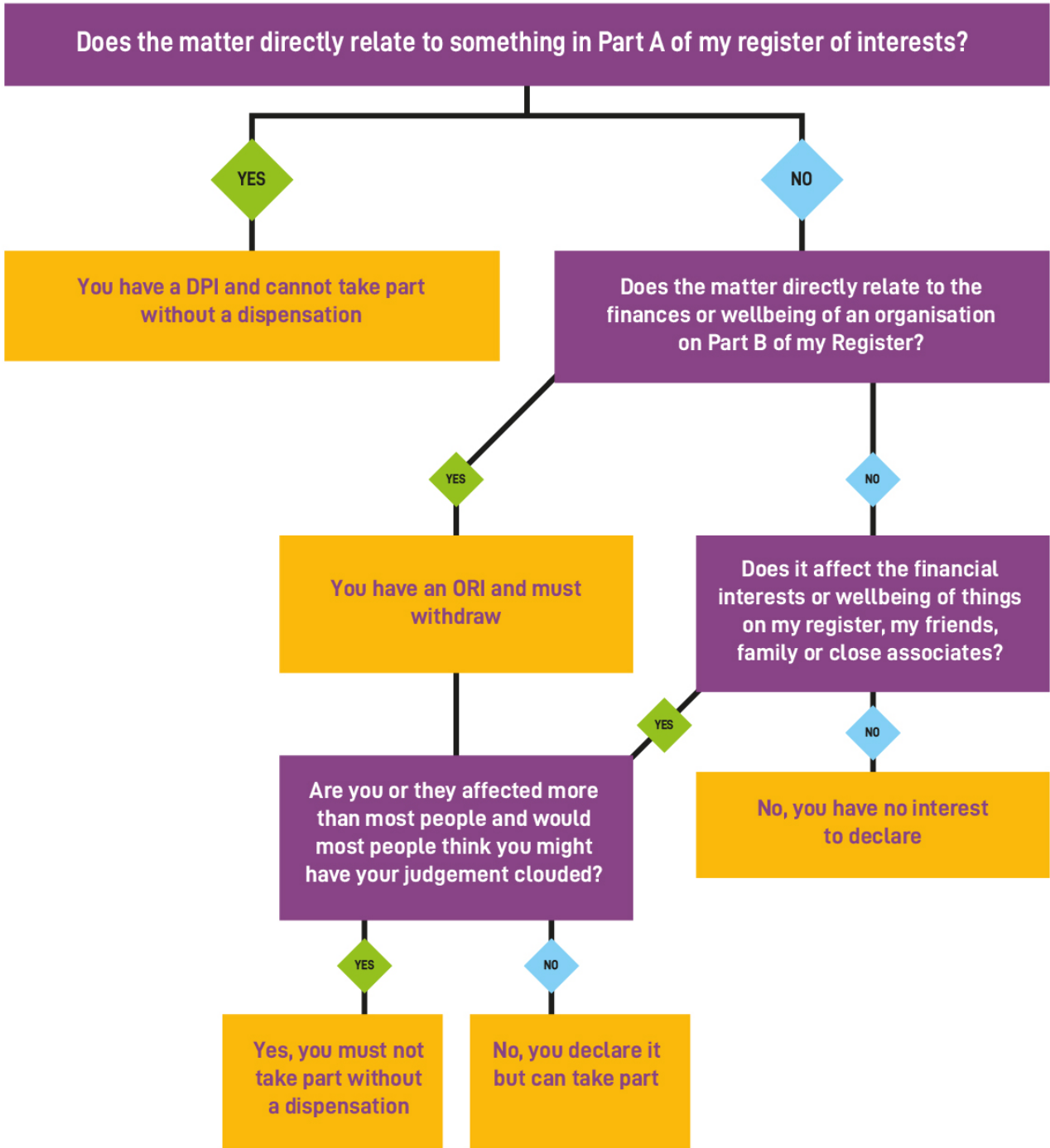
\* 'director' includes a member of the committee of management of an industrial and provident society.

\* '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)



**Fulmodeston – PF/21/3458 - Erection of two one-bed tree houses with external works and servicing (to include biorock drainage system and solar panels) at Land at Woodland, Browns Covert, Hindolveston Road, Fulmodeston for Mr D Astley**

**- Target Date: 26 January 2023**

Case Officer: Miss J Smith

Minor Development

## **RELEVANT SITE CONSTRAINTS**

- Countryside
- Areas Susceptible to Groundwater SFRA
- Surface Water Flooding
- Detailed River Network SFRA
- Landscape Character Area - Type TF1 (Tributary Farmland)
- Within the Zones of Influence of a number of habitats sites for the purposes of the GIRAMS

## **RELEVANT PLANNING HISTORY**

GF/94/0011: Brown's Covert, Hindolveston Road, Fulmodeston

Proposal: Improvements to forest road/turning area to facilitate removal of timber (notification by Forestry Commission) – no objections.

## **THE APPLICATION**

The application is for the provision of two self-contained treehouses within Swanton Novers Wood on the Astley Estate to be used as visitor accommodation as part of a proposed farm diversification scheme.

The supporting information with the application states that the 'initial' two tree houses will form the first phase of a sustainable tourism venture which envisages up to 14 tree houses sited in suitable location across the 450 acres of the wider woodland) which will see the Estate invest in rural tourism.

The income earned from the treehouses will enable the Estate to extend the adjacent National Nature Reserve (Swanton Great Wood and Little Wood) by another 450 acres into the woodland, contribute to other sustainable projects across the wider Estate and would provide an independent revenue stream to subsidise the income from farming and help to deliver an essential conservation woodland management plan.

The site is located at the western edge of Little Wood and Brown's Covert approximately 0.6km east of Fulmodeston and 0.9km southwest of Swanton Novers along the Hindolveston Road.

The scheme proposes off road parking for visitors along the access road in to the site.

The proposed self-contained treehouses would be sited on the edge of the woodland where views will be afforded across the meadow to the north-west. Solar PV is proposed at ground level and positioned facing to the west within the meadow.

There is a Public Right of Way running north-south through the meadow located near the northern boundary of the site.

### **REASONS FOR REFERRAL TO COMMITTEE**

At the request of Cllr Fitzpatrick due to the enhanced public amenity and economic development benefits.

### **PARISH/TOWN COUNCIL**

**Fulmodeston Parish Council:** No comments submitted.

### **REPRESENTATIONS**

**Two** objections on the following grounds:

- Impact of construction of modernistic trees houses in close proximity to nature reserve.
- Impact of noise, disturbance, litter to wildlife.
- The area is currently closed to public access. How will the site/area be managed to deter anyone visiting the site, woodland and encroaching on Conservation Area?
- How will parking be managed in the area?
- Treatment of foul water from the cabins into the River Stiffkey.
- Further tree houses are proposed, these should be identified on the plans.
- Fire risk from barbeques and smoking.
- Impact upon the dark skies in the area due to extent of glazing looking out from the woodlands.
- Impact of lighting on wildlife.
- No guarantee that the guests will use local facilities as suggested such as the Back to the Garden Farm Shop.
- Unsuitable location.
- The environmental impact has not fully thought through.

### **CONSULTATIONS**

**Norfolk County Council (Highways):** No Objection

The site access is suitable and although the site is remote and isolated, which may lead to a reliance upon the private car, contrary to local and national sustainability objectives, given the small scale of the proposal, the Highway Authority does not raise a formal objection at this time.

However, further development in this location (beyond that proposed) would likely warrant an objection for the following reason:

- The proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as represented in

national and local policy. Contrary to the National Planning Policy Framework and Policy 5 of Norfolk's 3rd Local Transport Plan - *Connecting Norfolk*.

**Public Rights of Way & Green Infrastructure:** No objection

**Natural England:** Confirms that GI RAMS payment is required if development is approved.

**Landscape Officer:** Comment that:

- No substantive issues were raised in the Preliminary Ecological Appraisal regarding protected species, subject to conditions.
- The Arboricultural Impact Assessment is considered acceptable.
- Whilst external lighting can be controlled through condition, internal lighting design cannot. Therefore, issues relating to dispersal of internal light must remain a material consideration and glazing design is therefore the easiest way to address concerns of light pollution. Consideration must also be given to the impacts of excessive glazing within the woodland setting upon wildlife - for example, the potential for bird strikes due to reflective surfaces. Whilst the materials of the proposed development could be appropriate for the setting (e.g. use of timber cladding), the extent of glazing proposed has the potential to emit light into the woodland and grassland area to the west, and would be highly visible at night due to the dark skies location and woodland backdrop. Due to the current designs, it is considered that the proposed development would have the potential to cause significant light pollution within an otherwise unlit setting and therefore would not be in accordance with Policy EN 2 of the adopted North Norfolk Core Strategy.
- It is considered that the proposed development could be implemented in accordance with Policy EN 9 of the North Norfolk Core Strategy and the gains from extension of the adjacent nature reserve would be significant. However, questions remain over the potential impacts of internal lighting upon nocturnal wildlife and potential for bird strikes due to the extent of glazing proposed. These issues could both be resolved (from an ecological perspective) through the installation of smaller windows on all four elevations of the building.
- The management of the woodland to 'nature reserve' quality is intrinsically linked to the proposed development and therefore an enforceable condition would need to be attached to ensure the proposed development would indeed result in biodiversity gains in accordance with Policy EN 9.
- The principle of new tourism accommodation within woodland and at the proposed location is not considered to be in accordance with Policies EC 7 or SS 2. Furthermore, the extent of glazing proposed is likely to lead to a negative impact upon the nocturnal character of the area whereby increased applications of this type could exacerbate this in the future.

**Planning Policy:** No comments received

**Economic And Tourism Development Manager:** Supports the application. The proposal of unique treehouses provides an offer of sustainable tourism which the Economic Growth team supports. It is also recognised that there are wider potential economic benefits that would be derived by such a proposal – such as jobs in the construction phase, supporting the local supply chain, conservation and woodland management, local spend from visitors etc. - which would serve the wider business community within the area.

**HUMAN RIGHTS IMPLICATIONS**

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

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

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

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

## **LOCAL FINANCE CONSIDERATIONS**

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

## **STANDING DUTIES**

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

## **POLICIES**

### **North Norfolk Core Strategy (adopted 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 2 (Protection and Enhancement of Landscape and Settlement Character)

Policy EN 4 (Design)

Policy EN 9 (Biodiversity and Geology)

Policy EN 10 (Development and Flood Risk)

Policy EN 13 (Pollution and Hazard Prevention and Minimisation)

Policy EC 1 (Farm Diversification)

Policy EC 7 (The Location of New Tourism Development)

Policy EC 9 (Holiday and Seasonal Occupancy Conditions)

Policy CT 5 (The Transport Impact of New Development)

Policy CT 6 (Parking Provision)

### **Supplementary Planning Documents:**

North Norfolk Design Guidance (2011)

North Norfolk Landscape Character Assessment (2021)

North Norfolk Landscape Sensitivity Assessment (2021)

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

Chapter 2 (Achieving sustainable development)  
Chapter 4 (Decision-making)  
Chapter 6 (Building a strong, competitive economy)  
Chapter 8 (Promoting healthy and safe communities)  
Chapter 9 (Promoting sustainable transport)  
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)

## **Other relevant documents/considerations**

Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy - Habitats Regulations Assessment Strategy Document (2021)

## **Main issues for consideration**

- 1. Whether the proposed development is acceptable in principle**
- 2. The effect on the character and appearance of the area and landscape**
- 3. The effect on protected species**
- 4. The effect on trees**
- 5. The effect on the living conditions of any nearby residents**
- 6. Whether the proposed development would have any highway and parking impacts**
- 7. Whether the proposed development would have any flooding or drainage impacts**
- 8. The effect on designated habitats sites**
- 9. Other Considerations**

## **APPRAISAL**

### **1. Principle of development**

The spatial strategy for North Norfolk is set out within Policy SS 1 of the Core Strategy. This states that the majority of new development within the district will take place in the towns and larger villages dependent on their local housing needs, their role as employment, retail and service centres and particular environmental and infrastructure constraints. The policy lists principle and secondary settlements as well as service and coastal service villages. The rest of North Norfolk is designated as 'Countryside'. Policy SS 2 restricts development within areas designated as Countryside to that which requires a rural location and is for one of more of the types of development listed in the Policy. These include development for agriculture, recreation and tourism.

The Astley Estate as a whole, comprises an organic arable and livestock farm, tenanted farmland, forestry, rental properties, a farm shop, and cafe, and employs a number of people across the estate. The construction of self-contained tree houses is proposed as part of a farm diversification scheme which would facilitate the transition from timber extraction to woodland management and the creation of a nature reserve focused on conservation practices. The proposed treehouses

would provide an alternative source of income to allow the Estate to convert from commercial forestry (450 acres) to a nature reserve, which would offset the loss of income from timber extraction. Additionally, the provision of tree house accommodation would enable the Estate to diversity its income stream to a less volatile tourism market to generate additional income, to take into account the gradual loss of Government agricultural subsidies.

Core Strategy Policy EC 1 indicates that development in the Countryside for farm diversification (defined as *the introduction of non-agricultural enterprises or novel agricultural enterprises into existing farm business / complex to support the agricultural enterprise*) will be permitted provided that:

- it can be demonstrated that the proposal would make an ongoing contribution to sustaining the agricultural enterprise as a whole; and
- the proposal would not involve new-build development on undeveloped sites unless:
  - it is directly related to the agricultural business, and
  - the re-use and / or redevelopment of existing buildings on the holding for the intended use, - in whole or in part, is not feasible.
  - or an opportunity exists to demolish an existing structure and re-build in a more appropriate location; and
  - in all cases the proposed floor space is less than 250sqm.

It is considered that the proposed scheme is not a true reflection of agricultural diversification in terms of what Policy EN 1 expects. The policy provides support for developments which make an ongoing contribution to sustaining the agricultural enterprise as a whole and which would be directly related to the agricultural business and furthermore, proposals must comply with all of the policy's criteria. The provision of treehouses introduces a new tourism operation as part of the wider business operation in order to offset the impacts of both loss of government subsidy (Basic Payment System) for both the applicant and tenants along with having regard to the general increase in food, food and inflation.

It is not considered that the first criterion in Policy EC1 has been fully met, in that the proposed two tree houses will sustain the existing agricultural Estate and tenanted farms, as suggested. It is stated in the application that the proposed two tree houses would be the first of a number of units (up to 14) where there is a long term aim for an increased tourism offer. Additionally, given that the proposal involves new buildings (rather than converting redundant buildings on the Estate for example), in the way of tourism units, these are not considered to directly relate to the agricultural enterprise. Furthermore, it has not been demonstrated that other buildings across the estate are available for this purpose, or that opportunity exists to demolish an existing structure and re-build in a more appropriate location.

Additionally, the definition of agriculture in the Town and Country Planning 1990 Act is considered of relevance:

*“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly”*



Therefore, for woodland to be considered 'agricultural' for the purposes of Policy EC 1, its use/occupation should be ancillary to the agricultural land, for example, shelterbelts, cover for pheasants, amenity woodlands. Woodland used for the production of commercial timber as in this case, is not considered to be ancillary to the farming of land.

The most relevant Core Strategy policy relating to the consideration of this application, expanding on the reference within Policy SS 2 to recreation and tourism within the countryside, is Policy EC 7 as it specifically relates to the location of new tourism development' and sets out a sequential approach for such accommodation and attractions. The Policy states that:

*"New tourist accommodation and attractions should be located in accordance with the sequential approach below:*

- *Proposals for new build tourist accommodation and attractions should be located within the Principal and Secondary Settlements.*
- *Within the Service Villages, Coastal Service Villages and the Countryside proposals for new tourist accommodation and attractions will be permitted in accordance with other policies for Employment Areas, the Re-use of Buildings in the Countryside, and Extensions to Existing Businesses in the Countryside.*
- *Where it can be demonstrated that there are no sequentially preferable sites, no suitable buildings for re-use and that a rural location is necessary, then new build attractions and serviced accommodation may be permitted in the 'resorts and hinterland' and 'rural' Tourism Asset Zones of the Countryside where they are in close proximity and have good links to, the Principal and Secondary Settlements.*

*Proposals for new build un-serviced holiday accommodation in the Countryside will be treated as though they are permanent residential dwellings and will not be permitted."*

The site lies within the 'rural' Tourism Asset Zone, which, in terms of the policy's sequential approach, is where new tourism development *may* be permitted but only subject to certain criteria. The site is not considered to be in close proximity nor does it have good links to the Principal and Secondary Settlements. The site is 5 miles from Fakenham and 7.5-miles from Holt which are the closest Principal Settlements. These settlements could only realistically be reached by car given the lack of public transport, the distance and road conditions, which would deter walking and cycling, the proposal would not represent sustainable development. Furthermore, as the proposal is for un-serviced accommodation it has to be treated though it is for permanent residential dwellings which the policy makes clear will not be permitted.

In the event that the proposed were to be supported by the Local Planning Authority, then Core Strategy Policy EC 9 would also be relevant. This sets out that new holiday accommodation in the countryside will be subject to restrictive conditions in order to provide the correct balance between encouraging tourism and other policy aims of controlling development in the countryside. Such conditions would ensure that the tree houses would only be used for holiday purposes and not the sole/main residence of the occupiers.

With regard to national planning policy, supporting a prosperous rural economy is a key aim of the NPPF and support is outlined specifically for tourism within paragraph 84 which states that *"planning policies and decisions should enable sustainable rural tourism and leisure development which respect the character of the countryside"*.

NPPF Paragraph 85 states 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.”*

Although the Core Strategy pre-dates the NPPF it is considered that its relevant policies do not conflict with the NPPF, as they seek to support sustainable rural tourism within the district. There is emphasis on supporting development which respects the character of the countryside. The proposed development would involve new built form on an undeveloped area of woodland but where users of the development would be fundamentally reliant on the use of the car to reach services and facilities. Whilst the proposal offers the use of bicycles, because of the sites very isolated location it is considered that realistically it cannot be made more sustainable as envisaged by paragraph 85 of the NPPF.

For the reasons stated, it is considered that the proposed scheme would accord not with the key Core Strategy policies relating to new tourism accommodation (Policy EC 7) or agricultural diversification (Policy EC 1).

## **2. Character and appearance**

Core Strategy Policy SS 4 states that all development proposals will contribute to the delivery of sustainable development, ensuring protection and enhancement of natural and built environmental assets and geodiversity. Open spaces will be protected from harm, and the restoration, enhancement, expansion and linking of these areas to create green networks will be encouraged. New development will incorporate open space and high-quality landscaping to provide attractive, beneficial environments for occupants and wildlife and contribute to a network of green spaces. Where there is no conflict with biodiversity interests, the quiet enjoyment and use of the natural environment will be encouraged, and all proposals should seek to increase public access to the countryside.

Policy EN 2 states that proposals should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment and features identified in relevant settlement character studies. Development 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 (including its historical, biodiversity and cultural character)
- gaps between settlements, and their landscape setting distinctive settlement character the pattern of distinctive landscape features, such as watercourses, woodland, trees and field boundaries, and their function as ecological corridors for dispersal of wildlife visually sensitive skylines, hillsides, seascapes, valley sides and geological features nocturnal character the setting of, and views from, Conservation Areas and Historic Parks and Gardens.
- the defined Setting of Sheringham Park, as shown on the Proposals Map.

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. Proposals will be expected to have regard to the North Norfolk Design Guide, incorporate sustainable construction principles, make efficient use of land, be suitably designed within their context, retain important landscape and natural features and incorporate landscape enhancements, ensure buildings are appropriate scale and massing, make clear distinctions between public and private spaces, create safe places, are accessible to all, incorporate footpaths and green links, ensure that parking is discreet and accessible and where possible, contain a mix of uses, buildings and landscaping.

Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, with good design a key aspect of sustainable development. Paragraph 130 goes on to state that development should establish or maintain a strong sense of place, be sympathetic to local character and history, landscape setting and be visually attractive. Paragraph 174 states that development should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

The site lies within designated Countryside and within the Tributary Farmland Landscape Type for the purposes of the North Norfolk Landscape Character Assessment (SPD 2021). The application is supported by a Landscape and Visual Impact Assessment (LVIA). As acknowledged within the LVIA, the guidelines for managing impacts upon the Tributary Farmland Landscape Type include conserving a sense of rurality.

Both treehouses would sit on steel post substructures, be raised off the ground and constructed in timber. The supporting statement considers the tree houses to be bespoke to the site, and whilst this may be the case and a timber form of construction would be expected in this more rural location, there are concerns with regards to the level of glazing that is proposed. Whilst it is acknowledged the visual impacts of the proposed development would likely be minimal during the day, it is not considered that the LVIA fully appreciates the potential impact the proposed development could have on the nocturnal character of the area. Furthermore, the increased base levels of light as a result of the proposed development potentially would impact upon the overall landscape character and views from the Public Right of Way to the north and west.

Whilst the buildings would have small glazed openings looking back into the woodland and it is accepted that external lighting could be managed through a condition, the specifications for internal lighting cannot necessarily be controlled by the planning process and must therefore be addressed through other means – for example, by ensuring any glazing is appropriate and sensitive to potential light emission. Due to the current design and resultant expanse of glazing, it is considered the proposed development would have the potential to cause significant light pollution within an otherwise unlit setting into the woodland and grassland area to the west and would be highly visible at night due to the site's rural location with little other development in the immediate vicinity and woodland backdrop. The proposal is therefore considered to conflict with the aims of Core Strategy Policies EN 2 and EN 4 and Paragraph 174 of the NPPF.

### **3. Protected Species**

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 through a variety of measures such as:

- maximising opportunities for creation of new green infrastructure and networks in sites allocated for development.
- creating green networks to link urban areas to the countryside;
- the designation of Local Nature Reserves and County Wildlife Sites;
- appropriate management of valuable areas, such as County Wildlife Sites;
- minimising the fragmentation of habitats, creation of new habitats and connection of existing areas to create an ecological network as identified in the North Norfolk ecological network report;
- progress towards Biodiversity Action Plan targets; and
- conservation and enhancement of Sites of Special Scientific Interest (SSSI) in accordance with the Wildlife and Countryside Act

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

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

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

Development proposals that would be significantly detrimental to the nature conservation interests of nationally designated sites will not be permitted.

Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 180 states that when determining planning applications, significant harm to biodiversity should be avoided, adequately mitigated, or, as a last resort, compensated for. Should this not be possible, then permission should be refused. Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused unless there are wholly exceptional reasons. Opportunities to incorporate biodiversity improvement in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The proposed development has the potential to impact upon priority habitats and protected species. A Preliminary Ecological Appraisal (PEA) has been submitted with the application to help provide a fuller understanding of the ecological impacts of the development. However, no substantive issues were identified or raised in the PEA regarding protected species.

In terms of ecological enhancement, the development is being promoted as 'enabling development' with the financial gains providing the means to manage approximately 450 acres of woodland for biodiversity gain as an extension to the adjacent National Nature Reserve. This has also been supported by a supplementary document stating the Biodiversity Net Gain Calculation from bringing this additional woodland under conservation management will result in substantial Biodiversity Net Gain in excess of 10%.

The supporting documentation also states that the project would help increase the variety and type of accommodation available to tourists and other visitors to the area. Volunteers working with the Wildlife Trust and Natural England in the adjacent Nature Reserve would have an opportunity to get involved in activities on the site. Guided tours would also be made available to schools and other groups, and individuals interested in learning about nature conservation and woodland management could have the opportunity to get involved. Additionally, where the existing woodland currently has no public access and whilst some areas would need to be fenced to encourage biodiversity and protect habitats, the supporting documentation states that areas would be open and available for enjoyment by locals and visitors where activities, such as, yoga or pilates could take place outdoors. However, no details have been provided within the submitted documents as to how the provision of access, management and tours etc. would occur and nor any mechanism such as a planning obligation to secure it.

The site is currently used as a commercial woodland where the cessation of commercial forestry in favour of conservation would clearly offer increased biodiversity enhancement over that which already exists. However, it is also recognised that as per the Finance Section of the supporting statement, a 'do nothing approach' would still enable commercial profits to be made for the Estate from the woodland and, despite its commercial use, the woodland has an existing biodiversity value in its current form. The woodland is currently subject to a Management Plan in agreement with the Forestry Commission where the most recent management plan was provided to the LPA to review. It was observed that this was dated 2013-2017 and the agent has advised that this is valid until 2023. The management of the woodland to 'nature reserve' is proposed as being intrinsically linked to the proposed development however, the application is not supported with an up-to-date Woodland Management Plan detailing the financial implications and biodiversity enhancement details.

There are issues surrounding lighting and its impact on the wider rural landscape as noted above. External lighting could be controlled through a condition, but internal lighting cannot. Whilst the treehouses would be under the applicant's control, planning conditions could not control internal lighting, or even the provision of blinds. Issues relating to dispersal of internal light remain a material consideration and control of glazing design, position of windows on the building and overall glazing size is therefore the only real way to address these concerns. Reducing the amount of glazing would help limit the impact upon the nocturnal character of the area. Consideration has also given to the impacts of excessive glazing within the woodland setting upon wildlife, for example, the potential for bird strikes due to reflective surfaces.

These issues could be resolved (from an ecological perspective) through the installation of smaller windows on all four elevations of the buildings. This would however, impact upon the overall design solution proposed but has not been explored by the applicant.

It is considered that the extent and levels of glazing proposed would lead to an adverse impact upon the nocturnal character of the area. The proposed development is therefore be contrary to Policies EN 2 and EN 9 of the adopted Core Strategy and Section 15 of the NPPF.

#### **4. Trees**

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

There is the potential for trees to be affected by the proposed development. An Arboricultural Impact Assessment has been submitted as part of the application and the Landscape Officer considers this to be acceptable subject to appropriate conditions.

In respect to impact on trees, the proposed development is considered to accord with Core Strategy Policies EN 2, EN 4 and EN 9 and Section 12 of the NPPF.

#### **5. Living conditions**

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

Paragraph 3.3.10 of the North Norfolk Design Guide (SPD) states that residents have the right to adequate privacy levels, and that new development should not lead to any overbearing impacts upon existing dwellings. Existing residents should also be kept free from excessive noise and unwanted social contact.

The proposals would introduce a level of noise/disturbance into what is currently a tranquil and undisturbed woodland setting. Given the site's isolated location with no immediate residential properties nearby, it is considered it would be unlikely that the development would have any materially harmful effect on living conditions in relation to both noise and disturbance, or as a result of traffic movements. The proposed development would therefore comply with Policy EN 4 and Section 12 of the NPPF.

#### **6. Highways, Parking and Accessibility to the Site**

Core Strategy Policy CT 5 states that development will be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its particular location. Development proposals will be considered against the following criteria:

- the proposal provides for safe and convenient access on foot, cycle, public and private transport addressing the needs of all, including those with a disability;

- the proposal is capable of being served by safe access to the highway network without detriment to the amenity or character of the locality.
- outside designated settlement boundaries the proposal does not involve direct access on to a Principal Route, unless the type of development requires a Principal Route location.
- the expected nature and volume of traffic generated by the proposal could be accommodated by the existing road network without detriment to the amenity or character of the surrounding area or highway safety; and
- if the proposal would have significant transport implications, it is accompanied by a transport assessment, the coverage and detail of which reflects the scale of development and the extent of the transport implications, and also, for non-residential schemes, a travel plan.

Policy CT 6 states that adequate vehicle parking facilities will be provided by the developer to serve the needs of the proposed development. Development proposals should make provision for vehicle and cycle parking in accordance with the Council's parking standards, including provision for parking for people with disabilities.

Paragraph 104 of the NPPF sets out that transport issues should be considered from the earliest stages of development proposals so that, amongst other matters, the potential impacts of development on transport networks can be addressed, opportunities to promote walking, cycling and public transport use are identified and pursued, and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.

Paragraph 105 states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. It also recognises that transport solutions will vary between urban and rural areas.

Paragraph 110 states amongst other matters that development should ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location, and that safe and suitable access to the site can be achieved for all users.

Paragraph 112 continues by setting out that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and facilitate access to high quality public transport where possible. Development should also address the needs of all users, be safe, secure and attractive avoiding conflict between transport users, allow for efficient delivery/access and be designed to enable charging of ultralow emission vehicles.

### ***Accessibility to Site***

It is considered likely that the users/customers of the development would be wholly reliant upon private vehicles to access the site and for trips from it. Staff, deliveries and construction works would also be reliant upon private vehicle for access. Users of the proposed development would be required to leave the site to access facilities and services for day to day needs as well as more general tourism activities/attractions.

Whilst the Highway Authority have not raised a formal objection to the proposed development, they have recognised the unsustainable location of the site which would therefore be at odds with

the policy aims of directing uses towards sustainable locations, and therefore is seen as a negative aspect of the proposal. It is recognised that the scheme proposes and encourages the use of bikes, however, the sustainability credentials of the site are limited and are not considered to be in line with paragraph 105 of the NPPF. Whilst it is recognised that applications of this type would be set within a more rural setting, the site would require a journey of approximately 5 miles by car to the nearest Principal Settlement (Fakenham). Therefore, it is not considered that the site is in close proximity to or has good links to these settlements with regards to sustainability. There are also no bus stops, footpaths near to the site.

The inaccessibility of the site by non-car modes would therefore be at odds with the policy aims of directing uses towards sustainable locations. As a result, it is considered that the development would conflict with the aims of Policy EC7 in relation to new tourism development given its remote countryside location. The site would be significantly reliant upon private vehicles for access contrary to the aims of the Core Strategy Policy CT 5 and the NPPF.

### ***Accessibility to the Tree Houses***

The Design and Access Statement explains that.

‘The final access to the treehouses will be on foot through the wood along existing logging tracks, it is intended that this is part of the theatre of arriving and the start of the guest’s engagement with the rich ancient woodland. The estate is exploring the idea of providing simple ‘barrows’ that will be left for guests at the car parking at the start of their stay. The ‘barrows’ will contain a ‘kit’ for arrival such as an umbrella and torches possibly even wellington boots, if requested, as well as a map of the route, (even though it will along a defined existing path it could point out flora and things of interest along the route. ‘It is understood that the nature of the treehouse and the means of access makes it difficult to accommodate mobility disabilities and this would be addressed in future accommodation proposals on the estate’.

It is considered that the site’s isolated location, combined with access to the site on foot with wheel barrows for visitors, and workers (cleaning, maintenance, refuse collection by way of quad bike), demonstrates a level of impracticality, especially in the winter months, adding to concerns about the site’s general accessibility.

### ***Parking***

The Council’s adopted parking standards do not specifically address the requirements for development of this type, however, they do provide a standard for uses such as hotels and guesthouses. Such uses are considered comparable to that being proposed and therefore would be an appropriate starting position. These standards require 1 vehicular space per bedroom and based on the current proposals, this would equate to a requirement to provide two spaces for each unit. Two parking spaces per unit (with secure cycle parking) would be provided on the private access (off Fulmodeston Road). It is considered that this would comply with Core Strategy Policy CT 6.

## **7. Flooding and Drainage**

### ***Flood risk***



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 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). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. This applies a sequential approach, to steer new development to areas with the lowest risk of flooding from any source, taking advice from the Environment Agency and Lead Local Flood Authorities to ensure that risks of flooding are adequately managed, whilst also accounting for future climate change.

Paragraph 167 of the NPPF sets out that where appropriate, applications should be supported by a site-specific flood-risk assessment.

As the site lies within Flood Zone 1, which is the lowest risk of flooding, the proposed development raises no concerns in this respect.

### ***Surface water and foul drainage***

Policy EN 10 states that appropriate surface water drainage arrangements for dealing with surface water runoff from new development will be required. The use of Sustainable Drainage Systems will be the preference unless, following an adequate assessment, soil conditions and / or engineering feasibility dictate otherwise.

The Planning Practice Guidance details what sort of sustainable drainage system should be considered. Generally, the aim should be to discharge surface run-off as high up the following hierarchy of drainage options as reasonably practicable. This is 1) Into the ground (infiltration); 2) To a surface water body; 3) To a surface water sewer, highway drain or another drainage system; 4) To a combined sewer. This hierarchy follows the same order of priority of Approved Document H3 of the Building Regulations.

Given the scale of development where the tree houses would be are raised off the ground, it is considered that the minor water displacement from the proposed treehouses would percolate naturally into the ground.

With regards to foul drainage, the first priority under the Building Regulations is for foul drainage to connect to the public foul sewer system. Only if a public foul sewer is not available, can alternative means of disposal be considered. In the absence of a viable connection to a public sewer, it is proposed to use a package treatment plant which is the next preferred option and as such is acceptable.

The application is considered to accord with Policy EN 10 of the North Norfolk Core Strategy and Section 14 of the NPPF.

## **8. Habitats sites**

### ***Nutrient neutrality***

The proposal will result in additional overnight accommodation. The site is however, located outside the catchment areas of the River Wensum Special Area of Conservation and the Broads

Special Area of Conservation and Ramsar sites and does not involve foul or surface water drainage into those catchment areas.

The application proposes to use a private sewerage system. The agent has provided clarification that the location of this proposal does not fall into a Nutrient Neutrality Impact Risk Zone (IRZ).

The Environment Agency's catchment explorer confirms that the tributary of the River Stiffkey that would receive outflow from the package treatment plant flows northwards to the sea and that the site is not within the catchment of The Broads SAC nor the River Wensum SAC. As such, the proposal is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

It is therefore considered that the demonstration that the development is nutrient neutral is not required in this instance and as such the proposals would comply with Policies SS 4 and EN 9 of the North Norfolk Core Strategy.

### **GI RAMS**

The site is located in the Zone of Influence for recreational impacts from residential development (which also includes development where new overnight is proposed) accommodation for a number of designated habitats sites. The Norfolk Wide Green Infrastructure and Recreational Avoidance Mitigation Strategy (GI RAMS) has been formally agreed and adopted by the Norfolk Planning Authorities and Natural England. It is a strategic approach to ensure no adverse effects are caused to European sites across Norfolk, either alone or in-combination from qualifying developments. Taking a coordinated approach to mitigation has benefits and efficiencies and ensures that developers and the Local Planning Authorities (LPA) meet with the Conservation of Habitats and Species Regulations 2017

A financial contribution of £185.93 per dwelling is identified in the approved GI RAMS that would provide appropriate mitigation for the indirect effects identified on designated habitat sites in Norfolk. The proposed development would create 4 bed spaces which would require a contribution of £123.95 to provide the required mitigation in this case.

To date, this financial contribution has not been made and as such the proposal does not currently comply with Core Strategy Policy EN 9 in this respect and as it cannot be concluded that the proposal would not be likely to have a significant effect upon the features of the European Sites through increased recreational pressure, when considered individually or in combination

## **9. Other Considerations**

### ***Refuse and Recycling***

The application proposes refuse and recycling would be picked up from the treehouses, (via quad bikes) on the meadow side by Estate workers and disposed of through the Estate's existing refuse and recycling facilities. Environmental Heath have suggested that the principle of removal of waste to be collected from the site and taken to another location would be acceptable subject to

the Estate having a waste carrier's licence and appropriate contracts in place. On that basis it is considered that proposal would be able to accord with Core Strategy Policy EN 13.

### ***Fire Safety***

The applicant proposes to purchase a mobile firefighting trailer, which consists of a lightweight 500l/min pump with 1000L tank. The trailer would also carry a 4" suction pipe allowing for direct extraction from the River Stiffkey located 60 metres from both treehouses. It is also stated to be lightweight in design, it can be towed by either a quad bike or truck to any location to ensure every location has full firefighting capability.

Whilst the issue over fire safety falls within the remit of Building Regulations, the practicality of the site has been discussed with the Council's Building Regulations Team. It was advised that.

'Access and facilities for the fire service is covered within Document B5 of the Building Regulations. For low rise domestic dwellings the requirements are quite simple and can be summarised as follows:

1. A dwelling needs access for a pumping appliance within 45 metres of all points inside the dwelling (the pumping appliance is referring to a Fire Service vehicle).
2. Access routes and hardstanding's need to provide capacity to handle 12.5 tonne vehicles, any bridges require 17 tonne capacity.
3. Dead end zones exceeding 20 metres must provide turning facilities.

In this case, whilst it does not look ideal to comply with the above, however it may be possible for them to introduce other provisions to offset non-compliance such as sprinkler systems and their offer of a firefighting trailer may be accepted by the fire service but we would have to consult with them. [Building Control Officer view is that] the fire service may be reluctant to consider the use of a firefighting appliance owned and maintained by other persons.'

### **Planning balance and conclusion**

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The proposed development is considered to conflict with the Core Strategy Policy EC 7 for the reasons explained above which relate primarily to the sustainability of the site's location and as new build un-serviced holiday accommodation in the Countryside must be treated as though they are permanent residential dwellings and will not be permitted. On the basis of the information submitted, it is also considered the proposed development does not meet the requirements of Policy EC 1, to be considered as farm diversification.

There are also concerns regarding the adverse impact of the proposed development upon the nocturnal character of the area due to the extent and levels of glazing proposed contrary to Core Strategy Policies EN 2 and EN 9. Whilst it is likely this could be addressed through amendments to the design of the units, the main issue in terms of the principle of the development would remain. Given the applicant's stated aspirations for additional development in the future, whilst any subsequent applications would have to be considered on their own merits, approval of this application could make it difficult to resist them. As such the landscape issues raised as part of

this application i.e. impact upon nocturnal character) could realistically be exacerbated in the future.

Weighing in favour of the proposed development are the biodiversity and landscape benefits/enhancement offered as part of the scheme along with the economic benefits of additional tourism and leisure spending and; any additional employment opportunities which might be generated or safeguarded. Given the scale of the development proposed it is considered that any economic and employment benefits arising from the proposals would be limited. With regards to the biodiversity benefits nothing has been put forward to secure them or which quantifies them specifically and as such, in the absence of this information, it is considered they can carry only limited weight.

On balance, it is considered these material planning considerations are not of sufficient weight to outweigh the conflict with the development plan - specifically, Core Strategy policies SS 1, SS 2, SS 4, EC 1, EC 7, EN 2, EN 4, EN 9 and CT5 and NPPF Paragraphs 105, 130, 134, 174.

## **RECOMMENDATION:**

### **REFUSE for the reasons outlined below**

- **Policy EC 7 states that proposals for new un-serviced holiday accommodation in the countryside will be treated as though they are permanent residential dwellings and will not be permitted. The site lies within the countryside as designated within Policy SS 1 of the Core Strategy and the proposed tree houses would be fully self-contained and therefore un-serviced, the proposal therefore fails to comply with Policy EC 7 of the North Norfolk Core Strategy.**
- **The proposal would be contrary to Policy EC1 as it would not constitute diversification of a farm business.**
- **The proposed development, by virtue of its design, in particular the extent and level of glazing would fail to protect the appearance, tranquillity and rurality of the surrounding rural landscape (identified as Tributary Farmland landscape character area (North Norfolk Landscape Character Assessment, SPD 2021) resulting in changes to the prevailing landscape character from increased recreation pressure and light pollution. The proposed development is therefore contrary to the requirements of Policies SS 4, EN 2, EN 4 and EN 9 of the adopted North Norfolk Core Strategy, Para 's 130, 134 and 174 of the NPPF and the principles set out in the North Norfolk Landscape Character Assessment, 2021 (NNLCA SPD) and the North Norfolk Design Guide (SPD).**
- **It is considered that the proposal is remote from local service centre provision conflicting with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car as required by Policy CT 5 of the adopted Core Strategy and the aim of Policy EC7 in relation to new tourism development given its remote countryside location. The proposed development would therefore conflict with Policy CT5, EC7 and para 105 of the NPPF.**

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

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**Sheringham - PF/22/2901 – Erection of a 396 kWp solar car port and associated infrastructure - The Reef Leisure Centre, Weybourne Road, Sheringham for North Norfolk District Council**

**Minor Development**

**Target Date: 3<sup>rd</sup> February 2022**

Case Officer: Mr J Barrow

Full Planning Permission

**RELEVANT SITE CONSTRAINTS**

- Landscape Character Area: Coastal Shelf
- Approach Routes
- Employment Area
- Settlement Boundary
- Sheringham Park

**RELEVANT PLANNING HISTORY**

PF/18/1435: Demolition of existing leisure and fitness centre, single storey office and existing skate park. Erection of two storey leisure centre to incorporate swimming pool, fitness suite, wet/dry changing facilities, reception, cafe, plant with car parking, erection of new skate park and associated landscaping - approved

CD/21/1764: Discharge of conditions 14 (west elevation plans), 15 (landscaping) & 26 (ventilation, air conditioning, refrigeration or mechanical extractor system details) of planning permission PF/18/1435 (Demolition of existing leisure and fitness centre, single storey office and existing skate park. Erection of two storey leisure centre to incorporate swimming pool, fitness suite, wet/dry changing facilities, reception, cafe, plant with car parking, erection of new skate park and associated landscaping) – details approved

CD/21/1900: Discharge of condition 18: external lighting details of PF/18/1435 Demolition of existing leisure and fitness centre, single storey office and existing skate park. Erection of two storey leisure centre to incorporate swimming pool, fitness suite, wet/dry changing facilities, reception, cafe, plant with car parking, erection of new skate park and associated landscaping – details approved

CD/22/0646: Discharge of condition 10 (Off-Site Highway Improvement Works including new access, closure of existing access and changes to footway/bus stops) of planning permission PF/18/1435; to allow the temporary access to remain in place until the end of 2024, to help reduce the impact of any construction traffic on day to day operations of The Reef and therefore help mitigate the impact on and disruption to that neighbouring operation – details approved

CDC/18/1435: Discharge of conditions 9 (acoustic), 12 (Traffic Management Condition), 14 (West Elevation), 15 (Landscaping), 16 (Arboriculture), 17 (Materials), 18 (External Lighting),

28 (Ground Improvements), 31 (Temporary Hoarding) of planning permission PF/18/1435 – details approved

CDB/18/1435: Discharge of conditions 4, 5 & 6 (Contamination), 7 (Surface Water Drainage), & 15 (part discharge-Landscaping) of planning permission PF/18/1435 – details approved

CDA/18/1435: Discharge of conditions 4 (contamination), 7 (surface water drainage), 8 (foul water strategy), 9 (acoustic), 10 (phase 2 works), 11 (parking during construction), 13 (refuse storage), 18 (external & car parking lighting), 23 (gradient of vehicular access), 24 (visibility splays), 30 (external lighting) of planning permission PF/18/1435 – details approved

PF/22/1660: 37 suite apartment hotel with associated access, parking and landscaping - Pending Consideration

### **THE APPLICATION**

The application seeks permission to erect a 396 Kilowatt Peak (kWp) solar car port and associated infrastructure on land used as a car park for The Reef Leisure Centre.

It would comprise the erection of three solar car port structures over each of the existing rows of car parking spaces serving The Reef Leisure Centre. The structures would take the form of central supporting pillars, with sloping monopitch roof design, covering the parking bays on either side, and sloping so as to maximise solar energy generation. The roof height of the structures would be approximately 4.4 metres on the north side with the lowest point on the south side being 2.6metres.

### **REASONS FOR REFERRAL TO COMMITTEE**

Because the capacity of the development would exceed 250kW.

### **PARISH/TOWN COUNCIL**

Sheringham Town Council - No comments received at time of writing.

### **REPRESENTATIONS**

One in support,

- Highlights the proposed development's energy generation capacity
- Little negative impact on the environment.

### **CONSULTATIONS**

Environmental Health: No objections or comments.

Norfolk County Council Highways: No objections as the highway related conditions of the site would remain unchanged.



**Landscape Officer:** No objection

- The car park would be contained by both existing, proposed, and approved development within the surroundings.
- Any visual harm is deemed to be mitigated by the benefits of the renewable energy generation.
- Reduction in light spill through providing down lighting under the canopies rather than lighting columns.

**HUMAN RIGHTS IMPLICATIONS**

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

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

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

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

**CRIME AND DISORDER ACT 1998 - CHAPTER 17**

The application raises no significant crime and disorder issues.

**LOCAL FINANCE CONSIDERATIONS**

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

**STANDING DUTIES**

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

**POLICIES**

**North Norfolk Core Strategy (Adopted September 2008):**

SS1 – Spatial Strategy

SS4 – Environment

SS12 – Sheringham

EN2 – Protection and Enhancement of Landscape and Settlement Character

EN4 – Design

EN7 – Renewable Energy

CT5 – Transport Impact of New Development

CT6 – Parking Provision

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

Chapter 2 – Achieving Sustainable Development

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving Well Designed Places

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

Chapter 15 – Conserving and Enhancing the Natural Environment

**Supplementary Planning Documents**

North Norfolk Landscape Character Assessment SPD (2021)

**MAIN ISSUES FOR CONSIDERATION**

1. Whether the proposed development is acceptable in principle
2. The effect on the character and appearance of the area
3. The effect on the amenity of surrounding occupiers
4. Highways

**APPRAISAL**

**1. Principle**

Core Strategy Policy EN 7 states renewable energy proposals will be supported and considered in the context of sustainable development and climate change, taking account of the wide environmental, social and economic benefits of renewable energy gain. Proposals for renewable energy technology, associated infrastructure and integration of renewable technology on existing or proposed structures will be permitted where individually, or cumulatively, there are no significant adverse effects on;

- the surrounding landscape, townscape and historical features / areas;
- residential amenity (noise, fumes, odour, shadow flicker, traffic, broadcast interference); and specific highway safety, designated nature conservation or biodiversity considerations.

The proposed development is therefore acceptable in principle subject to consideration of these matters where relevant.

**2. Character and appearance**

Visually, the proposed structures are not, of themselves, considered to be particularly 'beautiful' and their form follows function in providing a structural frame to support the proposed 966 PV modules.

The site is a designated Employment Area and has a much more urban appearance and feel than the rural landscapes which exist beyond the site's perimeter. The existing surrounding development would provide a good level of screening of the proposed structures, reducing the visual impact of the development within the wider landscape context.

Through orienting the car ports to slope north-south, any glare effects would be focused away from the Norfolk Coast Path route and golf course to the north; both areas where rurality is of particular importance to protect.

The development would have significant other benefits in terms of renewable energy generation, which need to be weighed against what in any event would be limited visual harm in terms of landscape impact. This is particularly important given the Council's declaration of a climate emergency, and the pledge to become net-zero by 2030.

As confirmed by the Council's Landscape Officer, this scheme would not negatively impact on the level of planting approved for the Leisure Centre and in addition, would provide a gain in terms of light spill through the replacement of columns for downlighting under the canopies.

Taking account of the above, it is considered that the proposed development would not result in any significant harm to the character and appearance of the area. It is therefore in accordance with Core Strategy Policies EN 2 and EN 4, Chapter 12 of the NPPF (2021), and the North Norfolk Design Guide.

### **3. Amenity**

Whilst there is often the perception that solar panels create glare, in reality this is not usually the case as glare represents lost sunlight energy. Solar panels are designed to absorb the sun's rays in generating electricity with dark, light-absorbing materials used which are covered with an anti-reflective coating.

In terms of adjacent developments, to the east of the site is existing employment land, with Sheringham Football Club to the south, and residential properties beyond that. The Reef Leisure Centre itself is immediately to the north with the A149 and Sheringham Golf Club beyond that. Each of these relationships is acceptable and would result in minimal negative impacts in terms of glare.

To the east of the site the Council is currently considering an application for an apartment hotel. It is considered unlikely, given the orientation that the amenity of occupiers of these these properties would be significantly adversely impacted.

Residential properties to the south are separated from the car park for The Reef by at least 115m, with Sheringham Town Football Club's pitch creating this distance. The dwellings which could potentially be impacted by solar glare are those positioned to the southern boundary of the football pitch. However, Officers consider it unlikely that the amenity of occupiers of these properties would be significantly adversely impacted from glare.

Officers note that the separation distances between these dwellings and the car park remains the same. The loss of lighting columns is a positive aspect of the scheme.

It is considered that the impact upon amenity would be acceptable in this case, in accordance with Policy EN4 of the Adopted North Norfolk Core Strategy, Chapter 12 of the NPPF (2021), and the North Norfolk Design Guide.

#### **4. Highways**

This application would not propose any alteration to existing parking provision, layout, or access arrangements. It would simply provide a cover to the existing spaces. Planning conditions attached to the leisure centre development relating to highways would be unaffected, and as a result the Highway Authority raises no objections.

This application is therefore considered acceptable in terms of parking provision and highway safety in accordance with Core Strategy CT5 and CT6 of the Adopted North Norfolk Core Strategy as well as Chapter 9 of the NPPF (2021).

#### **Conclusion and planning balance**

Whilst there would be some very limited harm in terms of potential glare from the panels and the appearance of the development would be functional, it is considered that this would be significantly outweighed by the environmental benefits of this scheme - in particular renewable energy generation (396kWp) which can be utilised to power The Reef Leisure Centre.

The proposal aligns with the Council's pledge to be net-zero by 2030, as well as going some way to address the climate emergency declared in 2019.

It is considered that the proposed development complies with the relevant development plan policies listed above.

#### **RECOMMENDATION**

:

**APPROVAL subject to conditions to cover the matters listed below**

- Time Limit for commencement (3 years)
- Development in accordance with the approved plans

Final wording of conditions to be delegated to the Assistant Director – Planning

**Sloley – LA/22/1910 - Retention of internal and external alterations to facilitate conversion of barn to dwelling, The Old Workshop, Sloley Road, Sloley, Norwich.**

**Minor Development**

**- Target Date: 26 January 2023**

Case Officer: Miss J Smith

Listed Building Consent

**RELEVANT SITE CONSTRAINTS**

- Listed Building

**RELEVANT PLANNING HISTORY**

PF/20/0537: Conversion of barns to five dwellings - approved

LA/20/0538: Internal and external works to facilitate conversion of a complex of barns to 5 dwellings – approved

CD/21/1625: Discharge of Conditions 5 (windows and doors) and 6 (materials) of listed building consent  
LA/20/0538 – details approved

CD/21/1680: Discharge of Conditions 5 (windows and doors), 6 (materials), 15 (highway plan) and 23 (external lighting) of planning permission PF/20/0537 – details approved

LA/17/0496: Internal and external alterations to facilitate conversion of a complex of barns into 5 dwellings - approved

PF/17/0495: Conversion of barns to 5 dwellings - approved

CDA/17/0495: Discharge of conditions 15 (offsite highway improvement works), 19 (method statement for protected species), 20 (landscaping), 22 (arboricultural method statement and tree protection) of planning permission PF/17/0495 – details approved

**THE APPLICATION**

The application seeks retention of internal and external alterations already carried out to facilitate conversion of a barn to dwelling at The Old Workshop, Sloley Road, Sloley.

The barn has already been converted and is currently occupied.

There is a concurrent planning application (PF/22/1909). The report for that application which considers matters of design and effect on residential amenity is also included on this agenda.

**REASONS FOR REFERRAL TO COMMITTEE**

The Agent in this matter is a close relative of a member of staff in Planning Services.

**PARISH/TOWN COUNCIL**

Sloley Parish Council:

Object as the works have not been undertaken in accordance with the listed buildings regulations.

**REPRESENTATIONS**

One objection on the following grounds:

- Loss of privacy
- Proximity of garden room to boundary wall and concerns regarding access, damp and remedial works.
- Height of garden room.

The objection raises no concerns on heritage grounds.

## **CONSULTATIONS**

Conservation and Design Officer: no objections as:

- The building is of relatively limited significance and is not a '*principal*' listed building,
- The departures from the approved scheme have had a largely neutral impact upon its character and appearance.

Overall, it is considered that the changes to the elevations have not had a harmful impact upon the designated heritage asset as a whole. The repainting (or ideally relocation) of the unsightly and prominent meter boxes on the east-facing gable would be welcomed as in their current white finish, they contrast markedly with the red brick backdrop and thus detract from the host barn. In their own right, however, it would be a matter of debate as to their need for listed building consent.

## **HUMAN RIGHTS IMPLICATIONS**

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

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

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

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

## **LOCAL FINANCE CONSIDERATIONS**

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

## **STANDING DUTIES**

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

## **RELEVANT POLICIES**

**North Norfolk Core Strategy (adopted September 2008)**

EN 8 - Protecting and enhancing the historic environment

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

## **MAIN ISSUES FOR CONSIDERATION**

1. The effect on the building's significance building as a designated heritage asset

### **APPRAISAL**

1. Effect on heritage asset

There have been previous planning permissions and listed building consents granted for the conversion of the barn to a dwelling and the internal and external works to facilitate this, as listed in the planning history above.

The current application seeks consent to retain works already undertaken to the fabric of the listed building which did not receive listed building consent through the previous approvals.

The works undertaken do not fully accord with the approved plans involve:

- Changes to internal subdivision of rooms within what was the cartshed.
- A new opening inserted into the east wall of the former cartshed.
- Two additional small windows inserted in the north elevation of the east/west wing.
- Two additional roof lights installed on the eastern roof slope.

The Conservation & Design Officer raises no objections to the changes to the historic fabric by way of internal subdivision or the insertion of additional openings. Overall, it is considered that the works that have been carried out have not had any substantive harmful impact upon the designated heritage asset as a whole. The agent has confirmed that the applicant will re-paint the meter boxes. This can be secured through a planning condition.

It is therefore considered that the proposal complies with the requirements of Policy EN 8 of the adopted Core Strategy and Section 16 of the NPPF.

### **Conclusion**

The works that have been carried out are considered to be acceptable and have not resulted in harm to the significance of the heritage asset.

### **RECOMMENDATION –**

APPROVAL subject to conditions to cover the matters listed below and any others considered necessary by the Assistant Director – Planning

- Approved Plans
- Re-painting of meter boxes within 3 months of the date of decision in a colour to be agreed with the LPA.

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

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**Sloley – PF/22/1909 – Conversion of barn to dwelling (retrospective), The Old Workshop, Sloley Road, Sloley, Norwich.**

**Minor Development**

**- Target Date: 26 January 2023**

Case Officer: Miss J Smith

Minor Development

**RELEVANT SITE CONSTRAINTS**

- Listed Building
- Contaminated Land
- Countryside
- Landscape Character Area
- Within a nutrient neutrality catchment
- Within Zones of Influence for the purposes of GIRAMS

**RELEVANT PLANNING HISTORY**

PF/20/0537: Conversion of barns to five dwellings - approved

LA/20/0538: Internal and external works to facilitate conversion of a complex of barns to 5 dwellings – approved

CD/21/1625: Discharge of Conditions 5 (windows and doors) and 6 (materials) of listed building consent  
LA/20/0538 – details approved

CD/21/1680: Discharge of Conditions 5 (windows and doors), 6 (materials), 15 (highway plan) and 23 (external lighting) of planning permission PF/20/0537 – details approved

LA/17/0496: Internal and external alterations to facilitate conversion of a complex of barns into 5 dwellings - approved

PF/17/0495: Conversion of barns to 5 dwellings - approved

CDA/17/0495: Discharge of conditions 15 (offsite highway improvement works), 19 (method statement for protected species), 20 (landscaping), 22 (arboricultural method statement and tree protection) of planning permission PF/17/0495 – details approved

**THE APPLICATION**

This is a retrospective application for conversion of a barn to dwelling which is now occupied at The Old Workshop, Sloley Road, Sloley with associated external alterations and as originally submitted included development carried out within the curtilage of the building (these have subsequently been removed from the application).

There is a concurrent application (LA22/1910) for listed building. The report for that application which considers matters in respect of the effect on the significance of the designated heritage asset is also included on this agenda.

**REASONS FOR REFERRAL TO COMMITTEE**

The Agent in this matter is a close relative of a member of staff in Planning Services.

## Sloley Parish Council

Object but do not state material reasons why. They rely on the judgement of the Planning Officer to resolve the matter.

### **REPRESENTATIONS**

One objection on the following grounds:

:

- Loss of privacy
- Proximity of garden room to boundary wall and concerns regarding access, damp and remedial works.
- Height of garden room.

### **CONSULTATIONS**

Conservation and Design Officer: has no objections to the alterations to the building itself as:

- The barn in question is of relatively limited significance and is not a '*principal*' listed building, &
- The departures from the approved scheme have had a largely neutral impact upon its character and appearance.

There are however, concerns raised by the works which have taken place within the curtilage of the host building, summarised as follows: -

- By virtue of its form, design and position on site, the garden room not only introduces unwanted domesticity into the agrarian setting, but also blocks and impinges upon views of the main barn group, and in particular the grade II listed Barn 2 which lies immediately behind.
- When this site was first put forward for development in 2016, the proposals included a garage serving Barn 3. However, this deleted due to officer's concerns about its domestic appearance and its impact upon the group as a whole. Although the garage as built now occupies a different position, it has a similar square footprint and pyramidal roof, and is not a built form that would ordinarily associated with a farmyard setting. It therefore appears as an unwanted visual postscript to the group.
- Although not specifically mentioned in the description of the application, it is noted that three means of enclosure have also been erected:-
  - a. A willow-panelled fence approximately 1.8 metres high on the new boundary line adjacent Barn 2. This has introduced unwelcome solidity and discordant domesticity and bears no relation to the post and rail fence which was approved under ref CDA/17/0495.
  - b. Alongside this, and springing off the back of the garden room, is a horizontal slatted fence which appears to frame a storage compound. This has even more of a residential appearance and exacerbates the impact outlined in a. above.
  - c. A second slatted fence springing off the corner of the proposed garage. Again, this is an enclosure which is inappropriate within a former farmyard setting.

For these reasons, it is considered that the development carried out has undermined the efforts that went into securing a sensitive scheme originally. Moreover, it continues to have a harmful impact upon the overall setting and significance of this listed group. With no apparent public benefits accruing from the proposals to outweigh this 'less than substantial' harm, this application therefore cannot be considered compliant under paragraphs 130 & 202 of the NPPF, and Core Strategy policies EN 4 & EN 8.

### **HUMAN RIGHTS IMPLICATIONS**

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

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

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

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

## **LOCAL FINANCE CONSIDERATIONS**

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

## **STANDING DUTIES**

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

## **POLICIES**

### **North Norfolk Core Strategy (adopted September 2008):**

SS 1 - Spatial Strategy for North Norfolk  
SS 2 - Development in the Countryside  
HO 9 - Conversion and Re-use of Rural Buildings as Dwellings  
EN 2 - Protection and enhancement of landscape and settlement character  
EN 4 – Design  
EN 8 - Protecting and enhancing the historic environment  
EN 9 - Biodiversity and geology  
CT 5 - The transport impact of new development  
CT 6 - Parking provision

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

Section 16 - Conserving and enhancing the historic environment

## **MAIN ISSUES FOR CONSIDERATION**

1. The effect on the building's significance building as a designated heritage asset
2. The effect on the living conditions of the occupiers of nearby dwellings

## **APPRAISAL**

There are no material issues in terms of the principle of converting the barn to a dwelling and works necessary to facilitate this as this has been established by the previous planning and listed approvals ref: PF/20/0537, LA/20/0538 and PF/17/0495.

However, given the concerns regarding the development carried out within the curtilage of the building, i.e. the erection of two outbuildings and boundary screening, then the agent has agreed to delete those proposals from this planning application. Any later consideration proposals for curtilage buildings will then be considered separately under a new application. The Local Planning Authority (LPA) has agreed it will allow 6 months for any application to be prepared, submitted and the considered (standing down any potential enforcement action until

the application is determined or otherwise resolved). This has been agreed by the Councils Conservation and Design Officer and enforcement service.

#### 1. Effect on heritage asset

The development carried out which does not accord with the previously approved plans involves:

- A new opening inserted into the east wall of the former cartshed.
- Two additional small windows inserted in the north elevation of the east/west wing.
- Two additional roof lights installed on the eastern roof slope.

The Conservation & Design Officer raises no objections to changes to the historic fabric by way of the insertion of the additional openings. Overall, it is considered that these changes have not had a harmful impact upon the designated heritage asset as a whole.

It is therefore considered that the proposal complies with the requirements of Core Strategy Policies EN 4 and EN 8 and Sections 12 and 16 of the NPPF.

#### 2. Living conditions

The new opening inserted into the east wall of the former cartshed, ground floor window to the northern elevation and rooflights on the eastern roof slope all look into the curtilage of the dwelling. In respect to the new opening inserted into the first floor of the northern elevation, given its size and position on the elevation including distance between the nearest residential properties and garden area, it is not considered to have resulted in significant harmful impact upon living condition by way of loss of privacy or overlooking. The proposal is there considered to comply with Core Strategy Policy EN4 and Section 12 of the NPPF.

#### Other considerations

The barn in has already been converted and is currently occupied. There changes to the approved scheme have not resulted in new material issues in terms of ecology, parking, and highway considerations and are otherwise acceptable in those respects and relevant Core Strategy policies listed above.

With regards to the effect on designated European habitats sites, the application site is within an area affected by the advice from Natural England received in March 2022 in respect of nutrient pollution and within the Zones of Influence of a number of habitats sites in respect of the Green Infrastructure & Recreational Impact Avoidance and Mitigation Strategy adopted in 2022. These are new material issues that have arisen since the previous applications to convert the barn to a dwelling were approved.

The fallback position of the previous approvals remains extant and operable. The small scale nature of the changes to the approved scheme are limited only affecting the appearance of the barn, it is considered that the proposal has not resulted in any materially adverse impact in this respect. A mitigation contribution in respect of GIRAMS payment and evidence of the development being nutrient neutral are therefore not considered to be required in this instance. As such the development complies with Core Strategy Policy EN 9 and guidance issued by Natural England in respect of Nutrient Neutrality.

#### **Conclusion**

The development is therefore considered to be acceptable for the reasons stated and compliant with the relevant planning policies as listed above.

#### **RECOMMENDATION –**

APPROVAL subject to conditions to cover the matters listed below and any others considered necessary by the Assistant Director – Planning

- Approved Plans.

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

Also an advisory note confirming that the approval does not cover the unauthorised garage and boundary screening and a further planning application should be prepared and submitted to the Local Planning Authority for consideration within 6 months of the date of this decision to address these matter.

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# Agenda Item 12

**EDGEFIELD – LA/22/0542: - Works associated with conversion of part of barn to additional bedroom for annexe and part for home office and plant room; installation of solar panels, Mr and Mrs Dewar**

**Target Date:** 26 January 2022

**Case Officer:** Rob Arguile

**Listed building consent**

## **RELEVANT CONSTRAINTS**

Countryside LDF  
Landscape Character Area  
Contaminated Land  
Listed Building Grade II

## **RELEVANT PLANNING HISTORY**

PF/22/0541

Proposal: Conversion of barn to provide additional bedroom for annexe and home office and plant room with associated external alterations; use of annexe as annexe or holiday let

Decision: Approved

PF/22/1323

Proposal: Construction of single storey extension to east elevation of dwelling; external insulating render on existing north elevation; replacement windows and doors; new sun tube; patio

Decision: Approved

LA/22/1325

Proposal: Internal and external works including single storey extension to east elevation; external insulating render on existing north elevation; replacement windows and doors; new sun tube; internal doorway in north elevation of former barn element; alterations to utility room, kitchen, bedroom 1 and bathrooms; internal wall insulation to living room, entrance hall and bedroom 1 (former barn element); replacement of skirting boards; re-clad beams in former barn element in wood

Decision: Approved

PF/22/0638

Proposal: Change of use land from agricultural to amenity land (Use Class C3) to serve Church Farmhouse

Decision: Approved

PF/07/0975

Proposal: RECONSTRUCTION OF BARN TO PROVIDE RESIDENTIAL ANNEXE

Decision: Approved

LA/07/0976

Proposal: DEMOLITION AND RE-BUILDING OF BARN TO PROVIDE ANNEXE

Decision: Approved

## **THE APPLICATION**

This application seeks listed building consent for internal alterations to an annex to facilitate the creation of an additional bedroom within an annexe and plant room and the installation of solar panels.

## **REASONS FOR REFERRAL TO COMMITTEE:**

Probity - The agent is a close relative of a Planning Services member of staff.

## **PARISH COUNCIL:**

**Edgefield Parish Council:** No Response

## **REPRESENTATIONS:**

To date, no public representations have been received.

## **CONSULTATIONS:**

**Conservation and Design Officer:** **No Objection**

Following consultation from the Conservation and Design Officer, it has been identified that the proposal would cause '*less than substantial harm*' as set out by the NPPF. This is owing to the fact that the building, whilst an accessory to the host Grade II Listed Building is in close proximity to it and would be visually read together. Furthermore, the solar panels would be located on a public facing aspect and be of a contemporary nature in contrast to the traditional pantile roof. Whilst no objections have been raised to the internal work and rooflights to the rear the '*less than substantial harm*' is weighed against the public benefits to the proposal. Whilst it is acknowledged there are overall public benefits by the use of greener technology in rural areas, this must be weighed against the impact of the visual impact of the solar panels. No objections have been raised to the internal works nor the rooflights on the rear of the property.

## **REPRESENTATIONS:**

No representations have been made.

## **HUMAN RIGHTS IMPLICATIONS**

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

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

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

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

## **LOCAL FINANCE CONSIDERATIONS**

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

## **STANDING DUTIES**

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) Human Rights Act 1998 – this incorporates the rights



of the European Convention on Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

## **POLICIES**

### **North Norfolk Core Strategy (September 2008):**

Policy EN 8 - Preserving and enhancing the historic environment

### **National Planning Policy Framework (July 2021):**

Section 16 - Conserving and enhancing the historic environment

North Norfolk Design Guide Supplementary Planning Document (December 2008)

## **MAIN ISSUES FOR CONSIDERATION**

- 1. Principle of Development**
- 2. Impact on Heritage Asset**
- 3. Other Matters**

## **APPRAISAL**

### **1. Principle of Development**

This listed building application is purely considering the impacts upon the designated heritage asset, by way of works to the historic fabric. The principle of such works is acceptable subject to compliance with Policy EN 8 of the adopted North Norfolk Core Strategy and Section 16 of the National Planning Policy Framework (NPPF).

### **2. Impact on Heritage Asset (Policy EN 8 and NPPF Section 16)**

The proposal seeks a limited number of internal alterations, these will include the creation of an additional bedroom with addition of partition walls, plant room and a home office, along with a flue. The introduction of rooflights on the rear of the property would not be seen by the public and are fairly small in size, making them acceptable. The internal works also will not be visible to the public and have not been subject to any objections from the Conservation and Design Officer.

The proposal solar panels are visible in the public domain, and are considered to result in less than substantial harm to the setting of the host Grade II listed building. Such harm must be outweighed by sufficient public benefits as required by Paragraph 202 of the NPPF. Whilst it is acknowledged that there would be a limited degree of harm, there are considered to be wider benefits gained by the use of renewable energy in respect of sustainability and the drive to reduce carbon emissions. Furthermore, the nature of solar panels means that they are not a permanent fixture, and as such there would be no permanent harm created. In such circumstances any identified harm can be reversed, accordingly the removal of the solar panels in the event that they are no longer required can be secured through planning condition. With this in mind it is a finely balanced case, however in this instance, it is considered that the public benefits and temporary nature of the panels outweigh the limited harm identified. As such, it is considered that the proposed development complies with the requirements of Policy EN 8 of the adopted North Norfolk Core Strategy and Paragraph 202 of the NPPF.

### **3. Other matters**

This application has run concurrently with an associated application for full planning permission under application ref: PF/22/0541 which has yet to be determined. However, this does not prevent Listed Building Consent from being granted.

**CONCLUSION:**

In conclusion with the above points raised the proposal is considered, on balance, to comply with the requirements of Policy EN 8 of the adopted North Norfolk Core Strategy and Paragraph 202 of the NPPF.

**RECOMMENDATION:**

**APPROVE subject to conditions relating to the following matters and any others considered necessary by the Assistant Director – Planning:**

- **Time limit for implementation**
- **Approved plans**
- **Removal of the solar panels if no longer required**

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

## DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – JAN 2023

### 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 31 Dec 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 31 Dec 2022). The period includes 1 week where the office was closed for Christmas, hence the lower numbers.

Performance Measure	Actual Performance	Target	Comments
<b>Decision Notices</b> (Month up to 31 Dec 2022)	<b>Major</b> 2 decisions issued within time period  100% within time period	60%  (80% NNDC)	24 month average to 31 Dec 2022 is <b>85.71%</b>
	<b>Non-Major</b> 61 decisions issued  95.1% within time period	70%  (90% NNDC)	24 month average to 31 Dec 2022 is <b>81.63.%</b>
<b>Validation</b> (Month up to 31 Dec 2022)	183 applications registered  156 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:**

**26 January 2023**

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 been given until 28 Feb 2023 to sign the obligation.	
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. Norfolk County Council no longer want to be a party to the obligation as their TRO matters can be delayed with by conditions. Officers reviewing.	
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 26 JANUARY 2023**

### **APPEALS SECTION**

#### **NEW APPEALS**

**RUNTON – PF/21/3353** - Erection of detached bungalow  
Land At 17 Buxton Close, East Runton, Cromer, Norfolk NR27 9PJ  
For Mr & Mrs Ian & Karen Wells  
WRITTEN REPRESENTATION

**WELLS-NEXT-THE-SEA – PF/22/0275** - Demolition of outbuilding and erection of single/two storey rear extension; replacement dormer to rear  
**Seawood House (Formally Known As Brig Villa), 56 Freeman Street, Wells-next-the-sea Norfolk NR23 1BA**  
For Mr S Doolan  
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 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 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



**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

**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

**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

**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**

**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

**APPEAL DISMISSED**

**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

**APPEAL DISMISSED**

**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

**APPEAL ALLOWED**

**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

**APPEAL DISMISSED**

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