

Development Committee



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TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 28 February 2024

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 7 March 2024 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. Please note that this meeting is livestreamed: <https://www.youtube.com/channel/UCsShJeAVZMS0kSWcz-WyEzq>

Presentations: If you wish to view the Officers' presentations for the applications being considered by the Committee please follow the following link:

<https://modgov.north-norfolk.gov.uk/ecCatDisplayClassic.aspx?sch=doc&cat=13644&path=0>

Emma Denny

Democratic Services Manager

To: Cllr P Heinrich, Cllr R Macdonald, Cllr M Batey, Cllr A Brown, Cllr P Fisher, Cllr A Fitch-Tillett, Cllr M Hankins, Cllr V Holliday, Cllr G Mancini-Boyle, Cllr P Neatherway, Cllr J Toye, Cllr K Toye, Cllr A Varley and Cllr L Vickers

Substitutes: Cllr T Adams, Cllr P Bailey, Cllr K Bayes, Cllr J Boyle, Cllr G Bull, Cllr S Bütikofer, Cllr N Dixon, Cllr T FitzPatrick, Cllr W Fredericks, Cllr N Housden, Cllr L Paterson, Cllr J Punchard, Cllr C Ringer, Cllr E Spagnola, Cllr E Vardy and Cllr L Withington

All other Members of the Council for information.

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



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

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

Chief Executive: Steve Blatch

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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 25th January and Thursday 8th February 2024.

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. WITHDRAWN: PUDDING NORTON - PF/23/2102 - CONTINUED USE OF LAND AS A RESIDENTIAL CARAVAN SITE AT PARKLANDS, GREEN LANE ESTATE, PUDDING NORTON FOR MR DAVID O'CONNOR

(Pages 25 - 34)

Planning Application PF/23/2102 has been **WITHDRAWN** by the applicant. It will therefore not be debated, discussed or determined at

Development Committee.

9. **CATFIELD - PF/21/3414 - CONVERSION OF THE FORMER MILESTONES HOSPITAL TO A RESIDENTIAL DEVELOPMENT CONSISTING OF 21 DWELLING HOUSES AND INTERNAL RENOVATION WORKS THROUGHOUT - AT MILESTONES HOSPITAL, THE STREET, CATFIELD, GREAT YARMOUTH NR29 5BE FOR LION PROPERTIES LTD** (Pages 35 - 52)
10. **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE** (Pages 53 - 56)
11. **APPEALS SECTION** (Pages 57 - 62)
- (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

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DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 25 January 2024 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:	Cllr P Heinrich (Chairman)	Cllr R Macdonald (Vice-Chairman)
	Cllr M Batey	Cllr A Brown
	Cllr P Fisher	Cllr A Fitch-Tillett
	Cllr M Hankins	Cllr V Holliday
	Cllr G Mancini-Boyle	Cllr P Neatherway
	Cllr A Varley	Cllr L Vickers

Substitute Members Present	Cllr L Paterson
	Cllr L Withington

Officers in Attendance:	Assistant Director – Planning (ADP)
	Development Manager (DM)
	Principal Lawyer (PL)
	Housing Strategy Delivery Manager (HSDM)
	Senior Landscape Officer (SLO)
	Senior Landscape Officer – Arborist (SLO-A)
	Democratic Services Officer - Regulatory

115 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr J Toye and Cllr K Toye.

116 SUBSTITUTES

Cllr L Paterson was present as a substitute for Cllr J Toye. Cllr L Withington was present as a substitute for Cllr K Toye.

117 ITEMS OF URGENT BUSINESS

None.

118 DECLARATIONS OF INTEREST

The Chairman declared a non-pecuniary interest for application PF/22/1784. He advised that he had been approached by supporters and objectors and offered advise but not an opinion. He stated he was not pre-determined.

Cllr A Fitch-Tillett expressed a non-pecuniary interest for application PF/22/1784, she advised she had been lobbied by various parties to which she had only acknowledged receipt of communication.

The Chairman noted that there had been extensive lobbying of Members regarding the application.

- 119 **NORTH WALSHAM - PF/22/1784 - 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. OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED FOR THE CONSTRUCTION OF AN ELDERLY CARE FACILITY AND ASSOCIATED INFRASTRUCTURE, LANDSCAPING AND OPEN SPACE ON LAND SOUTH OF NORWICH ROAD, NORTH WALSHAM FOR HOPKINS HOMES LIMITED.**

Officer's Report & Presentation

The ADP introduced the Officer's report and recommendation for approval subject to extensive conditions. He delivered his presentation with Mrs Hutchinson of Hutchinsons-Planning Ltd, who outlined aspects of design. He advised that the application was comprised of three parts: a full planning application for 343 dwellings, an outline application for 7 self-build plots, and an outline planning application for an elderly care facility and associated infrastructure. Further, the application included the provision of a new East / West link road between Hornbeam Road to Ewing Road, and the relocation of garden centre access.

It was noted that the northern portion of the site had been included within the development plan as adopted since 2011 (NW01), with the lower portion contained within the draft plan currently subject to examination (NW01/B). This application was a duplicate of another application still to be determined by the Council.

The ADP affirmed the site's location, situated the Southwest of North Walsham and relationship within the local setting. He provided photographs in and around the site including from Ewing Road, Nursery Drive, and Hornbeam Road, as well as of the Southern Fields and the Central scrubland. Aerial Images of the site dated 1946, 1988, 2007 and 2020 were shown to the Committee to demonstrate the changing use of the site from farmland, to commercialised use with the development of the garden centre and erection of adjacent housing developments.

The site was located within the designated Countryside setting, per the 2008 adopted Core Strategy. In addition to current and draft Local Plan site designations, it was also contained within the safeguarding area for the adopted minerals plan and was subject to two tree preservation area orders. For these reasons, approval of the application would be a departure from the Development Plan.

The ADP issued an update to the written report and advised that since the publication of the agenda, and additional information offered by the applicant to consultees, Natural England were, as of the 23rd of January, content with the application. The Lead Local Flood Authority (LLFA) issued updated comments on 18th of January, reducing the majority of objections to the scheme but maintaining two objections in relation to (some) plot drainage details, and Source Protection Zone 2 issues needing to be addressed. The applicant had provided new details to address these issues, submitted to the LLFA on 23rd of January for re-consultation. Environment Protection provided updated comments on 15th of January, with noise concerns were still outstanding.

Of the 63 representations received (summarised in paragraphs 182 and 183 of the Officer's report) the majority objected to the proposal. Communication from a resident of Smedley Drive had been received after the publication of the agenda and circulated by Democratic Services on 22nd of January. A link to an online petition titled 'Save Nursery Drive Woods, North Walsham' on 38 degrees petition platform was shared with the Committee on 23rd of January, this petition had amassed 757 signatories. The Committee had also received correspondence from the applicant on 23rd of January.

The ADP stated that the proposal would deliver a significant amount of housing and infrastructure. The Council was currently unable to demonstrate a 5-year Housing Land Supply (HLS), therefore paragraph 11(d) of the NPPF was relevant. As the Northern portion of the scheme has been detailed in the current Development Plan, the current 5-year HLS figure assumed this Development would be built out. If the proposal were to be refused (with respect of the Northern Portion), the Councils' 5-year HLS figure would worsen. Approval of the application would increase the '5 Year' figure and better protect the current predicted delivery figures. The Southern portion of the scheme was contained in the well advanced, emerging Local Plan, and was relevant to future 5-year HLS figures.

Mrs Hutchinson outlined matters of design including the Master Plan and noted that the Garden Centre and Ladbrooks engineering site would be retained. She advised the proposal would include a mix of accommodation type, with single, one and a half, two, and two and a half storey dwellings, and a care home facility in the centre of the development, with self-build accommodation to the south. Allotments were proposed for the northern side of the link road, as was the community orchard, with the main open space for the development centralised near the current scrubland area. Mrs Hutchinson highlighted the open space land dedicated to suds was situated on the western edge of the development. She noted that the scheme comprised of straight lines and uniform building style, which had been discussed with the applicant, commenting the Landscape design was important in softening the appearance of the scheme.

Many of the objections to the proposal related to development on the central scrubland. Tree Preservation Order (TPO) TPO/16/0927 would be largely unaffected as it related to Nursery Drive. By contrast TPO/21/0985 was a blanket TPO affecting large sections of the site. Mrs Hutchinson confirmed a Tree Survey had been undertaken, and relayed details of the extensive ecological surveys including Badger, Bat, Reptile, and Breeding Birds. Within earlier iterations of the scheme, the applicant had proposed the community orchard be planted in the scrubland area, however this was since moved to be situated above the link road. Mrs Hutchinson confirmed the developer sought to retain an area of scrubland, and those larger trees which formed part of the hedge line. Whilst the badgers did occupy the central scrub area, this was transitional and not permanently occupied, it was uncertain what affect the development may have on whether the badgers continued to occupy this area. Even if the central scrubland area was to be retained, any badgers located in the area may become isolated by development on either side. The key areas of biodiversity were located in the hedge-lines surrounding the development site where bats and slow worms had been found. Skylarks by contrast were found in the southern agricultural land. Mrs Hutchinson affirmed that the open spaces proposed around the western and southern boundary would make a positive contribution to biodiversity.

The ADP summarised the proposed S106 contributions and highlighted changes in

requested sums from the County Council for Education provision. During the first two consultations, the County Council did not seek a contribution towards education and acknowledged there was capacity in the current system. However, on the third consultation, the County Council sought contribution towards special education needs and Primary School Capacity following a change to the calculation metric. The Applicant accepted the first request but questioned the second. Officers concluded that it would be challenging to justify the requests given there had been no change to the building infrastructure, and earlier consultations didn't request a financial contribution.

The ADP noted that the Affordable Housing figure of 15% fell below the 45% figure sought within the adopted policy. However, the viability assessment provided by the applicant and reviewed by the Council's independent viability assessor supported that 45% would not be viable. Officers were satisfied with the 15% figure provided the provision of an uplift clause should the developer achieve a greater profit than initially envisaged within the viability assessment. The ADP cautioned that if the Committee prioritised S106 funding for primary education over affordable housing, this would have a significant detrimental impact on the affordable housing percentage and reduce it by near 10%.

The ADP confirmed a small change to the recommendation detailed on paragraph 361 of the Officer's report, to remove inclusion of Natural England from the list. The recommendation as presented stated that were the Lead Local Flood Authority or Environmental Protection (regarding noise) to maintain and sustain their objection, permission could not be issued. Details of conditions and S106 obligations were detailed in paragraphs 362- 365 of the Officer's report.

Public Speakers

Bob Wright – North Walsham Town Council
Nigel Llyod – Objecting
Jonathan Liberman (Hopkins Homes) – Supporting

Local Members Representation

The Local Member – Cllr L Shires – considered this was a balanced application and noted the benefits and negatives associated with the scheme. The Local Member questioned whether sufficient information had been provided to the Committee to form a determination with regards to outstanding information from consultees (outlined in Paragraph 361 of the Officer's report).

With respect of S106 contributions, Cllr L Shires commended the Highways improvements which would be achieved from S106 monies, particularly with respect of Highway Safety around the Skatepark.

The Local Member stressed the significant demand for affordable housing in North Walsham, with 384 households on the waiting list with a connection to the parish, and only 27 lettings having been granted in North Walsham in the last 12 months. As the largest Market Town in the district, North Walsham was especially affected by the Housing Crisis. Whilst she held reservations about potential noise issues arising from the adjacent railway line and would have preferred for more affordable housing to have been achieved through the scheme, Cllr L Shires was supportive that the proposal would deliver much needed affordable homes. The Local Member was adamant that the number of affordable homes should not be diluted down, irrespective of whether the developer were to find themselves in financial difficulties.

As the elected County Council Member, Cllr L Shires expressed her surprise at the S106 contributions requested for Education, given she had met and discussed need with the Education Team at County Council in the last year and was assured that capacity was not a concern. When welcoming refugees from Ukraine in the community, Cllr L Shires had also been advised that there was sufficient capacity in education. She expressed her support for the officer's recommendation with respect of this matter and expressed disappointment that as the elected member, she had not been notified of concerns by the County Council.

Cllr L Shires noted the representations made regarding to ecology and biodiversity and deferred to more experienced persons in this matter. She reflected that at present, she lacked sufficient confidence that the scheme would deliver on its affordable housing commitments.

The meeting was adjourned at 10.30am and was reconvened at 10.43am.

Committee Debate

- a. The ADP responded to matters raised by speakers. First, he noted that the principle of development had not been broadly criticised, nor the balance officers had reached between affordable housing and the primary school contribution. With respect of comments regarding the lack of information to form a determination, The ADP confirmed that the recommendation caveated that if the LLFA and Environmental Protection team maintained their objection, permission would not be granted. Whilst he was unable to offer absolute guaranteed assurances around the total amount of affordable housing, the proposal as submitted by the applicant had been supported by a viability assessment which had been independently scrutinised. The S106 agreement was based on the 15% figure and would need to be varied if changed. Further, the development would be subject to an uplift clause. The ADP reiterated that the Highways authority were satisfied with the proposal and considered the S106 contribution would improve the main off-site road junction in the locality. The ADP advised that the Senior Landscape Officer & Senior Landscape Officer – Arboriculture, were in attendance to address questions of ecology and biodiversity. He was assured that the applicant was aware of public interest in the central area of the scheme including by the MP and has chosen to continue with the development. Officers did not determine objection of the application was justified based on the need to retain the central scrubland.
- b. Cllr R Macdonald expressed his disappointment with the 15% affordable housing figure, as he considered this should have been higher.
- c. Cllr L Vickers shared the concern of Cllr R Macdonald and the Local Member about the lack of affordable homes achieved through the development. She was further concerned that the number of affordable homes would reduce down if the applicant were to contribute to primary school education. Cllr L Vickers sought confirmation of the breakdown of affordable homes for rent and for sale.
- d. The ADP confirmed that within the current 2008 adopted policy, new housing developments should allocate 45% affordable homes unless viability demonstrated otherwise. The emerging Local Plan allocated different affordable home % figures to different areas of the district. The 15% figure

detailed in the scheme would accord with the draft Local Plan. Officers determined that the affordable housing contribution should be prioritised over the primary education contribution request, if the primary education contribution was achieved this would lead to a significant reduction in the number of affordable homes achieved.

- e. The Chairman enquired whether the County Council could enforce their demand for primary school education funding.
- f. The ADP advised the County Council could choose to challenge the decision if planning permission were granted, and potentially choose to refuse to sign off the S106 agreements. However, the ADP believed the County Council understood the District Councils position and were pleased that the proposal included the Special Educational Needs contribution. It was recognised that the request for primary school funding was made at the later stages of the process which may make it more difficult to challenge the decision.
- g. Cllr M Hankins asked if the affordable housing contribution could be increased, allowing for a contingency should the developer be unable to fulfil the higher figure, reflecting that the developer would still make a generous profit.
- h. The ADP confirmed that paragraph 225 of the report established the composition of affordable homes in terms of sale or rent. The applicant had produced a viability assessment for 15%, it was unlikely the developer would agree to a higher figure.
- i. Cllr P Neatherway enquired about school placements and whether there was capacity in the system. He noted the financial pressures on Councils, including the County Council who oversaw education, and asked if there would be any adverse consequential impacts as a result of approving the application.
- j. The ADP advised that school placement availability was influenced by how capacity of the building was calculated. The calculation metric had changed during the consultation period resulting in the late request for a S106 contribution. Notably, the buildings in terms of built form and structure had not changed, only the calculation metric. He reflected that the emerging Local Plan allocation 'North Walsham West' would have an impact on education provision, which would be assessed at the relevant time.
- k. Cllr G Mancini-Boyle considered the submission from the Local Member, Cllr D Birch, and the suggestion that the 20 homes around the central area be relocated elsewhere. Cllr G Mancini-Boyle asked if these homes could be moved, and, given comments about the poor quality of the scrubland, whether the developer would consider a tree planting scheme in the area which may help with surface flooding.
- l. The ADP commented that whilst conceptually the 20 homes could be placed elsewhere, he recognised that in doing so, those 20 dwellings would be relocated to land with a higher ecological value.
- m. The SLO-A advised officers had applied national guidance and standards when assessing the woodland. The area in question was small and fell below

the lowest area captured in the forestry commission standards and comprised of many non-native exotic species. She spoke positively of the scrub species which contributed to the area and stated the scheme would implement a long-term maintenance schedule to bring the area to a usable public space.

- n. The SLO reflected that there was bio-diversity value in scrubland for many species, however, this was not an uncommon habitat type. In the upcoming biodiversity net gain metric, it was considered of medium distinctiveness unlike woodland habitats which were of significantly high distinctiveness and effectively irreplaceable. Dense scrub would likely continue to grow along the railway corridor and around the peripheries of the site, if managed appropriately. The SLO argued that, should the central area be retained, it would in effect become an isolated habitat in the middle of the development and would be subject to human disturbance. He stated that the mixture of habitats proposed around the edge of the scheme would accommodate a wider range of species and offer a greater bio-diversity contribution.
- o. Cllr A Brown thanked Officers for their report, though considered that information was lacking on some of the environmental credentials of the scheme including energy efficiency (as passive housing). Having studied Hopkins Homes website, and what the company stated they were committed to, Cllr A Brown expressed disappointment over the lack of details for electric vehicle charging points, solar panels, air or ground source heat pumps, and or any other mitigation measures. With respect of biodiversity, Cllr A Brown welcomed the 4% increase on new national standards. He further noted the developer's commitment to local charities in Suffolk, but not in North Norfolk, and commented on the acquisition of the developer by the private equity company Tera Firma. Cllr A Brown reflected that the scheme may result in the relocation of badger sets, amongst other ecological disturbances, and spoke favourably of the applicant making a voluntary contribution to offset the harm arising from the development. He concluded that the 5-year HLS challenge referenced by Officers was temporary and matters Nutrient Neutrality would be addressed.
- p. The Chairman cautioned the Committee that they must form their determination on planning grounds, not on the contents of a website or company ownership.
- q. The DM advised that details of EV charging points and renewable energy offered by the applicant and noted the absence of gas boilers in the scheme. With respect of charitable contributions, he advised these were not relevant material considerations for the determination of planning applications and could not be afforded weight in the planning balance. At present, the Council were unable to demonstrate a 5-year HLS and therefore had to engage the tilted balance per the NPPF – it was for the Committee as decision maker to consider this and all other relevant matters.
- r. The ADP confirmed that the applicant had submitted an energy strategy within the suite of documentation provided. He advised that whilst the 5-year HLS issue may be resolved in future, housing delivery tests would still need to be met, this too had been an issue for the Local Authority in part due to Nutrient Neutrality. The homes delivered through the application would make a positive contribution to housing delivery. With regards Cllr A Brown's suggestion that a charitable contribution be offered by the developer, the

ADP affirmed that not only could such a contribution not be given any weight, but the Council could neither seek, demand, or infer they be demanded when determining planning applications.

- s. Cllr L Withington reflected on the prior situation in Holt where the delivery of affordable homes was watered down through a revised application. She asked Officers what they considered to be the risks associated with this application, and whether there were any known challenges with the land which may result in the applicant coming back to the Council stating the scheme was no longer viable. Cllr L Withington acknowledged the housing mix proposed and noted the absence of bungalows when compared to other schemes in the district. She asked if the housing mix offered would address the needs of the community.
- t. The ADP advised he was not at present aware of anything that would justify a reduction in affordable housing. He stated that the applicant had undertaken significant work, and many risks were known, particularly as the developer had developed the adjoining site. The ADP reflected that he could not predict external factors including the economy and asked that an uplift clause was proposed should the situation were to improve.
- u. The HSDM stated that affordable housing offered would address housing need. Whilst there was a small demand for 4-bedroom affordable homes, the delivery on an annual basis was extremely small. All of the affordable homes would be accessible and adaptable, with some built to a standard to accommodate wheelchair users. The HSDM commented that whilst he would prefer that more affordable housing be offered, the mix offered was good.
- v. At the request of the Chairman, the developer was invited to answer questions raised by the Committee. The Chairman asked the applicant if they were aware of any contamination on site, and what assurances he could offer that the provision of 15% affordable homes could be achieved. The applicant confirmed that surveys produced had been factored into viability, further studies would be commissioned, but there were no unknowns at present. He confirmed that the design and discussions with officers was for the 15% figure, this was supported by the viability assessment. He reflected that at other sites (Holt), there were site specific issues, but on most sites the developer had achieved and delivered the scheme as envisaged including affordable housing. If, for whatever reason, the developer considered they were unable to viably build out the scheme in future, they would need to submit a revised application to be considered by Committee.
- w. Cllr A Varley asked if the EV charging and heat pumps could be conditioned, should the Committee be minded to approve the application.
- x. The ADP advised this could be possible, though caveated that it was not appropriate to duplicate what may be required by building regulations. He advised this could be covered off by condition or building regulations as appropriate.
- y. Cllr A Varley expressed his disappointment the scheme was not for passive housing. With respect of biodiversity, he considered the developer had demonstrated a lack of regard for the area and affirmed that the central area offered biodiversity value which should be retained and enhanced. He expressed concern about the commitment of the developer to environmental

matters and referenced p.30 para. 153, further noting that at the adjoining Hopkins site the landscape scheme had failed due to poor maintenance.

- z. The SLO-A agreed that there had been tree losses at the adjoining site following several years of very dry, hot summers (with the exception of 2023). She affirmed that the first couple of years maintenance were critical to establishing landscaping schemes and confirmed that conversations were ongoing with Hopkins in ensuring the landscaping scheme was improved. The SLO-A reflected on the proposed canopy cover the importance of planting which could survive and thrive in drought conditions.
- aa. Cllr A Fitch-Tillett welcome the contribution from Officers and commented that she had 2 Hopkins Homes developments in her Ward, which were built to a high standard. Cllr A Fitch-Tillett spoke positively of the open space provision but expressed concern that the maintenance of the landscape may not be achieved. She urged Officer to keep on top of this matter, should the application be approved. Further, she expressed disappointment that the Lead Local Flood Authority were still to put in a comment. Cllr A Fitch-Tillett was confident that Officers had thoroughly considered the scheme, and so proposed acceptance of the Officer's recommendation for approval.
- bb. Cllr V Holliday echoed concerns regarding the loss of woodland, though took note of Officer's comments. She considered some of the proposed mitigation to be contrived and asked how achievable all elements would be. She also reflected on the lack of open space and shared in concerns regarding landscape management. Cllr V Holliday asked if the affordable housing location could be re-considered and noted that water treatment matters had not yet been addressed.
- cc. The Chairman commented, as representative for Community Railway Norfolk, that there were 2 passenger trains an hour, and occasional condensate trains. The noise arising from the locomotives was typically when they were idling and not when they were passing through. Modern trains were far quieter than earlier models, he therefore did not consider the trains to be a major issue.
- dd. Mrs Hutchinson advised that the affordable housing was located predominantly along the eastern side of the development. In terms of the Anglian Water comment, she advised that this concern had been removed from later consultations indicating satisfaction with the re-design of the scheme.
- ee. The SLO affirmed that discussions had taken place with the Wildlife Advisory Board who acted as intermediaries with local farmers. The Wildlife Advisory Board would ensure that the mitigation proposed would be put into fields as close as possible to the site. The mitigation would result in bio-diversity enhancement to alternate sites. Such schemes had been utilised successfully elsewhere in the county.
- ff. Cllr V Holliday asked how long the £10,000 detailed in the S106 contribution list was expected to last.
- gg. The ADP stated an agreement would need to be reached with the Wildlife Advisory Board, though indicated early conversations were positive. He agreed it was important to ensure longevity.

- hh. Cllr A Brown asked whether there was scope in the design and layout of the site to provide additional planting along the railway line and adjacent houses as a noise buffer. He asked who was responsible for the management of communal areas and how this would be maintained. Further, whether the allotment may be sold off to the town council.
- ii. The ADP stated there was a reasonable degree of tree planting along the eastern boundary. The option of a noise barrier fence had been considered, and the applicant had evidenced that this was not required. If approved, a typical maintenance condition would be applied to the scheme. The ADP advised he would ensure this was to the upper end of the expectation, it would be for the developer to ensure the maintenance was achieved by whatever means they considered most appropriate.
- jj. The Chair noted that the A149 ran adjacent to the site, it was therefore not exclusively rail noise which may affect the site.
- kk. Cllr P Fisher asked how the landscaping could be secured and maintained, and when the landscaping would be implemented in context of building out the development.
- ll. The SLO advised that there would be phasing introduced through the landscape management plan. He was confident the condition address maintenance concerns.
- mm. The DM reflected that soil management was important for biodiversity and the development and maintenance of open spaces, he reflected that this too should be considered.
- nn. Cllr M Batey stated that his greatest concern was the provision of affordable homes. He was uncomfortable that the number of affordable homes may be watered down.
- oo. Cllr L Paterson considered this a finely balanced application but expressed his support for the application and so seconded acceptance of the Officer's recommendation.

RESOLVED by 11 votes for, 2 against and 1 abstention.

That Planning Application PF/22/1784 be APPROVED in accordance with the Officer's recommendation subject to no objection being raised by:

**Lead Local Flood Authority
Environmental Protection (regarding Noise)**

Subject to outlined S106 agreements and conditions in the officer's report, Revoked and new Tree Preservation Order, Timescale for approval to be issued. Final wording etc to be delegated to Director for Planning and Climate Change

None.

The meeting ended at 11.50 am.

Chairman

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DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 8 February 2024 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:	Cllr P Heinrich (Chairman)	Cllr R Macdonald (Vice-Chairman)
	Cllr A Brown	Cllr P Fisher
	Cllr V Holliday	Cllr G Mancini-Boyle
	Cllr P Neatherway	Cllr J Toye
	Cllr K Toye	Cllr A Varley
	Cllr L Vickers	
Substitute Members	Cllr L Withington	
Officers in Attendance:	Development Manager (DM)	
	Principal Lawyer (PL)	
	Senior Planning Officer (SPO-JS)	
	Planning Officer (PO-NW)	
	Household Planning Assistant (HPA)	
	Democratic Services Officer – Regulatory	
Also in attendance:	Cllr S Butikofer	

121 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr M Batey, Cllr A Fitch-Tillett and Cllr M Hankins.

122 SUBSTITUTES

Cllr L Withington was present as a substitute for Cllr A Fitch-Tillett.

123 MINUTES

The minutes for the Development Committee meeting held on the 11th January were approved subject to changes to 106.f to include the word 'have' after 'negative impact that cars ...' and 110.h to correct the spelling for 'disdain'

124 ITEMS OF URGENT BUSINESS

None.

125 DECLARATIONS OF INTEREST

None received.

126 LANGHAM - PF/23/1694 - CHANGE OF USE OF BUILDING TO HOLIDAY ACCOMMODATION AND ASSOCIATED LAND TO GARDEN TO SERVE THE HOLIDAY ACCOMMODATION; ERECTION OF A SHED AND MEANS OF ENCLOSURE WITH GATED ACCESS BETWEEN EXISTING BRICK PIERS;

ASSOCIATED OPERATIONAL DEVELOPMENT AT STABLE COURT BARN, LANGHAM HALL, HOLT ROAD, LANGHAM FOR MR J CRISP.

Officers Report

The SPO-JS introduced the Officer's report and recommendation for approval subject to conditions. It was noted that this application site was formally part of Langham Hall but was now under separate ownership. She outlined the site's location, provided images in and around the site, existing and proposed elevations and floors plans, and detailed relevant context for the proposal including relationship with the adjacent hotel.

Public Speakers

Mr Patrick Allen – Langham Parish Council
Mr Sam Cutmore – Objecting
Mr Jonathan Crisp – Supporting

Local Member

The Local Member – Cllr S Butikofer – considered this a contentious application which would benefit from determination from the Committee. She expressed her support for the views of the planning officer, though recognised the site's unique location and relationship with the adjacent Harper Hotel presented challenges and stated it was important to also consider the potential impact of this application on the Harper Hotel. The Local Member reflected that the Harper Hotel employed 65 people in this rural location and had grown to become an important part of the North Norfolk tourist economy, she would not wish to see the business adversely affected by the application. Cllr S Butikofer advised that she had received assurances from the applicant that they did not intend to let the property out commercially, rather it would be used by friends and family.

Members Debate

- a. The Chairman reminded the Committee to consider the application on its planning merits, noting that the civil dispute referenced was not relevant in determining the application.
- b. Cllr K Toye asked how many people could be accommodated on site.
- c. The SPO-JS confirmed there was only one bedroom contained in the accommodation.
- d. Cllr K Toye noted concerns raised about potential noise disruptions but considered it more likely that the occupants of the holiday accommodation would be disturbed by hotel guests to the adjacent site. She was satisfied with the application and so proposed acceptance of the Officer's recommendation for approval.
- e. Cllr G Mancini-Boyle recognised that the application may be supported by an accompanying business plan. He took no issue with the application and so seconded the Officer's recommendation.

IT WAS RESOLVED by 9 votes for, and 3 abstentions.

That Planning Application PF/23/1694 be APPROVED in accordance with the Officer's recommendation.

127 CROMER - PF/23/2699 - CHANGE OF USE FROM B&B TO RESIDENTIAL DWELLING AT 17 MACDONALD ROAD, CROMER, NR27 9AP FOR MRS JILL BOYLE

Officer's Report

The PO-NW introduced the Officer's report and recommendation for approval. It was noted that the application was brought to Committee per the constitution as the applicant was a serving elected District Councillor.

The PO-NW outlined the sites location and relationship with the local setting. She advised that the principle of development was considered acceptable by Officers, and as there were no proposed external alterations, Officers were satisfied that there would be little impact. Whilst the change of use would result in the loss of tourist accommodation, it was recognised that there were many alternative holiday accommodations located within the town and surrounding area. Further, there was considered to be a highway improvement as there would be reduced parking requirements for a residential property.

Public Speakers

None

Local Member

Not in attendance

Members debate

- a. Cllr L Vickers considered the application would return the accommodation to its prior designation, and agreed with the Case Officer's comments that there was suitable alternate accommodation located nearby. Cllr L Vickers proposed acceptance of the Officer's recommendation.
- b. Cllr J Toye seconded the motion.

UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application PF/23/2699 be APPROVED in accordance with the Officer's recommendation.

128 GIMINGHAM - PF/23/2322 - CONVERSION AND EXTENSION OF DETACHED OUTBUILDING TO FORM ANNEXE TO HALL FARM COTTAGE; EXTERNAL ALTERATIONS INCLUDING INSTALLATION OF EXTERNAL CLADDING TO WALLS AT HALL FARM COTTAGE, HALL ROAD GIMINGHAM FOR MR MARK TILLET

Officer's report

The HPA introduced the Officer's report and recommendation for approval subject to conditions. He detailed the site's location and relationship with the host dwelling,

confirmed proposed floor plans and elevations for the annexe, and offered photos in and around the area.

Public Speakers

None

Members debate

- a. The Local Member – Cllr R Macdonald – advised he took no issue with the application, nor did the Parish Council. He considered the scheme to be an improvement to the appearance of the outbuilding and was encouraged by the use of solar panels. Cllr R Macdonald proposed acceptance of the Officer’s recommendation for approval.
- b. Cllr J Toye seconded the motion.
- c. Cllr V Holliday expressed concern about the amount of glazing used for the replacement door. She requested that this glass be ‘smart glass’ to minimise the impact to the AONB.
- d. The HPA advised provision of ‘smart glass’ could be discussed with the applicant, however Officers determined in their assessment that this was not significant enough to cause a detrimental impact to the landscape to warrant implementation of a condition.
- e. Cllr V Holliday stated, in response to the HPA that his response was unfortunate, lack of provision of ‘smart glass’ was not a justified reason for refusal.

UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application PF/23/2322 be APPROVED in accordance with the Officer’s recommendation.

129 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- a. The DM introduced the Officer’s report and advised, with respect of the speed of non-Majors that the 24-month average figure was 94.26%, and the number of appeals allowed by the inspector for the 24-month average was 0.45%. He spoke highly of the Councils strong record at appeal which was well below the government’s 10% target and the Council’s own 5% target figure.
- b. With respect of S106 agreements, the PL confirmed that Purdy Street, Salthouse, had completed, as had the agricultural barns at Hindolveston. Options were now signed for the 2 Developments in West Beckham, achieving the 4-month timescale. The draft S106 unilateral undertaking for the 2 one-bedroom tree houses near Melton Constable had also been agreed.
- c. Cllr A Brown expressed his thanks to the PL for her hard work in completing complicated agreements.

- d. Cllr G Mancini-Boyle relayed his thanks to the DM and the Planning Service for maintaining their excellent performance figures.

130 APPEALS SECTION

- a. The DM advised that since the agenda was published a decision had been reached for 5 Meadow Way, Sheringham, which was dismissed by the Planning Inspector. He advised that he would review the case and report back to Committee regarding implications as some costs had been awarded.
- b. The Chairman noted the extensive list of appeals, some of which dated back over 3 years.
- c. The DM acknowledged the Planning Inspectorate had resourcing issues which was resulting in delays, and it was unlikely the situation would improve due to changes which would lift restrictions on the number of appeals made. He confirmed the Council would continue to engage with the Inspectorate and report back on progress to the Committee.
- d. Cllr A Brown expressed his sympathy with Planning Officers for the delays arising from the Planning Inspectorate.
- e. Cllr L Withington asked if the date when appeals commenced could be added to the list, as this would make clearer how long applications had been outstanding.
- f. The DM confirmed he would relay this request to the team, but that this would be practically possible. He agreed it would be informative for the public and give a greater impression of wait times, possibly encouraging appellants to work with the Council for a faster solution.
- g. The Chairman was supportive the change to the appeals list.

131 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 10.10 am.

Chairman

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Registering interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

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

Disclosure of Other Registerable Interests

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

Disclosure of Non-Registerable Interests

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

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

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

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

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

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

Table 1: Disclosable Pecuniary Interests

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

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

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

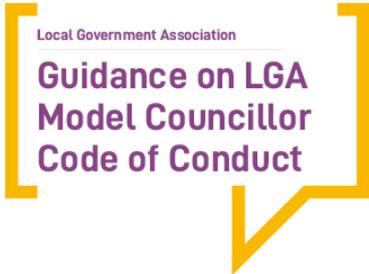
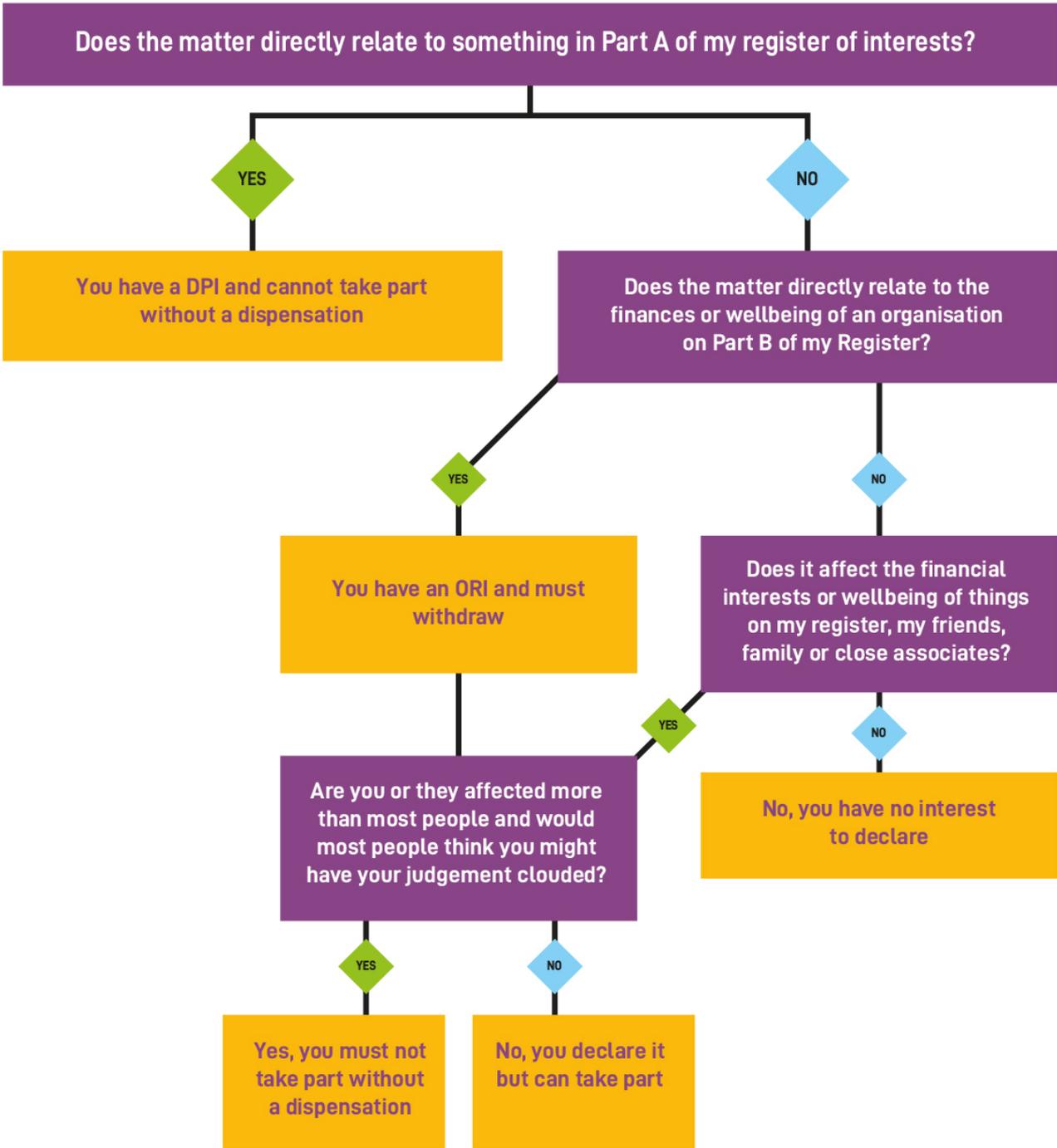
	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

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

Table 2: Other Registrable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none"> a) any body of which you are in general control or management and to which you are nominated or appointed by your authority b) any body <ul style="list-style-type: none"> (i) exercising functions of a public nature (ii) any body directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
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PUDDING NORTON - PF/23/2102 – Continued use of land as a residential caravan site at Parklands, Green Lane Estate, Pudding Norton for Mr David O'Connor

Major Development

Target Date: 29th December 2023

Extension of time: 11th March 2024

Case Officer: Mark Brands

Full Planning Permission

RELEVANT SITE CONSTRAINTS

The site is located within the countryside

Enforcement Cases - Reference: ENF/23/0016 (engineering works)

Landscape Character Assessment - Tributary Farmland

Landfill Gas Site

Mineral Safeguarding Area

SFRA Detailed River Network: Drain

Risk from ground / surface Water Flooding

Nutrient Neutrality Zone - Catchment River Wensum

GIRAMS Zones of Influence (various)

RELEVANT PLANNING HISTORY

Reference CL/23/0500
Description Certificate of Lawful Use Existing for residential mobile home caravan site
Outcome Application Withdrawn

Reference QF/96/1461
Description Continued use of building as homeless accommodation
Outcome Temporary Approval 10.03.1997

Reference QF/91/1140
Description Location of relocatable building for homeless accommodation
Outcome Temporary Approval 13.11.1991

Reference QF/90/1138
Description Extension of laundry block
Outcome Approved 12.07.1990

Reference QF/89/1973
Description Serviced hardstandings for residential caravans
Outcome Approved 08.03.1991

Reference WM.4963
Description Erection of 39 dwellings and garages
Outcome Approved 26.08.1970

Reference WM.4010
Description Erection of 38 dwellings, 25 garages and formation of 25 caravan standings

Outcome Approved 13.03.1968
Reference WM.2120
Description Proposed use of ex-POW camp for residential purposes
Outcome Approved 14.11.1962

REASONS FOR REFERRAL TO COMMITTEE:

This application has been referred to the Development Committee as requested by Cllr Housden given the public interest in this proposal.

REPRESENTATIONS

4 public **objections** registered (some additional comments have been withdrawn upon request from the public domain), summary of main concerns below (full registered comments viewable on the public site);

- Concerns over sale of the site and new owners
- Lack of engagement and consultation with residents on the proposals and how these would affect existing residents and how these are to be implemented
- Loss of amenity
- Loss of parking, insufficient spaces
- Highway safety concerns, additional road parking on Green Lane Estate
- Impact on local infrastructure
- Fire safety
- Insufficient land for additional units and overcrowding
- Detriment to countryside and views

CONSULTATIONS

Pudding Norton Parish Council – No comments received

Environmental Health – No comments

NCC Flood & Water Mgmt (LLFA) - Objects

County Council Highways (Cromer) – No objections subject to condition

RELEVANT POLICIES

North Norfolk Core Strategy

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 EC 10: (Static and Touring Caravan and Camping Sites)

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

Policy EN 4: (Design)
Policy EN 9: (Biodiversity and Geology)
Policy EN 10: (Development and Flood Risk)
Policy EN 13: (Pollution and Hazard Prevention and Minimisation)
Policy CT 5: (The Transport Impact of New Development)
Policy CT 6: (Parking Provision)

Material Considerations

Supplementary Planning Documents:

North Norfolk Design Guidance (2008)
North Norfolk Landscape Character Assessment (2021)
North Norfolk Landscape Sensitivity Assessment (2021)

National Planning Policy Framework (2023):

Chapter 2: (Achieving sustainable development)
Chapter 4: (Decision-making)
Chapter 8: (Promoting healthy and safe communities)
Chapter 9: (Promoting sustainable transport)
Chapter 12: (Achieving well-designed and beautiful places)
Chapter 14: (Meeting the challenge of climate change, flooding and coastal change)
Chapter 15: (Conserving and enhancing the natural environment)

Other Material Considerations

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

OFFICER ASSESSMENT

THE SITE

The site consists of a residential caravan site located to the east of a housing estate at Pudding Norton. The main core layout has 25 units. The units are arranged in a planned layout with parking and an amenity block in the middle. There is a row to the east, adjacent to the core layout with 7 units. These appear to be from the permissions WM.4010 and QF/89/1973 on the permitted hardstandings.

In addition to the 32 pitches and units outlined above, in the intervening period, 6 units with no specific planning history have been located to the south, which have been in situ for a prolonged period (excess of 10 years).

South and north of the 38 units was formerly amenity space associated with the site. The southern amenity space has more recent hardstandings and additional units (subject to a separate enforcement case). This area south of the 38 units was the location of temporary homeless accommodation that was subsequently removed from the site. The northern amenity space remains as grassland. To the south, east and north of the site is open countryside, with the site adjacent to the housing estate to the west.

The site was previously owned and run by North Norfolk District Council, before this was sold to the current applicant. Local Authorities are not required to have a site licence for caravan sites under the Caravan Sites and Control of Development Act 1960.

Since the site has been sold it is recognised a site licence is required by the new operators, which requires a certificate of lawfulness or planning permission to obtain. As set out in the supporting statement, the council does not dispute there have been 38 units on the site for a continuous period and engaged with the applicants, and have encouraged the resubmission of a certificate of lawfulness to confirm this to enable obtaining a licence for the site (following the withdrawal of the previous certificate of lawfulness). However this has not taken place and a planning permission has been submitted instead. The submission essentially seeks retrospective planning permission for the use of the site as a caravan site. The permission sought concerns the use aspect only, and would not cover operational development including hardstanding pitches.

Amendments / additional documentation received during the course of the application:

There was an 'indicative' plan submitted with the application that showed an additional 20 units on the site, this has since been formally withdrawn from the planning consideration (confirmed through email correspondence received 24th January 2024).

On 27th November 2023 a Flood Risk Assessment and Nutrient Calculator was received by the Local Planning Authority.

Main issues for consideration:

1. Principle
2. Housing Land Supply
3. Design and amenity
4. Highways
5. GIRAMS and nutrient neutrality
6. Flood risk
7. Planning balance/conclusion

1. Principle

In terms of the adopted Core Strategy, Policy SS 1 sets out that the majority of new development will take place in larger towns and villages, service and coastal villages in accordance with the settlement hierarchy. Pudding Norton is not designated under the settlement hierarchy and for planning purposes is categorised as the countryside where development is restricted - as development is directed towards the sustainable parts of the district. The site is around 1 mile south of Fakenham, this is a notable distance which would likely mean people residing on the site would be dependent on the use of a car to access services and facilities in the absence of such provision in Pudding Norton.

Policy SS 2 sets out that development in the countryside will be restricted to only those that require a rural location and lists the exceptions, with development not falling within these criteria not normally being permitted. The development would not accord with the listed exemptions listed under this policy.

It is recognised this form of housing is not directly referred to in the Local Plan. The supporting statement makes reference to Policy EC 10. This policy and chapter of the Local Plan relates to holiday accommodation rather than permanently lived in units. As these are akin to new

dwelling in planning terms and permanently resided in, the policies under the housing section are more pertinent and EC 10 is not considered relevant to this case.

Given the scale of the site, this would additionally usually trigger provision of affordable housing on the site subject to viability. However, as set out in the supporting statement, given the context of the site whereby this has been in situ for a prolonged period, the 38 units would have been immune from enforcement action, and the Local Planning Authority would have been in a position to support a certificate of lawfulness application subject to revisions.

While this would ordinarily be contrary to local policy considerations as this is a retrospective planning application concerning the continuation of the use of the site only, and no intensification is proposed, this is considered an exceptional circumstance to justify a departure from these policies.

The principle of development to continue the use is therefore considered acceptable. For the avoidance of doubt, while the principle of continuing the use is acceptable, this would not cover operational development, or resolve the Enforcement case on the site regarding the operational development on the creation of additional hardstandings which will remain outstanding post any determination.

2. Housing Land Supply

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 for housing must therefore be considered in line with paragraph 11(d) 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.

This issue will be considered further under the planning balance.

3. Design and amenity

Policy EN 2 seeks amongst other matters to ensure that development be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment. Proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area, distinctive settlement character and the setting of, and views from, Conservation Areas. Core Strategy Policy EN 4 states that all development will be of a high quality design and reinforce local distinctiveness. Design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable.

The units have been in situ for a continuous period exceeding 10 years, the visual and amenity impacts have already been established, and the permission to continue the use of the site would not be significantly impacted from the status quo.

4. Highways

Policy CT 5 requires development to provide safe and convenient access for all modes of transport, including access to the highway network. Policy CT 6 requires new development to have sufficient parking facilities. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The highways officer has raised no objections to the proposals and considers the proposals would not affect current traffic patterns in the vicinity given the context of the site.

5. GIRAMS and Nutrient Neutrality

A new Norfolk wide Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) has come into effect (effective 01 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 (LPA) meet with the requirements of Conservation of Habitats and Species Regulations 2017 (as amended). The GIRAMS Strategy applies to all net new residential and tourism-related growth and this proposal has been identified as qualifying development under GIRAMS. The development site would fall within the following Zones of Influence as defined by the GIRAMS Strategy:

Breckland Special Protection Area (SPA) Zone of Influence
The Wash & North Norfolk Coast Special Area of Conservation (SAC) Zone of Influence
The Wash RAMSAR Zone of Influence
The Wash Special Protection Area (SPA) Zone of Influence
North Norfolk Coast Special Protection Area (SPA) Zone of Influence
North Norfolk Coast RAMSAR Zone of Influence
North Norfolk Coast Special Area of Conservation (SAC) Zone of Influence

Mitigation for the proposed development would therefore usually be required in the form of a one-off RAMS tariff payment of £210.84 per unit. However as the proposal is for the continuation only, with the 38 units on the site for an excess of 10 years and does not include additional net units being added to the site, this contribution would not be required. This is because there would not be a change from the status quo under the proposals, as such would not adversely effect, either alone or in combination on the integrity of European Sites arising as a result of the development including in relation to recreational disturbance. Any additional units on the site would be subject to this financial contribution.

The proposed development comprises a dwelling that falls within the catchment of the Broads Special Area of Conservation and Ramsar site and River Wensum Special Area of Conservation and is likely to have an adverse impact on European Designations requiring mitigation in relation to nutrient enrichment. However as the 38 units has been on site for a continuous period and on the basis there are no net additional units creating overnight accommodation being provided on the site, the proposal would not result in adverse effects, either alone or in combination, on the integrity of European Sites arising as a result of the development including in relation to nutrient enrichment, as there would be no additional load bearing from the status quo.

There is therefore no conflict with Policies EN 9 and EN 13 of the adopted North Norfolk Core Strategy or the requirements places on the Local Planning Authority as competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended).

6. Flood Risk

Chapter 14 of the NPPF sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. The NPPF does exclude some minor development and changes of use being subject to the sequential or exception tests but should still meet the requirements for site specific flood risk assessments. The aim is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

Local Policy EN 10 reflects the requirements of the NPPF and national guidance, only permitting changes of use where this would result in an equal or lower risk category in the flood risk vulnerability classification and where there is no operational development involved in the change of use. The policy sets out that most new development should be directed towards areas at lower risk of flooding in floodzone 1, restricting development to those which have lower vulnerability.

The northern part of the site is impacted by surface water flooding. The LLFA has commented on the plans including the indicative plan showing an additional 20 units and have raised an objection to the proposal. The LLFA raised concerns that the proposals placed multiple mobile homes (classed as highly vulnerable by the NPPF Flood Risk Vulnerability Classification) within a surface water flow path, where as the preference would be for any construction in surface water flow paths or areas of significant flood risk to be completely avoided.

Additionally, there were deficiencies identified over the scope and content of the Flood Risk Assessment. However, as noted, the indicative plan showing an additional 20 units that the LLFA have objected to has since been withdrawn, and this would address the concerns raised by the LLFA who have been notified of this change and the LPA's intention to recommend approval. As there is not new development proposed, the site is not subject to these requirements, but any operational development including creation of hardstanding pitches or intensification would be subject to further permissions and subject to further flood risk considerations.

On balance the proposal would accord with Development Plan Policy.

7. Planning balance / conclusion

The site has been in continuous use as a caravan site with 38 units on the site for an excess of 10 years, as demonstrated through the planning history of the site and the passage of time.

The application seeks to regularise this and obtain a planning permission to enable the new site owners to obtain a site licence, rather than through a certificate of lawfulness (which the Council consider would have been the preferred to remedy the situation).

The continuation of the use of the caravan site is considered acceptable given the background to the site. There is no intensification or operational development proposed with this application.

Officers consider there is sufficient evidence that 38 units have been on site for a long enough period to be immune from enforcement action. However, there is no justification at this time for a higher number and therefore any permission should be subject to a condition restricting the site to 38 residential park homes.

As this is, in effect, a housing proposal, appropriate weight needs to be given to the tilted balance under NPPF paragraph 11 (d) which is theoretically engaged because the Council cannot currently demonstrate a five year housing land supply. Officers consider that, given the 38 units / dwellings have been in existence for more than 10 years, the tilted balance would be disengaged otherwise the provision of the dwellings would be double counted in housing number terms.

Irrespective of the five year housing supply position, Officers consider there is sufficient evidence to justify approval of the application on the basis that the development of 38 units would already be immune from enforcement action.

RECOMMENDATION

APPROVAL subject to the imposition of the following conditions and any others considered necessary by the Assistant Director – Planning).

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

Drawing LP001, Site location plan, received 28 September 2023

Reason for condition:
For the avoidance of doubt.

2. There shall be no more than 38no. residential park homes on the site (as identified on plan LP001) and no further units will be permitted except pursuant to the grant of a separate planning permission.

Reason:
To enable the Local Planning Authority to retain control over the development and ensure this is no intensification of use of the site without express planning permission. The supporting information seeks a continuation of the use of the site for which there have been 38 units on the site for a continuous period. The site is impacted from surface water flooding issues to the northern part of the site and any intensification would need to demonstrate nutrient neutrality to avoid further pollution impacting protected habitats. The site is also in an unsustainable location. Any additional units on this site would be contrary to local policy considerations

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

APPLICATION PF/23/2102 WITHDRAWN

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CATFIELD – PF/21/3414 - Conversion of the former Milestones Hospital to a residential development consisting of 21 dwelling houses and internal renovation works throughout – at Milestones Hospital, The Street, Catfield, Great Yarmouth NR29 5BE for Lion Properties Ltd

Major Development

Target Date: 22nd March 2022

Extension of time: 19th January 2024

Case Officer: Mr Joseph Barrow

Full Planning Permission

RELEVANT SITE CONSTRAINTS

In the Countryside but directly adjacent to Catfield's Settlement Boundary

Settled Farmland Landscape Character Area

Strategic Flood Risk Assessment Dry Island

Approximately 165m North of the Catfield Conservation Area

Within Zone of Influence of multiple habitats sites for the purposes of the Norfolk GIRAMS

In The Broads Special Area of Conservation and Ramsar Nutrient Neutrality Catchment Area

RELEVANT PLANNING HISTORY

PF/03/0124: Erection of eight flat units. Refused 14/04/2003; Appeal allowed 08/04/2004

THE APPLICATION

The application proposes the conversion of the former Milestones Hospital to a residential development consisting of 21 dwelling houses. Associated works would also include landscaping, minor internal and external alterations, provision of car parking and turning area, and amenity space.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllrs. Matthew Taylor and Kevin Bayes due to the level of public interest and parish comments requiring further clarification.

REPRESENTATIONS

Application as first submitted

7 received raising **objections** on the following summarised grounds:

- Amenity impacts including overshadowing and loss of privacy
- Proposal would create noise and light pollution
- Existing sewerage and electricity supplies are already overused
- There is an overprovision of on-site car parking
- Insufficient capacity on the highway network and insufficient footpath provision
- The site's visibility onto the highway is restricted
- Houses should be for local elderly people (perhaps sheltered housing)
- Loss of on-site green space which is not in-keeping with the village

- Impacts on local services including schools and GPs
- Loss of psychiatric facility would add to a shortage of provision where a clear need exists

Application as amended

2 received raising **objections** on the following summarised grounds:

- Negative Impacts upon local wildlife and residents
- Light and noise pollution impacts upon neighbours
- Local infrastructure and service unable to cope with additional demand
- Impractical parking layout
- Perceived insufficient visibility unless trees are to be removed
- Too many units proposed on site
- Loss of the psychiatric care facility

Cllr Richard Price (Norfolk County Council; South Smallburgh Division): Objection on grounds of overdevelopment of the site in the context of limited highway capacity, drainage, and transport sustainability.

CONSULTATIONS

Catfield Parish Council

Initial comment (04/02/2022) – **Objection** on the following grounds

- Overdevelopment of the site
- Proposed dwellings are too small
- Minimal leisure and entertainment offerings in the village
- No provision of affordable housing
- Dwellings aren't of an appropriate mix and type
- Overprovision of on-site car parking
- No provision of Electric Vehicle Charging Points
- Highways safety concerns already exist in the village
- Proposed first floor extension would result in a major loss of privacy for neighbours
- Proposed first floor extension would lead to significant overshadowing concerns
- No information has been submitted for feasibility of new Broadband connections
- Concerns over capacity of Anglian Water network at Water Recycling Centre
- Further information required in relation to surface water drainage and SuDS

Additional comment (06/03/2022) – **Objection** maintained with additional concerns raised relating to the loss of the facility.

Additional comment (18/04/2023) – **Objection** maintained with previous comments re-issued (based upon the most recent version of the application).

North Norfolk District Council Conservation and Design Officer - No objection

North Norfolk District Council Landscape Officer - **No objection subject to conditions** relating to both ecology and trees. Comments also made regarding Biodiversity Net Gain and nutrient neutrality.

North Norfolk District Council Environmental Protection Officer - **Objection** based upon potential noise impacts due to the proximity of the site to the industrial area across the road,

no objection on other grounds subject to conditions.

North Norfolk District Council Housing Strategy and Delivery - No objection in terms of compliance with space standards. Advice should be sought from the Council's independent viability assessor due to no affordable housing units being proposed.

North Norfolk District Council Building Control Officer - No adverse comments for the overall scheme in relation to the planning application but notes that the internal layout of some flats will require some modification to provide protected lobbies to the communal stairwell.

Norfolk County Council Highway Authority - No objection subject to conditions.

Norfolk County Council Lead Local Flood Authority (LLFA) – Comments Only - Note that the flood risk at the site and likely impact from the development proposals was assessed at the time as part of the LLFA case screening process and was found to have low risk at the site and the surface water drainage from the site is believed to flow in a direction that is away from the areas referred to as having "known" drainage issues

The LLFA have no records of reported and confirmed internally, flooded properties in Catfield.

The LLFA have no further comments beyond the advice provided via their Standing Advice.

Norfolk County Council Planning Obligations - No objection subject to the relevant contributions being secured via appropriate Section 106 legal agreement.

Anglian Water - No objection and advise that the foul drainage from the development is in the catchment of Ludham-Walton Hall Water Recycling Centre that will have available capacity for these flows.

Natural England: consider that the application lacks information in terms of compliance with Natural England's overarching advice to local planning authorities on nutrient impacts on designated sites dated 16th March 2022. Comments also made in reference to compliance with Norfolk-wide GIRAMS.

HUMAN RIGHTS IMPLICATIONS

APPROVAL:

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

CRIME AND DISORDER

The application raises no significant crime and disorder issues.

EQUALITY AND DIVERSITY ISSUES

The application raises no significant equality and diversity issues.

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.

RELEVANT POLICIES

North Norfolk Core Strategy

SS 1 – Spatial Strategy for North Norfolk

SS 2 – Development in the Countryside

SS 4 – Environment

SS 6 – Access and Infrastructure

HO 1 – Dwelling Mix and Type

HO 2 – Provision of Affordable Housing

HO 7 – Making the Most Efficient Use of Land (Housing Density)

HO 9 – Conversion & Re-Use of Rural Buildings as Dwellings

EN 2 – Protection and Enhancement of Landscape and Settlement Character

EN 4 – Design

EN 6 – Sustainable Construction and Energy Efficiency

EN 8 – Protecting and Enhancing the Historic Environment

EN 9 – Biodiversity & Geology

EN 10 – Development and Flood Risk

EN 13 – Pollution and Hazard Prevention and Minimisation

CT 2 – Developer Contributions

CT 3 – Provision and Retention of Local Facilities and Services

CT 5 – The Transport Impact of New Development

CT 6 – Parking Provision

Material Considerations

Supplementary Planning Documents:

North Norfolk Landscape Character Assessment (January 2021)

North Norfolk Design Guide (December 2008)

National Planning Policy Framework (NPPF):

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed and beautiful places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

Other Material Considerations:

North Norfolk Open Space Assessment (February 2020)

Department for Communities and Local Government Technical Housing Standards –
Nationally Described Space Standard (2015)

OFFICER ASSESSMENT

Main issues for consideration:

- 1. Principle of development**
- 2. Loss of a local facility (psychiatric hospital)**
- 3. Suitability for conversion to dwellings**
- 4. Affordable housing**
- 5. Design**
- 6. Amenity**
- 7. Flooding risk and drainage**
- 8. Highways safety**
- 9. Ecology and biodiversity**
- 10. Heritage**
- 11. Sustainable development**
- 12. Planning obligations**

1. Principle of Development

Core Strategy (CS) 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 several 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. CS Policy SS 2 limits development in areas designated as Countryside to that which requires a rural location and complies with its list of uses. Policy SS 2 permits the re-use and adaptation of buildings for appropriate purposes.

Policy HO 9 allows for the conversion and reuse of suitably constructed buildings in the Countryside for permanent residential purposes subject to a number of criteria being met including that:

- the building is worthy of retention due to its appearance, historic, architectural or landscape value, and
- the building is structurally sound and suitable for conversion to a residential use without substantial rebuilding or extension and the alterations protect or enhance the character of the building and its setting, and
- the scheme is of an appropriate scale in terms of the number of dwellings proposed for the location, and
- where it is viable to do so, on all schemes resulting in two or more units, not less than 50% of the total number of dwellings proposed are affordable, or an equivalent contribution is made in accordance with the requirements of Policy HO2.

Officers consider that the principle of converting an existing building to form 21 dwellings is acceptable in the designated countryside subject to compliance with Policy HO 8 and other relevant Development Plan policies or, where there is a departure from the Development Plan, that adequate material considerations exist to justify any departure.

2. Loss of a local facility (psychiatric hospital)

Policy CT 3 sets out that proposals resulting in the loss of sites or premises currently, or last used for, important local facilities and services will not be permitted unless:

- alternative provision of equivalent or better quality is available in the area or will be provided and made available prior to commencement of redevelopment; or
- it can be demonstrated that there is no reasonable prospect of retention at its current site; and if it is a commercial operation, that a viability test has demonstrated that the use is no longer viable and that all reasonable efforts have been made to sell or let the property at a realistic price for a period of at least 12 months.

In this case, alternative provision is not immediately available in the area. Southern Hill Hospital at Mundesley is the closest alternative within North Norfolk, with other options being even further afield. Milestones Hospital was closed in February 2021 following intervention from the Care Quality Commission. The company running the hospital fell into liquidation, leading to the sale of the building.

Evidence of marketing of the premises has been submitted in support of the application. This marketing started in March of 2021, with offers invited by the end of May 2021. Therefore 12 months required by Policy CT 3 was not achieved. It is also stated that 11 hospital operators were provided with the sale details, with no offers tabled.

Taking account of the above, in the absence of alternative provision in the area and in the absence of 12 months of marketing evidence the proposed loss of the facility would be considered contrary to the aims of Policy CT 3.

It is a matter of planning judgment for the Committee in weighing up the identified departure from Policy against any material considerations that might weigh in favour of the proposal.

3. Suitability for conversion to dwellings

Core Strategy Policy HO 9 sets out that:

The conversion and re-use of suitably constructed buildings in the countryside for permanent residential purposes will be permitted provided that:

- the building is worthy of retention due to its appearance, historic, architectural or landscape value, and
- the building is structurally sound and suitable for conversion to a residential use without substantial rebuilding or extension and the alterations protect or enhance the character of the building and its setting, and
- the scheme is of an appropriate scale in terms of the number of dwellings proposed for the location, and
- where it is viable to do so, on all schemes resulting in two or more units, not less than 50% of the total number of dwellings proposed are affordable, or an equivalent contribution is made in accordance with the requirements of Policy HO2.

Officers consider that, the building is worthy of retention and appears to be suitable for conversion without substantial rebuilding and involves minimal amounts of new build. As set out in the report below, the scale of development does not give rise to other unacceptable impacts such that, save for the provision of affordable housing (considered below), the proposal broadly complies with Policy HO 9.

4. Affordable Housing

Policy HO 2 requires that, where it is viable to do so, schemes of 10 or more dwellings or sites of more than 0.33 hectares in Principal and Secondary Settlements not less than 45% of the total number of dwellings proposed are affordable, or 50% on schemes of 2 or more dwellings in Service Villages.

Policy HO 9 further requires conversions of buildings in the Countryside to dwellings to provide 50% affordable housing where it is viable to do so.

The application is supported by a financial viability report stating that the development is only viable without the provision of any affordable units. This has been verified by the Council's independent viability assessor. On the basis of this independent advice, Officers consider that sufficient evidence has been provided to demonstrate that it is not viable to provide affordable housing as part of the development. The proposal would therefore accord with the requirements of Policy HO 2.

5. Design

Housing density

Policy HO 7 requires new residential developments to optimise the density of the site in a manner that protects or enhances the character. Paragraph 128 of the NPPF sets out that developments should make efficient use of land.

The site area is approximately 0.4ha, with 21 dwellings proposed on that area equating to circa 50 dwellings per hectare. This exceeds the target of 30 per hectare for service villages by some margin. Subject to this density not resulting in other adverse impacts, achieving a higher density is considered acceptable and in accordance with the aims of Policy HO 7 of the Core Strategy to secure efficient use of land.

Dwelling mix and type

Policy HO 1 requires that all new housing developments, including the conversion of existing buildings to dwellings shall, on schemes of five or more dwellings, provide at least 40% of the total number of dwellings at not more than 70 sq.m internal floor space and incorporate two bedrooms or fewer, and demonstrate that at least 20% of dwellings would be suitable or easily adaptable for occupation by the elderly, infirm or disabled.

The entirety of this development takes the form of 1 or 2 bed units, with at least 40% of them not exceeding 70sqm internal floor space. At least 20% would be accessible units, particularly at ground floor level. The proposal is therefore considered acceptable in terms of its dwelling mix and type, having regard to Policy HO 1 of the Core Strategy

Minimum space standards

The Department for Communities and Local Government Technical Housing Standards – Nationally Described Space Standard (2015) sets out the minimum acceptable square metreage for new dwellings, based on a person to bed space ratio.

Whilst these standards are not adopted by the Council as part of the development plan, they do represent a guideline for space standards which should be regarded as a material consideration capable of attracting weight in decision making.

The scheme as currently proposed is compliant with these standards.

External works

Policy EN 4 requires that all development will be designed to a high quality, reinforcing local distinctiveness. Furthermore, the policy states that design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable. The North Norfolk Design Guide SPD is also a consideration in matters of design of new developments.

Paragraph 96 of the NPPF states that proposals should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles. Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 further advises that proposals should function well and add to the overall quality of an area for the lifetime of the development, be visually attractive as a result of good architectural practice and urban design principles, be sympathetic to local character and landscape settings, establish a strong sense of place, optimise a site's potential, and create places that are safe, inclusive, and accessible.

As the proposal does not involve any particularly extensive works to the exterior of the buildings, the character and appearance of the building would largely be retained, which is welcomed. The works that are proposed include various fenestration changes to preserve privacy/allow access across the northernmost complex of buildings, with the Hamilton Mews building to the west proposed to have two single storey extensions to the rear, benefitting two of the units.

These extensions retain symmetry across the converted building, and are considered to be of an appropriate style, form, and materials palette. Overall, the external works proposed across this development are considered acceptable in accordance with Policy EN 4 of the Core strategy, Chapter 12 of the NPPF and the North Norfolk Design Guide SPD.

Landscaping

Aside from the buildings to be converted, the site will consist of a parking and turning area for the new dwellings, green space to the frontage of the Hamilton Mews building, as well as lawn and footpath provision. The landscaping measures proposed would provide a recreation/open space area with good natural surveillance, as well as calming and softening the appearance of the parking area. To the site frontage, along the boundary with the adjacent roads to the south and east, the existing planting is to be retained where possible. This further helps to protect the character and appearance of the area.

It is considered that the landscaping proposed is appropriate for the nature and style of the development, and would contribute to a scheme that is acceptable in terms of its impact upon the character and appearance of the area. Final details of the proposed landscaping scheme would need to be secured via condition in the event that the application is approved.

6. Amenity

Separation distances

Section 3.3.10 of the North Norfolk Design Guides sets out the required separation distances between existing and proposed dwellings based on *Primary*, *Secondary*, and *Tertiary* window alignments.

Given the layout and nature of the development the distances between each of the units proposed is considered acceptable, with windows mostly facing either the open space, car parking area, or to the rear of the development. A few of the windows do have relationships with the adjacent residential dwellings to the north in particular, however the mutual effects are largely mitigated by fences to be installed to the rear of the units, which can be secured via condition.

Regard must also be had to the separation distances over the road to the east, with the potential for disturbance caused by the industrial units in this direction. The comments of the Environmental Protection Team, have been considered.

Officers consider that the majority of units would not be impacted by these industrial uses, either because of their siting to the west of the application site, because of their relationship with other dwellings or because of the significantly larger separation distances in between them and the industrial area.

On balance, it is considered that the small number of proposed flats that would be affected, along with the road as a buffer, and other alternative outlooks for those flats, combine to mitigate the harm that these industrial premises would create. It is therefore considered that the separation distances across the development are acceptable in line with the North Norfolk Design Guide and Policy EN 4 of the Core Strategy.

Residential amenity

Policy EN 4 requires that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers and new dwellings should provide acceptable residential amenity.

Officers consider there are no overbearing impacts caused by the conversion of the units as proposed. Adjacent buildings are also not considered to be overbearing on the proposed flats.

The proposal would not result in significant detrimental impacts on adjacent properties in terms of overshadowing. Existing neighbouring buildings are also considered to be acceptable in terms of any overshadowing effects on the proposed flats.

It is considered that the scheme is of an appropriate layout to ensure mutual privacy for both future occupiers, and existing neighbours.

Noise and odour

Policy EN 13 requires 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.

The proposed conversion itself is not considered to create any adverse impacts on the surrounding area in terms of noise or odour, and the relationship with the industrial area to the east is considered acceptable given the separation distances involved, and the alternative outlooks of the potentially affected units. It is also considered that the noise from the road itself would not have an unacceptably detrimental impact upon amenity of the future occupiers.

External Lighting

Details of external lighting are not confirmed at this time, but can be secured by condition in order to minimise impacts including upon protected species and the wider landscape quality.

Refuse Storage and Collection

The design submitted shows bin stores in each of the buildings, and the Highway Authority have confirmed that the position and size of these facilities is appropriate, with adequate access for refuse lorries.

Subject to the imposition of conditions, the proposal would accord with the aims of Core Strategy Policies EN 4 and EN 13.

7. Flooding Risk and Drainage

Policy EN 10 requires that the sequential test will be applied rigorously across North Norfolk and most new development should be located in Flood Zone (FZ) 1. Appropriate surface water drainage arrangements for dealing with surface water run-off 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 173 of the NPPF requires that flood risk is not increased elsewhere as a result of development proposals. Furthermore, paragraph 175 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

The application site, whilst located within FZ 1, is surrounded by an area within Flood Zone 2, and is therefore considered to be a 'Dry Island'. This means that, in policy terms, the site must be treated as though it is nominally in FZ 2.

Flooding Risk

It is acknowledged that the risk of flooding of the site itself is low, given its location within FZ 1, however being within in a dry island, consideration must be given to issues such as access/egress during events where FZ 2 areas may flood.

The submitted flood risk assessment details a suitable potential evacuation route in the event of flooding to the north along the A149 towards Stalham. Regard is also had to the current lawful use of the building as a hospital. At full capacity this facility would likely accommodate patients, staff, and maybe visitors. With this in mind, it is considered that the current and proposed uses of the site are comparable, with any difference in flood risk between the uses deemed to be minimal.

It is therefore considered that the proposed development is application is acceptable in terms of flood risk.

Surface water drainage

The application is submitted with a surface water drainage strategy incorporating Sustainable Drainage Systems (SUDS) where appropriate, aiming to accommodate the 1 in 100 year event with a 45% climate change buffer.

This strategy concludes that with proper maintenance of the installations (to be secured via condition) surface water drainage risk remains very low. The Lead Local Flood Authority (LLFA) raises no objection, and it is considered that the proposal is acceptable in terms of surface water drainage impacts.

Foul water drainage

The foul water drainage from the site would discharge to Ludham Walton Hall Waste Water Treatment Works (WWTW). Anglian Water have confirmed that there will be sufficient capacity for this development.

8. Highway Safety

Policy CT 5 requires that developments will be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its particular location. NPPF paragraph 116 sets out the prioritisation of traffic hierarchy, facilitation of access to public transport, the need to create safe, secure and attractive places for all road users, and provision of infrastructure such as E V charging points. Paragraph 115 further states that developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Impacts on highway safety

The former use of the site as a hospital would have an amount of traffic generation associated with it. The proposed residential use would alter this traffic generation and patterns of movement.

The Highway Authority have considered the impacts of the scheme on highway safety and do not raise objection subject to conditions.. The access onto the highway network is considered to be sufficiently safe in terms of type and visibility, and the traffic generation is not considered to be an amount that would be unacceptable or unsafe for the highway network in the area.

Sustainable and active travel

While not served by footpaths connecting the full distance to Catfield's village centre, it is an often-used walking route, supported by 'no footway' signage and slow traffic speeds. This means that many of Catfield's amenities are accessible on foot. In addition, the site entrance is in very close proximity to bus stops near New Road, providing routes to Great Yarmouth, Stalham, North Walsham and beyond, on Sanders and Konect Bus services.

Car Parking

Policy CT 6 requires that adequate vehicle parking facilities will be provided by the developer to serve the needs of the proposed development. Appendix C of the Core Strategy sets out the required car and cycle parking provision for residential developments based on the number of bedrooms and occupancy rates.

As supported by the comments of the Highway Authority, the proposed development provides sufficient car parking for the development (including 4no. accessible spaces), in a layout which ensure safe access and egress, as well as turning facilities for bin lorries/emergency vehicles. Six electric vehicle charging points are proposed. The application is therefore considered to be acceptable in terms of car parking provision and is in accordance with Policy CT 6 of the Core Strategy.

9. Ecology and Biodiversity

Habitats Regulations Assessment

Recreational impacts on designated sites

North Norfolk District Council, in conjunction with Natural England and other Norfolk Councils, produced the Norfolk Recreation disturbance Avoidance and Mitigation Strategy (RAMS) and Green Infrastructure Strategy (GI) to ensure new residential development and any associated recreational disturbance impacts on European designated sites are satisfactorily mitigated and compliant with the Habitats Regulations.

The proposal lies within the defined Zones of Influence of a number of designated sites, including;

- Broadland Special Protection Area
- Broadland Ramsar
- Broadland Special Area of Conservation
- Winterton-Horsey Dunes Special Area of Conservation
- Great Yarmouth North Denes Special Protection Area
- Breydon Water Special Protection Area
- North Norfolk Coast Special Protection Area
- North Norfolk Coast Ramsar
- North Norfolk Coast Special Area of Conservation
- The Wash & North Norfolk Coast Special Area of Conservation

It is considered that the proposed mitigation contribution (£4,427.64) which accords with the current requirements of the GIRAMS is sufficient to conclude that the project will not have an adverse effect on the integrity of the above identified European sites from recreational disturbance, when considered alone or 'in combination' with other development. This contribution will be secured as part of an agreement under section 106 of the Town and Country Planning Act.

Nutrient pollution effects on designated sites

Long-term nutrient pollution has led to adverse impacts upon designated Habitats Sites to the extent that the condition of some sites, including The Broads Special Area of Conservation (SAC) and Ramsar site, is no longer considered to be in favourable condition. Nutrient neutrality guidance was issued by Natural England on 16th March 2022 requiring competent authorities to ensure that any planning applications proposing a net gain in overnight accommodation (e.g. new dwellings) must evidence that there will be no net increase in nutrient loads (nitrates and phosphates) within an affected catchment area as a result of the proposal; i.e. that the development would be nutrient neutral. As the competent authority, North Norfolk District Council is required to have regards to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended).

Since the application was first received it has subsequently been confirmed that the Walton Hall WWTW discharges outside of the relevant catchment area. As such the proposed development would not result in any increase in nutrient loads affecting designated sites.

Summary of Habitat Regulations conclusions – on the basis that the applicant has agreed to pay the relevant GIRAMS mitigation payment and on the basis that the development does not discharge nutrients from the proposed development into catchments affected by natural England's nutrient advice, it is reasonable for North Norfolk District Councils, as competent authority, to conclude it is satisfied that there is no reasonable doubt as to the absence of adverse effects on the integrity of European sites.

Protected Species

This application is supported by an Extended Phase 1 Habitat Survey. This found that a single bat roost is present in Hamilton House, with no evidence of bats in Magnolia House or Hamilton Mews. This survey has been subsequently updated following its expiry, with the findings remaining consistent.

So as to avoid impacts upon breeding birds it is recommended that tree removal only be carried out outside of the bird nesting season. Aside from these two considerations, there are not considered to be any adverse impacts upon protected species.

The Habitat Survey recommends various mitigation and enhancement measures, which can be secured via condition. Consequently, this proposal is considered to comply with Policy EN 9 of the Core Strategy and Chapter 15 of the NPPF.

10. Heritage

Under the provisions of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special attention must be given to the desirability of preserving or enhancing the character or appearance and settings of Listed Buildings or any features of special architectural or historic interest, and the character of the Conservation Area.

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

Effect on Catfield Conservation Area

The site lies c. 170m north west of the Catfield Conservation Area. There are no other listed heritage assets in the vicinity of the site. The main Hamilton House building on the site is historic in nature, but is not Locally Listed.

It is noted that the Council's Conservation and Design Officer raises no objection to the proposal, and it is considered that the proposal would preserve the character and appearance of the conservation area. It is therefore, in accordance with Policy EN 8 of the Adopted North Norfolk Core Strategy.

11. Sustainable Development

North Norfolk District Council declared a Climate Emergency in 2019 and published its Net Zero 2030 Strategy & Climate Action Plan in February 2022. The publication of the Intergovernmental Panel on Climate Change (IPCC) report (2021) demonstrated that human influence has unequivocally impacted on our changing climate. NNDC's commitment to tackling climate change is considered to be an important consideration in determining this application.

Policy EN 6 outlines the LPA's approach to sustainable construction and energy efficiency, including the provision of on-site renewable energy technologies to provide at least 10% of predicted total on-site energy usage for developments over 1,000sqm or 10 dwellings (new

build or conversions).

Given that the works involve the conversion of existing buildings with minimal additional construction, the key area for potential sustainability enhancements lies in the fabric choices to be used as part of conversion, many of which will be impacted by Building Regulations requirements. The EN 6 policy requirements can be secured through the imposition of conditions. The applicant has indicated that the development includes the provision of 6 no. EV charging points, which can again be secured through planning conditions

Subject to the imposition of conditions, the proposal would accord with Policy EN 6.

12. Planning Obligations:

Policy CT 2 requires that on schemes of 10 or more dwellings and substantial commercial development where there is not sufficient capacity in infrastructure, services, community facilities or open space, improvements which are necessary to make that development acceptable will be secured by planning conditions or obligations, and these must be phased so as to be in place in accordance with an agreed time frame or prior to the occupation of an agreed number of units.

Contributions are required in order to address the impacts of the proposed development on local services and infrastructure. These are as follows:

Open Space

The North Norfolk Open Space Assessment sets out the quantum of open space typologies required from proposed development based on the number of dwellings and equivalent people ratios. Depending on the scale of development, some require delivery of on-site open space whilst others may require a financial contribution to deliver off-site improvements. For this proposal, based on 12no. 1-bed and 9no. 2-bed dwellings, the required open space contributions are as follows:

- Allotments – £4,262
- Amenity green space – On-site provision of 1036 sqm (£0)
- Parks and Recreation Grounds – £32,510
- Play Space (Children) – On-site provision of 44 sqm (£0)
- Play Space (Youth) – £2,182
- Natural Green Space – £9,654

Local Infrastructure

In terms of other contributions, the following is required based on the scale of development:

- Education – £0
- Libraries – £2,100
- Fire Hydrants – 1no. per 50 dwellings (to be secured by conditions)
- Monitoring Fee – £500 per obligation

GIRAMS

,A financial contribution totalling £4,427.64 – based on 21 dwellings – to provide mitigation in accordance with the Norfolk GIRAMS

These contributions would be secured through an agreement under Section 106 of the Town and Country Planning Act 1990 with appropriate index linking.

PLANNING BALANCE AND CONCLUSION

Planning law requires that decision makers must have regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise.

As set out in the report, the proposed development, subject to conditions would broadly comply with the requirements of Development Plan policies including those relating to affordable housing, design, amenity, flood risk and drainage, highway safety, ecology and biodiversity, heritage and sustainable development. The proposal also provides for sufficient planning obligations. However, on the basis that the former hospital on site is regarded as an important local facility, the proposal has not adequately demonstrated compliance with the requirements of Core Strategy Policy CT3 in relation to the provision and retention of local facilities and services. The non-compliance with this policy would weigh against the grant of permission to convert the building to dwellings and appropriate material considerations would need to be identified to outweigh the identified conflict with Development Plan policy.

A significant material consideration weighing in favour of the grant of planning permission is the requirement for the Local Planning Authority to demonstrate a five year housing land supply.

The National Planning Policy Framework 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(d) of the NPPF which states that where there are no relevant development plan policies, or the policies which are most important for determining the application are 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.

In relation to the assessment against paragraph 11 (d) of the National Planning Policy Framework, in the light of the Council's lack of a 5-year housing land supply, the application has been assessed against the overarching social, economic and environmental objectives of achieving sustainable development. The social and economic benefits of 21 dwellings would provide a modest but welcome contribution to housing supply and would help support existing local services and facilities in the area. The proposal will also make a modest contribution associated with construction activities. Furthermore, as set out in the report, other than the technical non-compliance with Policy CT 3, key elements of the proposal would generally accord with Development Plan policies such that Officers conclude that the adverse impacts of approving this development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole.

This development secures the future of a vacant building worthy of retention in the countryside, and delivers an appropriate mix of housing, with reasonable transport links to nearby towns and access to facilities within Catfield.

RECOMMENDATION

DELEGATED APPROVAL subject to:

1. The satisfactory completion of an agreement under section 106 of the Town and Country Planning Act 1990 to provide the following financial and non-financial contributions:

- Allotments – £4,262)
- Parks and Recreation Grounds – £32,510
- Play Space (Youth) – £2,182
- Natural Green Space – £9,654
- Libraries – £2,100
- Fire Hydrants – 1no. per 50 dwellings (to be secured by conditions)
- GIRAMS - £4,427.64
- Monitoring Fee – £500 per obligation

2. The imposition of Conditions to cover the matters listed below and any others considered necessary by the Assistant Director – Planning).

Conditions:

1. Time limit
2. Approved plans
3. Materials
4. Fire hydrant provision
5. Vehicular access improvements
6. Visibility splay provision
7. Provision and retention of car parking areas
8. Cycle parking scheme to be approved
9. Details of any plant/machinery/ventilation/air-con/heating equipment to be approved in writing
10. External lighting scheme to be approved in writing
11. Compliance with the measures outlined in the Ecology report
12. Biodiversity method statement
13. Arboricultural Method Statement and Tree Protection Plan
14. 10% of total predicted energy from on-site renewable energy technologies
15. Secure at least 6 no. EV charge points.

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

3. In the event that Committee resolve in line with the above, if the Section 106 Obligation isn't completed and the permission isn't issued within 4 months of the date of this Committee meeting then the Director for Planning and Climate Change will consider whether the application resolution remains appropriate and in doing so will take account of the likelihood of the Section 106 being completed and permission issued in the near future (i.e. within another month) and will consider whether there are any potential / defensible reasons for refusal at that time. If he reaches that view – i.e. that the application should potentially be refused - then the application would be reported back to Committee. It is also possible that he may resolve to report the matter back in the event of changes of circumstances (e.g. changes in the national or local policy position).

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DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – MARCH 2023

1. INTRODUCTION:

- 1.1 This report briefly sets out performance in relation to the determination of planning applications in Development Management the period **January 2024**.
- 1.2 This report sets out the figures for the number of cases decided and percentage within time set against the relevant target and summary of 24-month average performance.
- 1.3 The tables also set out the percentage of the total number of decisions made that are subsequently overturned at appeal as 24-month average performance.
- 1.4 In addition, the tables set out the number of cases registered and validated within the specified months.

Performance Measure	Actual Performance	Target	Comments
(Speed) Decisions Made <i>(Period Jan 2024)</i>	Major 0 (zero) decisions issued. -	60% (80% NNDC)	24 month average to 31 Jan 2024 is 100.00% 
	Non-Major 99 decisions issued <i>96% within time period (four out of time)</i>	70% (90% NNDC)	24 month average to 31 Jan 2024 is 95.00% 
(Quality) % of total number of decisions made that are then subsequently overturned at appeal	Major	10% (5% NNDC)	24 month average to 31 Jan 2024 is 0% (Zero)
	Non-Major	10% (5% NNDC)	24 month average to 31 Jan 2024 is 0.45%
Validation <i>(Period Jan 2024)</i>	266 applications registered 239 applications validated	3 days for Non- Major from date of receipt 5 days for Majors from date of	Datasets do not currently breakdown validated apps by Major / Minor or those on PS2 returns, but performance data retrieval being reviewed.

		receipt	
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2. S106 OBLIGATIONS

- 2.1 A copy of the list of latest S106 Obligations is attached. There are currently 10 S106 Obligations being progressed of which **FIVE** have been completed and can be removed from the list.

3. RECOMMENDATIONS:

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

SCHEDULE OF S106 AGREEMENTS

UPDATE FOR DEVELOPMENT COMMITTEE:

07 March 2024

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/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	Russell Williams	Committee	25/01/2024	Fiona Croxon	21830	Draft s106 Agreement has been received and is being negotiated.	Green
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	COMPLETED	Red
PF/17/0680 & RV/22/0855	Land North Of Rudham Stile Lane & East Of Water Moor Lane Fakenham Norfolk	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)	CP030 - Fakenham	Russell Williams	TBC	TBC	Fiona Croxon	13791	Draft s106 Unilateral Undertaking is circulating. Applications on hold due to Nutrient Neutrality.	Green

OFFICERS' REPORTS TO DEVELOPMENT COMMITTEE 07 MARCH 2024

APPEALS SECTION

NEW APPEALS

GREAT SNORING – PO/23/1216 - Erection of self build two storey detached dwelling (outline with all matters reserved)

Land West Of School Farm, Fakenham Road, Great Snoring, Norfolk

For Mr Tim Schofield

WRITTEN REPRESENTATION

HAPPISBURGH – PF/23/0640 - Change of use of detached building ancillary to Wishing Well to single dwelling

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

For Mr David Pugh

WRITTEN REPRESENTATION

NORTHREPPS – PF/22/1708 - Siting of 2 glamping pods for holiday use and creation of permissive footpath

Shrublands Farm Camping Site, Craft Lane, Northrepps, Cromer, Norfolk NR27 0LL

For Northrepps Farming Company

WRITTEN REPRESENTATION

SLOLEY – PF/23/1717 - Erection of garden room and fence (retrospective)

The Old Workshop, Sloley Road, Sloley, Norwich, Norfolk NR12 8HA

For Mr & Mrs Harper Gray

HOUSEHOLDER APPEAL SERVICE – FAST TRACK

GUNTHORPE – ENF/23/0214 - Erection of a dwelling, the material change of use of the land for residential purposes and the creation access drive.

Land On Holt Road, Bale, Norfolk

For Mr Josh Robinson

WRITTEN REPRESENTATION

EDGEFIELD – ENF/23/0092 - Unauthorised works to a protected trees and new camping activity.

Dam Hill Plantation, Holt Road, Edgefield, Norfolk

For Mr Nigel Marsh

WRITTEN REPRESENTATION

INQUIRIES AND HEARINGS – IN PROGRESS

CROMER – ENF/22/0026 - Appeal against Enforcement Notice Re Installation of a flue

Lily Mai's, New Street, Cromer, Norfolk, NR27 9HP

For Mr Hubbard, Lily Mai's

INFORMAL HEARING

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 – Date of Inquiry is 16 April 2024
Venue:- West Runton Scout HQ, Cromer Road, West Runton NR27 9NQ

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 - Date of Inquiry is 16 April 2024
Venue:- West Runton Scout HQ, Cromer Road, West Runton NR27 9NQ

WRITTEN REPRESENTATIONS APPEALS - IN HAND

ALBY WITH THWAITE – ENF/20/0066 - Appeal against Enforcement Notice Re: Erection of a building
for residential use, garage and landscaping to create a garden
Field View, Alby Hill, Alby, Norwich NR11 7PJ
For Mr Karl Barrett
WRITTEN REPRESENTATION

BACONSTHORPE – PF/22/2224 - Change of use of land to provide tourist accommodation consisting
of 3 x converted railway carriages, 3 x shepherds huts, 1 x air stream and 1 x timber cabin, parking
areas, bin store and solar panels
Land South Of New Road, Baconsthorpe, Holt, Norfolk NR25 6LW
For Mrs Susan Andrews
WRITTEN REPRESENTATION

BODHAM – ENF/23/0169 - Appeal against Enforcement Notice against Change of Use of the land for
the stationing of a static caravan for residential purposes. Change of Use of land for stationing of motor
vehicles, vans, and body of Luton Van. Operational development consisting of the siting of a container.
Land North Of Hurricane Farm Bungalow, Church Road, Lower Bodham, Norfolk
For Mr David Gay
WRITTEN REPRESENTATION

CORPUSTY & SAXTHORPE - PF/22/2767 - Erection of roof over walled garden to provide domestic
outbuilding (studio/gym) - part retrospective with amendments to reduce size and scale of building to
allow for external courtyard area
1 Manor Farm Barns, Norwich Road, Corpusty, Norwich, Norfolk NR11 6QD
For Mr Walsh
Householder Appeal Service (HAS) (Fast track)

EAST BECKHAM – ENF/22/0289 - Appeal against Enforcement Notice Re: Material change of use of agricultural to land to storing of machinery and creation of a bund

Land North Hwrc, Holt Road (a148), East Beckham, Norwich, Norfolk NR11 8RP

For Mr Eamon Denny

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

FAKENHAM – PF/22/2647 - Construction of 1 No. 2 Bedroom house

Land Off North West Of Garden Court, Norwich Road, Fakenham, Norwich

For Mr H C Moss

WRITTEN REPRESENTATION

HEMPSTEAD – PO/23/0695 - Erection of two detached single storey dwellings - outline with all matters reserved

Land Rear Of, The Knoll, Hempstead, Norfolk

For Ms Trudi Seaman

WRITTEN REPRESENTATION

HINDRINGHAM – PF/22/2657 - Demolition of existing dwelling and erection of two-storey detached dwelling

Banes Cottage, Blacksmiths Lane, Hindringham, Fakenham, Norfolk NR21 0QA

For Mr C Tucker

WRITTEN REPRESENTATION

HOLT – PA/22/2683 - Installation of a 15m lattice mast comprising 3 no antennas together with 4 no ground-based cabinets and ancillary development thereto for radio base station

Land At Riverside Farm, Riverside Road, Letheringsett, Norfolk

For Cornerstone & Telefonica UK Ltd

WRITTEN REPRESENTATION

LANGHAM – PF/21/2186 - Change of use of land to storage of caravans and boats, siting of 39 storage containers, siting of portable building for office use and erection of boundary fence
Land On Langham Road, Langham, Norfolk
For Mr Jonathan Cheetham
WRITTEN REPRESENTATION

ROUGHTON – CL/23/1650 - Lawful Development Certificate for use of land for siting of static caravan, and use of static caravan as a dwelling.
Static Caravan At Woodview, Thorpe Market Road, Roughton, Norwich, Norfolk NR11 8TB
For Mr Alexander Brackley
WRITTEN REPRESENTATION

RUNTON – ENF/23/0027 - Appeal against enforcement notice against erection of boundary wall above 1 metre in height
Homewood, Mill Lane, East Runton, Cromer, Norfolk NR27 9PH
For Mr Calvin Pigott
WRITTEN REPRESENTATION

SCULTHORPE – PF/22/2443 - Installation of dormer windows to north and south elevations, window to west elevation to facilitate conversion of loft to habitable space and construction of porch to side
63 Moor Lane, Sculthorpe, Fakenham, Norfolk NR21 9PX
For Ms E Maleed
Householder Appeal Service (HAS) (Fast track)

SOUTHREPPS – ENF/22/0281 - Stationing of caravan and associated works including installation of septic tank and engineering works.
Land Rear Pit Street, Southrepps, Norwich, Norfolk NR11 8UX
For Charlotte Daniels
WRITTEN REPRESENTATION

STIFFKEY – RV/22/1002 - Variation of Condition 1 (approved plans) for Planning Permission RV/21/2924 to allow larger windows on first floor of south east elevation; addition of solar thermal collectors and solar photovoltaic panels on roof; addition of rooftop terrace; installation of Power Wall with electric vehicle charging points; installation of air source heat pump; installation of exterior lighting
Red Lion, 44 Wells Road, Stiffkey, Wells-next-the-sea, Norfolk NR23 1AJ
For Mr Chris Cooke
WRITTEN REPRESENTATION

WELLS-NEXT-THE-SEA – ENF/23/0124 - Material change of use of the land for the siting of a pizza van
Land West Of 3, The Quay, Wells-next-the-sea, Norfolk
For Mr Roger Lightfoot
WRITTEN REPRESENTATION

APPEAL DECISIONS - RESULTS AND SUMMARIES

BACTON & EDINGTHORPE – RV/22/1661 - Removal of Condition 2 attached to planning permission granted under application PF/95/0713 to allow for the occupation of the caravan holiday park on a year round basis

Cable Gap Holiday Park, Coast Road, Bacton, Norwich, Norfolk NR12 0EW

For C Crickmore, Cable Gap Holiday Park

WRITTEN REPRESENTATION – **APPEAL ALLOWED**

BLAKENEY – PF/22/2797 - Demolition of existing single storey rear extension and first floor stair access, and construction of a new first floor and single storey extension to form a habitable room on part of the original building footprint. The application also includes for replacing existing windows with energy efficient fittings and insertion of a window to the garage.

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

For Jeremy and Gilly Cocks

Householder Appeal Service (HAS – Fast Track) – **APPEAL ALLOWED WITH CONDITIONS**

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 – ~~Awaiting date for Hearing~~

Enforcement Notice Withdrawn therefore Appeal Withdrawn

SHERINGHAM – PF/22/2843 - Extension to existing property to provide a self-contained parent-annexe, directly linked to the main dwelling, as well as construction of two new garage/stores

5 Meadow Way, Sheringham, Norfolk NR26 8NF

For Mr Steve McDermott

This was originally a Householder Fast Track but has been changed by PINS to

WRITTEN REPRESENTATION so re-started – APPEAL DISMISSED

SLOLEY – PF/23/0929 - Retention of garage (retrospective) with external alterations

The Old Workshop, Sloley Road, Sloley, Norwich, Norfolk NR12 8HA

For Mr & Mrs Harper-Gray

Householder Appeal Service (HAS) (Fast track) – **APPEAL ALLOWED**

WELLS-NEXT-THE-SEA – RV/22/2149 - Variation of Condition 2 (approved plans) and Condition 4 (colour finish to external cladding) of planning permission PF/16/1040 to allow for amended cladding design on front elevation (Demolition of existing single storey store/workshop building & erection of two storey ancillary building for 28 Blackhorse Yard to provide for a cycle store, workshop, home office and laundry room).

Merchants Barn, 28 Blackhorse Yard, Wells-next-the-sea, Norfolk NR23 1BN

For Mrs Avril Lill

WRITTEN REPRESENTATION – **APPEAL DISMISSED**

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 QUASHED**

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