

Development Committee



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TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 15 February 2023

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 23 February 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. 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 J Toye, Mr A Varley and Ms L Withington

Substitutes: Mr T Adams, Dr P Bütikofer, Mrs S Bütikofer, Mr C Cushing, Mr T FitzPatrick, Mr V FitzPatrick, Mr N Housden, Mr J Punchedard, Mr J Rest, Mrs E Spagnola, Dr C Stockton, Mr E Vardy, Mr A Yiasimi 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

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

1. CHAIRMAN'S INTRODUCTIONS

2. TO RECEIVE APOLOGIES FOR ABSENCE

3. SUBSTITUTES

4. MINUTES

(Pages 1 - 18)

To approve as a correct record the Minutes of a meeting of the Committee held on Thursday 26th January 2023 and Thursday 9th February 2023.

5. ITEMS OF URGENT BUSINESS

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

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

6. ORDER OF BUSINESS

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

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

7. DECLARATIONS OF INTEREST

(Pages 19 - 24)

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

OFFICERS' REPORTS

8. HOLT - RV/22/0308 - VARIATION OF CONDITIONS 2 AND 24 OF PLANNING REF: PF/17/1803 TO AMEND PLANS TO REFLECT UPDATED ON-SITE AFFORDABLE HOUSING PROVISION (0%) AND TO UPDATE PREVIOUSLY APPROVED LAND CONTAMINATION REPORT, LAND REAR OF 67 HEMPSTEAD ROAD, HOLT, NORFOLK, FOR HOPKINS HOMES LIMITED

(Pages 25 - 36)

9. **WEST RUNTON - PF/22/1337 - REDEVELOPMENT OF SITE TO INCLUDE PITCH SURFACE IMPROVEMENTS, CREATION OF SERVICED PITCHES, ERECTION OF SITE MANAGERS BATHROOM/UTILITY PODS, CREATION OF MULTI-USE GAMES AREA (MUGA) AND CHILDREN'S PLAY AREA WITH ASSOCIATED FENCING, UPGRADING TWO MOTOR VAN WASTE AND ONE SERVICE POINT(S) AND EXTENSION OF INTERNAL ROAD NETWORK AT INCLEBORO FIELDS CARAVAN CLUB SITE, STATION CLOSE, WEST RUNTON, CROMER** (Pages 37 - 62)

10. **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE** (Pages 63 - 66)

11. **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

12. **EXCLUSION OF PRESS AND PUBLIC**

To pass the following resolution, if necessary:-

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

PRIVATE BUSINESS

13. **ANY URGENT EXEMPT BUSINESS**

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

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DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 26 January 2023 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
Mr R Kershaw	Mr N Lloyd
Mr G Mancini-Boyle	Mr A Varley
Ms L Withington	

Substitute Cllr J Rest
Members Present: Cllr H Blathwayt

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

91 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr A Fitch-Tillett, Cllr V Holliday, Cllr N Pearce and Cllr M Taylor.

92 SUBSTITUTES

Cllr H Blathwayt was present as a substitute for Cllr V Holliday with Cllr J Rest present as a substitute for Cllr A Fitch-Tillett.

93 MINUTES

The Minutes of the Development Committee meetings held on the 8th and 22nd December were approved as a correct record.

94 ITEMS OF URGENT BUSINESS

None.

95 DECLARATIONS OF INTEREST

Cllr A Brown declared a non-pecuniary interest in agenda item 8, PF/21/3458, and noted that Members had been in receipt of communication from the applicants agent. With respect of item 12, LA/22/0542, Cllr A Brown advised he was the Local Ward Member.

Cllr L Withington declared a non-pecuniary interest in agenda item 8, PF/21/3458, and advised that she had attended a site meeting a few years prior but did not consider herself pre-determined.

96 **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**

The SPO – JS introduced the Officers report and recommendation for refusal. She advised that the application was 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 and tourism venture scheme.

The Case Officer outlined the site location which was contained within a current commercial woodland for timber extraction, and the proposals relationship with its setting including proximity of the Swanton Great Wood and Little Wood. The SPO-JS highlighted the floor plan and proposed elevations for each of the treehouses, and commented on the use of materials consisting of galvanised steel frame, large, glazed openings on the south east and north west elevations where the solid external element (kitchen and bathroom pods) are externally clad with larch.

The SPO-JS offered photographs to better inform the Committees understanding of the site, its viability from the meadow and public right of way. With respect of access to the site, the Case Officer advised that parking was not proposed to be adjacent to the units, rather it was some 220m away. Once cars had parked off the main drive from the Hindoleveston Road, it was proposed that wheel barrows be made available to guests to transport belongings. Access to both tree houses followed pre-existing logging tracks.

In conclusion, the SPO-JS reiterated the Officer recommendation for refusal, and advised that the proposal was considered contrary to policy EC7, EC1, SS4 EN2, EN 4, EN 9 and CT5 of the North Norfolk Core Strategy, paragraphs 105, 130, 134 and 174 of the NPPF and the principles set out in the North Norfolk Landscape Character Assessment 20221 and the North Norfolk Design Guide.

Public Speakers

Lord Hastings – Supporting

Members questions and debate

- i. The Local Member – Cllr V FitzPatrick – thanked Officers for their work on the application, but disagreed with their assessment for refusal. He contended that the application title of ‘treehouse’ belittles the intention to offer off-grid, sustainable holiday accommodation, and having attended the site, he argued that the Development would add interest and usage to the woodland site. With regard to its location, he contended that whilst it was situated away from services, this was part of the holiday homes attraction as a secluded, tranquil location which arguably wouldn’t work in an urbanised setting. Further, Cllr V FitzPatrick placed weight on the sustainable intentions of the proposal both in its construction and intended mode of operation, and in the economic development which would provide the Astley estate another, diversified, income stream during challenging economic times, supporting the development of the estates low impact farming methods, increase its biodiversity and increase its woodland. The Local Member considered that the proposal would help to place North Norfolk on the map as an eco-friendly tourist destination.

- ii. Cllr P Heinrich noted the Officers recommendation accorded with existing policy, but argued that this novel proposal warranted further consideration and a justified departure from planning policy. He noted the proposal was an application for an eco-tourist provision and the site would attract those wishing to be located in a countryside setting away from larger settlements, with the remote nature of the site being a key attraction. Cllr P Heinrich questioned Officers interpretation of the designation of the site; considering the woodland was ancillary to the wider farming and other activities of the estate, and description of the site being unsustainable; noting the design, access, construction and services were all sustainable and innovative in their design. He noted that the scheme formed part of a programme of ecological enhancement in line with current government policy to encourage farms to re-wild land where appropriate, as such he considered policies SS4, EN2 and EN9 were met. With regards to concerns of light spill, Cllr P Heinrich stated this could be eliminated through the use of electrochromic glass (smart glazing) programmed to deliver maximum light during the day and switching to non-see-through state controlled by light sensors. He concluded by commenting that guests would be fully aware of the remote nature of the site, and argued that applications of this nature needed to be assessed in a different way, considering this to be a positive development.
- iii. Cllr N Lloyd supported the views presented by Cllr P Heinrich, and considered the Applicants commitment to sustainable forms of agriculture and to increase biodiversity thousands of times over in that area refreshing and something which be believed should have been afforded greater weight. Whilst he could understand why Officers had made their determination, in according with existing policy, he argued there was justified reasons for departure including business diversification, welfare benefits to those using the site, and the reasons previously outlined.
- iv. Cllr L Withington noted regular discussion at Development Committee surrounding the use of lighting in proposals, and considered it important that solutions be found to minimise light spill.
- v. Cllr J Toye reflected on his own experiences, and contended that there would be benefits to the environment, local tourism and the local community brought through the proposal.
- vi. The Chairman advised the Committee that the application was for 2 treehouses, but that the intention of the estate was for 14 treehouses pending planning permission. She noted that this was not a matter for consideration, but something which may have an impact in future.
- vii. Cllr R Kershaw expressed sympathy for Officers, and argued that NNDC's policies were outdated to deal with such proposals. He contended that the eco-tourist offering was something the Council had been working to promote through its Corporate Plan, brining economic benefits to the area. Further, the Council were trying to assist Estates in diversifying and noted the former timber extraction site would have a woodland manager, and offer educational trips to educate future generations about the importance of biodiversity. Like Cllr N Lloyd, he did not consider enough weight had been given to the biodiversity gained through the project. Cllr R Kershaw spoke highly of the design quality, which he argued could be award winning.

- viii. The DM advised that Officers report and recommendation was based on existing policies contained in the Local Plan, and that the Committee should support and uphold policy unless there were material considerations to justify a departure. Whilst there had been some discussion about policies and whether they were outdated, it was noted that Paragraph 85 of the NPPF aligns with Policy EC 7 of the Local Plan. Should Members wish to depart from policies they must articulate what the material considerations are which justify departing from policy. If the departure were to hinge on biodiversity net-gain, the DM advised that Members will need to ensure this is secured as part of the planning permission to ensure those benefits are realised.
- ix. Cllr G Mancini-Boyle expressed concern about the fire safety of the scheme, including on site mitigation, and how the site could be accessed by a proper fire engine.
- x. The Chairman asked the Applicant if fire engines could access the site. The Applicant advised that this was not a requirement under building regulations and that it was possible to access the site by various tracks. He advised there would be a pump in place, with training offered to staff to address potential fires, however if this was an overriding concern for the Committee, he would be willing to consider other mitigations.
- xi. Cllr J Rest supported the concerns raised by Cllr G Mancini-Boyle and advised he was uncomfortable with the report produced by the Fire Service. In addition, he was disappointed that the proposal would be inaccessible for those with physical disabilities.
- xii. Cllr H Blathwayt asked, if the Officers recommendation was refused, whether conditions could be added to ensure the training of fire wardens. He asked for clarity over the expected lifespan of the development, as he reflected that the structures were of their time. The Applicant advised the lifespan was envisaged to be 50 years.
- xiii. Cllr A Brown commented that policies were regularly reviewed and updated, with the Council having a positive record at appeal. He considered the application of policy EC 7 which would treat the accommodation as permanent dwellings for planning purposes and therefore the proposal would not accord with NNDC Core Policy. Whilst Cllr A Brown championed NNDC planning policies, he considered there to be much merit in the proposal in protecting and enhancing biodiversity and providing dedicated tourist accommodation. He commented that he would have liked to have been provided more detail of where the other 12 units would be positioned, as he considered there would be a cumulative effect on the landscape. Additionally, he would like further detail on how the biodiversity enhancement could be secured and whether this could be secured by condition or by way of S106 agreement.
- xiv. The PL, on reviewing the section on fire safety, considered that greater detail could have been provided by way of a full comment from Norfolk County Council Fire Service,
- xv. The DM advised that if Members were minded to grant a delegated conditional approval, Officers could seek to obtain a full comment from Norfolk Fire Service and to incorporate any advice into the decision notice. With regards to the application of policy EC 7, the DM clarified that the site

was located in the rural tourist asset zone. The DM advised that either a planning condition or legal agreement could be secure depending on where the biodiversity enhancements were placed which could be delegated to the Assistant Director for planning, should Members be minded to do so.

- xvi. In response to Members comments, the DM affirmed that in going against the Officers recommendation, Members consider the proposal as a departure from the development plan for the reasons outlined. The proposal should be considered on its merits, and it was a matter of planning judgement whether the material considerations justified departure from policy.
- xvii. Cllr J Rest proposed acceptance of the Officers recommendation, Cllr P Fisher seconded.

THE VOTE WAS LOST by 3 votes for, 7 votes against and 2 abstentions.

The Officers recommendation for refusal did not gain the necessary support.

The Committee sought to form an alternate recommendation

- xviii. Cllr J Toye argued that a departure for policy was justified for the proposal as it promised net gains which aligned with the Councils green agenda, offered diversification of the business which would not impede the local countryside, rather it would enhance the countryside setting. He contended there were clear positive benefits, and good design, which merited conditional approval subject to addressing the discussed concerns, and ensuring biodiversity net gain.
- xix. Cllr A Varley considered the proposal innovative and ambitious both as a planning application and in broader terms of Economic Development, aligning with Policy EN 9 and EC 7.
- xx. The Chairman noted Members discussion that conditions be applied to address concerns of fire risk including proper engagement with Norfolk Fire Service over this and future proposals in the area, in addition conditions be applied for the use of electrochromic glass.
- xxi. Cllr H Blathwayt expressed his concern for the future appearance of the treehouses in 50 years' time, and further raised concerns that if these and the further proposals were to be approved, the fire safety risk would significantly increase with 14 potential BBQs, fire pits and others.
- xxii. The Chairman stated that a condition could be added to restrict fire pits and other things of this nature.
- xxiii. The PL suggested that a restrictions should be added to control the occupancy of the units to specify that they are holiday accommodations, and that they should not be owned or occupied as permanent, main residences and that they should not to be occupied on a permanent basis. If no prohibition or limitation was applied the units could be sold off as freehold dwellings.

- xxiv. The Applicant advised that they had not considered the occupancy but noted that the units would be shut from time to time for maintenance and during periods of deer management. The Applicant indicated that they had no intention to sell off the units and would be agreeable to this condition.
- xxv. Cllr R Kershaw proposed the applications be accepted subject to the discussed conditions with final wording delegated to the Assistant Director for Planning.
- xxvi. Cllr A Varley seconded the recommendation.
- xxvii. The DM summarised Members comments justifying a departure from the plan, with the Committee having considered good design gains in terms of eco-tourism, biodiversity net gains delivered by the project and supporting of local economic development. With respect of conditions, Members had identified the following matters they wished to delegate to the Assistant Director for Planning; to consult with the Norfolk Fire Service and include any suggested fire safety recommendations, to control the occupation and use of each the properties, to prevent the sale of the properties to a third-party (though this may need to be secured as a legal agreement as opposed to a condition), no external lighting, no fire pits or BBQs, and restrictions / controls on the glazing.
- xxviii. Cllr L Withington noted that the Applicant had shown willing to prepare and implement a conservation management plan and considered that this be included as a condition, which would ensure biodiversity net gain, should this application set a precedent for other similar schemes.
- xxix. The DM advised the biodiversity net gains would be secured as either a condition or by way of a legal agreement. It was noted that Applicant had indicated a 10,000% biodiversity net gain, a huge figure, which Members may wish to secure as a condition.
- xxx. Cllr J Toye asked if there were a recognised metric or practice which could be applied, and which methodology would be best.
- xxxi. Cllr N Lloyd noted the supporting documents within the proposal which highlighted in detail plans for increasing biodiversity, which made a compelling case. He contended that the conservation management plan would ensure the Applicant was held to account.
- xxxii. The DM advised that there were metrics used by DEFRA to measure biodiversity net gain.
- xxxiii. The Applicant asked the Committee if the legal agreement could be provided at the earliest opportunity to allow for occupation in the summer.
- xxxiv. The DM advised there was no set time limit for how long a legal agreement should take, and that this was dependent on parties working together and providing the necessary documentation and details in a timely manner.
- xxxv. The Applicant's agent indicated willingness to secure by condition biodiversity net gain and implementation of the conservation management plan which could be reported back to the Council on an annual basis. She

asked that the Council accepts that the site owner can enter into a s106 Unilateral Undertaking to ensure expediency of the proposal.

- xxvi. The PL advised that the Council were usually quick in issuing draft s106 legal agreements but that she would be agreeable to the owner entering into a s106 Unilateral Undertaking.
- xxvii. Cllr A Brown asked if the Council's legal costs relating to the s106 Unilateral Undertaking would be borne by the Applicant. The PL advised in this instance they would be, but that the Council were very reasonably priced.

IT WAS AGREED by 8 votes for, 1 against, and 3 abstentions.

That Application PF/21/3458 be APPROVED subject to conditions outlined at the meeting and any other considered necessary by the Assistant Director-Planning and subject to the entering into of a s106 Unilateral Undertaking to a) restrict the occupancy of the dwellings to holiday accommodation only b) to prohibit the use of external fire pits, barbecues and the like outside the dwellings and c) to secure and implement a woodland conservation and management plan to achieve biodiversity gains.

Final wording to be delegated the Assistant Director - Planning.

The meeting was adjourned at 10.45am and resumed at 11.01am

97 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

The SPO – JB introduced the Officers report and recommendation for approval subject to conditions. He established the location of the site, its relationship with neighbouring businesses, site plan, elevations and dimensions of the car ports. It was considered that the impact of the Norfolk Coast AONB was minimised with the proposal being suitably obscured by the Reef Leisure Centre.

Whilst the application may not be valued for its visual merits, it was considered significant for its positive impact and alignment with the Councils Climate Emergency declaration and green aims, offering environmental and renewable energy benefits. The energy provided to the Reef would be weather dependent, and subject to demand from the reef at any one time.

Members questions and debate

- i. Cllr L Withington – Local Member for Sheringham North speaking on behalf of Local Member Cllr C Heinink (Sheringham South) - spoke favourably of the application, noting that the Town Council had not objected to the application and that they too had declared a Climate Emergency in June 2019. She agreed that placement of the Reef aided to shield the carpark from the AONB, minimising the visual impact and harm caused.
- ii. Cllr J Rest asked how many panels the proposal would consist of, and if the panels would be larger than the conventional sizes used on domestic roofs. The DM advised there would be 966 PV modules of standard size (referenced in the design access statement) with a combined surface area of

1896 square metres.

- iii. In response to questions, the SPO – JB advised that there would be no storage facility proposed as part of the scheme.
- iv. Cllr N Lloyd advised that whilst the proposal would not offer the full complement of electricity to operate the Reef, when at full demand all power would be diverted to the Reef though there were some electric vehicle charging points associated with the application with the wiring already installed. Acceptance of the proposal had the potential to have a significant reduction on the running costs of the Reef, and an arrangement would be put in place with the operator (Everyone Active) to ensure a reasonable price for the energy produced. Having attended several similar sites across the UK, he considered such proposals as being very popular, offering shade to cars in the summer, and protection from inclement weather at other points of the year. Cllr N Lloyd affirmed that these types of project were essential to meet the Councils net-zero pledge in 2030, and so proposed acceptance of the Officers recommendation.
- v. In response to questions from Cllr G Mancini-Boyle, the DM advised that the panels would be anti-glare.
- vi. Cllr R Kershaw seconded the Officers recommendation for acceptance.
- vii. Cllr P Heinrich expressed his support for the recommendation and commented it was a pity that solar panels could not be insisted upon all new developments.
- viii. Cllr H Blathwayt considered this a positive proposal which would have the added benefit of offering shade to cars, and dogs waiting in cars. He agreed with Cllr P Heinrich that he would be supportive of such a scheme being used in all supermarket car parks as in Spain and France.
- ix. Cllr A Brown commented in support of the application, though considered the design could be improved. He noted that typically a condition was added to such applications to ensure the removal of the solar panels when asked by the Council, and considered this too should be conditioned with this proposal. With reference to dark skies, Cllr A Brown asked that the lighting condition require state of the art lights which minimise light pollution, and asked if the details provided were the maximum which could be conditioned.
- x. The DM advised that the Council had applied conditions on similar applications when they no longer were required for electricity generation. It was therefore not unreasonable for this condition to be applied. With regards light spill, as the relevant Officer dealing with the Reef application, the DM advised light spill on the AONB had been a primary consideration. The DM considered the proposal an enhancement due to the removal of light columns and replacement with down lighting under the solar panels.
- xi. Cllr L Withington reflected of issues in Sheringham with birds occupying themselves underneath panels, she asked what would be the likelihood of nesting birds underneath the panels and what could be done to avoid this.
- xii. The DM advised that matters nesting birds would be best managed by the Property Services team, rather than be conditioned.

- xiii. Cllr J Toye considered there to be additional benefits to having solar panels beyond electricity generation, noting that the shade offered by the panels would keep all vehicles whether they be electric or not, cool in summer and this therefore resulted in less energy being used to cool the vehicles down. Conversely in winter vehicles would be shielded from the elements and would therefore warm up quicker.

IT WAS UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application PF/22/2901 be APPROVED 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

The DM left the meeting at 11.20am

98 SLOLEY - LA/22/1910 - RETENTION OF INTERNAL AND EXTERNAL ALTERATIONS TO FACILITATE CONVERSION OF BARN TO DWELLING, THE OLD WORKSHOP, SLOLEY ROAD, SLOLEY, NORWICH.

SLOLEY - PF/22/1909 - CONVERSION OF BARN TO DWELLING (RETROSPECTIVE), THE OLD WORKSHOP, SLOLEY ROAD, SLOLEY, NORWICH

The SPO – JS introduced the Officers report and recommendations for LA/22/1910 and PF/22/1909 which were presented together. She affirmed that sites location, floor plans, elevations, relationship with neighbouring properties and heritage. The SPO – JS advised that the key issues for consideration were design and impact upon heritage assets and amenity, and it was confirmed that the Conservation and Design Officer raised no objection to the proposals, and considered that there would be no harmful impact upon the designated heritage asset as a whole.

The SPO-JS updated the Committee with regards to PF/22/1909 and advised an additional condition be applied that any relevant conditions be be-imposed from extant approval. Further, she affirmed an Advisory note that the approval does not cover the unauthorised garage and boundary screening and a further planning application will be prepared and submitted to the Local Planning Authority for consideration within 6 months of the date of this decision to address any outstanding issues.

Public Speaker

Dr Michelle Lyon – Supporting

Members questions and debate

- i. The Local Member – Cllr G Mancini-Boyle – expressed his disappointment that Sloley Parish Council had objected to the application for not being in accordance with listed building regulations and yet had not sent a representative to the meeting. The Local Member noted the submission and views offered from the Conservation and Design Officer conflicted with those offered by the Parish Council.

- ii. The SPO-JS advised that the Conservation and Design Officer had provided their professional judgment, and concluded there would be no significant harmful impact enough to recommend a refusal. Whilst it is disappointing when works are not undertaken in accordance with an approved plan, Members were being asked to consider these applications on their merits.
- iii. Cllr J Toye reflected on the Officers report, photographs of the site, and lack of objections raised. He noted the applicant's representation that the proposal was to regularise the application. Cllr J Toye affirmed there were acceptable schemes and so proposed acceptance of the Officers recommendations for both applications.
- iv. Cllr G Mancini-Boyle seconded both of the recommendations.
- v. Cllr P Heinrich expressed his support for the views supplied by the Conservation and Design Officer, with the alterations not detracting from the look and feel of the heritage building.

IT WAS UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application LA/22/1910 be APPROVED 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.

IT WAS UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application PF/22/1909 be APPROVED 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

99 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

The SPO- RA introduced the Officers report and recommendation for approval. He advised a correction in the report, noting that some details related to the other application (PF/22/0541) which was pending decision with delays owing to nutrient neutrality and not approved as stated. The Case Officer affirmed that nutrient neutrality did not affect the proposed application before the Committee.

The SPO-RA confirmed that sites location and aerial view of the property; providing

context for the proposals relationship with neighbouring properties and key infrastructure within the historic setting, as well as site plans, elevations and photographs.

The Main issues for consideration pertained to the impact on the heritage asset (Policy EN 8 of the NNDC Core Strategy) with the SPO-RA confirming that the Senior Conservation and Design Officer raised no objection to the internal works and rooflights to the rear, and considered there to be 'less than substantial harm' as set out by the NPPF when weighed against the public benefits of the proposal; renewable energy and sustainability of the rural location.

On balance, Officers considered the proposal acceptable subject to condition, and noted it would be conditioned that the solar panels be removed if they were no longer needed.

Members questions and debate

- i. The Local Member – Cllr A Brown – raised a procedural issue, firstly whether the site was located in the Broads Conservation Area as this had not been listed as a constraint. Second, whether it was appropriate to consider this application separate to PF/22/0541.
- ii. The PL advised there was no legal grounds for the two applications to be assessed independently, though understood Cllr A Browns concerns from a practical perspective that usually when there is a listed building application and a planning application they are considered together.
- iii. Cllr A Brown reflected ongoing discussion with how to manage planning applications pending nutrient neutrality, and expressed concern that assessing the proposal was a departure from how the council had handled such applications. The Local Member welcomed renewable energy progress, and noted the application sites within the Glaven Valley Rural Conservation area which he trusted had been dually considered by the Officers. Cllr A Brown proposed acceptance of the Officers recommendation.
- iv. The DMTL – CR noted that it was unusual to have a listed building application and a planning application considered separately, and agreed with guidance offered by the PL that there was no legal impediment why this could not happen. Officers considered in the interest of expediency and dealing with applications that there was no reason to delay determination of the listed building application.
- v. Cllr P Heinrich sought clarity if the application related solely to the barn/annexe. The Chairman confirmed it was just this application.
- vi. Cllr G Mancini-Boyle asked if new solar panels would be installed, as the latest models could be recycled when they had come to the end of there lifespan. The DMTL – CR advised that the panel specification was not known, but assured Members that the panels would be removable, ensuring the panels did not pose permeant harm to the heritage asset.
- vii. Cllr J Toyne argued in favour considering the applications separately, and determined the positive benefits of installing the solar panels at the earliest opportunity so that they may mitigate against climate change. Cllr J Toyne seconded the Officers recommendation.

IT WAS UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application LA/22/0542 be APPROVED 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

The DM returned to the meeting at 11.50am

100 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- i. The DM introduced the Development Management Performance report (Page 63 of the Agenda Pack) and spoke favourably of Officers performance and noted the figures included the Christmas Closure period. The introduction of the back office system had affected the 24 month period which was expected to improve in time as those impacted months fell out of the subject timeline. The DM advised nutrient neutrality had delayed decision making, but that Officers remained keen to clear cases. It is anticipated that the planning improvement plan would soon be introduced, with Officers reviewing processes and procedures to offer applicants assurances applications were being considered in an efficient manner.
- ii. In response to questions from the Chairman, the DM advised that new staff were starting with the authority the following week, one a senior planning Officer and the other the S106 Officer. The DM advised he would circulate an updated structure chart to Members.
- iii. Cllr G Mancini-Boyle asked additional information be covered in the report. The DM advised that report was in the process of being updated which would include data on the average length of time for applications, and others, which would aid to manage expectations of applicants and for the public. This additional data would offer the Committee a greater insight into the planning services work.
- iv. Cllr A Brown expressed his thanks for Planning Officers for their hard work, and noted the continued high performance as outlined in the data provided.
- v. The PL commended Planning Officers for their work in reviewing lawful development certificate applications, which was difficult work, often requiring detailed research and was consequently very time consuming.
- vi. Regarding the S106 report, Cllr R Kershaw thanked the PL for her hard work with Scottow Enterprise Park and relayed feedback from the applicant.
- vii. The PL advised that the draft unilateral agreement for the outstanding S106

was with the applicant lawyers. With regard to the Crisp Maltings site in great Ryburgh, the PL advised that the draft S106 agreement was progressing well.

- viii. The DM in response to questions from the Chairman, advised that the Council were consulting with the applicant on the list of conditions, and were clarifying the position with Natural England. He advised he was confident that these matters could be satisfied.
- ix. Cllr G Mancini-Boyle noted some issues with applicants and members of the public who were understood to have failed to register to speak at various meetings. He asked if the Portfolio holder or Customer Services Manager had been invited to explain the process. The DM advised he would investigate and follow up.
- x. Cllr A Brown raised a concern that that he had not been contacted by Officers, as the Local Member, before the agenda publication to advise that an application in his Ward was coming to Committee. The DM advised he would ensure that Officers were notified when it was there responsibility to communicate with Members, and that this process be followed.
- xi. Cllr R Kershaw commented that he considered the planning service improve and reflected that he had been consulted on all applications within his ward.

101 APPEALS SECTION

- i. New Appeals
Noted.
- ii. Inquiries and Hearings
The DM advised that the Arcady appeal for Cley-next-the-sea had been heard that week and was understood to have concluded, pending a response from the Planning Inspector in the coming weeks.
- iii. Written Representation Appeals
The Chairman noted the 3 applications for Fakenham – ENF/21/002, PO/21/2584 and PF/21/3158 and asked for an update. The DM advised that the Council were awaiting instruction from the Planning Inspectorate.

Cllr A Brown identified ENF/20/0095, and commented that the applicant had submitted a new planning application PF/22/2767 for a modified scheme. He noted that ENF/20/0095 had been refused in May 2021 and went to appeal in October 2021. Cllr A Brown expressed his disappointment and concern with the extended delay as it was recommended that written appeals take no more than 30 weeks, and challenged the Authority to engage with the Planning Inspectors on these delays.
- iv. Appeal Decisions
The DM spoke to the Councils strong record at appeal and noted that only one of the five appeals had been upheld by the Planning Inspector.

102 EXCLUSION OF PRESS AND PUBLIC
None.

The meeting ended at 12.04 pm.

Chairman

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 9 February 2023 in the Council Chamber - Council Offices at 9.30 am

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

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

Substitute Members Present: Cllr H Blathwayt

Officers in Attendance: Development Manager (DM)
Planning Officer (PO)
Principle Lawyer (PL)
Assets & Property Programme Manager (APPM)
Development Management Team Leader
Democratic Services Officer – Regulatory

103 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr R Kershaw.

104 SUBSTITUTES

Cllr H Blathwayt was present as a substitute for Cllr R Kershaw.

105 MINUTES

It was noted that due to a busy meeting schedule the minutes of the Development Committee held 26th January 2023 would be presented at next available meeting.

106 ITEMS OF URGENT BUSINESS

None.

107 DECLARATIONS OF INTEREST

None.

- 108 CROMER- LA/22/2413- RENOVATION OF EXISTING CAFE, BAR, UPGRADE OF TOILETS INCLUDING ACCESSIBLE TOILET AND ALTERATIONS OF OTHER ROOMS SUCH AS OFFICE ROOM AND STORE ROOM. PAVILION THEATRE, PROMENADE, CROMER, FOR NORTH NORFOLK DISTRICT COUNCIL.**
&
CROMER- PF/22/2332- RENOVATION OF EXISTING CAFE, BAR, UPGRADE OF TOILETS INCLUDING ACCESSIBLE TOILET AND ALTERATIONS OF OTHER ROOMS SUCH AS OFFICE ROOM AND STORE ROOM. PAVILION THEATRE, PROMENADE, CROMER, FOR NORTH NORFOLK DISTRICT COUNCIL.

Planning Officers presentation

The PO introduced the Officers report and recommendations for approval both LA/22/2413 and PF/22/2332 and affirmed the sites location, its relationship in the wider context, floor plans, proposed and existing elevations, and photographs of the site.

The proposals to the Grade II listed building proposed to enclose the recess areas under the eaves on the east and west elevations, currently used for existing bench seating, and increasing the internal floor space to accommodate internal alterations which include the upgrading and increased provision of toilet facilities, the relocation of accessible toilets close to the auditorium, a larger store room close to the bar, and renovation of the existing café bar and ice cream shop.

Comments had been received from the Councils Conservation & Design Officers as well as the national advisory body, the theatres trust.

Overall, it was considered that the alterations represented a reasonable compromise between the conservation and adaptation of the asset to ensure the future viability of the theatre. With respect of amenity, policy EN5 of the NNDC Core Strategy requires that within areas designated as public realm proposals are expected to enhance the overall appearance and usability of an area. Officers considered that the proposed provision of toilets and other facilities are considered to have both public and operational benefits increasing the theatres usability and enhancing public amenity.

Whilst the proposals were considered to result in a modest amount of harm to the heritage asset, Officers concluded that this was heavily outweighed by the public benefits accruing from the proposals and ensuring the future vitality of the pier and theatre.

Assets & Property Programme Manager comments

The APPM explained that the proposed alterations internally to the existing public convenience provision would provide a much improved Ladies WC with the addition of two cubicles. Further, by relocating the accessible toilets to the right/eastern elevation, it aided in creating better accessibility into the theatre, as precious attendees would have crossed the bar area. As a consequence of relocating the accessible WC, the internal dimensions had increased by 625m with the side being pushed out slightly. It was not considered that these changes would dramatically alter the appearance of the Pavilion Theatre.

The APPM advised that the external benches located under the eaves had been temporarily removed and would be returned once the works have been completed. It was anticipated, once returned, there would be a 400-500m overhang over the benches.

The proposals were considered by Officers to offer significant improvements to insulation levels, to improve the EPC rating of the Pier, new LED lighting, the introduction of some water saving systems in the new WC.

It was noted that the toilet area was last refurbished in 2002, and that there were significant issues with the flooring in both the ladies and gents toilets, therefore in conjunction with the major substructure works currently being undertaken on the pier, new steels have been installed underneath the floors, and new timber floor replacement completed with a plastic baffle system offering greater protection. As

part of the works a new substructure drainage system was proposed to address major drainage issues.

The APPM advised there was a very tight timeframe to accommodate the theatre programme, with 6 weeks planned for internal works, and 10 months for substructure works.

No Public Speakers

Members questions and debate

- i. Cllr A Fitch-Tillett expressed her firm support for the proposals which she considered to be much needed investment in the 'grand old lady', and reflected on the benefits which would be brought with respect of the additional cubicles offered in the ladies WC. She commented that she was pleased that the benches would be replaced, as these were often used. Cllr A Fitch-Tillett proposed acceptance of both of the Officers recommendations for approval.
- ii. Cllr J Toye seconded the Officers recommendation and stated that the Pier was a precious asset in need of protection, and considered the proposed improvements were to be done in a sympathetic way. He noted that the evolution of the Pier and contended that the proposals were appropriate developments to update the Pier, further highlighted by improvements in the EPC rating and substructure.
- iii. Cllr N Lloyd advised that he was in full support of the proposals and asked if it were possible to qualify the EPC rating. He affirmed that Cromer Pier was one for the most energy inefficient assets owned by the Authority, and reflected on comments from entertainers about wind coming through the slats in the changing room.
- iv. The APPM advised that he did not have this figure to hand but would provide this to Members at a later time. He advised this was a dynamic project with improved insulation levels, introduction of LED lighting, energy efficient electric heating and others. Acoustic panels and Celotex were to be installed within the suspended ceiling and in insulation also. The APPM advised that the applications were not a quick process and the Council had engaged with the Maritime Organisation and the Environment Agency, during this time a specialist had attended the Pier to address pigeon issues, with 60 x 15 to 20 kilo bags of pigeon mess removed for disposal.
- v. Cllr L Withington affirmed her support for the relocation of the accessible WC, and for making this facility more user friendly. She reflected on holes in the flooring caused by significant wave disturbances and asked if the substructure work would offer a higher level of protection. Cllr L Withington noted the tight timescale and advised she had every confidence in the APPM, Officer and contractors to deliver the proposals on time.
- vi. The APPM confirmed that the works to the substructure would replace poorly decayed steels. He advised that at the head of the Pier where the Pavilion Theatre is located has always been the most difficult piece to access, and Officers had taken advantage of the situation whilst scaffolding was in place underneath to fill up hole and replace rotten timbers.

IT WAS UNANIMOUSLY RESOLVED by 14 votes for.

That Planning Application LA/22/2413 be APPROVED subject to conditions to cover the matters listed below

- **Development in accordance with the approved plans**
- **Materials**

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

IT WAS UNANIMOUSLY RESOLVED by 14 votes for.

That Planning Application PF/22/2332 be APPROVED subject to conditions to cover the matters listed below

- **Development in accordance with the approved plans**
- **Materials**

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

109 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 9.55 am.

Chairman

Registering interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

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

Disclosure of Other Registerable Interests

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

Disclosure of Non-Registerable Interests

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

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

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

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

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

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

Table 1: Disclosable Pecuniary Interests

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

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

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

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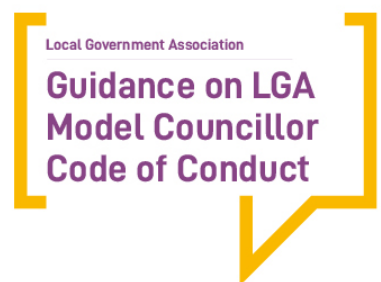
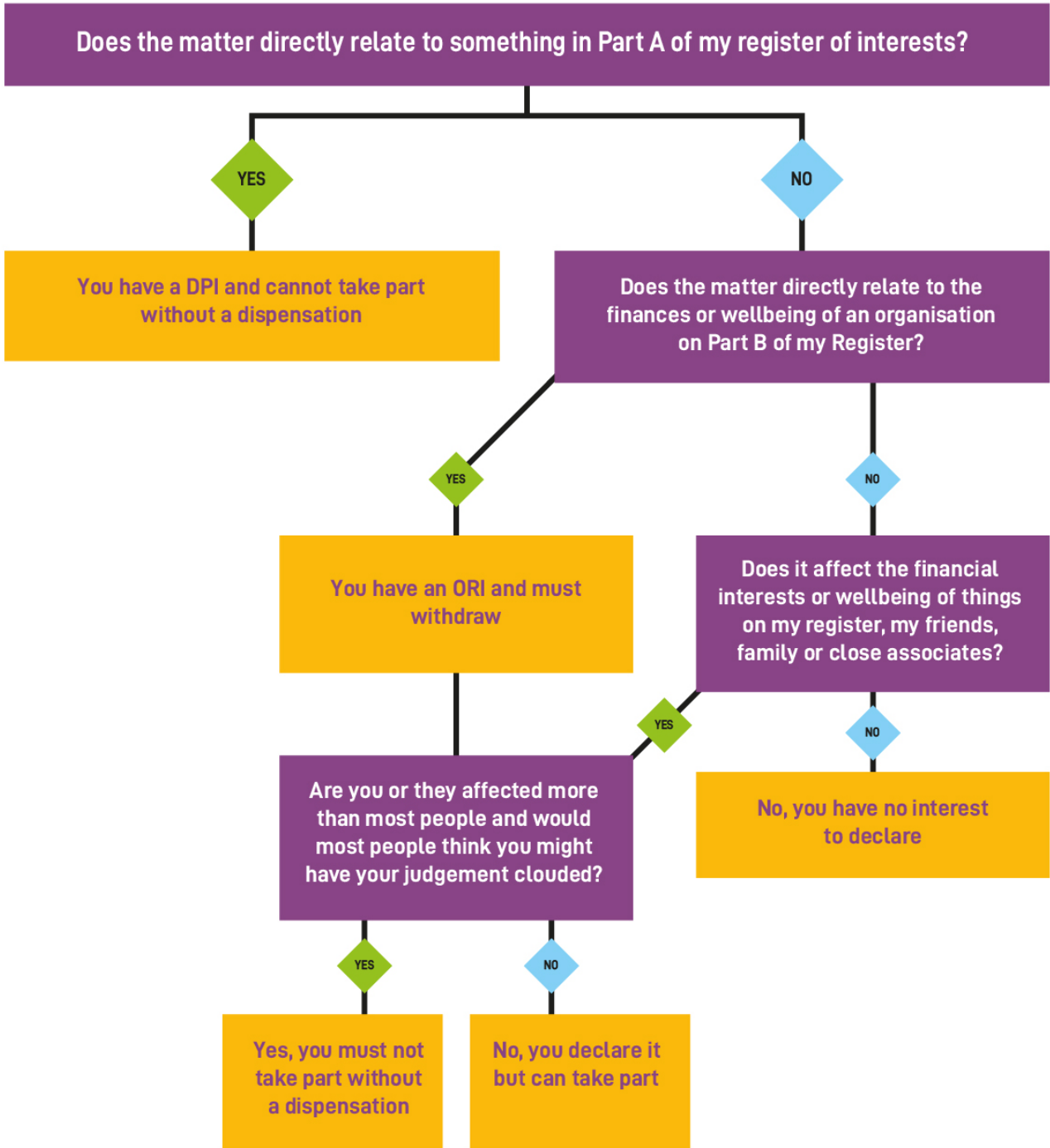
* 'director' includes a member of the committee of management of an industrial and provident society.

* '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)



HOLT - RV/22/0308 - Variation of Conditions 2 and 24 of planning ref: PF/17/1803 to amend plans to reflect updated on-site affordable housing provision (0%) and to update previously approved Land Contamination Report, Land Rear of 67 Hempstead Road, Holt, Norfolk, for Hopkins Homes Limited

Target Date: 03rd March 2023

Extension of Time: 03rd March 2023

Case Officer: Russell Stock

Variation of Condition Application

RELEVANT SITE CONSTRAINTS:

Within the defined Residential Area and Settlement Boundary of Holt

Part of a Mixed Use Allocation (site allocation Policy HO9)

The application proposes development within a defined County Wildlife Site

Within a Mineral Safeguard Area

Within a Contaminated Land Area/Buffer

Within an area of Controlled Water Risk - Medium (Ground Water Pollution)

Development is within 60m of Class A road and is adjacent to a defined Principal Route (A148), Access from a C Road, in the vicinity of an Unclassified Road

RELEVANT PLANNING HISTORY:

Reference PF/17/1803

Description Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation

Decision Approved 02.06.2021

Reference CD/21/2590

Description Discharge of Condition 5 (CEMP - Construction Environmental Management Plan) of planning permission PF/17/1803

Decision Condition Discharge Reply 28.07.2022

Reference CD/21/2794

Description Discharge of Condition 13 (detailed schemes, including full engineering and construction details for on and off-site highway improvement works) of planning ref: PF/17/1803 Residential development of 52 dwellings (including the removal of No. 67 Hempstead Road), provision of new vehicular access to Hempstead Road, associated landscaping, open space, pumping station and electricity substation

Decision Condition Discharge Reply 06.01.2023

Reference CD/21/2795

Description Discharge of Condition 37 (full engineering, drainage, street lighting and constructional details) of planning ref: PF/17/1803 Residential development of 52 dwellings (including the removal of No. 67 Hempstead Road), provision of new vehicular access to Hempstead Road, associated landscaping, open space, pumping station and electricity substation

Decision Condition Discharge Reply 05.08.2022

Reference	CD/21/3202
Description	Discharge of condition 7 (Arboricultural Method Statement) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)
Decision	Condition Discharge Reply 31.03.2022
Reference	CD/21/3325
Description	Discharge of condition 42 (cycle store) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)
Decision	Condition Discharge Reply 29.07.2022
Appeal	Currently Pending Decision
Reference	CD/21/3326
Description	Discharge of condition 22 (noise mitigation) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)
Decision	Currently Pending Decision
Reference	CD/21/3327
Description	Discharge of condition 29 (Foul Drainage Scheme) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)
Decision	Condition Discharge Reply 08.06.2022
Reference	CD/21/3328
Description	Discharge of condition 27 (surface water) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)
Decision	Condition Discharge Reply 08.06.2022
Reference	CD/21/3329
Description	Discharge of condition 12 (Ecological Enhancement Plan) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)
Decision	Condition Discharge Reply 20.05.2022
Reference	CD/21/3441
Description	Discharge of condition 3 (Reptile Migration)) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)

Decision Condition Discharge Reply 14.04.2022

Reference CD/21/3442

Description Discharge of condition 31 (Energy Statement) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)

Decision Condition Discharge Reply 20.05.2022

Reference CD/21/3468

Description Discharge of conditions 17 (Landscape & Ecological management Plan) and 19 (Landscaping) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)

Decision Condition Discharge Reply 06.04.2022

Reference CD/22/0085

Description Discharge of condition 33 (Accessible and Adaptable Dwellings) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)

Decision Condition Discharge Reply 06.04.2022

Reference CD/22/0129

Description Discharge of condition 35 (Fire Hydrant Scheme) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)

Decision Condition Discharge Reply 26.04.2022

THE APPLICATION

This application seeks to vary Conditions 2 and 24 for planning permission reference: PF/17/1803 to amend the plans to reflect an updated on-site affordable housing provision of 0% from the original 44% approved, and to update the previously approved land contamination report.

REASONS FOR REFERRAL TO COMMITTEE

At the request of the Assistant Director for Planning in the public interest given that the initial application was heard by the Development Committee in Dec 2020, with affordable housing provision being a key element of the development.

LOCAL WARD COUNCILLOR COMMENTS

Cllr Perry-Warnes:

“This proposal is very upsetting, particularly as we recently lost a substantial number of affordable housing due to NNDC mistakes. Far from making up the shortfall as promised, this

reduction to 0% is being considered. I am sure you can appreciate the level of anger and outrage the people of Holt feel about this, which I share.”

“I am grateful that you have given me another opportunity to express my dismay that, once again, Holt will lose much needed affordable home provision. I am concerned that the objection I raised in an earlier email has not been recorded as a consultee comment on the website.

As you correctly identified, this is not the outcome we want and need. Holt has many new developments which are not meeting local needs and making Holt an unaffordable option for many whose families have been based in Holt for decades and even generations. This development received lukewarm initial support due to its detrimental impact on traffic on the Hempstead Road, despite the Highways assessment, and it was the need for the affordable homes which tipped the balance. If it is no longer viable with the affordable home provision, then it should be stopped until it is viable.

Affordable homes are not an optional extra, and Hopkins Homes and all developers need to know that. Allowing them to provide none, and to presumably replace them with market houses to render the scheme viable, sends the wrong message and sets a precedent. I suggest that they go back to the drawing board and make the numbers work without dropping the affordable home provision.”

Cllr Eric Vardy:

“I have been in communication with Cllr Perry Warnes and Holt Town Council regarding this application and I fully concur with Cllr Perry Warnes email comments regarding this. Holt is in desperate need for affordable accommodation, I appreciate that a viability study has been completed, however these are often carried out to the advantage of the developers who are often able but not willing to make changes.”

PARISH/TOWN COUNCIL

Holt Town Council:

“Holt Town Council strongly object to the planning proposal to remove all affordable housing from the site off Hempstead Road.

NNDC’s own evidence states the clear need for more affordable housing in Holt, unfortunately it is becoming increasingly difficult for many to be able to afford to live in the town, in which they were born. The town recently missed out on affordable housing on the Cley Road development and simply cannot afford to miss out again.

Affordable homes are needed for those wanting to work in the town, the two new care homes in the town will provide many new jobs, but the workers require homes to live in! Holt is losing the younger generations, who have no choice but to move away to more affordable areas of Norfolk.

Cllrs know every single affordable house provided can make such a difference. They have already accepted a reduction on this site and made allowances for the financial climate. It must be remembered that it is the same cost of living crisis in which residents are struggling with. Now more than ever more help is required to secure affordable housing for the families of Holt.

Holt is fortunate as it sits outside the Nitrate Vulnerable Zone, the Norfolk Homes site at Cley Road site has just got started and as such Cllrs are prepared to wait for the Hempstead Road site to be developed. In short, they would prefer to wait, until such a time the affordable housing can be achieved as planned, rather than see the site developed with 0% affordable homes provided.

It is concerning that Hopkins Homes are claiming that the Hempstead Road site is unviable in Holt, which is a High Value District, where does this leave other proposed developments across North Norfolk?

Holt Town Council requests that members call this planning re-consultation into Committee, to be discussed further, and asks that this letter is shared with the Cllrs of the Development Management Committee.”

CONSULTATIONS:

Environmental Health Officer: No objection, subject to condition.

Strategic Housing: In principle does not support the loss of Affordable Housing, however in relation to this application the independent viability assessor’s comments are noted/understood.

REPRESENTATIONS:

None received.

HUMAN RIGHTS IMPLICATIONS

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

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

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

LOCAL FINANCE CONSIDERATIONS

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

STANDING DUTIES

Due regard has been given to the following duties:

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 Local Development Framework Core Strategy (September 2008):

Policy SS 1 (Spatial Strategy for North Norfolk)
Policy SS 3 (Housing)
Policy SS 4 (Environment)
Policy SS 6 (Access and Infrastructure)
Policy SS 9 (Holt)
Policy HO 1 (Dwelling Mix and Type)
Policy HO 2 (Provision of Affordable Housing)
Policy HO 7 (Making the Most Efficient Use of Land (Housing Density))
Policy EN 2 (Protection and Enhancement of Landscape and Settlement Character)
Policy EN 4 (Design)
Policy EN 6 (Sustainable Construction and Energy Efficiency)
Policy EN 8 (Protecting and Enhancing the Historic Environment)
Policy EN 9 (Biodiversity & Geology)
Policy EN 10 (Development and Flood Risk)
Policy EN 13 (Pollution and Hazard Prevention and Minimisation)
Policy CT 2 (Developer Contributions)
Policy CT 3 (Provision and Retention of Local Facilities and Services)
Policy CT 5 (The Transport Impact of New Development)
Policy CT 6 (Parking Provision)

North Norfolk Site Specific Allocations Development Plan Document (DPD) (Adopted February 2011):

Policy HO9 (Land at Heath Farm / Hempstead Road:

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

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

Material Considerations:

Supplementary Planning Documents and Guidance:

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

National Planning Policy Framework (2021):

Chapter 2 (Achieving sustainable development)

Chapter 4 (Decision-making)
Chapter 5 (Delivering a sufficient supply of homes)
Chapter 6 (Building a strong, competitive economy)
Chapter 8 (Promoting healthy and safe communities)
Chapter 9 (Promoting sustainable transport)
Chapter 11 (Making effective use of land)
Chapter 12 (Achieving well-designed places)
Chapter 14 (Meeting the challenge of climate change, flooding and coastal change)
Chapter 15 (Conserving and enhancing the natural environment)
Chapter 16 (Conserving and enhancing the historic environment)
Chapter 17 (Facilitating the sustainable use of minerals)

Other material documents/guidance:

Heath Farm Development Brief (July 2013)
Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy - Habitats Regulations Assessment Strategy Document (2021)
Technical housing standards – nationally described space standard (March 2015)
National Design Guide (2019)

SITE DESCRIPTION

The application site comprises an irregular shaped piece of rough grassland / scrub of approximately 2.8 hectares in area behind (north) of 67 Hempstead Road. Development has commenced on site following the grant of permission PF/17/1803. Surrounding developments have also progressed since the determination of PF/17/1803, in most other respects, the site description set out within the Committee Report for PF/17/1803 remains largely reflective of the current site context.

OFFICER ASSESSMENT:

MAIN ISSUES FOR CONSIDERATION:

- 1. Housing Land Supply Position**
- 2. Principle of Development**
- 3. Affordable Housing**
- 4. Contaminated Land**
- 5. Other Matters**

1. Housing Land Supply Position

The National Planning Policy Framework (NPPF) requires Local Planning Authorities to identify a five-year supply of specific deliverable sites to meet housing needs. At the current time the council is unable to demonstrate that it has 5 years' worth of deliverable sites. Planning applications will therefore be considered in line with paragraph 11 of the NPPF which states that where relevant policies are considered out of date permission will be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2. Principle of Development

This application is made under Section 73 of the Town and Country Planning Act 1990 to vary a condition imposed upon a decision already granted planning permission by the Local Planning Authority (LPA). Section 73 of the Act instructs the Local Planning Authority to consider the variation to, or relief of conditions that are applied for, stating that "if...[the LPA] decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted....they shall grant permission accordingly" (s.73(1)(a)). As such, the Local Planning Authority can grant permission unconditionally or subject to different conditions, or alternatively refuse the application if it is deemed that the original condition(s) should remain in place.

The variation to the planning permission would not revoke the development, however, the grant of a planning permission under Section 73 essentially provides a new planning permission. It is therefore necessary to reconsider the overall development proposal against the development plan.

Since the grant of planning permission on 02.06.2021 in respect of application PF/17/1803 there has been a change in national planning policy as contained within the NPPF. The changes made to the policies however do not significantly differ from those contained within the previous versions of the NPPF with regard to the matters relevant in this case. The below assessment has had regard to the latest version of the NPPF which was published in July 2021. The assessment has also had regard to the Development Plan and all relevant guidance, some of which has been updated since the consideration of application PF/17/1803.

In this instance the principle of development on the site has been established following the grant of planning permission under application PF/17/1803. This application seeks permission to amend the scheme approved under PF/17/1803. These changes relate to the site wide dwelling type layout and is a result of the Applicants intentions to remove all provision of affordable dwellings from the site. This would result in the 23 dwellings originally secured as 'affordables' becoming available on the open market. Further discussion on these changes are set out within the sections below.

3. Affordable Housing

Policy HO 2 of the Core Strategy states that planning permissions for the erection of new dwellings or conversion of existing buildings to dwellings will be permitted provided that, where it is viable to do so, the scheme provides affordable housing. For developments such as this one, Policy HO 2 expects the provision of 45% Affordable Housing and of those, 80% should be affordable rent and 20% should be shared ownership. Site allocation Policy HO9 which covers this development reflects this policy requirement.

The NPPF sets out at paragraph 65 that where major development involving the provision of housing is proposed, planning decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. Paragraph 58 of the NPPF states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at

the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

The Governments Planning Practice Guidance states any viability assessment should be supported by appropriate available evidence informed by engagement with developers, landowners, and infrastructure and affordable housing providers. Any viability assessment should follow the government’s recommended approach to assessing viability as set out in this National Planning Guidance and be proportionate, simple, transparent and publicly available. In decision making, viability helps to strike a balance between the aspirations of developers and landowners, in terms of returns against risk, and the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permission.

As approved under application PF/17/1803, 23 of the 52 dwellings were secured as affordable housing (44%), comprising 17 (74% of the affordable dwellings) as Affordable Rental tenure and 6 (26% of affordable dwellings) as Shared Ownership tenure. No viability assessment was put forward by Hopkins Homes, the Applicant, for application PF/17/1803, and therefore in line with paragraph 58 of the NPPF, it can be assumed that the development was viable.

However, following a review of the economic viability of the development approved under application PF/17/1803, the Applicants have submitted this Section 73 Application to remove all on-site provision of affordable housing and have supported their position with a detailed viability report. It was during the course of the consideration of this application that this report was amended to remove all on-site affordable housing. The initial submission sought a reduction from the secured 23 affordable dwellings down to 10 Section 106 secured affordable dwellings, whilst a further 8 were being put forward to be delivered as affordable via grant funding (not secured via legal agreement).

As part of the assessment of this application the Council instructed an Independent Viability Assessor to review the Applicant’s viability case. This review found that the evidence produced and methodology followed by Pathfinder on behalf of the Applicants, was sound and whilst there were some errors identified, these were minor and did not have a material impact on the outcome of the appraisals. The appraisals produced by Pathfinder achieve the following outcomes:

	% Affordable Housing	Section 106 Obligations	Developer Profit	Viability Deficit
Base	45%	£432,691	17.5%	£3,500,771
Option 1	0%	£432,691	17.5%	£1,566,904
Option 2	0%	£0	15%	£681,224
Option 3	0%	£432,691	15% plus reduced build cost	£315,014

In all scenarios the financial appraisals result in a viability deficit. Hence, the applicants claim the development is no longer sufficiently viable to deliver any affordable housing.

The Independent Viability Assessor’s review concludes that the Pathfinder assessments and findings are appropriate and suitably demonstrate that the proposed development is now not sufficiently viable to support the delivery of any affordable housing. It is however recommended that a review mechanism is secured in order that the final outcome of the development can be established and provide for the payment of commuted sums if the 17.5% agreed profit return is improved upon.

The Council do not wish to see the removal of affordable housing provision from this scheme or indeed any other, given the significant identified need for such housing within Holt and the wider district. That being said, the independent and expert review of the viability evidence provided by the Applicants has been found sound. The guidance highlighted above makes it clear that the weight to be given to a viability assessment is a matter for the decision maker. Having regard to the circumstances in this case, that the findings of the assessment have been found sound, appropriately evidenced and in accordance with relevant guidance and requirements, it is considered that this assessment can be given weight in reaching the decision.

The review mechanism to be secured via legal agreement provides some comfort that any changes in circumstances which result in higher levels of developer profits would ensure that commuted sums towards affordable housing provision would be made.

Therefore, whilst it is undesirable for a scheme of this scale not to be providing on-site affordable housing which helps to create mixed, inclusive and diverse communities, the evidence provided by Hopkins Homes, the Applicants, has been found sufficient to justify this approach. On this basis, it is considered that refusal of the proposals on this matter would be difficult to sustain in light of both local and national planning policy provisions and government guidance in respect to developer profit and scheme viability.

4. Contaminated Land

This application seeks to vary Condition 24 of the planning permission granted under application PF/17/1803. This condition related to contamination matters and ensured that the development was carried out in accordance with the approved assessments covering these issues. The applicant has submitted a Supplementary Phase II Geoenvironmental Assessment alongside a Remediation Method Statement as part of this application. These reports are updated versions of those originally considered as part of application PF/17/1803, and which were secured via Condition 24.

The Environmental Protection Officer (EPO) has considered these assessments and states that they are sufficiently robust and detailed in so far that if implemented, would meet the obligations of the developer to mitigate the contamination risks identified on site. The EPO therefore raises no objection to the proposed development, subject to an amended condition to secure the recommendations and procedures set out within the revised assessments.

Subject to an amended condition in this respect, the development would accord with the requirements of Policy EN 13 of the Core Strategy which seek to protect public health and safety.

5. Other Matters

Housing mix

Whilst the proposed development would see the removal of all on-site affordable dwellings, the proposed housing mix would remain as that approved under application PF/17/1803. A mix that was found to satisfy Policy HO 1 of the Core Strategy.

Conditions

The grant of a planning permission under Section 73 enables the Local Planning Authority to impose planning conditions that are deemed appropriate and meet the relevant tests as cited

within the NPPF (paragraph 57). Given that the application provides a new planning permission, it is considered necessary and reasonable to continue to impose those planning conditions attached to planning permissions PF/17/1803 that remain relevant to the development for clarity and completeness, with amended phrasing where applicable.

Planning Balance/Conclusion

As highlighted above, the loss of the provision of 23 affordable homes from this 52 dwelling residential development is not a welcomed progression. This would weaken the creation of a vibrant, mixed and inclusive development which helps to meet identified affordable housing needs. In this instance however, the Applicant has provided sufficient evidence to justify their decision to alter the plans. This evidence has been independently assessed and a review mechanism put forward to ensure that any unexpected exceedance of profits is appropriately routed back towards the provision of affordable dwellings in the public interest.

The updated contamination assessments have been found to be acceptable and amended conditions are suggested which would secure the recommendations set out within.

The proposals do not seek to amend PF/17/1803 beyond that set out above. Consideration has been given to the latest policy position and relevant guidance when assessing this submission. The proposals have also been considered in line with paragraph 11 of the NPPF and it is not considered in this instance that the harms identified would outweigh the benefits associated with the development.

RECOMMENDATION:

Delegate APPROVAL to the Assistant Director for Planning subject to:

- 1. The completion of a deed of variation to the original Section 106 Agreement associated with the approval of application PF/17/1803, to secure the updated affordable housing position and review mechanism.**
- 2. The imposition of appropriate conditions** (detailed list of conditions to be provided to Development Committee ahead of the meeting);
- 3. Any other conditions that may be considered necessary at the discretion of the Assistant Director for Planning; and**
- 4. In the event that the Deed of Variation cannot be secured within three months of the date of Committee resolution to approve, to return the matter to the Development Committee for further consideration.**

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WEST RUNTON – PF/22/1337 - Redevelopment of site to include pitch surface improvements, creation of serviced pitches, erection of site managers bathroom/utility pods, creation of multi-use games area (MUGA) and children's play area with associated fencing, upgrading two motor van waste and one service point(s) and extension of internal road network at Inleboro Fields Caravan Club Site, Station Close, West Runton, Cromer

Major Development

Target Date: 02.03.2023

Extension of Time: 02.03.2023

Case Officer: Bruno Fraga da Costa

Full Planning Permission

RELEVANT SITE CONSTRAINTS

- Within the Countryside as designated within the adopted North Norfolk Core Strategy
- Within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) as designated within the adopted North Norfolk Core Strategy
- Within the Wooded Glacial Ridge and Coastal Shelf Landscape Character Area as designated with the North Norfolk Landscape Character Assessment
- Within the Undeveloped Coast as designated within the adopted North Norfolk Core Strategy
- Within Inleborough Hill County Wildlife Site
- Within West Runton Conservation Area as designated within the adopted North Norfolk Core Strategy
- Within the Mineral Safeguard Area as designated within the Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026
- Within multiple Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) Zones of Influence

RELEVANT PLANNING HISTORY

- **PF/12/1266**
Variation of condition 2 of planning permission reference PF/12/1025 to permit installation of all-weather surface to revised pitches
Approved 21.12.2012
- **PF/12/1025**
Installation of gravel all-weather surface to 8 pitches
Approved 10.10.2012
- **PF/11/1305**
Construction of two concrete hard standings for siting of LPG gas tanks
Approved 07.12.2011
- **PF/11/0497**
Refurbishment of two toilet block buildings and construction of access ramps
Approved 21.06.2011
- **PF/10/0674**
Alterations to toilet blocks

Approved 17.08.2010

- **PF/08/1089**
Erection of extension to two toilet blocks
Approved 15.09.2008
- **PF/04/2221**
Construction of twelve all-weather caravan pitches
Approved 10.02.2005
- **PF/04/1463**
Erection of extension to site reception office
Approved 22.09.2004
- **PF/01/1038**
Erection of reception building and garages
Approved 10.10.2001
- **PF/97/1352**
Extension of an existing caravan club site toilet block
Approved 13.11.1997
- **PF/96/0039**
Erection of covered storage area for equipment and machinery
Approved 07.03.1996
- **PF/94/0917**
Erection of extensions to toilet block
Approved 23.08.1994
- **PF/94/0015**
Erection of extension to holgate toilet block boiler room
Approved 15.02.1994
- **PF/93/0922**
Re-site & fence wardens pitch, waste disposal point, garage & 2 motorvan hardstandings,
improve site roads & remodel pitching areas -retrospective
Approved 11.02.1994
- **PF/92/1433**
Additional laundry facilities to old style toilet block, disabled persons toilet & storeroom to
new style toilet block & additional wardens' bathroom
Approved 18.01.1993
- **PF/92/0485**
Extension to reception building
Approved 03.07.1992

THE APPLICATION

Site Description:

Comprises of 21-acre, 241 pitched freehold site located within the Inleboro Fields Caravan and Motorhome Club site. The site is composed mostly of grass pitches but also has a small number of serviced and hardstanding pitches, tent pitches as well as small, seasonal storage compound.

Proposal:

The proposal involves the installation of all weather, serviced and premium pitches, a new play and multi-use games area, two site manager bathroom utility pods, and new service and motorvan waste points.

Environmental Impact Assessment

Under Schedule 2, Part 12 (e) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) the proposal falls under 'permanent camp sites and caravan sites' with an area that exceeds one hectare. A Screening Opinion has been undertaken in accordance with Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), and it has been concluded that the scheme is not EIA development.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Councillor Sarah Bütikofer on the basis that 'the application sits within the AONB and on the geologically important cliff shelf. Concerns over the detrimental impact this site has on residents during the season. Access is not suitable to increase the number of users of this site – I would not be able to support any increase in traffic to this location'.

CONSULTATIONS

Runton Parish Council: registered neutral stance

The application seems to meet policies.

Highways Authority: does not wish to resist the grant of consent

The proposal is served from Station Close which has a suitable intersection with the public highway, as such, the proposal does not affect the current traffic patterns or the free flow of traffic, therefore, the Highways Authority does not wish to resist the grant of consent.

Lead Local Flood Authority: no comment

Minerals and Waste Authority: no objection

Due to the nature of the proposal, it is considered the application would be exempt from the requirements of Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

Norfolk County Council Historic Environment: no objection subject to condition

NCCHE considers the proposal is located within an area of extensive earthworks associated with a large World War II training area including Inleborough Hill and the golf course. The earthworks include weapons pits, slit trenches and possible gun emplacements. Remains of this type and date are getting increasingly rare due to redevelopment and agricultural

practises. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with paragraph 205 of the Framework. In this instance, the programme of archaeological mitigatory work will comprise the monitoring of groundworks for the development under archaeological supervision and control.

Natural England: no objection

Natural England considers that the proposal will not have a significant adverse impact on statutorily protected nature conservation sites.

National Trust: objects

The National Trust (NT) owns and manages Inceborough Hill which is located to the east of the site. The proposal would be adjacent to NT boundary and approximately 150 metres from the top of the hill. The NT also own and manage Town Hill to the west of the application site which also runs along the boundary of the site, particularly where the proposed multi-use games and children's play areas are located.

The NT objects to the application based on the intensification of use, scale, and potential recreational pressure it could have on NT land in the vicinity of the site. Whilst the site will not be particularly visible from the top of Inceborough or Town Hills, NT are concerned about the increasing level of recreational pressure this intensification of the caravan club could have on NT land. In line with Policy EC 10, proposals for the extension or intensification of existing static caravan sites and touring caravan/camping sites must conclusively demonstrate minimal adverse impact on its surroundings. Until documentary evidence considering the impact of this proposal on NT land at Inceborough, and Town Hills has been provided, the National Trust retain a holding objection.

Further information on how the proposal has been influenced in scale and design by the Character Assessment should be provided by the applicant to demonstrate that this proposal is acceptable under Policy EN 1 in relation to the site's location within the Norfolk Coast AONB.

The proposal is located within the Coastal Shelf in the North Norfolk Landscape Character Assessment. This character area identifies incremental erosion of areas of open space, including golf courses, between settlements as a key detractor and an intensification of visitor-related pressure which may impact on sensitive habitats as a force for change. Further information on how this proposal has been influenced in scale and design by the Character Assessment should be provided by the applicant to demonstrate that this proposal is acceptable in relation to Policy EN 2. Furthermore, the play and multi-use games areas are directly adjacent to Town Hill, under NT ownership and we would like further details of existing and proposed site levels for the play area and multi-use games area to ensure that there will be no levelling works undertaken without approval of the Local Planning Authority.

Norfolk Wildlife Trust: objects

Norfolk Wildlife Trust (NWT) considers that elements of the application overlap with Inceborough Hill County Wildlife Site (CWS), but no information has been provided regarding the potential impact on the CWS. Given the proposal would potentially result in damage or the permanent loss of part of the CWS, the application fails to comply with Policy EN 9 and therefore NWT object to the application for the following reasons:

As the application does not recognise the overlapping presence of the CWS and no ecological assessment has been provided, insufficient information has been provided to demonstrate compliance with Policy EN 9. In making any decision on this application, NWT also draw the Council's attention to the strengthened biodiversity duty on public authorities included in the Environment Act 2021. Section 40 of the Natural Environment and Rural Communities Act 2006, now modified by the Environment Act 2021, requires public authorities, including local planning authorities, to have regard to the conservation and enhancement of biodiversity in their decision making.

Norfolk Coast Partnership: neither object to nor supports the application

Have assessed the application and made comments neither objecting nor supporting the application. However, in order to minimise light pollution, NCP recommended that any outdoor lights associated with this proposed development should be:

- fully shielded (enclosed in full cut-off flat glass fittings)
- directed downwards (mounted horizontally to the ground and not tilted upwards)
- switched on only when needed (no dusk to dawn lamps)
- white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

Public Rights of Way and Green Infrastructure: no objection in principle

Have not raised an objection in principle to the application but would highlight that a Public Right of Way, known as Runton Footpath 7 is aligned with the red line plan of the site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

Ramblers Association: no objection in principle

Has not objected in principle to the application but would highlight that a Public Right of Way, known as Runton Footpath 7 is aligned within the red line plan of the site. The full legal extent of this footpath must remain open and accessible both for the duration of the development, with no deterioration to the surface or access, and after subsequent occupation.

Open Spaces Society: no response

Landscape: no objection subject to conditions

The site is located within the nationally designated Norfolk Coast AONB, which is a sensitive, valued landscape setting. The Local Planning Authority has a duty under paragraph 176 of the Framework to give great weight to the conservation and enhancement of landscape and scenic beauty of the area.

The site is a large operation, hosting 241 touring caravan and motorhome pitches. For a large site, it is well accommodated within the sensitive landscape due to visual containment from the surrounding topography. However, the high number of visitors this generates incurs pressure on the immediate surrounding landscape of Inleborough Hill, owned by the NT, which is a County Wildlife Site. Issues such as excessive dog waste and the threat of fires from barbecues need to be better addressed on-site by the campsite.

The proposed surface of the all-weather pitches is a permeable material (crushed stone chippings on a geotextile membrane, contained by timber gravel boards) and this raises no issues of surface water drainage.

Dark night skies are a stated feature of one of the defined special qualities of the Norfolk Coast AONB, namely a sense of remoteness, tranquillity, and wildness. Any external lighting associated with this application should therefore be minimal, downward directional, and low lux, so as not to significantly increase the light pollution emanating from the site. The Landscape section notes that illuminated integral bollards for power and water for 27 of the pitches are proposed and for the motor van waste point. The specification for the proposed CPES Europa Integral Bollards is acceptable, providing the 3W LED option is used, and this should be secured by condition. Conditions will be required relating to external lighting and restricting the use of the facilities to the permitted dates of the campsite (March to November).

The submission includes provision for two new play areas in the south of the site, at the foot of Town Hill. The exact location is close to mature trees. Revised information has been provided by the applicant as follows:

- Proposed Site Plan (IBF-2023-P-102B REV B) 23.11.2022 showing line of tree protection fencing
- Landscaping Response – Ecology-Nov 2022 (Caravan and Motorhome Club)
- Ecology letter from CSA Environmental, 25th Nov 2022

The previous response from the Landscape section dated 26th October 2022 raised concerns regarding the location of the two play areas in the south of the site which are near mature trees on Town Hill. An Arboricultural Impact Assessment and Method Statement was requested, prior to consent, to demonstrate that this element of the development can be achieved without incurring damage to the surrounding mature trees. The applicant has submitted arboricultural information at the end of the Landscaping Response document. This does not constitute an Arboricultural Impact Assessment and Method Statement as set out in BS5837:2012 and does not contain all the specified information such as individual tree assessment. However, the mitigation put forward includes tree protection fencing (chestnut pale rather than the standard Heras) and proposes reduction in size of the multi-use games area. These measures, along with a prescribed construction working method statement are satisfactory to ensure that the mature vegetation will not incur root or canopy damage during installation of the pitch and play area.

The Landscape section conclude that, given the existing baseline of an established campsite, and the fact that the proposal is to upgrade existing facilities and not add visitor capacity, the landscape and visual impact incurred by this development will not be significant and in this regard the proposals are acceptable. However, conditions will be required to protect the trees on site.

The issue of light pollution is reinforced within the Undeveloped Coast designation within Policy EN 3. Paragraph 3.3.10 of the policy supporting text sets out that the Undeveloped Coast designation is designed to minimise the wider impact of general development, additional transport, and light pollution on the distinctive coastal area.

Environmental Health: no objection subject to conditions

Environmental Health have no objection to the application subject to conditions regarding site licence, foul drainage and disposal of effluent, trade waste, noise and odour extraction, and artificial lighting.

Economic and Tourism Development Manager: supports the application

The Economic Growth Team supports the application, given that it recognises that the proposed redevelopment will introduce operational improvements to the site which will aid business recovery and resilience. The comments submitted by the Economic Growth Team reflect the economic impacts of the application and are without prejudice to others or matters of non-economic concern.

REPRESENTATIONS

Public consultation of the application took place for a period of 21 days between 15.07.2022 to 05.08.2022. Two letters of **objection** have been received as summarised below:

1. The proposed development would have a detrimental effect on the Norfolk Coast AONB, due to noise and pollution from vehicles entering residents access roads and the restricted byway RB6
2. Concerns over the increasing volumes of traffic for this site along Station Road and Station Close

HUMAN RIGHTS IMPLICATIONS

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

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

Having considered the above matters, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

STANDING DUTIES

Due regard has been given to the following duties:

Equality Act 2010

Crime and Disorder Act, 1998 (S17)

Natural Environment & Rural Communities Act 2006 (S40)

The Conservation of Habitats and Species Regulations 2017 (R9)

Planning Act 2008 (S183)

Human Rights Act 1998

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

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

RELEVANT POLICIES

North Norfolk Core Strategy (September 2008):

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 2: Development in the Countryside

Policy SS 4: Environment

Policy SS 5: Economy

Policy SS 6: Access and Infrastructure

Policy EN 1: Norfolk Coast Area of Outstanding Natural Beauty

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

Policy EN 3: Undeveloped Coast

Policy EN 4: Design

Policy EN 8: Protecting and Enhancing the Historic Environment

Policy EN 9: Biodiversity and Geology
Policy EN 10: Development and Flood Risk
Policy EN 13: Pollution and Hazard Prevention and Minimisation
Policy EC 3: Extensions to Existing Businesses in the Countryside
Policy EC 10: Static and Touring Caravan and Camping Sites
Policy CT 5: The Transport Impact of New Development
Policy CT 6: Parking Provision

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

Policy CS 16: Supplementary Planning Documents and Guidance

Material Considerations:

Supplementary Planning Documents and Guidance:

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

National Planning Policy Framework (July 2021)

Chapter 2: Achieving sustainable development
Chapter 4: Decision-making
Chapter 6: Building a strong, competitive economy
Chapter 8: Promoting healthy and safe communities
Chapter 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
Chapter 17: Facilitating the sustainable use of minerals

Other relevant documents/considerations

National Design Guide (September 2019)
Norfolk Green Infrastructure and Recreation Impact Avoidance and Mitigation Strategy – Habitats Regulations Assessment Strategy Document (March 2021)
Natural England's letter to local planning authorities dated 16th March 2022 regarding nutrients

OFFICER ASSESSMENT

MAIN ISSUES FOR CONSIDERATION:

- 1. Principle of development**
- 2. Landscape**
- 3. Design**
- 4. Amenity**
- 5. Protecting and Enhancing the Historic Environment**
- 6. Biodiversity and Geology**
- 7. Development and Flood Risk**
- 8. Pollution and Hazard Prevention and Minimisation**
- 9. The Transport Impact of New Development and Parking Provision**

10. Other matters

11. Planning Balance/Conclusion

1. Principle of development (Policies SS 1, SS 2, SS 5, EC 3, and EC 10)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a statutory requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for North Norfolk comprises (amongst other things):

- The North Norfolk Core Strategy (adopted 2008),
- The North Norfolk Site Allocations Development Plan Document (adopted 2011),
- Norfolk Minerals and Waste Core Strategy and Development Management Policies 2010-2026 DPD (adopted September 2011).

Policy SS 1 sets out that most of the new development in North Norfolk will take place in the towns and larger villages as defined as Principal and Secondary Settlements and a small amount of new development will be focused on designated Service and Coastal Service Villages. The rest of North Norfolk, including all settlements that do not fall under the above criteria, will be designated as Countryside. Policy SS 2 limits development in areas designated as Countryside to that, which requires a rural location and complies with its list of uses. Relevant to the proposed development is the recreation and tourism.

The site is situated in West Runton, which is an area designated as Countryside under Policies SS 1 and SS 2. The proposal involves the installation of additional all weather, serviced and premium pitches, a new play and multiuse games area, new site manager bathroom pods, new service and motorvan waste points. Such uses fall under the category of recreation and tourism, which is a type of development that is acceptable in principle in this location under Policy SS 2 subject to assessment against other relevant policies of the adopted North Norfolk Core Strategy.

Policy SS 5 seeks to support the tourist industry by retaining a mix of accommodation and encourage new accommodation, which help diversify the offer and extend the season. Proposals should demonstrate that they will not have a significant detrimental effect on the environment. The rural economy will be supported including extensions to existing businesses of an appropriate scale.

Policy EC 3 sets out that extensions to existing businesses in the Countryside will be permitted where it is of a scale appropriate to the existing development and would not have a detrimental effect on the character of the area.

Policy EC 10 sets out that the extension of, or intensification of, existing static caravan sites (including replacement with woodland lodges) and touring caravan/camping sites will only be permitted where the proposal conclusively demonstrates a very high standard of design and landscaping and minimal adverse impact on its surroundings and is appropriate when considered against the other policies of the plan.

The proposal involves the installation of 10 new awning all weather pitches, 24 serviced pitches, 3 new premium pitches, and 9 non-awning pitches. In addition, the proposal involves the erection of 2 new warden's utility pods, 2 motor van waste points, 1 new service point to replace existing, a play area, and a multi-use games area, which replace the one existing on site. The proposal intends to provide a mix of facilities and upgrades to the existing pitches

within the site. The principle of development is considered to be acceptable subject to satisfactory compliance with Development Plan policies or unless material considerations justify a departure from the Development Plan.

2. Landscape (Policies SS 4, EN 1, EN 2, and EN 3)

Norfolk Coast Area of Outstanding Natural Beauty (AONB)

Paragraph 1 of Section 85 of the Countryside and Rights of Way Act 2000, places a duty on Local Planning Authorities that in exercising or performing any functions in relation to, or to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

Policy SS 4 of the Core Strategy sets out that all development proposals will contribute to the delivery of sustainable development, ensure protection and enhancement of natural and built environmental assets and geodiversity and be located and designed to reduce carbon emissions and mitigate and adapt to future climate change.

Policy EN 1 sets out that the impact of individual proposals, and their cumulative effect, on the Norfolk Coast AONB, The Broads and their settings, will be carefully assessed. Development will be permitted where it:

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

Proposals that have an adverse effect will not be permitted unless it can be demonstrated that they cannot be located on alternative sites that would cause less harm and the benefits of the development clearly outweigh any adverse impacts. Development proposals that would be significantly detrimental to the special qualities of the Norfolk Coast AONB or The Broads and their settings will not be permitted.

Paragraph 176 of the Framework sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Government policy affords nationally designated areas the highest status of protection in relation to natural beauty. The Norfolk Coast AONB is an asset for North Norfolk, in terms of sustainable tourism, quality of life and as wildlife habitats.

National policy advises that major development should not take place in nationally designated areas such as AONBs except in exceptional circumstances. However, other smaller developments can also be harmful and development proposals that, by virtue of their scale, design, and/or location, might cause significant adverse impacts on the Norfolk Coast AONB

will not be permitted. Part of the Norfolk Coast AONB is within existing built-up areas and proposals will be considered having regard to their setting and impact on the surrounding area.

The proposal would result in the improvement of the facilities within the site. Given the proposal involves mainly ground works, any proposed external lighting will be secured through planning condition, and the site is screened from the surrounding area, it is considered the proposal conserves the landscape and scenic beauty of the AONB and as such would not detract from its special qualities. On that basis, it complies with Policy EN 1.

Protection and Enhancement of Landscape and Settlement Character

Policy EN 2 of the Core Strategy sets out that development 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.

Paragraph 174 of the Framework sets out that planning policies and decision should contribute to an enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, considering relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The site lies within the Coastal Shelf and Wooded Glacial Ridge Landscape Character Areas as designed within the LCA (January 2021). The Landscape vision for these landscape character areas requires that new development should be well integrated into the landscape

and local vernacular, with a sensitive approach to lighting to maintain dark skies, and opportunities should be sought to better integrate existing coastal development. Moreover, new development should retain the character of the skyline by carefully managing the location of any development, which would detract from the distinctive skyline.

Concerns have been raised by the National Trust regarding the intensification of the use of the site and the erosion of areas of open space. In addition, details of the site levels of the play and multi-use games areas have also been requested. The applicant has submitted a further information. Such information comprised of a tree protection fencing and arboricultural information and a response to the comments from National Trust.

Officers consider that the proposal will not materially increase the size or extent of the current use of the site. Whilst the proposed play and multi-use games areas will be higher than the play area on site, there will be no significant changes to site levels. Concerns have been raised by Landscape regarding the location of the play areas and their impacts on the trees. The mitigation measures submitted by the applicant, which comprise of tree protection in the form of chestnut pale, the reduction in the multi-use games area, along with a construction working method statement are considered acceptable.

For the reasons provided above, it is considered the proposal would not give rise to significant landscape concerns that therefore comply with Policy EN 2, subject to appropriate planning conditions to secure the protection of the trees before works start on site.

Undeveloped Coast

Policy EN 3 of the Core Strategy sets out that in the Undeveloped Coast only development that can be demonstrated to require a rural location and that will not be significantly detrimental to the open coastal character will be permitted. Community facilities, commercial, business, and residential development that is considered important to the wellbeing of the coastal community will be permitted where it replaces that which is threatened by coastal erosion.

Paragraph 174 of the Framework requires that planning policies and decisions should contribute to an enhance the natural and local environment by maintaining the character of the undeveloped coast, whilst improving public access to it where appropriate.

Given the proposal requires a rural location as relates to an existing business and site, and by virtue that most of the scheme involves ground works, it is not considered that what is being proposed would be significantly detrimental to the open coastal character. Furthermore, light pollution matters, which might affect the open coastal character will be addressed through planning conditions. Therefore, on that basis, it is considered the proposal would maintain the character of the undeveloped coast and as such, will comply with Policy EN 3.

3. Design (Policy EN 4)

Policy EN 4 of the Core Strategy sets out that all development will be designed to a high quality, reinforcing local distinctiveness. Innovative and energy efficient design will be particularly encouraged. Design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable. Development proposals, extensions and alterations to existing buildings and structures will be expected to:

- Have regard to the North Norfolk Design Guide
- Incorporate sustainable construction principles contained in Policy EN 6

- Make efficient use of land while respecting the density, character, landscape, and biodiversity of the surrounding area
- Be suitably designed for the context within which they are set
- Retain existing important landscaping and natural features and include landscape enhancement schemes that are compatible with the Landscape Character Assessment and ecological network mapping
- Ensure that the scale and massing of buildings relate sympathetically to the surrounding area
- Make a clear distinction between public and private spaces and enhance the public realm
- Create safe environments addressing crime prevention and community safety
- Ensure that places and buildings are accessible to all, including elderly and disabled people
- Incorporate footpaths, green links, and networks to the surrounding area
- Ensure that any car parking is discreet and accessible; and
- Where appropriate, contain a variety and mix of uses, buildings and landscaping.

Paragraph 130 of the Framework sets out that planning policies and decisions should ensure that development:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- b) are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks
- f) create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Officers consider that the design, scale, and materials proposed for the several types of pitches, site managers bathroom/utility pods, motor van waste point, service point, and play and multi-use games areas would not give rise to significant design concerns. Therefore, it is considered the proposal complies with Policy EN 4.

4. Amenity (Policy EN 4)

Policy EN 4 of the Core Strategy sets out that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers. Residents have the right to adequate privacy levels and to be kept free from excessive noise and unwanted social contact.

Paragraph 185 of the Framework sets out that planning policies and decisions should also ensure that new development is appropriate for its location considering the likely effects (including cumulative effects) of pollution on health, living conditions and the natural

environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation.

Officers consider that, given the nature of the proposal and recreational use of the site, there will be some form of noise and light pollution within the site. However, the separation distance between each pitch, and the siting of the pitches will not give rise to significant amenity concerns.

Residential properties along Links Way lie near the site. However, given none of the facilities proposed within the site are near this area, and there is a green corridor of woodland, trees, and hedgerows, it is considered the proposal would not give rise to significant amenity concerns. Therefore, Officers consider the proposal complies with the requirements of Policy EN 4.

5. Protecting and Enhancing the Historic Environment (Policy EN 8)

Policy EN 8 of the Core Strategy sets out that development proposals, including alterations and extensions, should preserve or enhance the character and appearance of designated assets, other important historic buildings, structures, monuments and landscapes, and their settings through high quality, sensitive design. Development that would have an adverse impact on their special historic or architectural interest will not be permitted. The character and appearance of Conservation Areas will be preserved, and where possible enhanced, and, in consultation with all relevant stakeholders, area appraisals and management plans will be prepared and used to assist this aim and to encourage the highest quality building design, townscape creation and landscaping in keeping with the defined areas.

Paragraph 197 of the Framework states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

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

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or other land within a conservation area, in the exercise of relevant functions under the Planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In this instance the site is situated within West Runton Conservation Area, as such the statutory duties imposed by Sections 66 and 72 are engaged.

It should be noted that the strict 'no harm permissible' clause in Policy EN 8 is not in full conformity with the guidance contained in the latest version of the Framework (2021). As a result, in considering the proposal for this site, the Local Planning Authority will need to take into consideration the guidance contained within Chapter 16 of the Framework as a material consideration.

By virtue of the modest scale of the proposals and their enclosed location within a site where its boundary comprises of trees, hedges, and woodland, Officers consider that the scheme would not give rise to significant heritage concerns. Concerns have been raised by Norfolk County Council Historic Environment Services as the area is within extensive earthworks associated with a World War II training area. However, subject to a programme of archaeological mitigatory work, which comprise monitoring of groundworks for the development under archaeological supervision and control, which will be secured through a planning condition, no objections have been raised.

As such, it is considered the proposal would not give rise to significant heritage concerns subject to conditions. Therefore, given the proposal will preserve the character and appearance of designated assets, and sustain their significance, the proposal complies with Policy EN 8.

6. Biodiversity and Geology (Policy EN 9)

Policy EN 9 of the Core Strategy states that all development proposals should:

- protect the biodiversity value of land and buildings and minimise fragmentation of habitats
- maximise opportunities for restoration, enhancement, and connection of natural habitats
- incorporate beneficial biodiversity conservation features where appropriate.

Where there is reason to suspect the presence of protected species, applications should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs.

Paragraph 180 of the Framework states that when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused
- b) 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. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure

measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Paragraph 181 of the Framework sets out that the following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation
- b) listed or proposed Ramsar sites
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

Following the concerns raised by Norfolk Wildlife Trust and Ecology, the applicant has submitted an Ecology letter and a response to Ecology comments provided in October 2022. Whilst some of the elements of the proposal overlap a County Wildlife Site (CWS), an area of 0.2ha within the CWS would be restored to a combination of acid grassland and dwarf heath scrub which would serve to strengthen the habitat links between the eastern and western portions of this area. Furthermore, mitigation measures will be secured through condition to avoid disturbing the bird nesting season and reptiles. For these reasons, Officers consider that the proposal would protect the biodiversity value of the land, and therefore the proposal will comply with Policy EN 9.

7. Development and Flood Risk (Policy EN 10)

Policy EN 10 of the Core Strategy sets out that new development in Flood Risk Zones 2 and 3a will be restricted to the following categories:

- water compatible uses
- minor development
- changes of use (to an equal or lower risk category in the flood risk vulnerability classification) where there is no operational development
- 'Less vulnerable' uses where the sequential test has been passed.

A site-specific Flood Risk Assessment which takes account of future climate change must be submitted with appropriate planning applications in Flood Zones 2, 3a and 3b and for development proposals of one hectare or greater in Flood Zone 1.

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

Paragraph 169 of the Framework sets out that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority
- b) have appropriate proposed minimum operational standards
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development
- d) where possible, provide multifunctional benefits

Flood Risk

In respect of Flood Risk, the site has an area of 8.3 hectares. Whilst a site-specific Flood Risk Assessment is required for proposals over one hectare in Flood Zone 1 under Policy EN 10, Officers consider it would not be proportionate to refuse the application due to the absence of such a document in this case, given the proposal involves upgrades to the facilities and use of an existing site.

Sustainable Drainage System (SuDS)

The types of sustainable drainage system which it may be appropriate to consider will depend on the proposed development and its location, as well as any planning policies and guidance that apply locally. Where possible, preference should be given to multi-functional sustainable drainage systems, and to solutions that allow surface water to be discharged according to the following hierarchy of drainage options:

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

Where SuDS are required in accordance with paragraphs 167 and 169 of the Framework, to reduce delays in the planning process, applicants need to submit a sustainable drainage strategy containing proportionate information on the proposed sustainable drainage systems as part of their planning application (including outline applications), having regard to the nature and scale of the development proposed. Where a site-specific flood risk assessment is required, it may be appropriate to combine the two.

Supporting information will need to describe the existing and proposed surface water management arrangements to ensure there is no increase in flood risk to others off-site. It may need to address:

1. What are the existing surface water drainage arrangements for the site?
2. If known, what (approximately) are the existing rates and volumes of surface water run-off generated by the site?
3. What are the proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change? What are the proposals for restricting discharge rates?
4. Demonstrate how the hierarchy of drainage options has been followed. Explain and justify why the types of sustainable drainage systems and method of discharge have been selected and why they are considered appropriate. Where sustainable drainage systems are inappropriate, provide clear evidence to justify this. Where cost is a reason for not including sustainable drainage systems, provide information to enable comparison with the lifetime costs of a conventional public sewer connection.
5. How have sustainable drainage systems been integrated with other aspects of the development such as open space or green infrastructure, to ensure an efficient use of the site?
6. What multifunctional benefits will the sustainable drainage system provide? For major developments, if multifunctional sustainable drainage systems are not being provided, what evidence is there that such techniques are not possible?
7. What opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system?
8. How will run-off from the completed development be prevented from causing an impact elsewhere?

9. How has the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption? What are the plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development?

Whilst in the application form submitted with the application, the applicant states that surface water will be disposed of through a soakaway, no sustainable strategy containing proportionate information on the proposed sustainable systems has been submitted. Therefore, such details will be required to be secured through planning condition.

Subject to the required conditions, it is considered the proposal will comply with the aim of Core Strategy Policy EN 10.

8. Pollution and Hazard Prevention and Minimisation (Policy EN 13)

Policy EN 13 of the Core Strategy sets out that all development proposals should minimise, and where possible reduce, all emissions and other forms of pollution, including light and noise pollution, and ensure no deterioration in water quality. Proposal will only be permitted where, individually, or cumulatively, there are no unacceptable impacts on:

- the natural environment and general amenity
- health and safety of the public
- air quality
- surface and groundwater quality
- land quality and condition
- the need for compliance with statutory environmental quality standards

Paragraph 185 of the Framework sets out that planning policies and decisions should also ensure that new development is appropriate for its location considering the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life
- identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason
- limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation

Officers note that concerns have been raised regarding issues such as excessive dog waste and the threat of fires from barbecues needing to be better addressed on-site by the campsite. The applicant states that there are nine dog waste bins located within the site and further bins will be installed if required. A Local Risk Assessment (12 August 2022) has been conducted due to concerns with grass and vegetation fires. The assessment identifies the hazards, who might be harmed, what is already being done, action required, who needs to conduct the action, when is the action needed and if it has been done. The assessment sets out the rules to which caravan site user must adhere to and sets out guidelines and details of their safe use.

It is considered that considering the risk assessment that has been submitted with the application and subject to appropriate planning conditions as suggested by Environmental Health, the proposal would comply with the requirements of Policy EN 13.

9. The Transport Impact of New Development and Parking Provision (Policies SS 6, CT 5, and CT 6)

Policy CT 5 of the Core Strategy sets out that development will be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its 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
- 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, for non-residential schemes, a travel plan.

Policy CT 6 of the Core Strategy sets out 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 113 of the Framework sets out that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Concerns have been raised by the public regarding the increasing volumes of traffic along Station Road and Station Close. The proposal only involves upgrades to the facilities of the site, and it is not expected that it would generate increased volumes of traffic. The Highway Authority has not raised any concerns, and subject to conditions limiting the season of operation of the caravan site to that currently in use, it is considered the proposal will comply with Core Strategy Policies CT 5 and CT 6.

Regarding the Runton Footpath 7, an informative note will be appended to the decision to ensure the applicant is aware that this footpath should remain open and accessible for the duration of the development and thereafter with no deterioration to its surface or access.

10. Other matters

Economic Benefits

It is considered that tourism makes a vital contribution to the economy of North Norfolk. The Economic Growth Team supports the application, given that it recognises that the proposed redevelopment will introduce operational improvements to the site which will aid business

recovery and resilience. Officers consider these are economic benefits which the Committee are entitled to apportion appropriate weight when making the planning balance.

Minerals & Waste

Norfolk Minerals and Waste Core Strategy Policy CS16 defines the area as a safeguarded mineral and waste sites for its potential mineral resources (Sand and Gravel). The policy requires that any scheme of significant scale should provide appropriate investigations conducted to assess whether any mineral resource there is of economic value, and if so, whether the material could be economically extracted prior to the development taking place. In the absence of such investigation, the application would be contrary to this policy.

Given the nature of the proposed development, the proposals would be exempt from the requirements of Policy CS16 - safeguarding of the adopted Norfolk Minerals and Waste Core Strategy. However, Norfolk County Council encourage the use of any material that may be recovered through the construction phases of the development on site.

GI RAMS

A new Norfolk wide Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) came into effect from 1 April 2022. This is a strategic approach to ensure no adverse effects are caused to European sites across Norfolk, either alone or in combination from qualifying developments and ensures that applicants and local planning authorities meet with the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended). The GIRAMS Strategy applies to all net new residential and tourism-related growth and this application has been identified as not being qualifying development under GIRAMS as no net increase in accommodation provision is proposed. Therefore, mitigation is not required via payment of a RAMS tariff.

11. Planning Balance/Conclusion

Whilst Officers note the concerns of some consultees and representations, the principle of the proposal is considered to be acceptable and, subject to the imposition of appropriate conditions, the proposal would accord with the aims of the Development Plan. Officers consider there are insufficient material considerations to justify a decision other than in accordance with the Development Plan.

RECOMMENDATION:

APPROVAL subject to the imposition of conditions listed below and any other conditions considered necessary by the Assistant Director of Planning:

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

Reason

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

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

- Design and Access Statement, dated 23 May 2022
- Drawing No. IBF-2023-OSA, OS Plan, dated 31 May 2022
- Drawing No. IBF-2023-P-101A, Existing Site Wide Plan, received on 15 September 2022
- Drawing No. IBF-2023-P-102B, Proposed Site Proposed Areas, received on 28 November 2022
- Drawing No. IBF-2023-P-103, Proposed Site Wide Plan, dated 23 May 2022
- Drawing No. IBF-2023-P-104, Proposed Site Proposed Play Area and MUGA Fencing, dated 23 May 2022
- Drawing No. IBF-2023-P-111, Proposed M.V.W.P Details, dated 23 May 2022
- Drawing No. IBF-2023-P-112, Proposed UA Service Point, dated 23 May 2022
- Drawing No. IBF-2023-P-401, Proposed Standard All-Weather Pitch Details, dated 23 May 2022
- Drawing No. IBF-2023-P-402, Proposed Standard Serviced Pitch Details, dated 23 May 2022
- Drawing No. IBF-2023-P-403, Proposed Standard Premium Pitch Details, dated 23 May 2022
- Drawing No. IBF-2023-P-404, Proposed Standard Non-Awning All-Weather Pitch Details, dated 23 May 2022
- Drawing No. IBF-2023-P-501, Existing Warden Bathroom & Kitchen Utility Pod, dated 23 May 2022
- Drawing No. IBF-2023-P-502, Proposed Warden Bathroom & Kitchen Utility Pod, dated 23 May 2022
- Local Risk Assessment, received on 15 September 2022
- Report Ref: CSA/6213/01, Preliminary Ecological Appraisal (CSA Environmental, September 2022), received on 15 September 2022
- Ref: CSA/6213/02, CSA Environmental (25 November 2022) letter, received on 28 November 2022
- Landscaping Response – Ecology – November 2022, received on 28 November 2022

Reason

For the avoidance of doubt and to ensure the satisfactory appearance of the development in accordance with Policies EN 1, EN 2, and EN 4 of the adopted North Norfolk Core Strategy.

3. The new pitches hereby permitted shall be used for holiday accommodation purposes only and shall not be used as the sole or main residence of the occupiers. The new pitches hereby permitted shall be made available for commercial holiday letting for at least 140 days a year and no individual let shall exceed 31 days. A register of lettings, occupation and advertising shall be always maintained and shall be made available for inspection by the Local Planning Authority if requested.

Reason

For the avoidance of doubt and because the site is in an area designated as Countryside in the North Norfolk Core Strategy where the Local Planning Authority would not normally permit permanent residential accommodation, in accordance with Policies SS 1, SS 2, EC 9, and EC 10 of the adopted North Norfolk Core Strategy.

4. A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and
- 1) The programme and methodology of site investigation and recording
 - 2) The programme for post investigation assessment
 - 3) Provision to be made for analysis of the site investigation and recording
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
 - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).

and,

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this instance the programme of archaeological mitigatory work will comprise the monitoring of groundworks for the development under archaeological supervision and control.

Reason

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

5. Prior to the first use of the Motor Van Waste Point hereby permitted, a foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The foul drainage scheme, once approved, shall be installed, operated, and maintained in strict accordance with the manufacturer's instructions for the lifetime of the development.

Reason

To ensure satisfactory sewerage disposal is provided in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy.

6. Prior to the installation of any plant, machinery, ventilation, air conditioning, heating, extraction equipment including any replacements of such, full details including location, acoustic specifications, and specific measures to control noise/dust/odour from the equipment shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed, used, and maintained thereafter in full accordance with the approved plans

Reason

To control the noise or odour emitted from the site in the interests of residential amenity in accordance with Policy EN 13.

7. The development hereby approved shall be carried out in strict accordance with the measures laid out in the Arboricultural Impact Assessment /Method Statement included within the document titled Landscaping Response – Ecology-Nov 2022 (Caravan and Motorhome Club). This shall include:
- a) Tree protection fencing set out as shown on the Proposed Site Plan (IBF-2023-P-102B REV B) 23.11.2022
 - b) Revised size of MUGA and play areas as set out on the Proposed Site Plan (IBF-2023-P-102B REV B) 23.11.2022
 - c) Tailored construction working practices as set out within the Arboricultural Impact Assessment /Method Statement

Reason

In the interests of the visual amenities of the area and to protect trees on the site, in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

8. The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement measures outlined in 5.8 of the Preliminary Ecological Appraisal, CSA Environmental, Sep 2022. The mitigation and enhancement measures shall include:
- a) Clearance works under the supervision of an Ecological Clerk of Works
 - b) Planting of native, locally appropriate dwarf shrub species, including heather, bell heath, common broom, and western gorse
 - c) Combination of seeding of appropriate acid grassland seed mix, and/or natural colonisation of acid grassland species.
 - d) Fencing off area's habitat creation areas, with appropriate signage to inform visitors
 - e) Good horticultural practice in respect of plant selection, planting, and watering with no use of fertiliser or herbicide

Prior to implementation, the specific details of all the measures aforementioned shall be set out on a scaled plan showing the precise location of each habitat area and submitted to and approved by the Local Planning Authority.

The approved measures shall be fully implemented in accordance with the approved details no later than the next planting season following first use of the development and thereafter retained in a suitable condition to serve the intended purpose.

Reason

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 180 of the Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

9. No occupation/use of the development hereby approved shall take place until details have been submitted to and agreed in writing by the local planning authority of all external lighting for the site, including any security or other intermittent lighting. Such details shall include specifications for the lighting proposed, its location and position within the site, height and levels of illumination proposed. The details shall also specify that any external lighting includes cowling, or other similar device, to ensure that the lighting only illuminates the site directly. The development shall be carried out in accordance with the details as agreed and retained as such thereafter.

Reason

To ensure that the development minimises light pollution and the potential impact on biodiversity in accordance with Chapters 12 and 15 of the Framework, and Policies EN 1, EN 2, EN 9, and EN 13 of the adopted North Norfolk Core Strategy.

10. No development shall take place until details of the implementation, retention and management of the sustainable surface water drainage strategy have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - i) A timetable for its implementation, and
 - ii) A management and retention plan the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

Reason

In the interests of achieving sustainable means of surface water drainage in accordance with Policy EN 10 of the North Norfolk Core Strategy.

11. Inceboro Fields Caravan Club Site shall only be open to customers/visiting members of the public between 10 March and 6 November in any calendar year.

Reason

To ensure that the development minimises light pollution and reduces glare, and to minimise the potential impact on biodiversity and landscape in accordance with chapters 12 and 15 of the Framework, and Policies EN 1, EN 2, EN 3, EN 9, and EN 13 of the adopted North Norfolk Core Strategy.

NOTES AND INFORMATIVES TO APPLICANT

1. The Local Planning Authority considers that it has worked positively and proactively with the applicant to address any arising issues in relation to determining this planning application, to secure a policy compliant proposal that has been determined in the wider public interest at the earliest reasonable opportunity, in accordance with the requirements of the National Planning Policy Framework (paragraph 38).
2. To ensure that the development minimises light pollution and reduces glare, in the interests of highway safety, and to minimise the potential impact on biodiversity and landscape in accordance with Chapters 12 and 15 of the Framework, and Policies EN 1, EN 2, EN 3, EN 9, and EN 13 of the adopted North Norfolk Core Strategy, no external lighting shall be installed other than the approved CPES Europa Integral Bollards (3w LED option) in order to minimise light intrusion beyond the site boundaries.
3. The Public Right of Way, known as Runton Footpath 7 is aligned within the red line plan of the site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.
4. It is strongly recommended that the applicant contact the Environmental Health Service's Licensing and Public Protection Team with regard to the requirements needed in order to successfully acquire and comply with a Site Licence (in accordance with the Caravan Sites and Control of Development Act 1960, Section 26) for the site. The applicant is required to ensure that the distance between each pitch always conforms to a minimum of six metres. Further advice and guidance can be sought from:

Email: public-protection@north-norfolk.gov.uk

Phone: 01263 516189

5. It is noted there is an error on the application form as the application does include the disposal of trade waste effluent. It is further noted that the Plan titled "Proposed Motor Van Waste Point" (P-111) and the "Proposed Site Plan" (P-103) depicting the "Incleboro Toilet Block" "Holgate Toilet Block 2", "Fair Lady Toilet Block 3", "Kettle Grove Toilet Block 4", "Bathrooms" and "Site Manager Bathroom and Utility POD" includes the disposal of trade effluent which will be directed to a mains sewer. As such, permission must be sought from Anglian Water in order to discharge, including the discharging of motor van trade effluent, into the mains sewer.
6. The applicant is advised that businesses require a Trade Waste contract to dispose of all waste associated with commercial activities as stated in the Environmental Protection Act 1990, Section 34.
7. The applicant/developer is advised that the lighting details referred to in condition number 9 should comply with the Institution of Lighting Professionals Guidance Note 1 for the reduction of obtrusive light.

[Guidance Note 1 for the reduction of obtrusive light 2021 | Institution of Lighting Professionals \(theilp.org.uk\)](#)

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DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – FEB 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 Jan 2023.
- 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 Jan 2023).

Performance Measure	Actual Performance	Target	Comments
Decision Notices <i>(Month up to 31 Jan 2023)</i>	Major No decisions issued.	60% <i>(80% NNDC)</i>	24 month average to 31 Jan 2023 is 93.75% ▲
	Non-Major 108 decisions issued <i>96.3% within time period</i>	70% <i>(90% NNDC)</i>	24 month average to 31 Jan 2023 is 83.31% ▲
Validation <i>(Month up to 31 Jan 2023)</i>	295 applications registered 244 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 6 S106 Obligations being progressed, the planning applications for two of which are yet to be formally determined or resolved to be approved.

3. RECOMMENDATIONS:

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

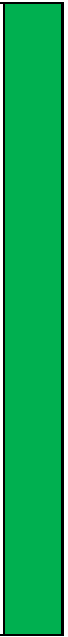
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SCHEDULE OF S106 AGREEMENTS

UPDATE FOR DEVELOPMENT COMMITTEE:

23 February 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	NCC and Hethel have until 28 February 2023 to sign. Awaiting instructions from officers on NCC's requested amendments.	
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 and substantially agreed.	
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			
PF/22/1596 & PF/22/1784 (Duplicate)	Land South Of Norwich Road North Walsham Norfolk	Hybrid planning application, comprising the following elements: 1. Full Planning Application for the construction of 343 dwellings (including affordable homes), garages, parking, vehicular access onto Ewing Road and Hornbeam Road, public open spaces, play areas, landscaping, drainage and other associated infrastructure; 2. Outline Planning Application with all matters reserved for a phased development comprising 7 serviced self-build plots and associated infrastructure; and 3. Outline Planning Application with all matters reserved for the construction of an elderly care facility and associated infrastructure, landscaping and open space	CP071 - North Walsham	Phillip Rowson	Committee	Not Yet Determined	Fiona Croxon	21830	Draft s106 Agreement is awaited from applicant's solicitors.	
PF/21/3458	Land At Woodland Browns Covert Hindolveston Road Fulmodeston Norfolk	Erection of two one-bed tree houses with external works and servicing (to include biorock drainage system and solar panels)	CP034 - Fulmodeston	Jamie Smith	Committee	26/01/2023	Fiona Croxon	21829	Draft s106 Unilateral Undertaking is awaited from applicant's solicitors.	

<p>PF/17/0680 & RV/22/0855</p>	<p>Land North Of Rudham Stile Lane & East Of Water Moor Lane Fakenham Norfolk</p>	<p>Variation of conditions 2, 3, 4, 5, 6, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 26, 28, 30, 37, 38, and 40 of outline planning permission PO/17/0680 (Outline planning application (all matters except primary means of access reserved for future approval) for residential development of up to 950 dwellings (Use Class C3), employment development (Use Classes B1/B2/B8), a primary school and children's nursery (Use Class D1), a hotel (Use Class C1), local retail (Use Classes A1/A3/A4/A5) and associated public open space and infrastructure) regarding the highways works associated with Condition 31i. (site access and roundabout from the A148 and associated works to Wells Road) and 31v. (scheme for the A148/A1065/Wells Lane (Shell Garage) including lane widening and road markings) are proposed to be undertaken directly by the Highway Authority and not the applicant. As such, these works are to be specifically excluded from the requirements and triggers indicated in the conditions that are proposed to be amended (See-Schedule of Condition amends) Amendments 21 March 2022)</p>	<p>CP030 - Fakenham</p>	<p>Geoff Lyon</p>	<p>TBC</p>	<p>TBC</p>	<p>Fiona Croxon</p>	<p>13791</p>	<p>Draft Deed of Variation is being reviewed.</p>	
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OFFICERS' REPORTS TO DEVELOPMENT COMMITTEE 23 FEBRUARY 2023

APPEALS SECTION

NEW APPEALS

HOLT - CD/21/3325 - Discharge of condition 42 (cycle store) of planning permission PF/17/1803 (Residential development of 52 dwellings (including the removal of No.67 Hempstead Road), provision of new vehicular access to Hempstead Road; associated landscaping, open space, pumping station and electricity substation)

Land Rear Of 67 Hempstead Road, Holt Norfolk

For Hopkins Homes Limited

WRITTEN REPRESENTATION

NORTH WALSHAM – ENF/20/0088 - Appeal against Enforcement Notice for Occupation of the site , bungalow structure and operating an LGV from within the site
Sewage Works, Marshgate, North Walsham NR28 9LG

For Mr Luke Jackson

INFORMAL HEARING

SHERINGHAM – PF/22/0443 - Erection of potting shed and greenhouse (part retrospective)

Morley Grange, 14 Cremers Drift, Sheringham, Norfolk NR26 8HY

For Mr Stephen Pigott

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 24th-26th January 2023

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

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

For Adam and Gay Spiegel

INFORMAL HEARING – to be linked with ENF/18/0164 – ~~Date to be Confirmed~~ – Re-scheduled to 24th-26th January 2023

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

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

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

For Adam and Gay Spiegel

INFORMAL HEARING – to be linked with ENF/18/0164 – ~~Date to be Confirmed~~ – Re-scheduled to 24th-26th January 2023

THURNING – ENF/19/0307 – Appeal against breach of planning control
(and RV/21/2645 linked with the above) - Removal of Condition 3 of planning permission PF/13/1048 the condition to be simply deleted and not included in the the new permission

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

For Mr & Mrs Kerrison

INQUIRY

THURNING – ENF/19/0307 - Appeal against breach of planning control
(and CL/20/2055 linked with the above) - Certificate of lawfulness for existing use of "The Office" at Courtyard Barn as a residential dwelling (C3)

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

For Mr & Mrs Kerrison

INQUIRY

WRITTEN REPRESENTATIONS APPEALS - IN HAND

ALBY WITH THWAITE – 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

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 – 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

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

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 – 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

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

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

APPEAL DISMISSED

FAKENHAM – PO/21/2584 - Erection of detached dwelling (all matters reserved)

9 Caslon Close, Fakenham Norfolk NR21 9DL

For Mr M Rahman

WRITTEN REPRESENTATION

APPEAL DISMISSED

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