

# Development Committee



**Please contact:** Lauren Gregory

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

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

Wednesday, 14 August 2024

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 22 August 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](mailto:customer.service@north-norfolk.gov.uk). Please read the information on the procedure for public speaking at Development Committee on our website or request a copy of "Have Your Say" from Customer Services.

Anyone may take photographs, film or audio-record the proceedings and report on the meeting. You must inform the Chairman if you wish to do so and must not disrupt the meeting. If you are a member of the public and you wish to speak, please be aware that you may be filmed or photographed. 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 S Bütikofer, Cllr N Dixon, Cllr T FitzPatrick, Cllr W Fredericks, 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

**Tel** 01263 513811 **Fax** 01263 515042 **Minicom** 01263 516005

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

## A G E N D A

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

**1. CHAIRMAN'S INTRODUCTIONS**

**2. TO RECEIVE APOLOGIES FOR ABSENCE**

**3. SUBSTITUTES**

**4. MINUTES**

(Pages 1 - 16)

To approve as a correct record the Minutes of a meeting of the Committee held on Thursday 25<sup>th</sup> July 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 17 - 22)

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

### **OFFICERS' REPORTS**

**8. HOLT - PF/24/0265 (APPLICATION 1) & HOLT - LA/24/0264 (APPLICATION 2)**

(Pages 23 - 82)

**HOLT - PF/24/0265 (Application 1) - Creation of new Preparatory School (Use Class F1(a)) at Holt Hall to comprise the restoration of Holt Hall, including demolition of existing kitchen and stable blocks to create a new North Wing Extension; removal of existing modern pre-fabricated timber teaching block and greenhouses, including**

demolition of pig sty and wall adjacent to the greenhouses, to create a new Multi-purpose Hall; removal of existing modern greenhouse and timber shed to create a new Music Hall; removal of existing LPG tank, temporary container-type toilet and ancillary buildings and repositioning of the existing equipment shed to create a new Field Studies Centre (Use Class F1(a)); reconfiguration and refurbishment of the Walled Garden; creation of a new ancillary Sports Pavilion and Sports Pitches; adoption of a 30-year Woodland Management Plan; car parking areas; hard and soft landscaping; and associated infrastructure.

**HOLT - LA/24/0264** (Application 2) - Creation of a new Preparatory School at Holt Hall to comprise the restoration of Holt Hall, including demolition of the existing kitchen and stable blocks to create a new North Wing Extension; removal of existing modern pre-fabricated timber teaching block and greenhouses, including demolition of pig sty and wall adjacent to the greenhouses, to create a new Multi-purpose Hall; removal of existing modern greenhouse and timber shed to create a new Music Hall; removal of existing LPG tank, temporary container-type toilet and ancillary buildings and repositioning of the existing equipment shed to create a new Field Studies Centre; reconfiguration and refurbishment of the Walled Garden; creation of a new ancillary Sports Pavilion and Sports Pitches; car parking areas; and associated infrastructure.

9. **BODHAM - RV/24/1082 - VARIATION OF CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION PF/13/0960 (INSTALLATION OF 3.6MW SOLAR DEVELOPMENT) TO ALLOW INSTALLATION OF 2NO. BANKS OF INVERTERS, ASSOCIATED REPLACEMENT PRODUCTION SUBSTATIONS AND FENCING (PART RETROSPECTIVE), SOLAR FARM, NEW ROAD, BODHAM, NORFOLK** (Pages 83 - 90)
10. **BINHAM - PF/24/0841 - FRONT AND REAR EXTENSIONS TO DWELLING, EXTERNAL ALTERATIONS AT BUNKERS HILL BARN, BUNKERS HILL, BINHAM, FAKENHAM, NORFOLK, NR21 0DF** (Pages 91 - 96)
11. **CROMER - PF/24/0201 - ERECTION OF SINGLE-STOREY DWELLING WITH DETACHED BIKE/BIN STORE, THE GLASS HOUSE, FULCHER AVENUE, CROMER, NR27 9SG** (Pages 97 - 106)
12. **CROMER - PF/24/1500 - INSTALLATION OF AIR SOURCE HEAT PUMP AT 20 BERNARD ROAD,CROMER, NORFOLK, NR27 9AW** (Pages 107 - 110)
13. **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE** (Pages 111 - 114)
14. **APPEALS SECTION** (Pages 115 - 120)
  - (a) New Appeals
  - (b) Inquiries and Hearings – Progress
  - (c) Written Representations Appeals – In Hand
  - (d) Appeal Decisions

(e) Court Cases – Progress and Results

**15. PLANNING SERVICE IMPROVEMENT PLAN (PSIP) UPDATE**

(Pages 121 -  
138)

**16. 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**

## DEVELOPMENT COMMITTEE

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

**Committee Members Present:**

Cllr P Heinrich (Chairman)	Cllr A Brown
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
Cllr L Vickers	

**Substitute Members Present:**

Cllr C Ringer

**Officers in Attendance:**

Assistant Director - Planning (ADP)  
Development Manager (DM)  
Principal Lawyer (PL)  
Senior Planning Officer - JB (SPO-JB)  
Senior Planning Officer - JS (SPO-JS)  
Senior Planning Officer - RS (SPO-RS)  
Development Management Team Leader (DMTL)  
Democratic Services Officer -Regulatory (DSO)

### 27 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr M Batey, Cllr R Macdonald and Cllr P Fisher.

### 28 SUBSTITUTES

Cllr C Ringer was present as a substitute for Cllr M Batey.

### 29 MINUTES

The minutes of the Development Committee meetings held Thursday 9<sup>th</sup> May, Thursday 16<sup>th</sup> May, Thursday 30<sup>th</sup> May and Thursday 13<sup>th</sup> June were approved as a correct record en-bloc.

### 30 ITEMS OF URGENT BUSINESS

The ADP advised the Committee that correspondence had been received from the Planning Inspector in regard to the emerging Local Plan earlier in the week. Communication had been delayed as a consequence of the general election and campaign period. The Inspector's letter was due to be published on the Council's website imminently. The ADP confirmed that the letter was broadly positive, and that the Inspector considered the Council has fulfilled its duty to co-operate, however there were key aspects of the Plan which the Inspector concluded needed to be addressed including updating evidence and policy relating to Gypsy and Traveller accommodation and increasing the overall housing provision (which would lead to

additional consultation in due course).

It was anticipated the new plan would not be adopted in 2024 but hopefully may be adopted by the end of the current financial year.

The ADP advised that the Inspectors letter had no baring the applications due to be determined at the meeting.

### **31 DECLARATIONS OF INTEREST**

- a. The Chairman noted that Committee Members had received lobbying from the applicants with respect of PF/22/1068 and PO/23/2643.
- b. Cllr V Holliday advised she would abstain from voting on item 10, planning application PF/24/0747.
- c. Cllr G Mancini-Boyle confirmed he had a non-pecuniary interest in agenda item 11, and stated that he had met with the applicant historically (prior to the applicant becoming an elected Member) but offered that he offered no advice to the applicant.
- d. Cllr J Toye advised he was contacted by the agent as the Local Member for application PF/22/1068 following publication of the agenda, but that he issued no advice or opinion which the applicant was accepting of.
- e. Cllr C Ringer advised, with respect of application PO/23/2643, that the applicant was a parish councillor for one of the villages he represents, and that he had previously expressed some support for the application. Therefore, he confirmed he would speak as Local Member only and abstain from speaking further or voting on the application.

### **32 BANNINGHAM - PF/22/1068 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF SINGLE STOREY DETACHED DWELLING AT AMBROSE HOUSE, MILL ROAD, BANNINGHAM NR11 7DT**

#### Officer's report

The SPO-JB introduced the Officer's report and recommendation for refusal. He spoke to the late submission received from the agent in support of the scheme, circulated to members following publication of the agenda, and responded the points raised in the letter. With respect of the lawful use of land, the SPO-JB referred to the Officer's report and acknowledged the applicant reserved the right to appeal the certificate of lawfulness rejection, should they so wish to challenge this interpretation.

Secondly, with regards consideration of the self-build component of the application, the Case Officer affirmed that Officers had put weight on the applicant being listed on the self-build register, however this did not negate the need to ensure sustainable development.

The SPO-JB recognised it was for the Committee to consider the planning balance and to determine how much weight to ascribe to the various material planning

considerations. With reference to points raised about Nutrient Neutrality, the Case Officer advised that whilst it was intermated what the applicant may wish to do in future, at present no submitted strategy had been received. Further the certificate of lawfulness decision does carry significant weight in determining this application as a new build dwelling, requiring new flows.

Finally, with regards to Highways representations and the need for consistency, the SPO-JB reflected that the Officer's report had considered the similarities between this, and another local application approved, and advised that the application referred to was approved by Committee as it was believed that Highways improvements could be secured. Subsequently, it had been established that the Highways improvements in question were not viable. The SPO-JB relayed that each application must be considered on its merits.

The Case Officer outlined the site's location and relationship with neighbouring dwellings, existing and proposed site plans, existing and proposed elevations, and images were offered in and around the site.

The SPO-JB spoke to issues identified in the Officer's report regarding the ability of Mill Road to sustain additional traffic demand, specifically the width of the road and lack of passing place provision. It was noted that Highways Authority were particularly concerned about the junction of Mill Road and the B145. The SPO-JB advised this was the junction which the nearby former application (earlier referenced) had sought to secure improvements too but had been unsuccessful.

The Case Officer confirmed that the recommendation for refusal was broadly focused on the following considerations: unsustainable location, unacceptable impact on highways safety, lack of evidence to demonstrate that the proposal would be nutrient neutral, a failure to demonstrate that there would not be and unacceptable impact on protected species, and a failure to demonstrate that there would not be an unacceptable impact on trees.

#### Public Speakers

Richard Anderson – Bannigham Parish Council  
Mark Turner (agent) – Supporting

#### Local Member

The Local Member – Cllr J Toye – noted the key considerations for the application including completeness, including information lacking on Nutrient Neutrality mitigation, and a failure to demonstrate that there would not be an unacceptable impact on trees and protected species.

He noted that the classification of the site was an issue with the applicant, but that the applicant reserved the right to appeal the prior decision regarding lawful use of the land should they so wish.

With respect of Highways concerns, Cllr J Toye stated that County Cllr, Saul Penfold, had some 18 months prior received agreement that the speed limit for the junction would be reduction to 30mph, and commented that this highway improvement would go some way to alleviate issues.

The Local Member considered the site to be amenity land used by neighbours who backed onto the land, and reflected that, whilst not part of the application in

question, the land was large enough to sustain additional dwellings, opening up the potential for further development and impact on residents.

#### Member's debate

- a. The DM advised that whilst the applicant was on the self-build register, this was a demand led requirement with the demand set out in part one of the register. Simply because a dwelling was self-build did negate policy constraints. Matters of principle and unsustainability raised were significant issues which Officers concluded outweighed the merits of a self-build dwelling. Further, as the application failed to address Nutrient Neutrality, the DM affirmed this should prevent the granting of planning permission in any instance.
- b. Cllr L Vickers sought clarification to the point raised by the supporting speaker that the applicant may have been misled by the estate agent.
- c. The DM advised he was unable to offer advice as to whether someone had been misled and stated this would be a civil matter between parties. He commented that the Committee should be mindful that the certificate of lawfulness application for use of the land as a dwelling, had been refused, though the applicant reserved the right to appeal the decision. Should the applicant be successful in receiving the certificate of lawfulness this would change the assessment of the scheme. As lawful use had not been established, the application was considered to be for a new build dwelling in the countryside.
- d. The agent sought to respond to the discussion, the Chairman denied his request make an additional representation.
- e. Cllr A Brown stated that due to the lack of a certificate of lawfulness for a dwelling on the land, in addition to the lack of a scheme for Nutrient Neutrality, he did not consider this to be a complete application, irrespective of Highways concerns why may or may not have been alleviated since 2022. Cllr A Brown concluded that the application was not policy compliant, and there were little to no material benefits would outweigh the harm that would arise as a consequence of the application. Cllr A Brown proposed acceptance of the Officer's recommendation for refusal.
- f. Cllr A Fitch-Tillett expressed her support with the Officer's recommendation, and seconded the motion for refusal.
- g. Cllr P Neatherway agreed that information was lacking to support the application, and stated he too was minded to refuse.
- h. Cllr M Hankins noted the application was intended to be self-build, and asked if there was a prescribed requirement for a certain volume of self-build dwellings.
- i. The DM advised this was a demand-based register, and not akin to the 5-year housing land supply targets.

**RESOLVED** by 11 votes for and 1 abstention.



**That Planning Application PF/22/1068 be REFUSED in accordance with the Officer's recommendation.**

**33 WEST BECKHAM - PO/23/2643 - ERECTION OF DWELLING AND CAR PORT WITH ANCILLARY WORKS (ALL MATTERS RESERVED EXCEPT FOR ACCESS) LAND EAST OF WILLIAMS BARN, CHURCH ROAD, WEST BECKHAM, NORFOLK**

Officer's report

The DMTL introduced the Officer's report and recommendation for refusal. He confirmed the site's location and anticipated relationship with the host dwelling, as well as proposed floor plans, noting that the plans were only indicative at this stage. Images were also shown in and around the site and access way.

The application proposed a 10% biodiversity net gain (above the prescribed minimum requirement), including extensive tree planting.

In term of principle of development, the DMTL confirmed that the application as proposed was contrary to policies SS1, SS2, SS4 and SS6 of the adopted North Norfolk Core Strategy, and the relevant paragraphs of the NPPF as stated in the Officer's report. He noted that the Council's lack of 5-year housing land supply was a material consideration, and that the presumption in favour of sustainable development must be given due regard. The site's location within the designated countryside meant it was not considered to be a sustainable location in both the existing and emerging local plan, with residents' day to day needs and requirements likely needing to be met outside the settlement, further there were limited alternate transport modes available. In addition, the proposed self-build nature of the dwelling had not been supported through a unilateral undertaking, nor did it negate the application of the strategic development plan policies.

The DMTL issued a correction to the Officer's report with respect of Highways matters and confirmed that the carport would serve the existing barn and not the proposed dwelling, which would be served by its own parking. Concerns about the lack of parking for the existing barn were no longer supported. Irrespective, the Highways Authority did not support the application citing concerns over lack of sufficient viability splays at the site entrance, and increased number of vehicular movements. The proposal was considered by Officer's to be contrary to Policy CT 5 and SS 6 of the Core Strategy.

It was noted that the site lies within the Zone of Influence of a number of European sites and would therefore require a financial contribution towards the strategic mitigation package in accordance with the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS). The payment had not been received to date; accordingly, the proposal was contrary to policies SS 4 and EN 9.

Public Speakers

Nicole Wright (agent) – Supporting

Local Member

The Local Member – Cllr C Ringer expressed his support for the application and

considered the application represented brownfield infill within the settlement boundary. He argued that the application would be in keeping with the village which had several new infill dwellings erected in the gardens of older larger properties. The Local Member confirmed he and the applicant had worked with Officers to reduce the number of dwellings down from the to one proposed, and to bring additional biodiversity enhancements to the adjacent site. These biodiversity enhancements he considered tipped the balance in favour of the development.

Cllr C Ringer reflected that much like the recently approved affordable housing scheme, this site was ideally situated near the church, play area and the Public House, with proposed cycle parking a mile away in Bodham allowing access to regular bus services. The Local Member noted that an application for an asset of community value was in process for the Public House, following a potential change of use. He argued that the erection of the dwelling would not adversely impact the village, rather it was the threat to the social, cultural and heritage institutions which underpin the sustainability and vitality of local communities, which was the problem. To his mind this application would help contribute to the preservation of the community.

Cllr C Ringer stated that the Council's inability to demonstrate a 5-year housing land supply, and need to provide a number of self-build properties were material considerations which add weight to the justification to deviate from planning policies.

He refuted the Highway's Authority objection which he considered to be a heavy-handed application of the rules, given this was essentially reallocation of an existing and utilised access point. He referred to Para 115 of the NNPF which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety or the residual cumulative impact on the road network would be severe, something the Local Member argued would not be the case.

Cllr C Ringer noted no objection had been raised by the Parish Council, and there had been an expression of support from several residents including neighbours. The one objection received was from a resident who had since sadly passed away.

The Local Member believed there were demonstratable material considerations why this minor, low density, infill development justified departure from the local plan and NNDC planning policies, in order to meet the Councils' 5 year housing land supply, and the statutory requirement to provide an adequate number of self-build properties, as well as to protect and support the sustainability and vitality of the village (supported by Para 79 and 134 of the NPPF).

#### Local Members

- a. Cllr A Fitch-Tillett considered it important that as a Planning Authority the Council be consistent in its approach. She further stated that she mourned the potential loss of the ground required to support the development. Cllr A Fitch-Tillett proposed acceptance of the Officer's recommendation.
- b. Cllr J Toye reflected on Cllr A Fitch-Tillett's comments regarding consistency, noting that the prior application debated at Committee had been refused, but the application referenced in that debate had been an infill development which had been approved. He stated that should the application be approved in outline form; he would like to see much of the garden protected in the full application. Cllr J Toye stated he was unable to support the Officer's

recommendation.

- c. Cllr A Varley spoke highly of the proposed bio-diversity net gain enhancements and reflected that there was scope to further enhance the land via condition. Cllr A Varley stated that at present he struggled to accept the Officer's recommendation, though would continue to listen to the debate.
- d. Cllr L Vickers considered that Cllr C Ringer and the Public Speaker had made very persuasive points, however agreed with Cllr A Fitch-Tillett the importance of consistency. She noted the similarities with this and the prior application, which she had abstained on.
- e. Cllr M Hankins stated that priority should be given to increase the number of residential dwellings in the district, and expressed his concern that applications had been refused which would have sought to address the critical housing need in North Norfolk.
- f. The DM reminded the Committee of NNDC planning policy with respect of development in the countryside. He stated that there were examples where development was granted in the countryside, noting the two recent approvals for affordable dwellings in West Beckham, though noted these did accord with the Local Plan as they were for rural exception sites. Plan Policies did not allow for market dwellings in the countryside without good reason. The DM advised that the Committee would need to provide clear reasoning what differentiates this application from others, specifically the application immediately proceeding this in the agenda. He noted that there were a number of material considerations which the Committee may want to weigh in the planning balance including biodiversity net gain over and above statutory requirements.
- g. Cllr K Toye agreed this was a difficult decision but concluded that this application did not significantly differ from others previously refused. She therefore seconded the motion for refusal.
- h. The ADP endorsed the comments made by the DM. He advised, as outlined in the Officer's report, the Council were unable to demonstrate a 4- or 5-year housing land supply, which was a material consideration in favour of the proposal. However, this did not override planning policy. Additionally, the ADP referred to the Council's strong record at appeal of continuing to win cases despite the 5 year housing land supply issues, with Inspectors often determining that a single dwelling in the countryside would not make a significant difference to the overall statistical position. He advised that limited weight should be given to this consideration.
- i. Cllr A Brown noted the Nutrient Neutrality pressures on the Housing Land supply, but considered this should not serve as a wrecking ball for planning policies which he argued should still apply. He agreed it would be uncomfortable for the Committee to go against the Officer's recommendation as this would not demonstrate a consistent approach, particularly in light of the earlier application and the two appended appeal decisions. Cllr A Brown considered that the material considerations did not cumulatively outweigh the contravention of policy SS 1, and so conveyed his support for the Officer's recommendation, though expressed sympathies with the applicant.

**RESOLVED** by 7 votes for, 1 against and 1 abstention.

**That Planning Application PO/23/2643 be REFUSED in accordance with the Officer's recommendation.**

**34 CLEY-NEXT-THE-SEA - PF/24/0747 - INSERTION OF 3 WINDOWS IN WESTERN ELEVATION OF BUILDING WITH PERMISSION FOR USE AS A HOTEL/GUEST HOUSE (USE CLASS C1) AT COOKES MARSH, HOLT ROAD, CLEY-NEXT-THE-SEA, HOLT**

Officer's Report

The SPO-JS introduced the Officer's report and recommendation for approval. It was noted that the building had existing permission for use as a hotel and guest house, this was therefore not subject for debate. The building was listed under Class R, schedule 2, Part 3 of the GDPO, which allows buildings under 150 square meters to change use from agricultural to a guest house.

The SPO-JS outlined the sites rural location and relationship with the agricultural buildings to the left of the site, existing and proposed elevations, proposed floor plans and images in and around the site. She noted that the proposed openings on the western elevation would not be visible from the main road.

The Case Officer advised the key issues for consideration were the impact of the proposal on the special qualities of the Norfolk Coast National Landscape, the Glaven Valley and the Cley Conservation Area. No overriding objections had been received from the Landscape or Conservation & Design Officer, though it was acknowledged that there would be some increased light-spill resulting from the proposed three openings. Officer's concluded intervening features and the use of 0.65 VLT glazing would assist to mitigate light-spill, and thus the application was acceptable, subject to conditions.

Public Speakers

None.

Local Member

The Local Member – Cllr V Holliday – noted that the application was situated in a sensitive location, and argued granting of the proposal may have a significant impact on the landscape and set a precedent for other applications. She reflected that there were 11 objections from the community plus that from the Parish Council which merited inclusion of the application on the agenda, as well as the reasons outlined above.

Cllr V Holliday expressed her concerns regarding the application and rejected the Officer's recommendation for approval, which she believed gave insufficient weight to the heritage and landscape impact.

With regards consistency, the Local Member referenced case law in which the granting or refusal of prior applications was a material consideration for later proposals. In situations when a recommendation for approval was formed following a previous decision for refusal, there needed to be a detailed explanation for the reasons for the departure. Cllr V Holliday acknowledged that there had been two relevant previous planning applications submitted for the site, one had been

withdrawn and the other refused. The later application proposed windows and rendered walls. The Local Member stated that the Landscape Officer considered that the increased animation of the building and increasingly suburbanised appearance would divorce it from its agrarian function and setting. Further, the Planning Officer thought that the proposal, refused in May 2023, would adversely impact the AONB landscape and the Glaven Valley Conservation Area.

Cllr V Holliday considered that that the proposed mitigation offered of reduced visible light transmission glass appeared to be the critical factor in Officers now determining this application acceptable, though personally felt the mitigation would still result in some light spill and that there would remain an adverse impact on the AONB and dark skies.

The Local Member argued the cumulative impact of the various proposals for this building presented in recent months should be considered, per the Landscape Institute and the Institute of Environmental Management and Assessment guidance.

For reasons of consistency and the cumulative impact, Cllr V Holliday asked the Committee to reject the Officer's recommendation for approval.

#### Members Debate

- a. Cllr A Varley stated that whilst he appreciated the Local Member's comments and concerns, he noted that the Landscape Officer and the Conservation & Design Officer were satisfied with the scheme subject to conditions. He therefore proposed acceptance of the Officer's recommendation for approval.
- b. Cllr A Fitch-Tillett noted the site was located in a flood risk zone, as referenced the Officer's report, and asked for specific details on the flood risk.
- c. The SPO-JS advised the whole site was located within flood risk zone 3B, but, as the site was under 150 sqm matters including flood risk were not relevant considerations.
- d. Cllr A Fitch-Tillett considered this extraordinary and was appalled that visitors would be knowingly put in a known flood risk zone. She expressed her hope that flood risk measures would be considered.
- e. Cllr J Toye agreed that whilst he and other Members were concerned about flood risk, this could not be a determining factor for this application under the circumstances. He noted that there were already a number of Velux windows in situ on the site, which would result in light transmission, and it was therefore somewhat of a wasted effort to condition the new three windows when others were not subject to the same conditions. He was, nonetheless, supportive of the proposed conditions. Cllr J Toye seconded the motion.
- f. The SPO-JS confirmed the existing windows were subject to a certificate of lawfulness to be determined.

**RESOLVED** by 9 votes for, 1 against and 2 abstentions.

**That Planning Application PF/24/0747 be APPROVED in accordance with the Officer's recommendation.**

The meeting was adjourned at 10.51am and reconvened at 11.05am

**35 DILHAM - PF/21/1479 - CONVERSION OF AGRICULTURAL BUILDING WITH ASSOCIATED EXTERNAL ALTERATIONS TO FORM FOUR-BEDROOM HOLIDAY ACCOMMODATION (PART-RETROSPECTIVE) AT AGRICULTURAL BARN, OAK ROAD, DILHAM, NORFOLK, NR28 9PW**

Officer's Report

The SPO-RS introduced the Officer's report and recommendation for approval. It was noted that the application had been held in abeyance for some time due to matters relating to Nutrient Neutrality. Subsequently, the application was now part retrospective, as set out in the Officer's report.

The Case Officer outlined the site's location, existing and proposed elevations and images in and around the site. The re-use of the site as a holiday-let was considered to be policy compliant and was acceptable in principle both in terms of design and landscape impact.

Various iterations of the scheme had been received, with the Applicant now proposing to upgrade a septic tank at another property they own in the village which would offer appropriate mitigation for the additional nutrient loads that would be generated by this proposal.

Public Speakers

Fergus Bootman (Agent) – Supporting

Local Member's

The Local Member - Cllr G Mancini-Boyle – confirmed he met with the applicant before they were an elected member for North Norfolk District Council, though offered no advice with respect of this application. With reference to page 97 of the Officer's report and the representations received, he noted there was a lack of objection to the scheme, though considered more could be done to protect dark skies. He asked if Officers could explore matters of glazing with the Applicant, though he did not feel this needed to be formally conditioned.

Members Debate

- a. Cllr V Holliday considered that reduced VLT glazing should be secured by condition, per the UK Dark Skies Partnership guidelines. This would also apply to roof lights. She proposed this be added as a condition.
- b. Cllr A Fitch-Tillett seconded the amendment to reduce light spill.
- c. The ADP sought clarification regarding the precise wording of the amendment and whether this applied to any new glazing from now on, or if it applied to glazing already installed which formed part of the retrospective aspect of the scheme. He cautioned it may be difficult to secure retrofitting.
- d. The Chairman considered it would be reasonable to condition any new

glazing and agreed it may be more challenging to condition glazing already installed.

- e. Cllr L Vickers agreed that the expense and difficulty associated with retrofitting would cause issue. She agreed with Cllr G Mancini-Boyle that she would like for this to be an informal discussion with the Applicant.
- f. The ADP identified the different options available to Members with respect of glazing, including no additional condition, condition for reduced VLT glazing for all new glazing, or a condition to apply to all glazing on the building whether installed or not.
- g. The SPO-RS advised that the application for a swimming pool on the adjoining site (also owned by the Applicant) which was presented to, debated and determined by Development Committee in the last year did not condition reduced VLT glazing. This scheme would also have some degree of light spill.
- h. Cllr A Brown asked why reduced VLT glazing had not been conditioned for the adjacent application.
- i. The DM cautioned that the matter being debated was not an issue for the previous adjacent application, likely because neither site were contained within the AONB or another sensitive location. He commented that the Committee needed to be reasonable and proportionate in terms of what conditions it was asking for. If a formal condition was not applied, the Committee may request that a note be added to the decision notice advising the applicant they consider VLT glazing. This would not be an enforceable note but would communicate the Committee's views.
- j. The Chairman clarified the amendment and stated a note would be added, rather than a formal condition imposing VLT glazing.
- k. Cllr A Varley considered this a broadly positive application, which would support local farm diversification and would benefit the local economy. He proposed acceptance of the Officer's recommendation for approval.
- l. Cllr C Ringer seconded the motion.
- m. Cllr V Holliday noted that Members discussed the use of smart glass for the adjacent application and had requested this be conditioned. She was disappointed this had not been secured by Planning Officers.
- n. Cllr A Brown was surprised the application had been referred to Committee by Cllr N Dixon, as he did not consider the highways risk to be significant.
- o. The DM advised the application had been referred to Committee before Cllr L Paterson was elected as a Member. Under the Constitution this item would need to be brought to Committee due to the Applicant being a serving Councillor.
- p. The SPO-RS advised this application was one of three submitted by the applicant, all of which Cllr N Dixon called in to Committee due to the cumulative impact.

- q. Cllr A Brown was unaware of this and so withdrew his earlier comment.

**RESOLVED** by 12 votes for

**That Planning Application PF/21/1749 be APPROVED in accordance with the Officer's recommendation and a note be added to the determination in line with Members debate regarding VLT glazing.**

### **36 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE**

*The PL left the meeting at 11.30am*

The DM advised Planning Service performance remained strong and that the Council continued to outperform many other local authorities.

Cllr G Mancini-Boyle congratulated the team on their performance and considered the quality of decision making was reflected in the lack of complaints in his inbox.

### **37 APPEALS SECTION**

The DM advised the presentation of appeals had been re-configured for this meeting, and moving forward, with a specific document on planning appeals and another on enforcement appeals. He advised the quality of decision making continued to be strong with the Inspector upholding the Local Authorities decisions.

### **38 DEVELOPMENT COMMITTEE - PERFORMANCE AND IMPROVEMENT REPORT**

- a. The ADP introduced the Officer's report and outlined the history of the Planning Service Improvement Plan (PSIP), which was shortly to be concluded. One aspect being reviewed was the suite of performance indicators, which would be presented before the Committee in due course, along with changes to the planning advise service. The ADP stated he and the DM had engaged with developers to better understand their perspective and what they wished to see from the service. Further, the DM was working on a revised Local Validation List. In addition, the standard set of conditions was also being revised. Work was ongoing with respect of planning matters detailed within the Constitution, these proposals would need to be presented to Constitution Working Party, following the gathering of views from Development Committee.

With reference to the Officer's report, the ADP advised there were two components to the recommendation, the first with respect of Member training, the second regarding the call in procedure for Committee.

He noted that within the Constitution Member's and substitutes on Development Committee required training before participating at Committee, and that additional training would be arranged ad-hoc. Following discussion, it was considered that there were two aspects of Member training which may be helpful to Councillor's. The first, aimed to help decision makers at Committee, the second, aimed to assist all Members addressing broader



planning matters. It was considered that 4 sessions per annum, 2 of each type, would be appropriate with some held virtually and others in person.

- b. Cllr J Toye endorsed regular training which would receive maximum engagement from Councillors.
- c. The ADP spoke to the existing call in procedure. It was considered that it would be helpful and more transparent that the person calling an item to Committee, whether that be an Officer or a Councillor, complete a simple document which would then be published on the Planning Portal – with relevant extracts then placed in the Committee report. The new procedure would additionally minimise the risk of communication being missed as the pro-forma should be sent to a generic inbox and not a specific Officer. The ADP considered it reasonable that the planning reasons for the call in be clearly articulated, and offered some suggestions of wording and reasoning which would be suitable as well as that which would not be suitable.

The ADP offered a correction to the Officer's report following discussion with the Monitoring Officer regarding the proposed change of delegation to the Director for Place and Climate Change. The current system enabled a Local Member to call any application to Committee without an arbiter considering the planning reasons offered for the reason for calling the item to Committee. The ADP considered it was appropriate there was an arbiter, and this be the Director for Place and Climate Change, with the Monitoring Officer able to review the process in instances where the Local Member wished to appeal the Director for Place and Climate Change's decision. He advocated that Members consider approving the form (pending any revisions) sans the yellow highlighted sections displayed at the meeting, with these matters represented with further constitutional changes in due course.

- d. Cllr J Toye expressed his support for the form and stated that when a Local member calls an item to Committee, they should be present to make their representation. He shared his concern that the democratic process may be at issue with the potential of Member's losing their democratic right to call items in. However, Cllr J Toye supported senior Planning Officer's having robust discussions with Members who have called an item in, to help shape their thoughts and to assist in appropriate wording. He concluded that reasons for call in may be improved following additional training.
- e. Cllr K Toye relayed her interest in additional planning training. She reflected on the current call in process and the need for Members to call an item in within 5 days, which she considered was especially difficult at this time of year when Member's may be on leave.
- f. Cllr A Fitch-Tillett expressed concerns that 'public interest' was listed as an unsuitable reason for call-in within the document.
- g. The ADP advised the explanatory note could be expanded to include wording (along the lines) that Development Committee expect that in instances where a Local Member has called an item to Committee, the Local Member should attend the Committee or make a written representation to Committee. He stated this would need to be an expectation rather than a requirement as a requirement would involve Constitutional changes. The ADP stated 'robust conversations' with Members could also be added to the explanatory note.

The ADP stated that every single planning decision issued was a decision of the Council, whoever takes it. Further, he reflected that different Councils took different approaches when it came to Development/Planning Committee and noted that at his former Council, Members could not determine what went onto the agenda. He advised that he and Officer's did not seek to change the democratic rights of Member's through the form, and that the revised process sought to make the reason for referral to Committee, whether by Officers of Member's, clearer.

With respect of Cllr A Fitch-Tillett's comments regarding 'Public Interest', the ADP advised this item had been discussed at length. He cautioned that the proposed approach was taken not to include a specific number for public representations, as there was a concern that this would lead to petitioning and knocking on doors to generate the threshold number. The ADP reiterated that within the report 'Significant' Public Interest was a suitable reason for call in, this implied more than a few people and households.

The ADP noted that there were two ways Members were able to call in items to Committee. The first following receipt of the weekly call-in list, the second through direct communication with Officers at the end of the process with the 5 days' notice period. As far as he was aware very few Members used the first method, preferring instead to wait for Officer opinion, local opinion and or additional information. The second method being at the end of the process, invariably meant the application was up against the statutory time limit for determination. The ADP shared sympathy with Cllr K Toye regarding Member absence but advised the Members could choose to call items in sooner rather than later. The ADP stated the Constitution was silent on the 5-day call in process and that this was something Officer's had taken the pragmatic approach to implement; the ADP expressed a preference this be codified in the Constitution in future.

- h. The DM encouraged Members to make use of the out of office function for their inbox, and in instances where a Member was expected to be absent for a longer period of time a neighbouring ward member, or another member, be appointed to cover ward work as necessary.
- i. Cllr M Hankins welcomed the proforma and the regularisation of the call in process, though shared in Cllr J Toye's concerns. He endorsed the proposal, for additional training.
- j. Cllr A Brown was supportive of changes to the current system and the need to streamline Development Committee. He believed the Inspector would objectively welcome the rationalisation of Officer time and the reduction in unnecessary items to Development Committee, which he too endorsed, though felt that data was needed to justify this decision including number of applications presented to Committee as compared to other neighbouring authorities.

Cllr A Brown felt that a non-electronic version of the form should be available for those members who preferred a non-digital approach or who has technical difficulties.

Cllr A Brown considered the explanatory/reason for call in box maybe too small and asked if this could be expanded, and if a suggested word limit could be applied.

He reflected that the application of the out of office function was not always regularly applied by Officer's and Member's, and that there was no streamlined guidance if the case officer was unavailable, though felt this situation had been improved in recent months.

Cllr A Brown suggested use of the 'read receipt' function.

Further, with respect of Member absences, he enquired if a pairing system could be applied, much in the same way that members sharing a ward could naturally make use of.

Cllr A Brown welcomed the continuous profession development of Members.

- k. The ADP responded to members comments. Firstly, he advised that the suite of indicators would include comparatives with other local authorities and would likely include details of extension of time including the average length of time to determine an application.

The ADP stated the intention with the form was to clarify the process and not to reduce the number of planning applications brought to Committee. He was comfortable with the existing volume of applications brought to Committee.

He endorsed the use of the out of office function and stated that Officers were regularly making use of the standard out of office statement.

The ADP stated that he was not personally supportive of 'read receipt' suggestion given the volume of emails he and other Officers received, though would acquiesce if Members felt this matter important.

Finally, he suggested that it would be appropriate to pause on discussion regarding the arbiter aspect of the proposal until a later meeting.

- l. Cllr J Toye considered the form should be a web form for ease of use. He asked is the weekly list could also include applications brought to committee, as he felt that non-committee members may not be aware of what items were being discussed at Development Committee.
- m. The ADP confirmed the form would be expandable. He was uncertain if adding a section of planning applications to development committee to the weekly list would be most appropriate.
- n. The DSO confirmed that when publishing the Development Committee agenda, she notified all Members, whether they be on the Committee or not, that the agenda had been published and listed all the planning applications to be determined within the text of the email.
- o. Cllr C Ringer asked if forms could be resubmitted if refused by the Monitoring Officer, provided new evidence was used. Additionally, if new representations were received following submission from the Local Member, or supplementary documentation from the applicant, would the Local Member be able to revisit their submission? Cllr C Ringer stated he would typically be supportive of being contacted by Officer's whilst his out of office notification was in place, provided the matter was urgent, though appreciated this may be more difficult for other members who maybe out of the country.

- p. The ADP recognised that all 40 councillors may have a different preference in terms of out of office communication. What was important is that the out of office function was utilised and clearly articulated what said Councillor would like to be done in their absence. With respect of Cllr C Ringers comments regarding re-submission, the ADP suggested it would be appropriate to consider this at a later stage.
- q. Cllr V Holliday welcomed the proposed changes and sought clarification when the process would be implemented.
- r. The ADP expressed a preference that Member's call in applications earlier in the process, though understood this was not the existing culture and may not be realistically achieved. He advised this would be a matter for debate when Committee considered the Constitutional changes at a later meeting. The ADP recognised that late Member call in's may have an impact on applicant's views of the service, as they would find out their application would be brought before Committee with limited notice. However, he noted that historically Development Committee had a strong record of supporting Officer recommendations, and in instances where the officer recommendation was rejected this often went in support of the applicant.
- s. Cllr A Brown asked if a link could be provided in the guidance notes to the relevant extracts in the Constitution regarding probity in planning.
- t. The ADP summarised the Committee debate, noting the endorsement for the training proposal and the call in form (without the sections relating to constitutional changes) subject to additional text added to the explanatory note detailing expectation that Local Members who call in items attend Committee or send a supplementary written note, a section added to the explanatory note regarding Officers going back to Member's to refine their reasons where appropriate, and a link provided to the relevant exerts of the Constitution. He advised this would be circulated to Committee before implantation in 1<sup>st</sup> September. The ADP stated the Planning Service would be robust in ensuring the process was adhered to.

## **39 EXCLUSION OF PRESS AND PUBLIC**

The meeting ended at 12.30 pm.

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Chairman

## Registering interests

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

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

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

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

## Non participation in case of disclosable pecuniary interest

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

## Disclosure of Other Registerable Interests

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

## Disclosure of Non-Registerable Interests

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

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

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

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

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

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

**Table 1: Disclosable Pecuniary Interests**

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

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

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



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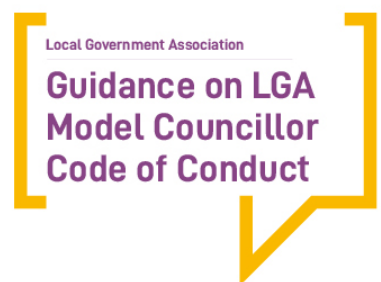
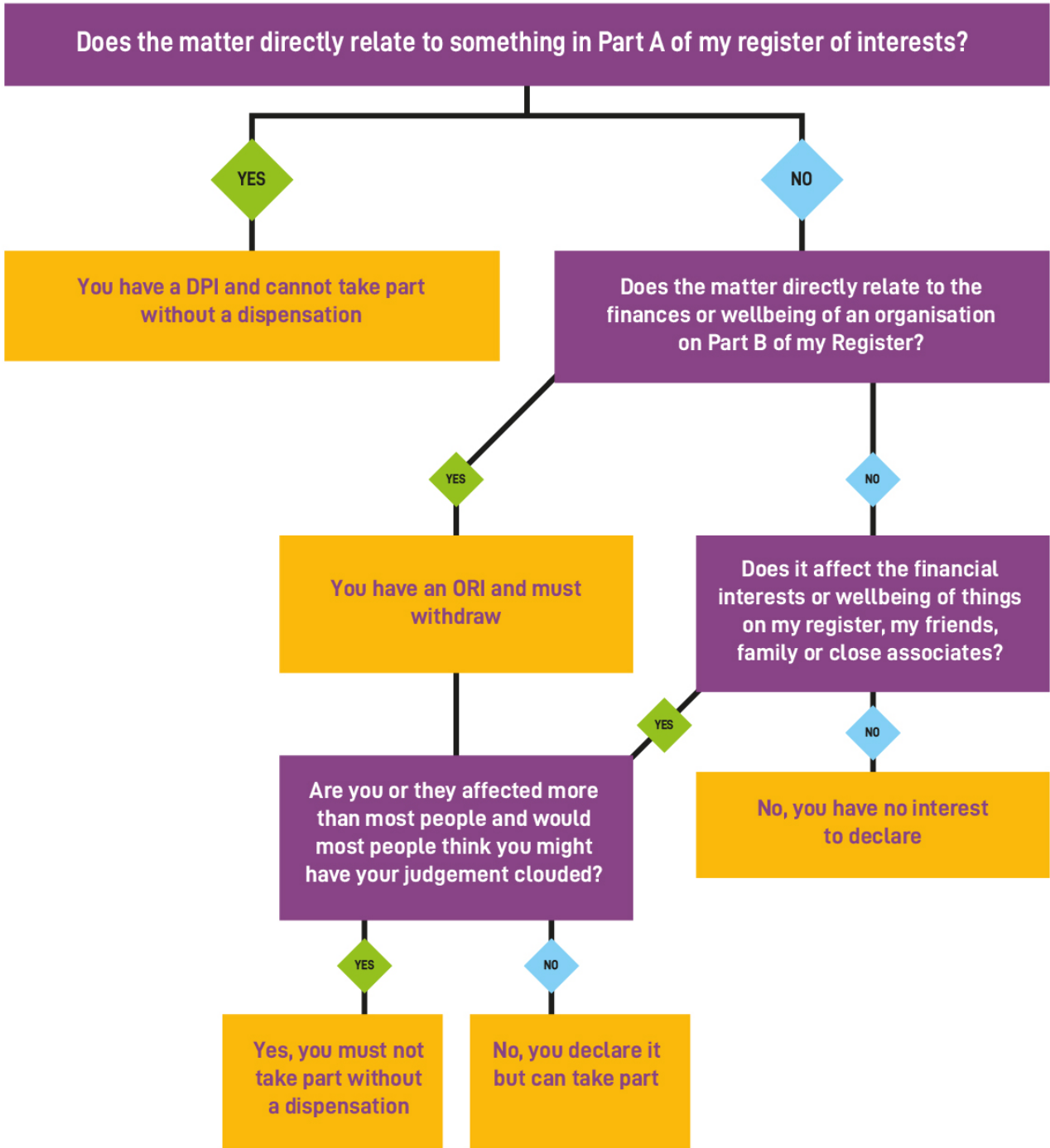
\* 'director' includes a member of the committee of management of an industrial and provident society.

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

**Table 2: Other Registrable Interests**

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

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



**HOLT - PF/24/0265 (Application 1) - Creation of new Preparatory School (Use Class F1(a)) at Holt Hall to comprise the restoration of Holt Hall, including demolition of existing kitchen and stable blocks to create a new North Wing Extension; removal of existing modern pre-fabricated timber teaching block and greenhouses, including demolition of pig sty and wall adjacent to the greenhouses, to create a new Multi-purpose Hall; removal of existing modern greenhouse and timber shed to create a new Music Hall; removal of existing LPG tank, temporary container-type toilet and ancillary buildings and repositioning of the existing equipment shed to create a new Field Studies Centre (Use Class F1(a)); reconfiguration and refurbishment of the Walled Garden; creation of a new ancillary Sports Pavilion and Sports Pitches; adoption of a 30-year Woodland Management Plan; car parking areas; hard and soft landscaping; and associated infrastructure.**

**HOLT - LA/24/0264 (Application 2) - Creation of a new Preparatory School at Holt Hall to comprise the restoration of Holt Hall, including demolition of the existing kitchen and stable blocks to create a new North Wing Extension; removal of existing modern pre-fabricated timber teaching block and greenhouses, including demolition of pig sty and wall adjacent to the greenhouses, to create a new Multi-purpose Hall; removal of existing modern greenhouse and timber shed to create a new Music Hall; removal of existing LPG tank, temporary container-type toilet and ancillary buildings and repositioning of the existing equipment shed to create a new Field Studies Centre; reconfiguration and refurbishment of the Walled Garden; creation of a new ancillary Sports Pavilion and Sports Pitches; car parking areas; and associated infrastructure.**

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## **EXECUTIVE SUMMARY**

The development Committee are being asked to determine two separate applications (Full Planning Permission and Listed Building Consent) which together propose significant development at Holt Hall, in Holt.

This report sets out:

- the developments proposed (including the range of supporting technical documents);
- identifies the responses received from consultees and public representations;
- Runs through the main planning considerations; and
- Provides an officer recommendation for each application

The Committee are being asked to consider planning and listed building applications which intend to provide new life and purpose for the grade II listed Holt Hall site. The proposals involve significant change at the site including an extensive range of buildings and facilities needed to transform the site into a fully functioning and effective prep-school for Greshams.

The principle of use of the site as a C2 Use Class facility (residential institution) is considered acceptable, so the central question for the Committee is whether the extent of demolition and new-build elements proposed are acceptable in relation to identified impacts on heritage assets, ecology and ancient woodland and whether the material considerations in favour of the proposal are sufficient to outweigh identified harms.

Having regard to the public benefits identified in support of the proposal, Officers consider that these benefits are sufficient to outweigh the harm to heritage and ecological interests and to outweigh any conflict with Development Plan policy.

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Application 1: PF/24/0265	Application 2: LA/24/0264
<p><b>Major Development</b>  - Target Date: 14 May 2024  - Extension of Time till: 30 Aug 2024  <b>Case Officer:</b> Mr Olivia Luckhurst  Full Planning Permission</p>	<p><b>Listed Building Consent</b>  - Target Date: 09 April 2024  - Extension of Time till: 30 Aug 2024  <b>Case Officer:</b> Mr Olivia Luckhurst</p>

**RELEVANT SITE CONSTRAINTS (both applications):**

- Countryside
- Norfolk Coast National Landscape
- Glaven Valley Conservation Area
- Landscape Character Assessment - Old Pollard Wood
- Ancient Woodland – Old Pollards Wood
- County Wildlife Site – Old Pollard Wood
- Grade II Listed Building
- Tourism Asset Zone
- Contaminated land
- Within Holt Neighbourhood Plan Area

**RELEVANT PLANNING HISTORY (both applications)**

DE21/23/2686

Holt Hall, Kelling Road, Holt, Norfolk, NR25 7DU

Screening Opinion in relation to development proposals for new teaching facilities (The applicant considers the proposal is a development that fall within Schedule 2 Part 10 (b) Urban Development Project of the EIA Regs and the site exceeds 5 hectares and the site is within the AONB)

Advice Given

Advice Given (for pre-apps)

DE21/19/0012

Holt Hall & Woodland, Kelling Road, Holt, NR25 7DU

Use of Holt Hall as residential activity centre (C2 use) or holiday accommodation (C1). Use of clearings within the woodland as a Campsite for both the public, schools and exempt groups, for tent camping and yurt/bell tent glamping. Use of clearings for public events. Erection of yurts, platforms and gazebos, shop building, washing up block, toilets, showers and portacabins.

Advice Given

Advice Given (for pre-apps)

**THE APPLICATIONS**

APPLICATION 1 – PF/24/0265

Planning permission is sought for the creation of a new Preparatory School (Use Class F1(a)) at Holt Hall. The development would comprise of the restoration of Holt Hall, including the demolition of the existing kitchen and stable blocks to create a new north wing extension; the

removal of an existing modern prefabricated timber teaching block and greenhouses, including the demolition of the pig sty and wall adjacent to the greenhouses, to create a new multi-purpose Hall. The existing greenhouse and timber shed would be demolished to create a new music hall along with the removal of an existing LPG tank, temporary container-type toilet and ancillary buildings and repositioning of the existing equipment shed to create a new field studies centre (Use Class F1(a)). The proposals further include reconfiguration and refurbishment of the Walled Garden; creation of a new ancillary sports pavilion and sports pitches; adoption of a 30-year Woodland Management Plan; car parking areas; hard and soft landscaping; and associated infrastructure.

#### APPLICATION 2 – LA/24/0264

Listed building consent is sought for the creation of a new Preparatory School at Holt Hall to comprise the restoration of Holt Hall, including demolition of the existing kitchen and stable blocks to create a new North Wing Extension, the removal of existing modern pre-fabricated timber teaching block and greenhouses, including demolition of the pig sty and wall adjacent to the greenhouses, to create a new Multi-purpose Hall; removal of existing modern greenhouse and timber shed to create a new Music Hall; removal of existing LPG tank, temporary container-type toilet and ancillary buildings and repositioning of the existing equipment shed to create a new Field Studies Centre; reconfiguration and refurbishment of the Walled Garden; creation of a new ancillary Sports Pavilion and Sports Pitches; car parking areas; and associated infrastructure.

The following list of documents and drawings have been submitted with the applications:

- Existing and Proposed Elevations and Floor Plans (Received 06.02.2024 & 02.07.2024)
- Design and Access Statement (Received 06.02.2024)
- Archaeological Desk-Based Assessment (Received 06.02.2024)
- Arboricultural Impact Assessment (Received 06.02.2024)
- Biodiversity Metric Calculation Tool (Received 06.02.2024)
- Core Campus Masterplan (BNG) - drg no. 1009 P03 (Received 06.02.2024)
- Energy Statement (Received 06.02.2024)
- Ecological Impact Assessment Report (Received 06.02.2024)
- Heritage Statement (Received 06.02.2024)
- Interim Travel Plan (Received 06.02.2024)
- Lighting Impact Assessment (Received 06.02.2024)
- Planning Statement (Received 06.02.2024)
- Statement of Community Involvement (Received 06.02.2024)
- Transport Statement (Received 06.02.2024)
- Woodland Management Plan – drg no. 1014 REV C02 (Received 02.07.2024)
- Tree Planting Strategy Plan - drg no.1015 REV P03 (Received 06.02.2024)
- Drainage Strategy Report (Received 02.07.2024)
- Boundary Treatment, Security Features and Signage Plan (Received 02.07.2024)

The applicant has submitted a Statement of Community Involvement on behalf of Gresham's School, outlining the voluntary public consultation conducted by the applicant and their project team. The report indicates that a public consultation took place on Monday, 20<sup>th</sup> November, 2023, lasting for 28 days. During this time, a dedicated public consultation website was launched, offering a summary of the proposals and guidance for viewers on how to submit their feedback via email or post. This demonstrates that the public was informed about the potential development of Holt Hall prior to the formal application submission, enabling community members to share their opinions. The applicant assures that all feedback received was duly considered.

## **REASONS FOR REFERRAL TO COMMITTEE**

At the discretion of the Assistant Director - Planning, to enable democratic engagement with wider interested parties within the decision-making process.

## **CONSULTATIONS:**

### **Holt Town Council – No objection**

Holt Town Council fully supports the planning proposal and welcomes the proposed changes to the building and grounds of Holt Hall. The Hall is in much need of restoration and proposals look to completely enhance the site. The Field Study Centre is a welcome addition and will be of huge benefit to the community. Councillors have some concerns regarding Kelling Road, they note that the road would have to cope with far more traffic than it does now, as such Councillors would support the request for double yellow lines along the section closest to town, this is to ensure good visibility at all times. Councillors would also like the junction with Cromer Road to be assessed by Highways for improvement, this junction has been problematic with near misses often being reported. When exiting the junction onto Cromer Road there is a blind spot, which means vehicles have to pull out to see any oncoming traffic. Cllrs have long campaigned for a mini roundabout here which would not only make the junction safer, but reduce speeding on Cromer Road, which has been something Gresham's have raised with the Town Council and NCC Highways in the past.

### **Conservation and Design (NNDC) – Object**

The Local Planning Authority has revised its proposal for the demolition of service wing and ancillary structures, stating that the support cast of these structures is no longer appealing from a Conservation & Design perspective. The north wing extension proposal has been revised, but it does not equate to heritage acceptability.

The multi-purpose hall's retraction has been positive, but the modest reduction in length and set back would not prevent it from becoming a significant 'front-of-house' eye-catcher. The reconfiguration of the walled garden has been revised, but it is not considered to fundamentally alter the overriding impression of the walled garden being hemmed in by new build.

The music hall's retraction has been clarified, and the reductions in length and openings in the existing wall have been considered acceptable. The field study centre and sports pavilion and energy centre are now considered acceptable. The formation of parking areas has been revised, but the removal of laybys and lighting along the driveway is welcomed.

The revisions in relation to the erection of a music hall, field study centre, sports pavilion, and energy centre are noted. These changes have been considered acceptable, and the need for a previously suggested condition has been removed. The erection of parking areas has also been approved, but the removal of laybys, lighting, and footpath widths is welcomed.

The main staircase at Holt Hall has been revised to complement the historic fabric, striking a balance between conservation and necessary adaptation. However, the new staircase at the southern end of the building is considered questionable from a heritage perspective, as it would affectively drive through and out of the existing building, causing significant visual and physical implications for the heritage asset. The statement about reusing demolished materials has also been noted, but a significant amount of fabric could theoretically be retained on site.

The application remains a balancing exercise under para 208 of the National Park Preservation Policy (NPPF). The overall level of heritage harm across the scheme has been

reduced, but the harm originally identified was relatively high by listed building standards.

A copy of the full response is available to view at **Appendix 1**.

### **Economic And Tourism Development Manager (NNDC) – No objection**

#### **Environmental Health – No objection**

The applicant/developer is advised that in view of the history of the site it could potentially be "contaminated" (as defined in Part IIA of the Environmental Act 1990). Consideration should be given towards any potential risks to building materials and services, and during construction the risks to workers and the general public should be considered. In the event of potential contaminants being found, it is advised that construction work should cease, and the District Council's Environmental Protection Team should be contacted.

#### **Landscape (NNDC) – Advice given**

The proposed development on a 35ha site in Norfolk Coast National Landscape will have minimal wider landscape and visual impact on the designated landscape and prevailing landscape character. The new build elements will negatively impact the Grade II listed Hall, losing its functional and visual link with ancillary buildings. The proposed information builds on previous draft proposals, retaining key views, respecting the wider woodland setting, and retaining formal features. The Sports Pavilion and Energy Centre are located outside the Ancient Woodland, requiring minimal vegetation removal.

The revised tree planting strategy for a school site has been approved, with a focus on more varied tree species and larger canopy trees. The revised tree planting strategy includes boundary treatments, signage, and security ANPR cameras in treed areas, which need to be considered for arboricultural impact. The woodland Management Plan outlines controls for pupils' access to the woods to avoid damaging sensitive areas and perceived hazards.

Further ecological information on badgers has been submitted, with the WMP recommending the removal of rhododendrons across the site. However, this work has the potential to adversely impact protected species. Additional ecological input is recommended before rhododendron clearance work is carried out, and a five-year annual badger monitoring survey should be undertaken. Highway improvement works at the site frontage off Kelling Road, including the removal of trees and hedgerows, are not considered in the AIA documentation. Additional information on the arboricultural impact of these changes is needed.

The north-facing soakaway in the music centre conflicts with the RPA of retained trees, requiring relocation further east. The south-facing soakaway may also conflict with the RPA of T15. The field study centre soakaway also needs careful placement. All drainage and soakaway works should protect trees and roots.

The Landscape section considers there to be significant ecological constraints at the site, some of which remain to have survey work carried out to fully inform the impact assessment. As such, the Landscape section does not consider the applicant to have provided sufficient information or that the Council is in a position to positively determine the application in accordance with its statutory duties.

Additionally, it is also worth noting that where further protected species survey work will be required prior to management works taking place, these should be clearly identified and stated within the relevant management documents (e.g. the Woodland Management Plan).

The Landscape section appreciates the precarious balancing act which must be achieved in order to deliver the proposed development whilst taking into consideration all relevant biodiversity interests. However, at present, the Landscape section must maintain a holding

objection to the proposed development due to insufficient information being provided and therefore not being in compliance with Policy EN 9 of the adopted Core Strategy.

A copy of the full response is available to view at **Appendix 2**.

**Norfolk County Council Highways – No objection subject to conditions**

A copy of the full response is available to view at **Appendix 3**.

**Norfolk County Council Historic Environment Service – No objection**

**Norfolk County Council Flood & Water Management (LLFA) – No Objection**

**Historic England – Object**

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the applications to meet the requirements of paragraphs 195, 205, 206, 208) of the NPPF. In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess; and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

A copy of the full response is available to view at **Appendix 4**.

**Norfolk Coast Partnership – No comments received**

**Joint Committee of The National Amenity Societies – Object**

Holt Hall, built in the 1840s for Walter Hamilton Pemberton, is listed grade II and located within the Glaven Valley Conservation Area. The Victorian Society opposes the proposed demolition of the northern service building and ancillary buildings, which hold high evidential and historical value. The demolition would negatively impact the heritage asset and the site's understanding, as it would remove tangible evidence of the original site layout and planform. The society suggests building recording to mitigate the removal of these buildings, but this does not outweigh the heritage harm. The society also opposes the proposed construction of a new northern two-storey extension near the current service and ancillary buildings. The extension's scale and massing may overshadow the principal asset and remove the legibility of the building hierarchy. The Victorian Society believes the extension is not in line with the Glaven Valley Conservation Area Appraisal (2024) guidance and policies on new development. They suggest the extension should be subsidiary to the existing buildings, use traditional local vernacular materials, and not compete with or overshadow existing buildings, particularly historic ones.

A copy of the full response is available to view at **Appendix 5**.

**Natural England – No objection**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

**Anglian Water – No objection**

**Norfolk Fire & Rescue (Water Resources & Planning Manager) – No objection subject to conditions**



### **Norfolk Wildlife Trust – Object**

The new proposals are welcomed and are considered to be an improvement; however, we still consider that significant harm would result unless mitigation is put in place.

A copy of the full response is available to view at **Appendix 6**.

### **REPRESENTATIONS:**

Public consultation of the application took place for a period of 21 days between 04.03.2024 and 25.03.2024. Five letters of **objection** have been received as summarised below:

- The proposed replacement gate would be out of keeping with the adjacent property and has potential to cause noise pollution
- The proximity of the ANR surveillance camera is intrusive.
- Proposed gate at G06 has no purpose as there is no right of access to the adjacent properties for either party.
- Introduction of mesh deer fence would result in the loss of privacy.
- Flood lights from the proposed sports pitches would disturb the dark skies.
- Noise disturbance created from the sports pitches
- Noise and vibrations from the Energy Centre
- Disturbance during the construction phase
- Flood risk as a result of the levelling and drainage of the bottom field and installation of services.
- Increase in traffic and congestion throughout the town.
- Insufficient visibility
- Poor design

### **HUMAN RIGHTS IMPLICATIONS**

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

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

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

### **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder 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 (September 2008)**

SS 1 (Spatial Strategy for North Norfolk)

SS 4 (Environment)

SS 5 (Economy)

SS 6 (Access and Infrastructure)

SS 9 (Holt)  
EN 1 (Norfolk Coast Area of Outstanding Natural Beauty and The Broads)  
EN 2 (Protection and Enhancement of Landscape and Settlement Character)  
EN 4 (Design)  
EN 5 (Public Realm)  
EN 6 (Sustainable Construction and Energy Efficiency)  
EN 7 (Renewable Energy)  
EN 8 (Protecting and Enhancing the Historic Environment)  
EN 9 (Biodiversity & Geology)  
EN 10 (Development and Flood Risk)  
EC 2 (The Re-use of Buildings in the Countryside)  
CT 5 (The Transport Impact of New Development)  
CT 6 (Parking Provision)

### **Holt Neighbourhood Plan**

HOLT1 (Design Guidance)  
HOLT3 (Green Infrastructure)  
HOLT5 (Community Facilities)

### Material Considerations

#### **Supplementary Planning Documents:**

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

#### **National Planning Policy Framework (NPPF) (December 2023)**

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

### **OFFICER ASSESSMENT:**

#### **The Site and Application**

The application site is host to Holt Hall, a two storey Grade II listed building comprising of a rectangular shape and incorporating a number of modern additions such as stable blocks, storage containers and the kitchen area. Situated to the north of the stable blocks adjacent to Holt Hall, there is a walled garden. It is oriented on a slight northeast/southwest axis and has a rectangular shape. The site is also located within the Holt Conservation Area, Norfolk Coast National Landscape, Country Wildlife Site and is identified as Old Pollard Wood.

Holt Hall is positioned within 86.48 acres of land incorporating mainly Ancient Woodland. The Site is framed between Kelling Road to the east and agricultural land to the west with Cley Road beyond. The Ancient Woodland surrounds the Walled Garden to the north and west with lawns positioned either side.

Ancillary buildings, an equipment shed, LPG tank and a temporary container are positioned within the Ancient Woodland to the northeast of the Walled Garden. Two fields located to the southeast of Holt Hall share similar shapes and areas. The field to the west will be known as the 'Bottom Field', while the field to the east will be referred to as the 'Top Field'.

Holt United Football Club's facilities are situated to the southeast, while residential properties are found to the southwest. Access for both pedestrians and vehicles to Holt Hall is provided via a private access track from Kelling Road. Additionally, there is a second access point from Cley Road to the northwest, although it is limited by a narrow bridge at the entrance to the site.

The Site is located to the northeast of the Gresham's Senior School and north of the Prep School and Pre-Prep School. Gresham's Prep School, including Nursery, and Pre-Prep School, is located in the centre of Holt with Cromer Road to the north and Pearsons Road to the south. The Senior School is located to the east of Holt and sits outside of the defined settlement boundary.

### **Site History**

Holt Hall was originally built in the 1840s and served as a private residence until it was sold in 1946. The Norfolk Education Committee purchased the Hall and surrounding land, operating it as a boarding school from 1950 to 1972. In 1974, it transitioned into a Field Study Centre and later expanded to offer weekend leisure courses in the 1990s. Due to financial constraints, the site was listed for sale in 2020 after Norfolk County Councillors decided to discontinue its use for outdoor education.

Whilst no previous planning applications have been submitted to authorise the use of the Hall as an educational institution or a Field Study Centre, Officers consider that the existing site at Holt Hall would fall within a C2 Use Class (residential institutions) and would most likely be immune from enforcement action, on the balance of probability. The proposal will therefore be assessed on the basis of the site have an existing C2 use class.

Pre application advise was sought from the Council during the period June to December 2023 as part of a Planning Performance Agreement.

### **MAIN ISSUES FOR CONSIDERATION**

- 1. Principle of development**
- 2. Design**
- 3. Impact On Heritage Assets including Listed Buildings and Conservation Area**
- 4. Amenity**
- 5. Landscape (including impact on the Norfolk Coast National Landscape and Ancient Woodland)**
- 6. Highways and Parking**
- 7. Ecology**
- 8. Biodiversity Net Gain**
- 9. Drainage**
- 10. Energy and Construction**
- 11. Public Benefits**
- 12. Planning Balance and Conclusion**

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a statutory requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at paragraphs 2 and 12 restates this requirement.

The development plan for North Norfolk comprises:

- The North Norfolk Core Strategy (adopted 2008),
- The North Norfolk Site Allocations Development Plan Document (adopted 2011),
- Holt Neighbourhood Plan (made August 2023)
- Norfolk Minerals and Waste Core Strategy and Development Management Policies 2010-2026 DPD (adopted September 2011).

Paragraph 12 of the NPPF states that ‘the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.’

Paragraph 11 of the NPPF emphasises the importance of a presumption in favour of sustainable development as the central principle of the Framework. For decision-taking, this means: “approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. 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

Core Strategy Policy SS 1 sets out the spatial strategy for North Norfolk. Holt is designated as a Principal Settlement with a Small Town Centre within Policy SS 9 of the Core Strategy. However, the application site is located outside of a defined settlement boundary and is therefore considered as countryside. Policy SS 2 relates specifically to the countryside area, limiting development to that specified in the policy which is recognised to require a rural location. These are strategic policies that set out the overarching approach for distributing development across the district, promoting sustainable patterns of development and protecting the countryside. These policies are fundamental to the effective operation of the Development Plan.

The NPPF actively expects strategic policies to set out an overall strategy for the pattern, scale and quality of development. Broad locations for development should be indicated and land use designations and allocations identified. The intrinsic character and beauty of the countryside should be recognised. That is precisely what these policies do, along with the North Norfolk Site Allocations Development Plan Document.

This application seeks permission to convert and expand an existing C2 Use Class facility (residential institution) at Holt Hall including a grade II listed building within the designated Countryside policy area where Core Strategy Policy SS 2 would permit the preservation of listed buildings, the re-use and adaption of buildings for appropriate purposes as well as extensions to existing businesses subject to compliance with other relevant Core Strategy including Policies EN 8 ‘Protecting and Enhancing the Historic Environment’, Policy EC 2 ‘The Re-Use of Buildings in the Countryside’ and EC 3 ‘Extensions to Existing Businesses’.

Policy EN 8 sets out that “The re-use of Listed Buildings...will be encouraged and the optimum viable use that is compatible with the fabric, interior and setting of the building will be permitted”.

Policy EC 2 sets out that “the re-use of buildings in the Countryside for non-residential purposes in accordance with the following:

- economic uses (including holiday accommodation) must be appropriate in scale and nature to the location.
- it can be demonstrated that the building is soundly built and suitable for the proposed use without substantial rebuilding or extension and the proposed alterations protect or enhance the character of the building and its setting;
- the proposal is in accordance with other policies seeking to protect biodiversity, amenity and character of the area”.

In addition to Core Strategy Policies EN 8 and EC 2, proposals to extend Holt Hall would need to demonstrate compliance with other relevant Core Strategy policies and demonstrate compliance with relevant policies within the Holt Neighbourhood Plan which together form a suite of Development Plan policies. Where proposals do not accord with the Development Plan, the Committee will need to consider whether material considerations advanced in favour of the proposal attract sufficient weight to justify the departure from the Development Plan.

In the context of this proposal, the applicant has explained that Gresham’s have grown considerably over the last 10 years with an increase of new pupils attending the school. There has also been a significant increase in the number of day pupils as well as the school wanting to provide a wider range of vocational courses to the Senior School pupils along with increasing the range of sports currently offered. This has created an urgent demand for newly designed facilities for the Senior School, which includes the construction of two new day/boarding houses, a structure suitable for vocational courses, and extra sports fields.

Even though pupil numbers are increasing, the school has seen a drop in Prep School boarders and alterations in the way the school operates. The existing Prep School location (in the town centre) is suitably sized to fulfil the development needs of the Senior School and is regarded as the sole viable site within Holt to address this requirement. Transforming the current Prep School into a Senior School Day and boarding houses, along with vocational education facilities, would require moving the Prep School. This proposed relocation to Holt Hall would enable the school to consolidate its current facilities, a change that has been needed for some time.

Holt Hall is already open for use by the school and can be adapted to house the teaching and administrative facilities of the Prep School, reducing the necessity for additional new construction beyond that proposed.

The conversion and extension of Holt Hall to provide a new Prep School comes with challenges relating to scale, design, impact on the Ancient Woodland, Conservation Area and Norfolk Coast National Landscape as well as ecological issues.

The proposed development would involve the reuse of an existing building (Holt Hall) located within the countryside for a non-residential purpose. Information has been provided to evidence that the building is soundly built and suitable for conversion however, some extensions and alterations are required in order to effectively function as a school. The impact of these works is discussed in the relevant report sections below.

Paragraph 99 of the NPPF states ‘It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted’.

The applicant has identified a need for a new Preparatory School to enable development of the school as a whole and would result in the conversion of an existing building located within the countryside. In terms of principle, Officers consider that, subject to compliance with other relevant development plan policies, the principle of development would broadly comply with Core Strategy policies SS 2 and SS 9. Further assessment of the proposal against other relevant policies is set out below.

## 2. Design

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. Proposals will be expected to have regard to the North Norfolk Design Guide, incorporate sustainable construction principles, make efficient use of land, be suitably designed within their context, retain important landscape and natural features and incorporate landscape enhancements, ensure appropriate scale and ensure that parking is discreet and accessible amongst other matters.

Holt Neighbourhood Plan Policy Holt 1 – Design Guidance sets out that:

“The design of development proposals should be in conformity with the North Norfolk Design Guide and relevant Conservation Area Appraisals, and should have regard to the following special interest and character of the Neighbourhood Area as relevant to the location, nature and scale of the proposals:

...

### 3) Elsewhere within the Neighbourhood Area:

- The definitive role played by the appearance and topography and key characteristics of the Glaven Valley Conservation Area in forming the open landscape character of the setting of the town to its south and west
- The large fields, rolling hills and woodlands forming the agricultural landscape that surrounds the town in framing its rural setting, most notably the Norfolk Coast Area of Outstanding Natural Beauty to its north
- The prominence on the edge of town of the distinctive Gresham’s School set within large, formally laid out grounds.

### 4) In the whole Plan area:

- The presence of listed buildings or non-designated heritage assets”.

The most significant and fundamental element of the proposed development involves the creation of a new teaching block and dining hall at ground floor with classrooms at first floor created via the demolition of the existing stables and annexe positioned to the north of Holt Hall. The connector between the new structure and the main hall would feature fixed glazing, while the new building would be constructed using a combination of perforated polished steel panels, perforated brushed steel panels, and reflective glazing. The west elevation of the addition will showcase elements of solid brick and flint. This design approach aims to create a structure that harmonises transparent and reflective characteristics, effectively conveying its

purpose while mitigating its presence by mirroring the surrounding woodland at the first-floor level.

Whilst Officers fully recognise that the extension is extremely large it would, nonetheless, sit lower than the existing building and be connected by a link. The chosen materials present a striking contrast to the traditional architecture of Holt Hall, establishing a distinct separation between the old and the new, yet allowing them to coexist (albeit involving demolition of part of the supporting cast of listed buildings).

The scale of the north wing extension was reduced after receiving feedback from the Conservation Officer. While this revision is appreciated, it does not fully address the concerns regarding a potentially disproportionately large addition to a listed building.

New music rooms are proposed to the north of the walled garden at the edge of the woodland and therefore, the structures would be well screened. The building would be constructed from flint to reflect the surrounding buildings and to harmonise with the boundary of the Walled Garden. The structure is considered to be of an acceptable scale and design.

New sport pitches are proposed to the southeast of the Hall and to the west of the new sports pavilion. Steps would be provided directly down to the pitches with a ramped access circulating the edge of the pitch to the north.

Four rugby pitches and two cricket pitches are proposed on the bottom field and two rugby pitches and one cricket pitch on the top field. There is also space to accommodate a running track and other athletics facilities. Some earth works are required to ensure that the topography is flat to accommodate the sports pitches, but this is not considered to have a detrimental impact on the character or setting of the listed building or conservation area given the screening provided by mature trees and new planting.

The sports pavilion is designed to offer changing rooms, storage, and a plant room. It will feature timber cladding with 'living screens' and glazed openings. The proposed energy centre building will be located adjacent to the sports pavilion and will use similar materials and be of a comparable scale. Both structures will be situated within the larger grounds of the Hall, with the existing woodland belt to the South-East of the Hall providing an effective separation distance between these buildings and the heritage asset. The tree belt will create a self-contained quality that will minimise any impact on significance.

Access to the site will continue to be available from Kelling Road, with the access drive being expanded to facilitate the passage of two vehicles simultaneously. Two parking areas will be established on the premises: one situated to the east of the hall for staff and disabled parking, and the other positioned to the north of the sports pitches for public use. By their very nature, the new staff and public car parks would have an urbanising affect upon the wider grounds of the hall, and thus the rural qualities of the wider conservation area. However, as the two areas in question would be nestled recessively into their respective settings, the actual impacts would be contained and relatively modest in practice.

The field study centre will be situated north of the hall in the Ancient Woodland environment and will be positioned on or very near to the footprint of current temporary structures. The centre will include restroom facilities, a shower block, office space, classrooms storage, and a plant room. The additions would incorporate simple timber framed blocks enclosing mono pitched roofs with large sections of glazing, allowing a connection between the surrounding woodland setting. It is believed that the new buildings will better complement the surroundings than the current temporary structures on site, making the proposal a positive addition to the overall setting of the Hall.

A new multipurpose school hall is planned to be located to the east of the walled garden, necessitating the removal of the glasshouses, pigsty, and timber teaching blocks. The hall will be positioned away from the wall, featuring a minimal floor-to-ceiling height to mitigate excessive views into the walled garden. This multipurpose hall was one of the components modified during the review of the amended plans. The changes led to a reduction in the building's scale and its repositioning away from the entrance of the walled garden. While these modifications are a positive enhancement, the proposed hall will still stand out as a prominent feature on the site. However, its offset placement behind the existing tree line will allow it to harmonise with the extension of the main hall, given their close proximity and similar aesthetic characteristics.

Extensive discussions were held prior to the application regarding the design and layout of the proposed development. The hope was to minimise the impact on heritage assets by limiting and spreading the core new build elements across the site. Various options were considered including subterranean extensions. However, due to a combination of site constraints, project viability and a need to provide the necessary accommodation and teaching spaces needed for a functional school, it has not been possible to present a solution which addresses all potential impacts. The applicant has made the difficult decision to prioritise reduction of impacts on ancient woodland, landscape and ecology but this has come at the expense of increased heritage harm (see Section 3 below).

Nevertheless, with the further reduction in the scale of extensions achieved by the applicant, it becomes a matter of planning judgment as to whether the scheme before Committee is acceptable in planning and listed building terms recognising that the main listed building will mostly be preserved and will continue to have uninterrupted views over its landscaped grounds to the West, South, and East.

The development brings some benefits to the listed building and associated structures, such as the long-term maintenance and repair of Holt Hall and the Walled Garden, as well as the removal of harmful, inappropriate interventions. Therefore, despite identified harm in certain aspects of the development, overall, the proposal is seen to have numerous advantages for the hall and the surrounding site. The design has faced significant challenges due to the extreme complexities of the site however it is deemed to effectively utilise the land while respecting the density, character, landscape, and biodiversity of the area. Whilst some elements may not be completely satisfactory, in general the proposals are suitably designed for the context within which they are set and the scheme as a whole complies with policy EN 4 of the Core Strategy and Policy HOLT1 of the Holt Neighbourhood Plan.

### **3. Impact on Heritage Assets including Listed Buildings and Conservation Area**

When considering applications for listed building consent, Section 16(2) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In considering whether to grant listed building consent for any works the local planning authority....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

When considering proposals or works affecting listed buildings, Section 66(1) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.



This obligation, found in Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, applies to all decisions concerning listed buildings. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged.

In drafting the legislation, Parliament's intention was that *'decision makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings' when carrying out the balancing exercise'.*

When considering development proposals located within a Conservation Area, Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In the exercise, with respect to any buildings or other land in a conservation area,.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

Core Strategy Policy EN 8 'Protecting and Enhancing the Historic Environment' sets out a requirement for development proposals including alterations and extensions to "preserve or enhance the character and appearance of the designated assets....and their settings through high quality, sensitive design. Development that would have an adverse impact on their special historic or architectural interest will not be permitted."

The strict "no harm" test contained within Core Strategy Policy EN 8 is superseded by guidance set out within the National Planning Policy Framework (NPPF) as set out below and which weighs any identified harm against public benefits.

The NPPF (Dec 2023) Chapter 16 considers "Conserving and enhancing the historic environment". Paragraph 200 sets out a requirement for applicants to "describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

Paragraph 201 states that "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

Paragraph 203 sets out that "In determining applications, local planning authorities should take account of:

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

Paragraph 205 sets out that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Paragraph 206 states that “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional...”

Paragraph 208 states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

The applicant has submitted a Heritage Statement (Feb 2024) and an Archaeological Desk-Based Assessment (Dec 2023) in support of their proposal. These documents assist in helping to understand the significance of any heritage assets affected, including any contribution made by their setting.

Starting with the wider visibility of the site, Officers consider that views of Holt Hall and its associated buildings and land are shielded from Kelling Road to the east and Cley Road to the west by the dense woodland surrounding the area. As a result, the buildings are not widely visible within the Glaven Valley Conservation Area. The green space between the Hall and the extension will be preserved, with two mature trees acting as a natural divider between the structures. A small plaza will be created in front of the new extension, featuring a curved line of trees and planting beds to enhance and soften the building's facade. This means that the views of the hall from the site's entrance, which is considered one of the most significant viewpoints, will remain largely unchanged and obscured by both new and existing landscaping.

Holt Hall, as originally constructed, was a relatively modest mansion facing west, complete with a walled garden, constructed between 1844 and 1845. Major renovations and expansions took place between 1863 and 1864, which involved both external and internal modifications. The entrance facade was reoriented to face east towards a new approach, and two wings (north and south) were added, along with a service range to the north and various outbuildings. Following 1946, the buildings transitioned to institutional use, leading to additional internal and external modifications.

A condition assessment was conducted by the applicant on the main hall, its outbuildings, and the walled garden. The findings indicated that the interior of the building had been reasonably well-maintained, although some areas showed signs of impact and water damage. The solid brick walls and chimneys were generally considered to be in good condition, albeit with some wear. The applicant has identified that building's exterior is in need of refurbishment, particularly the roof, rainwater systems, and joinery, which require repairs. Additionally, some repointing work is necessary. The report indicated that the brickwork of the walled garden showed no significant damage, although some salt deposits were present.

All existing access points to the hall will be preserved, and some original access doors will be restored to reflect the 1845 layout, ensuring compliance with statutory requirements. Original windows and external doors will be retained, with their frames and operational components repaired and restored to their original condition as much as possible, while adhering to current regulations.

The applicant has indicated that a demolition survey will be conducted to identify materials that can be reused in the new project. Among the desired reuse strategies is the incorporation of slates for the new roof.

Pre-application discussions confirmed that the current external fire escape on the south facing elevation has a negative impact on the appearance of the hall. To achieve a notable heritage benefit, it is proposed to remove the staircase and create a new internal staircase at the southern end of the hall. While this would result in the loss of an unappealing addition to the building, the new staircase would have significant visual and physical implications for the heritage asset as it would effectively drive its way up through and out of the existing building. It is acknowledged that alternative locations for the staircase are limited.

To facilitate the key new build elements, it is proposed to demolish a range of 'accessory' buildings and structures on the north side of the Hall. Most notably these would include the existing single storey kitchen block with its attractive chimneystacks, the stable block and the greenhouses with their related enclosures. The structures date back to 1860s when the 'principal' Hall was being enlarged. They therefore not only have their own intrinsic, evidential and aesthetic value, but they also make a positive contribution to the collective understanding and appreciation of how the overall site has developed over time. However, it is appreciated that the buildings have been altered and added to overtime and are therefore, considered to have a lower status of architectural merit, although their retention along with appropriate alterations would have been welcomed.

In terms of quantifying the level of harm, Officers recognise that the 'principal' listed building would for the most part be retained as is. It would also largely continue to enjoy the uninterrupted views out over its landscaped grounds to the West, South and East. Consequently, the harm must be classified as 'less than substantial' for NPPF purposes. However, it is appreciated that the wholesale loss of the ancillary buildings, and the cumulative impacts of the new build elements means that the degree of 'less than substantial harm' would be at the upper end of the scale. Paragraph 208 of the NPPF is therefore engaged as part of the overall planning balance and, given the degree of heritage harm, considerable public benefits would be needed to offset the identified heritage harm.

Officers fully recognise that, in pure heritage terms, the works to the listed building, including large elements of demolition, have drawn concerns both from Historic England and the Conservation Officer, amongst others. These proposals have required careful balance across a need to provide a new school facility that can perform its essential function balanced against reducing negative impacts as much as possible on heritage assets. The applicant has responded with some amendments to the proposed extensions to make them as small as reasonably possible whilst still enabling the school to perform its function. At pre-application stage various alternative scenarios were considered by the applicant. Substantial amendments seeking to reduce the heritage impact of the proposal beyond what is currently proposed would likely result in other undesirable impacts. The applicant has made a conscious choice, when considering all issues together, to prioritise trees/woodland and landscape impacts at the unfortunate consequence of increasing heritage harm concerns. These are difficult choices and the Committee will need to consider carefully the range of issues before you.

Ultimately, having regard to the statutory duties placed on the Council under Sections 16(2), Section 61(1) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, securing the grade II listed building and surrounding buildings into active use will enable extensive renovation which will see the primary heritage asset brought back into active economic use for the foreseeable future. This in of itself attracts considerable positive weight in favour. However, in securing the future of the building, harm to the heritage asset will be caused through demolition and substantial changes to the setting of the listed building which weigh against the grant of permission. Nonetheless, taken as a whole and having regard to the public benefits set out in the section below, the proposed works to the listed building are considered, on balance, to be acceptable. Various planning conditions will be required to

ensure proposed works to the listed building are undertaken in an appropriate manner in order to safeguard historical integrity.

Officers consider that the proposals would, on balance, preserve the character and appearance of the Glaven Valley Conservation Area.

Subject to the imposition of conditions, the proposal would accord with the relevant aims of Core Strategy Policy EN 8 and those set out in the NPPF including at paragraph 208 in relation to weighing harms vs public benefits.

#### **4. Amenity**

Core Strategy Policy EN 4 sets out a requirement that “proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers”.

Core Strategy Policy EN 13 sets out that “All development proposals should minimise , and where possible reduce, all emissions and other forms of pollution, including light and noise pollution...”

To the southeast of Holt Hall, there are two fields that are comparable in shape and size, bordered by Ancient Woodland that provides natural screening. This area is adjacent to the northernmost boundary of the Holt settlement, located to the south. Holt United Football Club's grounds are situated to the southeast, while residential properties are found to the southwest. Access to Holt Hall is primarily from Kelling Road via a private access track. Additionally, there is a second access point from Cley Road to the northwest, although it is limited by a narrow bridge at the entrance to the site. While the School does not own this access, it does possess a right of way.

The pedestrian pathway extending from Holt Hall southward to the town centre, located on the western side of Woodfield Road, will largely remain the same. Overgrown vegetation will be trimmed to ensure the path remains clear, and additional surfacing will be installed as necessary. The school will oversee the management of this access, implementing gates to restrict entry along the pathway. Whilst it remains a possibility for use of this footpath to increase as a result of the proposal, Officers consider that use of the footpath is unlikely to result in significant adverse effects on the amenity of adjacent residents, especially given that the school will retain control of the path to where it joins Woodfield Road.

The closest residential properties are approximately 257m south of the hall, separated by open fields and woodland. Other residential homes and agricultural structures are located about 415 meters to the west along Cley Road.

The installation of fencing around the perimeter, along with the retention of certain boundary treatments, aims to maintain a secure and suitable environment for the new school. A new 1.9m high timber post and galvanised steel mesh deer fence would be erected to the south of the site along with the retention of existing fencing to the south east. Despite concerns regarding privacy, the existing fencing close to residential properties is deemed adequate based on historical usage.

Whilst the use of the site for a prep school will likely lead to an intensification of activities taking place on site and will increase the potential for noise to travel beyond the boundary of the site for some activities such as use of the sports pitches, given the relative distances between the main part of the proposed prep school and residential dwellings to the south, Officers consider that the proposal is unlikely to result in significant adverse impacts for the closest neighbours and school term times will mean that, during the summer holiday period,

significant school activities would effectively cease, further lessening potential for adverse effects..

The proposal would therefore accord with the aims of Core Strategy Policies EN 4 and EN 13.

## **5. Landscape (including impact on the Norfolk Coast National Landscape and Ancient Woodland)**

Core Strategy Policy EN 1 sets out that the impact of individual proposals, and their cumulative effect, on the Norfolk Coast National Landscape (formerly known as Norfolk Coast AONB),...and their settings, will be carefully assessed.

“Development will be permitted where it:

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

Opportunities for remediation and improvement of damaged landscapes will be taken as they arise.

Proposals that have an adverse effect will not be permitted unless it can be demonstrated that they cannot be located on alternative sites that would cause less harm and the benefits of the development clearly outweigh any adverse impacts.

Development proposals that would be significantly detrimental to the special qualities of [the Norfolk Coast National Landscape]...and their settings will not be permitted”.

Core Strategy Policy EN 2 sets out that:

“Proposals for development should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment and features identified in relevant settlement character studies.

Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance:

- the special qualities and local distinctiveness of the area (including its historical, biodiversity and cultural character)
- gaps between settlements, and their landscape setting
- distinctive settlement character
- the pattern of distinctive landscape features, such as watercourses, woodland, trees and field boundaries, and their function as ecological corridors for dispersal of wildlife
- visually sensitive skylines, hillsides, seascapes, valley sides and geological features
- nocturnal character
- the setting of, and views from, Conservation Areas and Historic Parks and Gardens...”

Paragraph 180 of the NPPF states 'Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.

Paragraph 182 of the NPPF states: "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas".

Paragraph 183 of the NPPF states: "When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

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

Holt Hall is situated on 86.48 acres of land, primarily consisting of Ancient Woodland known as Old Pollard Wood. The area is home to a variety of trees and shrubs, including a few mature sessile and pedunculate oak, sweet chestnut, and Robinia trees that may date back to the same time as the house or even earlier. Additionally, there are conifers and specimen broadleaves that were planted later on.

The planning application includes a Landscape and Visual Appraisal. The assessment of the landscape impact of the proposed development shows that the impact on the broader landscape is minimal due to the natural woodland enclosure.

The application site sits near to the southern edge of the Norfolk Coast National Landscape. The existence of woodland screening surrounding the site provides a natural buffer that significantly restricts views into and out of the site. As such, whilst the proposal could be said to amount to "major" development in the Norfolk Coast National Landscape (the applicant does not consider it would amount to "major" development), subject to conditions to control the extent of external lighting, Officers consider that the proposal would not detract from the special qualities of the Norfolk Coast National Landscape and would accord with aims or Core Strategy Policy EN 1.

In terms of localised landscape, the site is divided into five main sections, which are the East, South, and West Lawn, the Valley Lawn, and the Walled Garden. The Ancient Woodland surrounding the hall contains numerous significant and veteran trees that are essential to the overall landscape of the area.

While preserving the Ancient Woodland is crucial, some landscaping work is necessary to facilitate development. The works include the removal of seven individual B category trees (T3

T9, T10, T11, T12, T18 and T19), part of the B category yew hedge (G3b), one tree in G2b, eight individual C category trees (T4, X12, X13, T55, T56, T201, T3698 and T3699), 1 C category tree group (G1a) and three trees in the C category tree group G73. All other trees on or adjacent to the site will be retained and protected throughout the works. All Veteran trees in the vicinity of the development will also be protected.

New buildings have been strategically placed outside the Root Protection Area (RPA), with minor encroachment addressed through root pruning. Temporary ground protection measures will be implemented to safeguard the RPA (Root Protection Area) of adjacent trees during construction, and No-Dig surfacing will be used for new car parks and woodland paths.

In addition to preserving existing trees, the plan includes extensive replacement and new planting of native and ornamental species, including *Acer rubrum*, *Prunus avium*, and *Sorbus aucuparia*. Within the Walled Garden, new half-standard and espalier fruit trees will be introduced, while the Yew hedge to the west will be preserved. The site will also feature new ornamental and native hedging, as well as planting beds. Furthermore, the multipurpose hall will boast a biodiverse green roof seeded with various plant species.

Regarding hard landscaping, the site will include a range of surfacing options, such as Riven sandstone at the front of the hall and Raven sandstone flag paving to the east of the new teaching garden. Key pedestrian pathways will utilise resin-bound gravel, and the existing footpaths located to the south and west will be maintained. Additional features will include dining furniture, benches, and bicycle stands.

The approach to the Hall represents a significant viewpoint, marking the initial moment of arrival. To the north, the driveway ascends towards the existing tennis court area, which is designated for staff and disabled parking. Additionally, there will be a designated area for coach and minibus parking, along with a turnaround space. Beyond this point, access is restricted to service vehicles and a limited number of cars leading to the Hall and the new school building. Here, the driveway surface will change to signify this restricted access and prioritise pedestrian movement. The surrounding parkland will be preserved, with mature trees remaining prominent in the landscape. Footpaths have been strategically placed along the lawn's edge to minimise alterations to this landscape feature and the introduction of wildflowers will enhance the biodiversity of the lawn, particularly adjacent to the woodland edge.

Revisions to the proposal are welcomed and have brought advantages to the site's landscaping, including preserving the south wall and decreasing the building's footprint to make room for the veteran *Robinia* tree, T5. The decision to raise the yew hedge height from 1.2m to 1.8m is also favourable and endorsed. The updated tree planting plan introduces a wider variety of tree species and larger canopy trees. It outlines a preferred species selection, emphasising the planting of high-quality, large stock trees, which is also backed by support.

A Woodland Management Plan has been provided with the application and identifies areas restricted from access along with pedestrian routes and full access areas. The document states *'Access to the woods by pupils will be controlled to avoid damaging the most sensitive areas and avoid perceived hazards. For example, there will be no access to the ancient and semi natural woodland other than for supervised ecological studies. In other areas, including the ancient woodland replanted areas, access will range from unlimited to focused.'*

The applicant has indicated that the proposed location for the soakaways will be carefully chosen to avoid any interference with the root protection areas of nearby trees. Furthermore, the highway improvement works will necessitate the removal of trees and hedging along

Kelling Road in order to create a large stretch of visibility splay. More information about this aspect of the proposal will be confirmed through specific conditions.

While there will be a lasting alteration in the land use in certain parts of the site due to development, the focus on landscape and ancient woodland in the development process has aimed to reduce negative impacts as far as reasonably possible on the surrounding landscape.

Overall, Officers consider that the proposed planting initiative will enhance the area's character and ensure an adequate replacement for the trees that have been removed. Although it is recognised that the development entails some unfortunate losses and alterations, it will also bring several advantages, including much-needed woodland management and upkeep, which ultimately surpasses the minor drawbacks. In summary, the proposal aligns with policies EN 1, EN 2, EN 4, and EN 9 of the Core Strategy.

## **6. Highways and Parking**

Core Strategy Policy CT 5 considers the transport impact of new development and sets out that:

“Development will be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its particular location. Development proposals will be considered against the following criteria:

- the proposal provides for safe and convenient access on foot, cycle, public and private transport addressing the needs of all, including those with a disability;
- the proposal is capable of being served by safe access to the highway network without detriment to the amenity or character of the locality;
- ...
- the expected nature and volume of traffic generated by the proposal could be accommodated by the existing road network without detriment to the amenity or character of the surrounding area or highway safety; and
- if the proposal would have significant transport implications, it is accompanied by a transport assessment, the coverage and detail of which reflects the scale of development and the extent of the transport implications, and also, for non-residential schemes, a travel plan”.

Core Strategy Policy CT 6 considers parking provision and sets out that:

“Adequate vehicle parking facilities will be provided by the developer to serve the needs of the proposed development. Development proposals should make provision for vehicle and cycle parking in accordance with the Council's parking standards, including provision for parking for people with disabilities”.

The NPPF (Dec 2023) sets out at Paragraph 115 sets out 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 application has been supported by a Transport Statement and Travel Plan.

The site will maintain the existing primary access off Kelling Road, which will be widened to accommodate two cars passing simultaneously. Two parking areas will be designated on the premises - one to the east of the hall for staff and disabled parking, and another to the north of the sports pitches for public use (event car park). Access to these parking areas will be through a one-way system from the existing access road. The event car park route will allow



for two-way movements and will include passing places. Access to the staff/disabled car park will mainly be for maintenance vehicles, with limited access for visitors. Sufficient cycle parking is also proposed.

The current main access gate will be moved approximately 1.8m to the west to facilitate coach movements. A grasscrete access road is proposed opposite the main site access to serve Gresham's School Estates Department. This access will be gated, with the gate offset about 13m from the carriageway edge to accommodate tractor/trailer combinations waiting off the highway while the gate is operated.

Kelling Road currently has a 60mph speed limit, which will be reduced to 40mph (subject to Traffic Regulation Order) near the site access (to the north extents of the visibility splay) with informal crossing. This speed limit change will be enforced by a feature gateway and 'SLOW' road marking. Pedestrian crossing signs will also be installed, with specific details to be confirmed via condition.

Visibility splays of 132m x 2.4m have been provided at all vehicle access points in line with highway recommendations for 46mph speeds. The pedestrian crossing will be located 63m south of the proposed vehicular access location, with 2m wide footways on the east and west sides of Kelling Road for pedestrian access between the existing Gresham's school and the proposed school. Although the pedestrian crossing will be uncontrolled, part-time 20mph signs are proposed with flashing lights.

Another new route will be created on the opposite side of the pedestrian crossing (east) within the existing Gresham's site. This route will allow for pupils to walk to and from the existing and proposed school safely. The access will be secured via a controlled gate.

The initial proposal suggested implementing a zebra crossing with chicane traffic calming measures and lowering the speed limit to 30mph. However, due to Kelling Road's rural setting and straight layout, meeting a 30mph speed limit was deemed unlikely. Additionally, installing chicanes was seen as unsafe as they would introduce new obstacles. A zebra crossing was deemed unsuitable and unnecessary in a high-speed area where pedestrian activity is sporadic, and the urban nature of a zebra crossing did not fit the characteristics of the location. Therefore, the updated revisions are deemed significantly improved and offer a more suitable and practical resolution for establishing a pedestrian crossing that complements the site's rural character.

Overall, subject to conditions, the proposed development is considered to be compliant with Core Strategy Policies CT 5 and CT 6.

## **7. Ecology**

Policy EN9 of the adopted Core Strategy states that "All development proposals should... protect the biodiversity value of land and buildings", and that development proposals will not be permitted unless "the benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats".

Holt Neighbourhood Plan Policy HOLT3 - Green Infrastructure sets out that:

"The Neighbourhood Plan identifies a Green Infrastructure Network comprising a wide range of existing assets: open spaces, woodlands, water bodies, sustainable drainage land, amenity land, allotments, significant and clusters of mature trees, hedgerows.

- 1) Development proposals that lie within or adjoin the Network will not harm the habitat connectivity present in that part of the Network.

- 2) Proposals within or adjoining the Network shall identify and pursue opportunities for securing measurable net gains for biodiversity, including habitat connectivity, proportionate to their scale and impact”.

The majority of the site is designated as a County Wildlife Site known as Old Pollard Wood. The woodland areas to the north and west of the Hall are acknowledged as ancient woodland, comprising a mix of ancient semi-natural and ancient replanted woodland. Within a 2km radius outside of the site, there is one statutory designated site; Holt Lowes/Norfolk Valley Fens, a Site of Special Scientific Interest and Special Area of Conservation located 1.6km south-east of the site.

The Extended UK Habitat Survey identified Priority Habitats on the site, including lowland mixed deciduous woodland and a large pond. Additionally, valuable habitats such as veteran trees, neutral grassland with a diverse waxcap fungi assemblage, indicative of unimproved grassland, were recorded. Modified grassland and small areas of recently planted woodland were also documented.

Reptile surveys submitted with the application have documented the presence of both slow worm and common lizard on the site, with peak counts reaching 21 and one, respectively. The majority of the site provides an optimal habitat for these species, with slow worms being found across the site’s grassland/woodland edges and common lizards being recorded in rough grassland within the camping field to the north of the Hall.

Great Crested Newt (GCN) surveys identified two ponds on the site and one offsite pond within 250m of the site. The onsite pond (Pond 1) yielded a negative environmental DNA (eDNA) result, indicating an absence of breeding GCN in Pond 1. Pond 2 was dry and therefore unsuitable for breeding GCN. The offsite pond was not accessible for survey. Terrestrial GCN were observed in woodland to the south of the Hall during reptile surveys, and one individual was also found in the cellar of Holt Hall.

Bat surveys revealed a maternity colony of Brown Long-Eared bats in the loft voids of Holt Hall. Additionally, a small Soprano Pipistrelle maternity roost was found in the loft of the Stables. A Common Pipistrelle day roost was recorded in the chimneys of Holt Hall, and the roost of an unidentified bat species was discovered in the laboratory building.

Following assessment of the documentation submitted with the application additional surveys and information was requested by the Ecology Officer. These included the following:

- Hibernating bats in the cellar of Holt Hall and the boiler room.
- Ground level tree assessments for trees proposed for removal in the Arboricultural Impact Assessment.
- Bat emergence surveys of low potential buildings including the stores, toilet block (tower behind), toilet block 2 and the laboratory.
- Check of barn owl box on the Stables for signs of use.
- Bat activity surveys in grasslands G8 and G9 as well as woodland W1a (for all habitat parcel locations; and
- Botanical surveys.

Following receipt of the requested information, the Ecology Officer confirmed that the botanical survey revealed a variety of near threatened, scarce, and vulnerable plant species. Although small populations of corn spurrey and corn mint would be lost due to the proposed development, both are considered widespread (though declining) in the UK. Populations of common cudweed and mossy stonecrop will also be reduced.

The Badger and Barn Owl Impact Assessment (BaBOIA) details an inspection of an existing barn owl nest box and evaluates site habitats for their potential to support barn owls. The box was found to not be in use, nor show signs of any previous use by the species, therefore, enhancements are recommended. No evidence of red kite nesting was recorded.

In terms of badgers, a main sett and outlier sett were identified at the site. Given the distance from the construction zone, direct impacts are considered unlikely and Reasonable Avoidance Measures (RAMs) are recommended to mitigate the risk of harm to badgers. However, woodland management prescriptions (i.e. removal of rhododendron) close to badger setts may affect their function and sensitive working methods will need to be followed to avoid the requirement for licensing. Ongoing ecological input and long-term monitoring of badger activity will be required to inform woodland management in the future. Therefore, it is considered that impacts on badgers have been sufficiently considered and mitigated effectively from recommendations made within the report.

Further bat emergence surveys were conducted and concluded that the development would lead to the loss of a small soprano pipistrelle maternity roost, disturbance to a brown long-eared bat maternity roost, the loss of a hibernation roost for individual Natterer's bat and Daubenton's bat, and the loss of day roosts for soprano pipistrelle (three) and brown long-eared bats (one). The majority of impacts would occur upon common and widespread species.

The ongoing recreational disturbance impacts will affect Old Pollard Wood CWS and areas of grassland supporting notable fungi. The operation will result in significant increases in light, visual, and noise disturbance at the site, deterring wildlife and causing behaviour changes for some species. Additionally, the proposed works will involve the translocation of reptiles and the destruction of several minor bat roosts. However, the proposed development also offers beneficial outcomes for biodiversity, including positive management of woodland and grassland habitats, increased foraging resources for various species, and the conservation of the roof structure and void of Holt Hall, which supports a maternity roost of brown long-eared bat.

The Landscape Team's objection to the proposed development on a site with significant historical and ecological importance raises notable concerns. Ultimately the decision on how much weight to apply to the issues raised is a matter for the Committee as decision maker.

While ecological impacts are regrettable, the reality is that a project of this magnitude will unavoidably cause some harm within the site's constraints. Nevertheless, the proposal offers valuable public benefits and biodiversity enhancement as required by policy HOLT3 of the Holt Neighbourhood Plan 2023.

Holt Hall, left unused since 2020, can be revitalised for better use, with careful consideration of its environmental impacts. Officers consider, on balance, that the restoration and sustainable management of the site, along with economic investment and habitat preservation efforts, outweigh the residual ecological harm caused by the project, and the proposal would therefore accord with the aims of Core Strategy Policy EN 9.

## **8. Biodiversity Net Gain**

Biodiversity net gain (BNG) is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand. Under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) except for small sites had to deliver at least 10% biodiversity net gain from 12 February 2024. BNG is measured using Defra's biodiversity metric and all off-site and significant on-site habitats will need to be secured for at least 30 years.

The applications in question were submitted on 06 February 2024 and therefore are **not** subject to mandatory BNG requirements to provide any Biodiversity gains. However, the applicant has decided to provide onsite gains as set out below.

The proposed enhancements to the extensive woodlands on the site, which are classified as a County Wildlife Site, Priority Habitat, and partially designated as ancient woodland—an irreplaceable habitat—will primarily contribute to the overall biodiversity net gain.

Collectively, these proposals are expected to achieve a biodiversity net gain of 10.47% for Habitat Units and 317.39% for Hedgerow Units, surpassing the 10% requirements applicable for mandatory BNG (which do not apply to this application). These enhancements can be counted as positive benefits in support of the proposal.

The enhancement and sustained management (over 30 years) of the ancient woodland within the Site will involve the removal of invasive species that have negatively impacted the site's arboricultural and biodiversity value. The planned activities aim to strengthen the structural integrity of this non-designated heritage asset while providing benefits to the landscape, ecology, and biodiversity. The benefits and improvements will be secured through the approved drawings and landscaping plans secured through the imposition of planning conditions.

The proposed benefits are regarded as a favourable outcome of the development, and a public benefit, contributing to the improvement of the site and its natural habitats in accordance with policy EN9 and section 15 of the NPPF.

## **9. Drainage**

Core Strategy Policy EN 10 seeks to direct most new development to areas of lower risk of flooding (Flood Zone 1). A site-specific flood risk assessment is required for development proposals of "1 hectare or greater in Flood Zone 1." Moreover, in relation to surface water drainage, the Policy sets out that appropriate surface water drainage arrangements dealing with surface water run-off from the new development will be required.

The site is located in Flood Zone 1 which means there is a 'low probability' of flooding, and there is a 'very low' probability of surface water flooding at the site. Nonetheless, as the area for the site exceeds 1 hectare, a Drainage Report, incorporating a Flood Risk Assessment, has been submitted as part of this planning application.

The planned strategy for development utilises soakaways as the main SuDS devices to be implemented throughout the site. The applicant has indicated that a soakaway is suggested to be installed for the existing Holt Hall building to redirect rainwater away from the lake, unless infiltration rates do not allow for it, in which case the existing arrangements will be maintained. Additionally, soakaways are proposed for the proposed Music Hall, Multi-purpose Hall, and the North Wing Extension to gather rainwater from the roofs. The proposed Field Studies Centre and Sports Pavilion will also have rainwater soakaways. Details of the soakaway locations will be secured via condition. Permeable paving is recommended for the new car parking areas across the Site. A new pumping station and associated rising main is proposed to replace the existing, to accommodate additional flows generated through the proposals.

Officers consider that the proposed draining arrangements, subject to condition, are acceptable and in accordance with the aims of Policy EN10 of the Core Strategy.

## **10. Energy and Construction**

Policy EN6 states 'All developments are encouraged to incorporate on site renewable and / or decentralised renewable or low carbon energy sources, especially in those areas with substation capacity issues.'

"Development proposals over 1,000 square metres...(new build or conversions) will be required to include on-site renewable energy technology to provide for at least 10% of predicted total energy usage... These proposals will be supported by an energy consumption statement"

The applicant has submitted an Energy Statement with the application.

Passive design measures and features are proposed in order to reduce the energy demand and associated CO2 emissions of the development. These include the following:

- Optimising building form, orientation, and site layout.
- Use of natural ventilation.
- Maximising daylighting.
- Use of high-performance glazing.
- Use of solar shading and consideration given to glazing ratios.
- Use of enhanced thermal insulation and improvements to U-Values.
- Improvements to fabric air permeability.
- Minimising thermal bridging.
- Installation of low energy LED lighting with photocell/timer clock/presence detection controlling where possible.
- The use of smart meters for heat and electricity

The proposed works to the Hall will significantly enhance its energy efficiency and thermal performance. This will be achieved through the implementation of sustainable practices, including the use of low-energy and low or zero carbon technologies (73% of the developments regulated energy), as well as designs that prioritise thermal efficiency. These efforts reflect a constructive and forward-thinking approach to addressing the climate emergency.

An 83.29% reduction of CO2 emissions over the national building requirement under Part L (2021) would also be achieved as a result of the development, complying with policy EN6.

The development would also incorporate a photovoltaic system providing renewable, photovoltaic generated electricity for an estimated 58% of the general energy consumption of the existing Hall and proposed north wing extension.

The proposed development demonstrates a significant commitment to sustainability by incorporating low energy, low or zero carbon technologies, along with a design that prioritises thermal efficiency and therefore complies with policy EN6.

## **11. Public Benefits**

The applicant has set out that the planned establishment of a new Prep School for Gresham's School at Holt Hall aims to meet a pressing demand for modern teaching facilities. The applicant considers this will enhance operational effectiveness and enable the Senior School to grow by utilising the vacant buildings and spaces at the existing Prep School location.

As set out within this report, whilst the proposal will result in a number of adverse impacts including in relation to heritage and biodiversity interests, the proposal would also enable delivery of a number of positive benefits and public benefits many of which are capable of being material planning considerations. The applicant has set out the public benefits at Section 8 of the Planning Statement (dated February 2024).

Whilst ultimately the weight to be attributed to material planning considerations is a matter for the Committee to consider, Officers consider that the following public benefits should attract the following weight:

**Significant positive weight in favour:**

- The development would bring Holt Hall back into use along with its sustainable long-term maintenance through direct economic investment.
- The improvement and long-term management (30 years) of the ancient woodland within the Site which includes removing invasive species that have resulted in a deterioration of the Site's arboriculturally and biodiversity value

**Modest positive weight in favour:**

- Direct and indirect economic investment in the Site and the local economy through the provision of temporary construction jobs and a commitment to involve local contractors in the build process, where possible.
- The removal of a number of unsympathetic modern interventions and additions to the Grade II listed Hall that currently detract from its significance to notable heritage gain. This includes ensuring that the Grade II listed Hall remains in good order, securing the future of the heritage asset.
- The potential to allow access into the Site for Heritage Open Days once or twice per year.
- 73% of the proposed development's regulated energy will be provided by Low Zero Carbon ground source heat pumps for space heating and hot water preparation.
- The provision of a purpose-built Field Study Centre at the Site, to be made available for visiting school and / or educational groups for 50 weeks of the year. The new facility will expand upon the school's current outreach programme, focusing on the delivery of environmental education and allowing visiting groups to learn from the Site as an invaluable ecological and heritage resource.
- The provision of biodiversity net gains of 10.47% for Habitat Units and 317.39% for Hedgerow Units.

**Limited positive weight in favour:**

- Significantly improving upon the visual amenity of the Site through the removal of ad hoc structures and the provision of buildings of high-quality design and considerable hard and soft landscaping improvements.
- The potential to allow access into the Site for Heritage Open Days once or twice per year.

Having regard to the above benefits, Officers consider that collectively these positive benefits and public benefits attract considerable weight in favour of the proposal and need to be weighed when making the overall planning balance.

## **12. Planning Balance and Conclusion**

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

The Committee are being asked to consider planning and listed building applications which intend to provide new life and purpose for the grade II listed Holt Hall site. The proposals involve significant change at the site including an extensive range of buildings and facilities needed to transform the site into a fully functioning and effective prep-school for Greshams.

The principle of use of the site as a C2 Use Class facility (residential institution) is considered acceptable, so the central question for the Committee is whether the extent of demolition and new-build elements proposed are acceptable in relation to identified impacts on heritage assets, ecology and ancient woodland and whether the material considerations in favour of the proposal are sufficient to outweigh identified harms.

Delivery of the project has presented numerous challenges in balancing the need to provide the necessary functions of the school whilst seeking to reduce adverse impacts on heritage interest features, ecological features and ancient woodland. Officers recognise that it is likely impossible to satisfactorily address all of the consultee comments and concerns.

In terms of design, officers consider that the scheme, as a whole would accord with the aims of Core Strategy Policy EN 4 and Policy HOLT1 of the Holt Neighbourhood Plan.

In terms of amenity, the proposal would not give rise to significant detrimental impacts and would accord with the aims of Core Strategy Policy EN 4.

In respect of landscape impacts, the proposal would not affect the special character of the Norfolk Coast National Landscape and the securing of a Woodland Management Plan would secure the long term maintenance of the ancient woodlands surrounding the site.

In respect of highway and parking, the would accord with Core Strategy Policies CT 5 and CT 6.

In respect of biodiversity net gain, the proposal would provide enhancements and gains beyond 10% despite not being a mandatory requirement.

In respect of drainage the proposal would accord with Core Strategy Policy EN 10.

In respect on Energy and Construction, the proposal would accord with the aims of Core Strategy Policy EN 6.

In respect of heritage impacts, it is fully recognised that harm will result to the grade II listed Holt Hall and its setting and this weighs against the grant of permission requiring sufficient public benefits to outweigh the identified "less than substantial" harm.

In respect of ecological impacts, some harm will arise to ecological features on the site and this harm must be weighed in the planning balance.

Having regard to the public benefits identified in support of the proposal, Officers consider that these benefits are sufficient to outweigh the harm to heritage and ecological interests and to outweigh any conflict with Development Plan policy.

## **RECOMMENDATIONS:**

### **HOLT - PF/24/0265 (Application 1)**

**APPROVAL subject to the imposition of planning conditions relating to the following matters:**

- 1) Time Limit
- 2) Approved Plans
- 3) Fire Hydrant
- 4) Means of Access
- 5) Visibility Splays
- 6) On-Site parking/servicing/loading
- 7) Cycle Parking
- 8) On-Site Parking for Construction Workers
- 9) Construction Traffic Management Plan
- 10) Construction Management Plan Compliance
- 11) Off-site Highway Improvement Works
- 12) Off-site Highway Improvement Compliance
- 13) Speed Restriction Order (TRO)
- 14) Traffic and Parking Assessment
- 15) Travel Plan
- 16) Materials
- 17) Pedestrian Sign
- 18) No Clearance, Demolition, Modifications
- 19) CEMP (Construction Management Plan)
- 20) Great Crested Newts
- 21) Reptile Mitigation Strategy
- 22) Woodland Management Plan
- 23) Badger Mitigation & Monitoring Strategy
- 24) Arb Impact and Tree Protection Plan
- 25) Habitat Management and Monitoring Plan
- 26) Hard and Soft Landscaping
- 27) Fence, ANPR Camera & Entrance Works
- 28) External Lighting
- 29) Securing of public benefits

**Final wording of conditions and any others considered necessary to be delegated to the Assistant Director – Planning**

**HOLT - LA/24/0264 (Application 2)**

**APPROVAL subject to conditions relating to the following matters:**

- 1) Time Limit
- 2) Approved Plans
- 3) Samples
- 4) Re-use Materials
- 5) Acoustic Treatments

**Final wording of conditions and any others considered necessary to be delegated to the Assistant Director – Planning**



## **APPENDIX 1 – Conservation and Design Comments:**

### **Demolition of service wing and ancillary structures**

To facilitate the key new build elements, it is proposed to demolish a range of ‘accessory’ buildings and structures on the north side of the Hall. Most notably these would include the existing single-story kitchen block with its attractive chimneystacks, the stable block and associated range and the greenhouses with their related enclosures. Although these have been altered, added to, and in the case of the greenhouses rebuilt and relocated, this support cast of structures primarily date back to the 1860s when the ‘principal’ Hall was being enlarged. They therefore not only have their own intrinsic, evidential and aesthetic value, but they also make a positive contribution to our collective understanding and appreciation of how the overall site has developed over time. Against this context, the notion of sweeping aside all of these intimately connected ancillary structures is not one that can be supported by C&D. Indeed, the only conclusion that can be reached is that it would result in harm being caused to the setting and overall significance of the designated heritage asset.

### **Erection of north wing extension**

Taking the place of the kitchen wing and stable range would come a new two-storey, L-shaped extension which would spring straight out of the main hall and which would house the additional teaching spaces and dining facilities. However, by virtue of its overall size, position and design, the new build would clearly not complement in the subordinate way usually required on listed buildings. Instead, it is considered that it would: -

- i) Constitute a disproportionately large addition which would be noticeably out of scale with the ‘principal’ building.
- ii) Have a relatively monolithic quality as a result of its angular form and strong horizontal design lines,
- iii) Contrast overtly and dramatically with the architecture of the Hall (both in terms of its proportions and detailing),
- iv) Largely divorce the Hall from its original walled garden, and
- v) Run contrary to the established hierarchy on site which has always seen the structures descend in size and significance the further away from the Hall you get.

Therefore, whilst we can acknowledge that the extension would be lower than the existing Hall, and that it would be connected via an indented link, the reality is that it would superimpose itself on the heritage asset and thus become the dominant and transcendent element on site. C&D are therefore firmly of the view that additional heritage harm would ensue and that this would not be offset by the architectural offer (which no doubt would have its own design drama and would become a dramatic/landmark composition by a noted architect).

### **Erection of multi-purpose hall**

Although clearly not as impactful as the new wing, this structure would nonetheless be a significant building in its own right. It would also sit immediately in front of the walled garden where it would project forward on site and thus have added prominence. Whilst to a limited extent this would be mitigated by its offset position behind the existing tree belt, it would nonetheless work in tandem with the extension given their close proximity and aesthetic similarities. It would therefore not only be a significant eye-catcher in its own right when stood in front of the main Hall, but it would also exacerbate the unwanted shift of focus away from the listed entity. In offering this view, no specific references have been found to the proposed facing materials. However, the assumption must be that these would be identical to the main extension.

### **Reconfiguration of walled garden**

Going back to the very first conceptual plans, it was proposed to drop the main volume into this contiguous space. However, as this would have wholly compromised any real appreciation of its qualities, it was quickly dropped in favour of simply re-imagining the garden. The net

result is potentially an attractive axial design which would take its key from the existing quadrilateral space (albeit with splayed corners). Unfortunately, however, any gains to be had from this new landscaping are likely to be undermined by the scale of the buildings which would frame the garden. Hence, instead of the original boundary walls providing the defining enclosure, the much larger buildings behind are more likely to frame and inform the overall experience. If we also then factor in the physical breaches of the historic enclosure to improve its permeability, the balance tips more towards the harmful rather than the beneficial.

#### Erection of music hall

Several of the forementioned breaches would stem from the provision of this building. At the same time, however, it would be of a more complementary height and scale and would tuck itself quietly in behind the walled garden. Therefore, despite shrouding the outer face of the garden wall in development, it is a structure which could theoretically be accepted on balance as a standalone structure. This, however, would be subject to understanding the physical and visual relationships between the new build and the wall; i.e. where does the new build take its support from (hopefully independently), and how much of the wall would be left visible from within the new circulation corridor (hopefully most of it)? Unless they have been missed, such matters do not appear to have been detailed in the submission.

#### Erection of field study centre

Under this heading, the proposals raise no C&D concerns. Indeed, with the new structures offering a better contextual response to the setting than the existing temporary buildings on site, this proposal can be viewed as a positive within the wider setting of the Hall (assuming of course the proposals are acceptable from an arboricultural point of view).

#### Erection of sports pavilion & energy centre

Set within the wider grounds of the Hall, the existing woodland belt to the South-East of the Hall would create affective separation distance between these buildings and the heritage asset. Hence, the impacts here would be more on the appearance and character of the Glaven Valley Conservation Area rather than the setting of the listed building. Even in respect of this wider designation, however, the site would be set within the perimeter tree belt and would thus have a self-contained quality which would limit any impact upon significance. For the record, however, the submission version for the pavilion building is far more appealing than the earlier concept drawing and would, it is considered, sit comfortably within its setting.

As regards the energy centre, C&D have not found any elevations of this building - only illustrations appear to exist within the D&A Statement. From what we can deduce, however, it looks to be a rather boxy, angular structure with light cladding panels and a functional looking aesthetic which arguably would look more at home on a business park rather than the grounds of a Victorian hall. Therefore, whilst the wish to differentiate it from the pavilion is appreciated and understood, the two buildings still need to happily co-exist and have resonance within their setting. At present, it is difficult to know whether this would be the case or not.

#### Formation of parking areas

By their very nature, the new staff and public car parks would have an urbanising affect upon the wider grounds of the hall, and thus the rural qualities of the wider conservation area. However, as the two areas in question would be nestled recessively into their respective settings, the actual impacts would be contained and relatively modest in practice.

#### Works to Holt Hall

At the heart of all of these proposals lies the main listed building. Built essentially in two main phases, it is a confident and detailed composition which harks back to 'Tudorbethan' times but which is equally very much of its time. With it also retaining some original features of interest, it is definitely worthy of its grade II listing.

The hall, which is structurally sound and weathertight, has a significant need for repair to maintain its position. It also received an institutional makeover during the mid-late 20th century, offering potential for new use to deliver heritage benefits. The proposed works aim to retain 19th fabric and remove later alterations, reinstating fixtures and fittings that better respond to the Hall's significance. However, with a 21st scholarly use, practical and legislative requirements have negative implications for the heritage asset. These include replacing all existing single-glazed panes of glass with sealed units for occupant comfort, reworking opening mechanisms to increase ventilation levels, dismantling the grand staircase, removing C1860s fabric for access into the new extension, and reprofile the roof structure to house a new shaft.

The grand staircase would not only truncate key C1860 rooms but also introduce a new shaft running through the full height of the building, requiring the re-profiling of the roof structure. These proposals stem from a desire to lose the existing unsightly external fire escape stair, but the level of harm involved raises questions about whether the cure would be worse than the disease.

Despite these specific areas of harm, valuable heritage benefits could also be delivered, as well summarized in section 4.5 of the D&A Statement. The weight given to these benefits depends on whether they could be delivered through another, less intensive use, such as reinstating the building as a house.

#### **Further comments received 25/07/2024**

I refer to the amended details received by the Local Planning Authority on the 2<sup>nd</sup> July 2024 and can now offer the following updated comments on behalf of the Conservation & Design section.

#### Demolition of service wing and ancillary structures

The notion of sweeping aside the support cast of structures remains no more appealing from a Conservation & Design point of view. Yes, they have been altered over time, but best practice usually dictates that the subsequent layers are reversed, and the historic elements retained rather than lost completely. Whilst noting the intention to now record these structures for posterity, this is clearly no substitute for them being retained in situ.

#### Erection of north wing extension

The applicant's willingness to reconsider this proposal and produce a revised proposal which is now the minimum required to serve as a school is hereby acknowledged. Ultimately, however, this does not equate to heritage acceptability. Therefore, whilst the reductions in footprint and height and the changes in materiality have certainly not hurt matters, they have equally not fundamentally addressed the earlier expressed concerns around scale, compatibility and hierarchy. Hence, the previously identified mix of drama and harm would essentially still apply.

#### Erection of multi-purpose hall

As with the extension, reducing the size of this building and setting it back from the walled garden entrance have moved the application forward in a positive direction. In real terms, however, the modest reduction in length and the slight set back would make only a nominal difference and would not prevent this element becoming a significant 'front-of-house' eye-catcher.

#### Reconfiguration of walled garden

The size reductions outlined above would also make things slightly better in terms of understanding and appreciating the qualities of this space. However, it is not considered that trimming ~3m off the length of the ~33m long teaching block, and ~1.5m off the length of the ~28m long sports hall, would fundamentally alter the overriding impression of the walled

garden being hemmed in by new build, and being divorced visually from its parent building. Perhaps more positively, reducing the number of apertures in the existing walls would better maintain the integrity of the historic enclosures.

#### Erection of music hall

Although never one of the main C&D concerns, the clarifications around this building's relationship to the existing wall are to be welcomed. So too are the reductions in length and in the number of new openings in the existing wall. These all knit together to create a proposal which is basically considered acceptable in its own right. The additional details also now remove the need for the previously suggested condition in the event of the application being approved.

#### Erection of field study centre

No additional comments required.

#### Erection of sports pavilion & energy centre

Now armed with elevations of the energy centre, C&D are now satisfied that these two buildings would co-exist comfortably on site. With there also being no substantive design concerns raised, these two structures are also considered to be acceptable in their own right.

#### Formation of parking areas

No additional comments required. This said, the removal of laybys and lighting along the driveway is to be welcomed. So too is reducing the width of some of the footpaths to downplay the prominence of the infrastructure.

#### Works to Holt Hall

- The additional information around the main staircase is helpful and confirms that the historic fabric is to be supplemented rather than taken away. Although the end result would no longer be the same proportionally and visually, the proposals are considered to strike a reasonable balance between conservation and necessary adaption. The submitted details also remove the need for the condition previously mentioned.
- Whilst noting the additional justification for the new staircase at the southern end of the building, this proposal remains very finely balanced from a heritage perspective. On the one hand it would lead to the loss of the external fire escape and would remove pressure on the main staircase. On the other, however, the new stair would affectively drive its way up through and out of the existing building and would thus have significant visual and physical implications for the heritage asset. As a result, C&D remain of the opinion that this alteration is decidedly questionable.
- The statement about reusing the demolished materials has also been noted. Whilst clearly no substitute for the structures remaining in situ, at least a significant amount of the fabric could theoretically be retained on site (albeit without the same contextual meaning). An appropriate condition could then be imposed to secure this in the event of an approval ultimately being issued.

#### Conclusions

Summarising the above, there is no denying that the sum total of the various revisions and additional clarifications has moved this application forward from a C&D perspective. As a result, the overall level of heritage harm across the scheme has undoubtedly been reduced. At the same time, however, let us not forget that the harm originally identified was relatively high by listed building standards. Hence, best will in the world, chipping away around the margins cannot ever hope to overcome the previous C&D objection. The application therefore remains very much a balancing exercise under para 208 of the NPPF.

## **APPENDIX 2 - Landscape (NNDC) Comments:**

### Arboricultural comments

The response follows extensive pre-application consultation, communication and negotiation with the Gresham's design team to inform the submitted proposal. Ancient woodland, ancient, veteran and specimen trees are a valuable feature of the site. The irreplaceable habitats of the ancient and veteran trees and their afforded buffer zones have broadly been respected and retained. Situated in the Glaven Valley Conservation area, all trees over 7.5cm measured at 1.5m are afforded protection. The masterplan principles confirm the retention and protection of important landscape features which contribute to the setting of the historic Holt Hall and include the feature trees within grassland areas which provide a parkland character, the woodland edges surrounding the Hall form its setting, backdrop and skyline.

### *Woodland Management*

Though the previous use of Holt Hall was for children's outdoor educational purposes the proposals will clearly result in increased pressure through increase in pupil numbers using the site throughout term-time, the 30-year Woodland Management Plan (WMP) sets out how access to the woodland area will be zoned to restrict and prevent overuse and damage to the more sensitive woodland habitats.

The plan also sets out appropriate and proactive measures to improve the woodland such as the reduction and management of invasive species (Rhododendron) and deer control. It seeks to ensure the ecological value of the habitat and restore the structure and condition of the ancient woodland.

Any tree planting in ancient woodland buffer should be consistent with the WMP and be sourced from locally collected seed or from known local provenance stock. The schedule of works states the replacement planting will occur in the first year, this can be extended into year 2 or 3 to source appropriate stock.

### *AIA*

The arboricultural impact assessment provided by A T Coombes demonstrates how trees have been considered and will be protected throughout the proposals.

The tree survey has captured just three trees with bracing installed, T121, T123, T74, and recommends a further 6 trees to have non-invasive braces installed. The previous surveys and management of the trees indicate there are many more trees with bracing installed. These higher management requirement trees should be identified, and specific measure put in place.

The tree survey does however retain many trees with deadwood or decay habitat features and appears to achieve a balanced approach on retaining trees that are not necessarily structurally or physiologically sound but that contribute positively to the ecology of the woodland.

The tree survey ends Church Walk to south, though there is limited construction activities at this part of the site, the pedestrian access will need consideration.

### *Landscape scheme*

The AIA sets out, 6.6, In order to mitigate the loss of the above trees a minimum of forty new heavy standard root balled or containerised trees (12 to 14 cm stem girth) will be planted. These trees will be planted in the context of the separate landscape plan for the site prepared by Guarda Landscape.

Species selection set out in the landscape master plan (GUA-DR-L-008) include *Acer rubrum* 'Armstrong', *Betula pendula* *Fastigiata* *Fastigiata* birch, *Betula albosinensis* *Facination* *Liquidambar styraciflua* *Worpelston* *Pyrus calleryana* *Chanticleer* and *Ilex aquifolium* *Golden King*.

Whilst providing good autumn colour, it's a limited palette of species and disappointing there are few large canopy, native species or longer-lived species selected to mitigate the loss of the trees removed for development purposes. (Seven individual B category trees (T3 T9, T10, T11, T12, T18 and T19), part of the B category yew hedge (G3b), one tree in G2b, eight individual C category trees (T4, X12, X13, T55, T56, T201, T3698 and T3699), 1 C category tree group (G1a) and three trees in the C category tree group G73.)

Chanticleer Pear tend to break apart when mature, the scent of the Callery pear flower is renowned to be unpleasant, it can remind some people of rotting fish. For others, they're like vomit. Alternative species could include Snowberry / Amelanchia lamarkii or mountain ash / Sorbus aucuparia or hawthorn / Crataegus monogyna which may prove more palatable especially in areas where children can be expected to be enjoying their food.

Fastigate birch have been specified in the central area of the walled garden where more space is available, the opportunity for medium to large canopy trees should be embraced. Birch is relatively short-lived trees. A long-term investment into the arboreal architecture on site generally could and should be delivered.

### Landscape

The 35ha. site lies within the Norfolk Coast National Landscape and the Landscape Type defined as Wooded Glacial Ridge (North Norfolk Landscape Character Assessment, SPD 2021). Due to the extensive wooded containment of the site, the Landscape section agree with the findings of the Landscape and Visual Appraisal (Guarda Landscape, Feb 2024) that the proposed development will have limited minimal wider landscape and visual impact on the designated landscape and the prevailing landscape character.

The amount, scale and siting of the new build elements will undoubtedly have an adverse impact on the setting of the Grade II listed Hall, essentially losing the functional and visual link with its ancillary buildings such as stables, glasshouses and walled garden which will be either demolished or lost within the scale of the new build.

The submitted information builds on previous draft proposals that were considered to be broadly appropriate in landscape terms. These principles included retaining key views to and from the Grade II listed Hall, respecting the wider woodland setting of the heritage asset containing ancient woodland with specimen veteran trees, retaining the Walled Garden and the formal features close to the Hall such as the lawn and the balustrade, and retaining the sinuous approach along the main drive.

The Sports Pavilion and Energy Centre are sited in an appropriate open location outside the Ancient Woodland where there are few trees. The Field Study Centre is also suitably located utilising the footprint of the existing buildings within an existing clearing and requiring minimal vegetation removal.

The tree species choice is somewhat underwhelming and relies too heavily on fastigate forms which will look somewhat stiff and contrived, given the natural ancient woodland surround.

Native species such as Sorbus torminalis 'Wild Service Tree', Hawthorn varieties and Prunus padus (Bird Cherry) would be more appropriate adjacent to the multi-Purpose Hall and the ancient woodland than the fastigate forms of birch as proposed on the Illustrative Landscape Masterplan (Guarda, Dec 2023).

Within the Walled Garden more interesting species such as local provenance heritage fruit trees could be selected across the whole garden, rather than the ubiquitous Pyrus Chanticleer and Betula Albosinensis Fascination that is proposed. Advice could be sought

from the East of England Apples and Orchards Project.  
<https://www.applesandorchards.org.uk/>.

The inclusion of a long-term management plan for the extensive woodland within the site is a positive enhancement of the landscape and its habitats. This includes management of invasive species, encouragement of ground flora, a programme of replacement tree planting, and enhancement of the woodland edge. However, this needs to be accompanied by an Access Plan, to demonstrate how the proposed management will be achieved through regulation of access across the site.

Hard landscape features set out on the Illustrative Holt Hall Surrounds and Core Campus Landscape Masterplans are appropriate.

The boundary treatment for the wider site is appropriate, utilising simple deer fencing with provision for small mammal access to promote permeability and black estate railings at the site entrance. Restricting access into the site for mammals such as deer may impact the site ecology and this should be accounted for within the Ecological Assessments and the Woodland Management Plan.

The plan at 6.9 of the D&A Statement (p.91) shows an existing bin store to be retained and screened with planting. This is exactly at the proposed principle public arrival point and is surely not a suitable location.

#### *External lighting*

The development will result in a considerable intensification of use of the site, particularly around the Hall and with the introduction of sports pitches, both in terms of people and vehicles. The resulting requirement for external lighting, as proposed by lighting consultants will cumulatively cause a significant increase in glare and sky glow from the existing baseline that will incur landscape and visual impact in the wider area. The Lighting Impact Assessment (Qoda, 2<sup>nd</sup> Feb 2024) does propose lighting that conforms to the requirements of Environmental Zone 1 but sets out an inordinate amount of lighting (121 separate lighting units) that can surely be reduced whilst providing adequate and safe light levels. Some of the light fixture specifications seem very high, e.g. 24w LED Kirium.

Furthermore, the Assessment does not include any external lighting for the Sports Pavilion and the Energy Centre, the sports pitches or the Field Study Centre. As such, it does not present a complete picture of the overall lighting requirement and the assessment is therefore not complete. Details should be submitted of all requirements for lighting across the whole site in order to gain an accurate assessment of predicted light levels.

The DW Windsor Kirium One column and the Pharola Bollard are both Dark Sky Compliant and are acceptable, although a different type of bollard is shown on p.101 of the D&A Statement at 6.13.8. Although indicative, this would be a suitable bollard for illuminating paths as it is well cowled (more so than the Pharola option).

The proposed Windsor Heritage column is not Dark Sky compliant and spills light in all planes. This column is specified in profusion around the Hall where there may be ecological enhancements such as bird and bat boxes. Also, why are Windsor Heritage light columns proposed on the edge of and leading into the ancient woodland east of the multi-purpose hall? Surely bollard lighting would suffice along the route to the Field Study Centre? An alternative fitting should be proposed that limits light spill.

All lighting should be warm white and max 2700K, given the wooded context. It is noted at 10.3 of the D&S Statement that all lighting will be time controlled and switched off no later than 9pm, although 5.4 of the Lighting Assessment sets out the proposed lighting controls

and states that building mounted perimeter security lighting will be operated via PIRs. This requires clarification so that it can be conditioned.

Subject to further amendments and clarification, hard and soft landscape specifications can be secured by condition or incorporated into a LEMP condition. Landscape management will also require conditioning as this will be separate from the Woodland Management Plan. External lighting details can also be subject to condition, once the broad principles have been agreed.

### Ecology Officer

This response has been prepared following a period of pre-application consultations (albeit with little ecological survey information provided) and upon review of the following submitted documents:

- Preliminary Ecological Assessment Report (Small Ecology Limited, February 2024) {'PEAR'}
- Great crested newt surveys (Small Ecology Limited, 13/11/23) {'GCN Report'}
- Reptile presence and absence survey (Small Ecology Limited, 13/11/23) {'Reptile Report'}
- Bat emergence survey (Small Ecology Limited, February 2024) {'BES Report'}
- Ecological Impact Assessment Report (Lanpro, February 2024) {'EclA'}
- Draft Biodiversity Net Gain Strategy (Lanpro, February 2024) {'BNG Strategy'}
- Holt Hall, Holt – Statutory Biodiversity Metric Calculation Tool V1.0 {'BNG Metric'}

Firstly, the Landscape section fully concurs with the comprehensive comments provided by the Norfolk Wildlife Trust dated 25 March 2024 which highlight significant concerns, including:

- Further survey work has been recommended in the PEAR but not subsequently undertaken. The recommendations included further survey in relation to fungi, rare and scarce plants, breeding birds (including red kite and barn owl), water vole, otter, badger, roosting and foraging/commuting bats.
- An area of waxcap-rich grassland would be permanently lost and not fully mitigated or compensated for.
- There are discrepancies between which grasslands lie within or outside of the CWS designation for Old Pollard Wood CWS.

### Further Surveys (*Further Information Required*)

As noted above, a number of further surveys were recommended within the PEAR but do not appear to have subsequently been carried out yet. Paragraphs 4.2.91 – 4.2.95 of the EclA draw attention to further surveys still being required with regards to bats and barn owl. These surveys must be completed and reported upon prior to determination and the Landscape section is rather disappointed the application has been submitted whilst knowingly providing inadequate survey information. Discussions regarding other protected species surveys which should still be carried out are provided in the relevant sections below.

### Botanical Survey (*Further Information Required*)

The PEAR recommends further botanical survey between May and July to target rare and scarce plants. Paragraph 5.4.39 of the EclA considers “*All recorded plant species have a conservation status of “least concern”. Individual vascular plant species are not assessed to be important ecological features and therefore no significant effects are predicted.*”. However, the habitat survey work undertaken as part of the EclA was carried out in December 2023 and builds on species recorded during the PEA in April 2023. No targeted botanical survey has taken place during the optimal survey periods and therefore it has not been demonstrated that rare and/or scarce plants are not present and would not be



impacted by the proposed development. For example, records of an unknown species of orchid in grassland to the east of the lake is referred to in paragraph 4.1.14 of the EclA and impacts of the proposed development could vary depending upon the species (or group of species) present, and their distribution.

The Landscape section requests further botanical survey is carried out during the optimal survey period for relevant flowering plants to support the application to ensure any rare and/or scarce plants are fully considered within the impact assessment.

#### Fungi (Further Information Required)

The PEAR recommends further survey is undertaken to determine the extent and distribution of waxcaps across the site. The EclA uses waxcap and notable fungi records provided in the Grounds Management Plan to inform the impact assessment. The text in paragraph 4.1.13 suggests waxcaps are only known in the east, south and west lawns, and beneath an oak in the camping field to the north. Clarity is required as to whether this represents the full distribution and extent of waxcaps, and other notable fungi, present at the site. This should be provided in map form to clearly demonstrate spatial distribution and assist with undertaking the impact assessment.

The Landscape section considers it appropriate for the use of relevant recent records to be used to assist with determining the site value for, and impact assessment upon, rare and/or notable fungi. However, where there are significant gaps in information (e.g. where certain areas have not been surveyed, or data is not from the last 3 years), the expectation would be for detailed survey work to be undertaken, such as eDNA analysis of soil samples or fruiting body surveys by a suitably proficient mycologist.

It is worth noting that Bosanquet *et al.* (2018<sup>1</sup>) recommended sites with  $\geq 19$  species of waxcap to be designated as SSSIs and sites of 12-18 species should be further surveyed. The list of confirmed waxcap records provided in paragraph 4.1.13 of the EclA includes 13 species and should therefore undergo more thorough investigation to assess its ecological value.

Additionally, research in the New Forest<sup>2</sup> has highlighted the potential harmful impacts of trampling on grasslands and with regards to veteran trees, including “*compaction around the roots will have a detrimental effect on roots and associated soil fungi and can lead to tree death in veteran trees.*”.

Paragraph 5.4.43 of the EclA states: “*Moderate trampling (through occasional use of the grassland by students and staff) is anticipated to have a neutral impact on the grassland as Natural England’s guidance states that “the below-ground mycelia (as opposed to the fruitbodies) of these fungi seem relatively resilient to the effects of moderate trampling, either by livestock or in the case of lawns/churchyards by human activity”.*”. The Landscape section considers that the proposed use of the site could easily lead to some areas (the lawns around the buildings, in particular) being subjected to a much greater level of disturbance than the moderate volume anticipated and likely to be experienced at, for example, churchyards. Based on the number of students the proposed development would accommodate, it is considered likely that the increase in disturbance would extend into the realms of “*significant trampling*” which the Natural England advice would consider harmful.

The Landscape section therefore considers the rise in damage caused by trampling and recreational activities could lead to detrimental impacts upon the fungi communities present at the site. The EclA should consider how trampling impacts could be appropriately and

sufficiently avoided, mitigated, or compensated for in order to conserve these habitats of 'regional importance'.

Lastly, the Catchment Plan (Dwg no. 001, Rev P1, dated 02.02.24) prepared by AKT proposes soakaways in the south lawn, walled garden and north of the proposed music block. These would significantly alter the soil conditions and must be taken into consideration within the impact assessment.

#### Breeding Birds (Further Information Required)

The PEAR recommends breeding bird surveys could be of assistance, though are non-essential, except for in regard to barn owl and red kites (both Schedule 1 species under the WCA 1981).

The EclA accepts breeding birds will be present within woodlands, grassland, trees and buildings and would therefore be impacted upon through the proposed development. The recommendations for further survey include a check of the barn owl box on the stables (paragraph 4.2.94) – this must be undertaken by a licensed barn owl surveyor and a check must be undertaken prior to determination to enable the value of the site to barn owl to be ascertained.

There is no mention of red kite at all within the EclA, and therefore impacts upon the species appear to have not been taken into consideration. The Landscape section recommends further investigation into the value of the woodlands for red kite, and an assessment of impacts undertaken.

#### Water Vole / Otter

The PEAR recommends survey for water vole and otter on the basis that discharge from the proposed development would into the existing lake. The drainage strategy has been designed to avoid the need for discharge into the lake. The EclA therefore considers no further survey work necessary, though highlights the need for consideration of both species during woodland management within 10m of the lake. These requirements for consideration (including survey work by a suitably qualified ecologist) are highlighted in Section 7.6 of the Woodland Management Plan. The Landscape section therefore has no further concern with regards to impacts upon these species.

#### Badger (Further Information Required)

Field signs indicative of potential badger setts was recorded in W4 and W7 during the initial site walkover and a badger survey within 50m of the site was recommended.

The EclA does not indicate further survey work has been completed, nor that it is necessary on the basis that any impacts would be restricted to construction only and managed through precautionary mitigation as no other setts were noted. Disturbance impacts during the operation phase were deemed negligible due to the known sett holes being away from areas of high recreational use. The Landscape section does not concur with this assessment.

The location and habitats present are "*highly suitable for badgers*" as noted in the PEAR, and that "*It's not clear if they're present or not*" within the grounds. The potential sett in W7 was found within an area of rhododendron and it is possible other evidence of badger presence is obscured by vegetation. Additionally, the Woodland Management Plan proposes areas of woodland to be cleared of rhododendron and for other works to take place which could impact upon badger setts, if present. However, in the absence of a detailed badger survey, it remains unknown as to whether badger setts would or would not be affected by these works.

Additionally, whilst the EclA considers recreational disturbance to be negligible, this again assumes that no badger setts are present proximate to the building or areas of significant school-related activities. The reality is that the proposed use of the site, and the human presence it would introduce, would be a substantial intensification above existing or previous site use. It is unclear what measures would be put in place to prevent schoolchildren from using areas of woodland recreationally which may negatively impact wildlife or lead to interference with badger setts. Therefore, it is recommended an Access Plan is provided to demonstrate any measures necessary to regulate access to different parts of the wider site.

Lastly, the Landscape section notes that deer exclusion fencing is recommended in the Boundary Treatment, Security Features and Signage Plans (Guarda Landscape) around the perimeter of the site with badger gates to be installed at intervals. Confirmation is sought that the badger gates would allow for two-way access, and not installed to only allow one-way access.

In summary, the Landscape section considers there to be potential impacts upon badgers which have not been fully ascertained through targeted survey work and therefore requests a formal survey is undertaken of all relevant parts of the site which could feasibly be affected during both the construction and operation phases of the development. Impacts upon any known badger setts would then need to be considered within the Woodland Management Plan.

#### Great Crested Newts (*Further Information Required*)

Following survey work undertaken as part of the GCN Report and confirmation of GCN presence at the site, paragraph 5.4.18 of the EclA recommends use of Natural England's District Level Licensing (DLL) scheme to allow works to proceed lawfully. Paragraph 6.2.8 notes the lack of pond availability in Norfolk at the time of enquiry as preventing the site from being accepted on the DLL scheme.

Confirmation of acceptance onto the DLL scheme, through provision of an Impact Assessment and Conservation Payment Certificate (IACPC) countersigned by Natural England (including the site area to be licensed which should incorporate the entire red line boundary where works will take place), must be provided prior to determination as detailed in government guidance<sup>3</sup>. Until this information has been provided, the Council is not in a position to approve the development in accordance with its statutory duties under Regulation 9 of the Conservation of Habitats and Species Regulations 2017 as amended.

#### Reptiles

The Reptile Report details the results of survey which identified a breeding population of slow worm (peak count 21) and low population of common lizard (peak count 1). Recommendations were made for translocating reptiles prior to development to an as yet unknown receptor site, though preferably within the wider site. The Landscape section are uncertain this would be possible given the extensive use of the site proposed and the majority of the site comprising woodland, with any grassland areas either proposed for development of some kind or to be subjected to a significant increase in disturbance.

The reptile surveys allowed for a significant 'bedding-in' period of refugia and a total of 8 surveys were conducted between 9<sup>th</sup> August 2023 and 7<sup>th</sup> October 2023. It is noted that weather conditions were "*not exceptional*" and that two of the surveys were on sequential days, though this was an additional visit over and above the standard seven used for presence/likely absence surveys.

The Landscape section notes that all surveys commenced during the morning with no surveys targeting the afternoon hours when refugia temperatures may have been more suitable in some locations (e.g. where refugia were deployed in areas heavily shaded throughout the early parts of the day, such as in camping field to the north of the site). However, there seems to have been a relatively even distribution of reptiles recorded across the site, and this should not have significantly affected the presence/likely absence survey.

The Landscape section is concerned by the interpretation in the Reptile Report which suggests the slow worm population is 'Low'. In accordance with Froglife Advice Sheet 10: Reptile Survey, the peak count of 11 adult slow worm recorded across the site would firmly indicate the overall population to be at least 'Good' (if not 'Exceptional' should additional population size assessment of at least 20 surveys in a season be conducted), whilst noting that survey conditions were not all during the optimal time survey period nor in optimal survey conditions.

The EclA builds upon the recommendations of the Reptile Report and proposes translocation from the proposed car park area, the proposed location of the sports pavilion, the walled garden and the grassland area to the north of the walled garden. A destructive search would be carried out on those locations following completion of translocation works.

Paragraph 6.2.28 of the EclA suggests a neutral residual impact upon reptile species during the operation phase based on improved management to enhance retained grassland habitats in the Camping Field to the north and around the margins of the proposed sports fields. The Landscape section notes paragraph 5.3.5 of the BNG Strategy which recommends grassland enhancement "*Grassland enhancement could be delivered by preparing the relevant grassland areas between August and mid-September by mowing the sward short and creating at least 50% bare ground throughout the sward using machinery to create bare patches at least 10cm in diameter.*". This could result in injury and/or death of individual reptiles, particular slow worm which are less mobile than common lizard and snake species. Therefore, the Landscape section queries whether the wider management strategy designed to achieve BNG of 10% would be detrimental to reptiles or would be sufficient to increase the carrying capacity of habitats to support the translocated reptiles.

The Landscape section does not object to the translocation of reptiles, although a Reptile Mitigation Strategy would need to be conditioned should the application be approved. The creation/enhancement of habitats at the receptor site(s) would need to be undertaken, and the habitats sufficiently established to receive reptiles, prior to the translocation being carried out. This process is integral to the success of the translocation programme and will require due consideration and completion prior to the commencement of any development works. It will also need to be informed by reptile capture rates and it may be prudent to identify additional receptor sites in the local area which could accommodate reptiles in the event significant numbers of reptiles are recorded/captured.

#### Bat Emergence Surveys

The Landscape section has concerns over the effectiveness of the bat emergence surveys already carried out, as reported upon in the BES Report.

Section 2 (Methods for field survey) of the BES Report notes the use of two thermal imaging scopes and an IR camera, but details of the equipment used are not provided in Appendix 1: Protocol for Emergence Surveys, nor photos showing the images obtained via these methods during dark conditions, and therefore it is not known whether this equipment was fit for purpose. Appendix 2: Survey Results only appears to show one night vision aid (NVA) being used on four of the seven surveys undertaken, when full coverage of the buildings/tree would be essential to accurately record late-emerging species, such as brown long-eared bat. Additionally, the height of the buildings and distance of surveyors from echolocating bats

would affect detectability of species with low volume echolocations (e.g. brown long-eared bat). Additionally, the number of surveyors used is deemed insufficient to provide comprehensive coverage of the buildings, particularly where one surveyor was used to survey the entire eastern elevation of the three-storey hall and its extensions/outbuildings to the north. This would be almost impossible for even the most experienced and sharp-sighted bat ecologist to survey with confidence, particularly in the absence of a night vision aid. The above factors are therefore considered likely to have contributed to why “*The number of droppings present within the loft spaces was consistent with a maternity roost, but there was no evidence of significant numbers of bats emerging during the surveys.*”

Details of personnel are restricted to the lead surveyor, with only one other surveyor noted as holding a class survey licence. No indication is provided of the experience levels of surveyors. It should be noted that Natural England Class Survey Licences are not an indicator of surveyor competency or experience, only that the licensed activities can be carried out with due regard to the safety of the protected species.

The timing of surveys does not inspire much confidence in the results, with four of the surveys undertaken at the very end of August (29<sup>th</sup>/30<sup>th</sup>) and mid- to late-September (19<sup>th</sup>, 26<sup>th</sup>), following an initial dusk/dawn survey undertaken on 20<sup>th</sup>/21<sup>st</sup> June. Breeding periods vary across bat species and only the survey undertaken on 8<sup>th</sup> August would have potentially allowed for the survey to detect brown long-eared bat juveniles in flight which would assist in confirming presence of maternity roosts. In Norfolk, pipistrelle maternity colonies may form as early as mid-April and start to disperse by the end of July. In contrast, brown long-eared bat maternity roosts may not form until June and disperse towards the end of August. These timings can shift by 2-3 weeks each year dependent upon weather conditions during spring and summer.

With the above in mind, it brings into question whether the results of the survey work conducted provide accurate and reliable representation of the bat roosts present at the site and the overall predicted impacts upon roosting bats (*not taking into consideration any other impacts which may be determined following the required further survey work*). Given that the initial Preliminary Ecological Appraisal was undertaken in April 2023 before the optimal survey period commenced, it is somewhat disappointing that the majority of emergence surveys were undertaken so late in the season, including into September when any maternity roosts will have likely dispersed.

*However*, as the works will require a European Protected Species mitigation licence to be obtained from Natural England, update surveys during the most recent survey period will be needed to support the licence application. Further survey work will be necessary to confirm the roost species, type and status to ensure any mitigation and compensatory measures are appropriate and proportionate. The Landscape section therefore considers the survey information to provide sufficient certainty of impacts (i.e. maternity and day roosts for the species recorded will be lost, damaged and/or disturbed in the absence of mitigation), and that those impacts can be appropriately mitigated and compensated for. The Landscape section would recommend securing condition ECO6 in the event of an approval. *Please note this acceptance of impacts upon roosting bats applies only to where surveys have already been completed and reported upon within the BES Report, not where further surveys remain to be undertaken.*

#### External Lighting (Further Information Required)

With regards to potential impacts upon wildlife arising from external lighting, it is recommended the Electrical Services – Lighting drawing (Dwg No. 41096-QODA-EX-XX-DR-E-0904 Rev. P02, dated 01.02.24) is amended to fully take into consideration the potential for impacts upon nocturnal wildlife, such as bats and badger. This should also include provision of a separate “Lighting Design Strategy for Biodiversity”. Whilst this

requirement could be conditioned, surveys remain to be undertaken for some of the protected species which could be affected (e.g. bats and badger) and therefore consideration of breeding sites and resting places for these species could alter the overall lighting plan.

Of particular interest are the 4m high lighting columns and the potential cumulative light spill arising from higher densities around the car park areas. The Landscape section queries whether the number of lighting columns could be reduced. Additionally, the light colour of all external lighting should be reduced to 2700k, rather than 3000k, which would lessen the potential impacts upon wildlife.

The “Lighting Design Strategy for Biodiversity” should include the following:

- a) Identify those areas/features on site that are particularly sensitive for species active overnight, such as bats and badger, and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and,
- b) Show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

In line with best practice guidance ‘Guidance Note 08/23: Bats and Artificial Lighting at Night’ (Institute of Lighting Professionals, 2023), item a) above must be prepared by a suitably qualified ecologist and item b) by a lighting engineer.

This will need to take into consideration known bat roosts which will be retained, and any new biodiversity enhancement features installed. Again, the 4m high lighting columns must not illuminate these areas or flight paths to/from features. Elevation drawings depicting the locations of relevant biodiversity features in relation to the height and light spill of these columns would better demonstrate no light spill upon features than a 2D drawing/plan.

### BNG

The requirement for the application to deliver BNG of a minimum 10% is not mandatory due to the application being received by the Council prior to the 12<sup>th</sup> February 2024. Additionally, the BNG Strategy should be viewed as draft and the finalised plans and information will be approved post-consent. *The below comments regarding BNG should therefore be read and interpreted within this context.*

Firstly, the Landscape section would like to note the difficulty in reviewing the documents provided for a number of reasons. It is hard to establish which habitat parcels in the metric relate to which parcels on the baseline map provided. References to W1, W2, G1, etc. are relevant for the EclA but are not cross-referenced within the metric. Whilst Table 1: Baseline Habitat Units of the BNG Strategy summarises habitat units and their corresponding references, this does not include the parcel reference in the metric. Commentary should also be provided in the user comments columns on the biodiversity metric to assist with review and assessment by the LPA.

The habitat surveys supporting the BNG metric were undertaken in December 2023. Therefore, it is unlikely these surveys would have detected the full range of flowering plants present in the various grassland parcels and therefore may have led to some habitats (grasslands in particular) being mistakenly classified and undervalued. Section 3.3.2 of the EclA suggests a precautionary approach has been taken to ensure grassland is not undervalued though this relates to condition assessments.

As an example, the plant list provided in Appendix 1 of the PEAR includes four species named on the g3a (Lowland Meadows) indicator species list (*Anemone nemorosa*, *Centaurea nigra*, *Galium verum*, *Lotus corniculatus*), in addition to three of the 'typical grasses' associated with g3a. The distinctiveness of the 'other neutral grassland' category used in the BNG calculations is 'Medium', whilst 'Lowland Meadow' has a 'Very High' distinctiveness. For clarity, the Landscape section is not suggesting that grasslands at the site would include Lowland Meadow but highlighting the importance of undertaking botanical survey at an appropriate time of year to reliably ascertain the baseline habitats and their relative ecological values.

However, it is noted there is a discrepancy between the PEAR which identified the presence of semi-improved acid grassland (based on Phase 1 Habitat Survey methodology undertaken in April 2023). This habitat type corresponds to either g1 (acid grassland), g1d (other lowland acid grassland) or g1b6 (other upland acid grassland) using UKHabs Classifications – none of which have been included in the BNG calculations, though parcels G5 and G6 are displayed as other lowland acid grassland on the Baseline Biodiversity Plan (Appendix 1 of the BNG Strategy).

No indication of the botanical expertise or experience of the surveyor (e.g. FISC level, years undertaking botanical survey) is provided within the Metric or supporting BNG strategy. The minimum FISC level expected for undertaking professional habitat surveys is Level 3 (Reasonable ID skills), with a minimum of Level 4 (Good ID skills) expected for National Vegetation Classification (NVC) surveys which would align closer to the requirements for habitats potentially of higher ecological value. Again, the Landscape section is not saying the surveyor is not sufficiently experienced, only that this has not been demonstrated.

Paragraph 4.1.5 of the BNG Strategy highlights the reason why lowland mixed deciduous woodland is formally identified in local strategy for its spatial significance. However, it is not clear why some of the other woodlands are considered of low strategic significance, when any woodland within the wider wooded setting would contribute positively to local green infrastructure and could therefore be considered ecologically desirable but not in a local strategy.

The above also applies to baseline grassland habitats being considered of low strategic significance. For example, both the camping field (e.g. providing an area of parkland within a woodland setting) and lawn areas (e.g. for the well-established low nutrient input grassland allowing species indicative of a long term management regime) could be considered ecologically desirable in the wider context of the site and in contributing to a mosaic of habitats within the woodland setting which would support a greater range of species.

With regards to post-development habitats, there is less chance of certain habitats achieving a 'Moderate' or 'Good' condition due to the significant disturbance which will occur and therefore habitat is more likely to become degraded. The post-development calculations should therefore take into consideration where access is likely to be possible and how this may lead to habitat degradation. As noted in the Badger section above, it may be considered appropriate to provide an Access Plan to demonstrate how habitat disturbance (e.g. trampling across managed grassland and in woodlands) will be managed accordingly.

### Summary

The Landscape section considers there to be significant ecological constraints at the site, some of which remain to have survey work carried out to fully inform the impact assessment. As such, the Landscape section does not consider the applicant to have provided sufficient information or that the Council is in a position to positively determine the application in accordance with its statutory duties.

The Landscape section has highlighted those areas where further information is required within the sub-heading titles above for clarity.

Additionally, it is also worth noting that where further protected species survey work will be required prior to management works taking place, these should be clearly identified and stated within the relevant management documents (e.g. the Woodland Management Plan).

The Landscape section appreciates the precarious balancing act which must be achieved in order to deliver the proposed development whilst taking into consideration all relevant biodiversity interests. However, at present, the Landscape section must maintain a holding objection to the proposed development due to insufficient information being provided and therefore not being in compliance with Policy EN 9 of the adopted Core Strategy.

#### **Further comments received 23/07/2024**

##### Arboricultural comments

These additional comments are being provided following information being received on 2 July.

It's positive that at the south wall, the reduction in building footprint has ensured additional space is given to the veteran Robinia tree, T5. Increasing the yew hedge height from 1.2m to 1.8m is also positive and supported.

The revised tree planting strategy for the site includes more varied tree species and larger canopy trees. It sets out a preferable species selection with good quality, large stock to be planted and can also be supported.

##### *Boundary treatments, signage and security*

ANPR cameras are situated in tree'd areas that have not been considered as part of the AIA document, these cameras will need power and connectivity and this needs to be considered in terms of arboricultural impact.

There is also mesh fencing illustrated around the perimeter, the AIA does not cover this aspect of work, a method statement for installing the fence is appropriate to ensure the work does not damage retained trees. The fence should be installed with the advice of ecologists to ensure existing mammal routes are maintained.

##### *Woodland access plan*

The woodland Management Plan sets out - 6.2 Access to the woods by pupils will be controlled to avoid damaging the most sensitive areas and avoid perceived hazards. For example, there will be no access to the ancient and semi natural woodland other than for supervised ecological studies. In other areas, including the ancient woodland replanted areas, access will range from unlimited to focused.

There are no submitted details about how the controls will look on the ground, will there be markers, signs or other boundary treatments?

##### *Woodland management and Ecology*

Further ecological information on badgers has been submitted, the WMP recommends the removal of the rhododendron across a large proportion of the site and though this work is positive from a woodland management perspective, the work has the potential to adversely impact protected species.

Any proposed rhododendron removal will need to consider impacts upon the existing setts, will need to avoid de-stabilisation of setts and be carried out at an appropriate time of year to minimise impacts.



It is recommended additional ecological input is gathered before rhododendron clearance work is carried out. It is also recommended a five-year annual badger monitoring survey should be undertaken in accordance with the five-year management timescale set out in the WMP to monitor and inform any changes to management prescriptions.

#### *Highways and access*

At the site frontage off Kelling Road, highway improvement works are set out on plans by Schema dated Jun '24, it shows a large stretch of required visibility splay and appears to include the removal of trees and hedgerows on Kelling Road. As a recent addition to the submitted information, the impact of this element of work is not considered as part of the AIA documentation but needs to be.

A new path on opposite side of road on the existing school site details a new estate maintenance track and could be surfaced with grasscrete or similar, the footpath routes into the site are also illustrated but materials are not detailed.

Additional information on the arboricultural impact of the visibility splays, new routes and surface details needs to be included in the submitted information. The path through the woodland should be no-dig and as set out in the drainage strategy documents, new surfaces should be permeable.

#### *Drainage Strategy*

The soakaway illustrated to the north of the music centre conflicts with the RPA of retained trees. This should be relocated further east.

It's not clear if the soakaway at the south of the existing hall conflicts with the RPA of T15 or not, it appears there is space to move this further east to avoid the RPA of this tree.

The soakaway associated with the field study centre also appears to conflict with the RPA of trees, there is space for this soakaway to be more carefully placed. All drainage and soakaway works should consider and seek to protect retained trees and their roots, further details of tree protection measures while this work is carried out needs to be submitted.

Climate & Environmental Policy (NNDC)

Further comments received 01/08/2024

#### Ecology

This response has been prepared following a period of pre-application consultations (albeit with little ecological survey information provided) and upon review of the following submitted documents:

- Ecological Impact Assessment Addendum (Lanpro, July 2024) {'EclIA Addendum'}
- Bat activity surveys (Small Ecology Limited, January 2024) {'BAS Report'}
- Badger and Barn Owl Impact Assessment (Torc Ecology, July 2024) {'BaBOIA'}

#### *Botanical Survey*

A more thorough botanical survey identified a variety of near threatened, scarce and vulnerable plant species.

Small populations of corn spurrey and corn mint would be lost as part of the proposed development, though both are considered widespread (though declining) in the UK.

Populations of common cudweed and mossy stonecrop will be reduced. Minor negative impacts are expected upon vascular plants which are of value at a county scale.

### *Fungi*

The results of Fungi eDNA survey have not been received.

The EclA notes that some of the scheme revisions, namely removal of footpath in the south lawn, will relocate some of the expected recreational impacts away from areas of lawn supporting waxcap fungi. Relocation of a soakaway from G6 to G5 will also relocate potential impacts to waxcaps and other fungi present within G5. Minor negative and moderate negative impacts are foreseen during the construction and operation phases of the development, respectively.

The Landscape section remains concerned that the long-term impacts of the proposed development would lead to a significant decline in mycological diversity and potential loss of species with a limited distribution in Norfolk.

### *Barn Owl*

The BaBOIA details an inspection of an existing barn owl nest box and evaluates site habitats for their potential to support barn owl. The box was found to not be in use, nor show signs of any previous use by the species.

It is recommended the box is removed prior to January 2025 or following another inspection for signs of use by a suitably licensed ecologist.

Enhancement recommendations include the relocation of the existing nest box and installation of an additional nest box within more favourable habitat for the species in the 'Camping Field' to the north of the site, as shown on Figure 3 of the report.

The Landscape section is satisfied the impacts upon barn owl would be sufficiently mitigated and the site enhanced for the species subject to these recommendations being implemented.

### *Red Kite*

No evidence of red kite nesting was recorded during three surveys, with only one individual recorded during one of the surveys. No impacts upon the species are foreseen.

Other species of interest recorded included an active buzzard nest and a singing firecrest.

No further concerns are raised in respect to breeding birds.

### *Badger*

The BaBOIA provides details of detailed badger survey undertaking within the area to be affected by development works, in addition to survey of a known existing sett away from the building complex.

A main sett and outlier sett were identified at the site. Given the distance from the construction zone, direct impacts are considered unlikely and Reasonable Avoidance Measures (RAMs) are recommended to mitigate risk of harm to badgers.

However, woodland management prescriptions (i.e. removal of rhododendron) close to badger setts may affect their function and sensitive working methods will need to be followed to avoid the requirement for licensing. Ongoing ecological input and long-term monitoring of badger activity will be required to inform woodland management in the future.

With regard to ongoing disturbance impacts during operation of the school, the relevant woodland compartments will have no access other than supervised ecological group studies and for maintenance, as demonstrated in the submitted Woodland Access Plan. Additionally, two-way badger gates will need to be installed at suitable locations within deer exclusion

fencing to allow badger to travel between the woodlands and surrounding habitats.

The Landscape section is satisfied the impacts upon badger have been sufficiently considered and can be mitigated for effectively through the recommendations made in the report. Details of the locations for two-way badger gates to be installed and monitoring of badger setts will need to be secured via condition, and the RAMs measures incorporated into the previously recommended CEMP: Biodiversity.

#### *Great Crested Newts*

A valid countersigned IACPC has been provided (Appendix 4 of the EclA Addendum) to demonstrate Natural England's DLL scheme will be used with regards to impacts upon GCN. The accompanying plan showing the site location proposed to be covered by the DLL agreement has not been provided. This must match the red line boundary of the planning application to ensure the impacts of all development works are covered by the licence.

#### Bat Emergence Surveys

Further survey work has been conducted to supplement those undertaken in 2023.

Overall, the proposed development would lead to:

- The loss of a small soprano pipistrelle maternity roost,
- Disturbance to a brown long-eared bat maternity roost,
- The loss of a hibernation roost for individual Natterer's bat and Daubenton's bat, and
- The loss of day roosts for soprano pipistrelle (three) and brown long-eared bat (one).

The majority of impacts would occur upon common and widespread species, whilst the hibernation roosts are only of individual *Myotis* species. Most importantly, the maternity roost of brown long-eared bat will be retained within the loft of Holt Hall and the mitigation licence will require ongoing monitoring to ensure mitigation is successful in the long-term.

Subject to works being carried out under licence, the Landscape section is satisfied impacts upon roosting bats will be sufficiently mitigated and compensated for.

#### Bat Activity Surveys

Firstly, it is noted the submitted BAS Report has a 'Draft' watermark and should therefore not be considered as the final report. Comments are provided based on the submitted report and would need to be reviewed if a final report is submitted.

The BAS Report details the result of bat activity surveys (walked transects and static detector deployment) undertaken in August and September 2023. Additional bat activity surveys undertaken between April and July 2024 are reported upon within the EclA Addendum.

The assemblage of bat species recorded (10 of 18 resident UK bat species) categorises the site as being important at the 'County' scale according to the EclA Addendum, although the BAS Report calculates an assemblage score of 22 points and being of 'National' importance. Taking account of the 8 species confirmed at the site (excluding *Myotis* sp., Whiskered bat and Pipistrelle sp.), the assemblage score would be 17 and of 'Regional' importance according to bat mitigation guidelines. Therefore, it is not clear where the 'County' scale importance has been derived as no justification for this has been provided.

The lighting plans have been amended to remove luminaires along the main drive. However, the lit footpath through woodland W1a is likely to impact upon barbastelle bat which were predominantly recorded within this woodland and a minor negative impact upon this species is foreseen.

The reduction of external lighting and lighting being turned off between the hours of 21:00 and

06:00 will limit the impacts of light spill during dark hours. As with other ecological receptors, it would be naïve to consider it possible for the proposed development to be implemented for its intended purpose with no impacts upon foraging/commuting bats whatsoever. However, the proposed mitigation measures would be considered sufficient to avoid significant detrimental long-term impacts upon bat behaviour at the site, although a period of habituation to the altered conditions at the site would be expected.

### *External Lighting*

The Landscape section notes the light colour of all external lighting, except luminaires 'LE', are of 3000k or higher. Luminaire LE, which has a light colour of 2700k, has been used only in the Field Study Centre. Bollards and light fixtures within and close to woodlands should also have a light colour of 2700k to lessen the potential impacts upon wildlife, as requested in previous Landscape comments.

It is also noted that a Lighting Design Strategy for Biodiversity has not been submitted to clearly demonstrate important areas for sensitive species which are active overnight and how they may be impacted by the proposed lighting scheme. Therefore, the Landscape sections previous comments on External Lighting cannot be considered to have been fully addressed.

### *Summary*

As previously commented, the Landscape section considers there to be significant ecological constraints at the site, and it is not feasible for all constraints to be overcome as part of the proposed development due to the many conflicting interests at the site and requirements for the school to function as intended.

Results of the fungi eDNA survey remain outstanding. The planning officer may take a view on whether the impending results would significantly alter the weight given to detrimental ecological impacts within the planning balance.

Regarding impacts, Old Pollard Wood CWS and areas of grassland supporting notable fungi will be subjected to ongoing recreational disturbance impacts. Light, visual and noise disturbance will all increase significantly at the site during operation which will deter wildlife in general and lead to behaviour changes for some species. The proposed works will require the translocation of reptiles and destruction of several minor bat roosts.

However, there would also be beneficial outcomes for biodiversity achieved as part of the proposed development, such as positive management of woodland and grassland habitats, increased foraging resources for a range of species, and providing the means for conserving the roof structure and void of Holt Hall which supports a maternity roost of brown long-eared bat.

Policy EN9 of the adopted Core Strategy states that "All development proposals should... protect the biodiversity value of land and buildings", and that development proposals will not be permitted unless "the benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats". A proposal of this type and magnitude in a location which currently has significant historic and well-documented ecological interests will inevitably struggle to meet these requirements. On balance, and after much deliberation, the harm is considered likely to outweigh the benefits and the Landscape section feels obligated to maintain an objection on ecological grounds. The case officer should determine how much weight to apply to the expected ecological impacts alongside the other material considerations of the overall scheme.

### **APPENDIX 3 - Norfolk County Council Highways Comments:**

Holt Hall is an established site with a long history of educational use as a field study centre. The proposals seek to expand educational and sports facilities for Greshams School and provide a smaller field study centre that may be used by the school or rented to external groups. The site is located approximately 1 kilometre to north of Holt town centre as the crow flies. The applicant has been mindful to ensure that Holt Hall site is integrated into the extant Greshams site with provision of a new walking route between the sites. The Holt Hall site would make use of the extant vehicular access to Kelling Road to serve new car parks for staff and school run drop off and pick up as well as turning space for minibuses, there would also be a set down area adjacent to the sports facilities. This access strategy is demonstrated to be feasible in terms of vehicular movement within the site and onto Kelling Road.

During construction it will be necessary for all traffic and parking associated with the site to be accommodated and turning movement provided for to allow for exiting in a forward gear.

It is evidenced by the Transport Statement that there will be an intensification of trips to the site in comparison to the former use of the site given the expansion of uses within the site, the new car parks and weekday flows of staff and school run traffic. The site will differ from local authority educational sites, in that the majority of pupils are from a very wide catchment area that necessitates travel by the private car. Some travel may be expected from the locality by staff or pupils on foot or by cycle from the Holt urban area and it is envisaged that pedestrians may use Church Walk a private track from the site to the town centre, or by cycle via Kelling Road.

It is noted that Holt Town Council wishes that the junction of Kelling Road/Cromer Road is improved with waiting restrictions (double yellow lines) and a mini roundabout to help tackle constrained visibility at this junction. These issues are noted and accepted; however the Transport Statement only indicates that a shift in Prep school run traffic of 122 cars AM and PM would occur plus some staff and service traffic via this junction. These numbers of vehicle movements are not significant enough in the view of the highway authority to justify redesigning the junction, however it is accepted that localised congestion may occur as a result of extant on-street parking on Kelling Road near to the junction with Cromer Road. However, such problems are not guaranteed to materialise over time as traffic flows re\_calibrate and road users adapt to driving conditions, for this reason a review after 6 months of first use of the site is proposed to trigger a Traffic Regulation Order for waiting restrictions, should this be justified on safety/traffic management grounds.

Kelling Road is a typical rural road, it is unlit and has no pedestrian facilities (footways), it currently has a derestricted speed limit of 60mph although speed surveys indicate an 85th percentile speed of around 46mph. In pre-application discussions the highway authority requested a public footway to be provided along Kelling Road, this has not been proposed by the applicant as it was considered there was insufficient demand for such a facility. Given the likely low demand for usage by the general public to travel to and from the site (other than staff who can use the secured paths), it is considered in planning terms difficult to justify a refusal on highway grounds for the lack of provision of a new footway along Kelling Road to Holt itself. However, it will be necessary for some form of warning signage and markings to alert motorists to the possible presence of pedestrians walking within the carriageway.

It is important to note that visibility from the site access to Kelling Road has been estimated in the Transport Statement using Manual for Streets, this is incorrect as for a rural road the DMRB (Design Manual for Roads and Bridges) is the correct reference document. For a road with an 85th percentile of 46mph, visibility of 2.4 metres x approx. 132 metres in both directions, this differs significantly from the proposed visibility splay of 91 metres shown. The applicant is advised to undertake further feasibility assessment to improve visibility splays,

which should be achievable within the highway extent by trimming of vegetation and a future cutting back regime to ensure this is maintained, the extant white fence extent at the site access may also require minor modification.

It is understood that the new footpath within the field on the eastern side and running parallel to Kelling Road would be gated with a security keypad system. Pedestrian access to this footpath would be restricted to staff, pupils or visitors to the Greshams sites, and not issued to the general public. There would be no public right of way assigned to this new footpath. The applicant has explained that pupil security is necessary at all times.

This security arrangement would also be replicated on Church Walk.

The highway authority is disappointed that unrestricted public use of Church Walk and the field path along the eastern flank of Kelling Road will not be provided, as it is considered good practice to provide sustainable links between new development and local urban centres to facilitate travel on foot.

The applicant has been strenuous in wishing to ensure that pedestrian crossing facility be provided across Kelling Road to serve the new private paths from the site and into the Gresham fields. As submitted for this application a zebra crossing has been proposed with chicane traffic calming measures and a 30mph speed limit for this section of Kelling Road adjacent to the site up to the extant urban speed limit.

The highway authority has given careful consideration to this package measures but regrettably cannot accept these for the following reasons:

- 1) Kelling Road has a rural character and linear alignment, compliance with a 30mph speed limit is extremely unlikely to be achieved, and the provision of chicanes is not considered to be safe given these create new obstructions.
- 2) A zebra crossing is not considered to be appropriate in such a high-speed location or justified given the sporadic nature of pedestrian usage, and the intrinsic urban character of a zebra crossing facility. It would also become a publicly maintained infrastructure asset serving private paths.

It is accepted that the lack of a formal pedestrian crossing facility across Kelling Road will be of concern to the applicant, but the highway authority must consider what is justified in terms of necessity for safety reasons for all road users including extant road users.

Given that the pedestrians using the intra-site footpath will be of senior age or adult staff, it is considered reasonable that an uncontrolled crossing point be provided. This practice has been used elsewhere in Norfolk in relation to other education facilities or where public rights of way cross highways. With a lowered speed limit and package of complimentary measures it is considered reasonable provision for adult pedestrians to cross Kelling Road as recommended. The traffic count submitted by the applicant indicates that traffic flows on Kelling Road are quite low and typical of rural roads, it is accepted that traffic levels will increase for the school run at the start and end of the school day, but these times should not be the same as when pupils and staff are walking between the two sites during the school day when facilities are in use.

It is the view of the highway authority that an alternative package of measures would be suitable as follows:

- i) 40mph speed limit with gateway feature on approach to the site from the north
- ii) Suitable visibility splay from the both the vehicular access and pedestrian crossing points in relation to the revised speed limit to meet DMRB standards.
- iii) Uncontrolled pedestrian crossing point i.e. tactile paving with dropped kerb points either side of Kelling Road.

iv) A package of complementary highway signs and lines that would be subject to safety audit that may include but are not restricted to:

- SLOW markings on Kelling Road
- 20mph advisory school flashing school signs (if demand is tidal)
- Push button or infra-red activated pedestrian warning signs when pedestrians approach the crossing point on either side of the pedestrian access to the site.
- Static school pedestrian warning signs on either side of the vehicular access to the site.
- Pedestrians in road/no footway warning signage on Kelling Road on leaving the urban area and approach to the Holt Hall site.
- Investigation of feasibility of solar powered streetlights or footway lights for the pedestrian crossing point or alternative means of securing power supply.
- Consideration of use of pedestrian barriers to prevent pedestrians walking directly from paths into the carriageway.
- Signage on approach to the crossing point, within private land owned by the applicant to notify pedestrians of need to look both ways and cross in accordance with the highway code.
- Inclusion in the school travel plan of road safety training for crossing local highways.

Further recommendations:

- v) Cross site traffic restrictions to prevent through traffic across the site between Kelling Road and Cley Road i.e. gate controlled across site road.
- vi) School travel plan for the entire Greshams campus i.e. the extant site and Holt Hall.
- vii) Parking/traffic review within 6 months of first occupation of Holt Road of the junction of Kelling Road/Cromer Road, should congestion/safety concerns be determined by the highway authority due to an increase in traffic movements associated with Holt Hall that a Traffic Regulation Order for waiting restrictions be promoted.
- vii) Construction traffic and parking management plan to ensure that all construction traffic and parking can be contained within the site and such vehicles may turn around and exit in a forward gear.
- viii) Visibility splay at Kelling Road site access to meet DRMB standards.

#### **Further comments received 01.08.2024**

The applicant submitted further plans in a Transport Addendum concerning a revised pedestrian crossing arrangement to Kelling Road, the fundamentals of which are acceptable in principle for the purposes of securing planning.

The proposed access strategy to the site for vehicles and pedestrians is acceptable, there is adequate provision for staff and parental parking/drop off and turning for all vehicles including coaches. There is adequate visibility on Kelling Road for vehicles and pedestrians. The proposed barrier across the internal site road will prevent unauthorised through movement of traffic across the site.

In terms of the detailed choice of product for a digital pedestrian sign this will need to be amended and can be done so as part of discharge of condition. I am speaking to Westcotec about a solar powered digital sign that can alert drivers to the presence of crossing children using infra-red detection technology. This would be an alternative to the proposed flashing 20mph advisory sign, which our safety engineers would not consider appropriate to be deployed for ad hoc use, these are typically used in Norfolk when there is an obvious tidal flow at the start and end of the school day and are normally activated with a timer. It is considered that a demand responsive digital sign with a general advisory sign (not a 20mph) would be more suitable for the crossing requirements in this location throughout the entire school day. It is likely that the Westcotec signs will need to be sited entirely within the highway verge for ease of maintenance in future by NCC highways.

Therefore, in the interest of making progress for the planning committee date I wish to recommend that the proposed planning conditions included in my April 10<sup>th</sup> 2024, letter are imposed, with the expectation that the digital pedestrian crossing signage will be subject to detailed assessment as part of discharge of conditions. Your authority may wish to consider how a cyclist would navigate the proposed access barrier, perhaps it can be shortened in length or have a cycle bypass around the barrier to facilitate access if required.



## **APPENDIX 4 - Historic England Comments:**

The proposal includes demolition of the northern section of the hall and the adjacent outbuildings, and addition of a two-storey extension. The proposal also includes sports pavilion, music hall and outdoor study centre. We consider that this proposal would constitute major change within this important historic site and it is likely to have significant impacts upon the various heritage assets identified. Historic England has been consulted because the application site falls within a conservation area and has an area of 1000 square metres or greater. Whilst in strict listed building terms the Hall would fall outside of Historic England's statutory remit – by dint of its grade II listed status, it's contribution to the conservation area is such that we believe it would be necessary for us to comment on this occasion.

**Proposal and Impacts Extension to Hall** It is proposed that the northern wing of the Hall along with the ancillary outbuildings are demolished to allow space for the new extension. Whilst we appreciate that these parts of the building are part of a later phase of (1860s), they are nevertheless historic and have clearly been designed with an eye to the scale, detailing and features of the main building and they have a sympathetic relationship with the main hall. We therefore consider that they contribute positively to the overall significance of the Hall and believe that their removal would result in loss of historic fabric and form and would have a negative effect upon significance of both the hall and the conservation area.

The proposed extension to the hall would take the form of a two-storey, flat-roofed wing of L – shaped plan, with full-height glazed curtain walling. The drawing suggests that the footprint of the proposed extension would be approximately double that of the Hall and would run immediately adjacent the south wall of the walled garden for approximately 2/3 of its length. We note that the extension would have a lower roofline than the Hall.

The proposed extension would introduce a sizeable new element into the historic estate/conservation area - as illustrated in the Design and Access Statement. The illustrations suggest that the extension would be prominent- particularly within the context of the hall and the walled garden, and in our opinion would compete with the hall as the preeminent building within this site. It also seems likely that the extension would be prominent within views of the front of the hall from the approach driveway. The architectural design and palette of materials have a very contemporary and urban character that is wholly at odds with the local vernacular character of the Holt estate and the wider conservation area.

We note that the local authority's Conservation Area Appraisal for Glaven Valley is very clear on the importance of new development within the conservation area ensuring that it is sympathetic to the traditional architectural forms and materials as stated by the following :

- Any new development, whether attached to an existing building or detached in its own plot, must be appropriate in terms of scale, massing, design and materials.
- The materiality of new development is important. High quality materials should be used to maintain the overall quality of the built environment and to ensure, from a sustainability point of view, that the building has durability. Traditional local materials are widely used in the Conservation Area and are a major contributor to its character, though with good design it may be possible to incorporate some limited modern materials.
- Traditional local vernacular materials should generally be used for new development, namely flint, red brick and clay pantiles. There may be scope for limited use of timber, timber weatherboarding, render, stone, slate and other traditional materials, though thoughtful and sensitive design with modern materials may be acceptable.
- New development should not compete with or overshadow existing buildings, particularly where the existing buildings are historic.

We consider that the proposed extension would not be in accordance with the Conservation Area Appraisal and we consider that it would have a negative effect upon the architectural

composition of the hall and the distinctive character and appearance of the wider holt estate and this part of the conservation area. We are also concerned that the intervisibility and spatial relationship between the hall and the walled garden would have a negative effect upon the way it is appreciated and experienced. That is to say, the presence of the modern extension is likely to appear prominently in southerly views from the garden and would intrude upon/obscure the existing views of the hall.

The proximity of the new extension to the walled garden would also in our opinion appear cramped and would result in the erosion of the historic layout that has remained largely intact since the mid/late C19.

We note also that a large two-storey, multi-purpose hall is also proposed immediately adjacent the east wall of the walled garden. It is some distance from the hall but has the potential to impact upon its setting to some extent, and is also likely to compound the visual impact of the new building around the south-eastern corner of the walled garden. The impact could be mitigated by way of sensitive design and detailing that take account of the local context and the historic architectural precedents. We defer to the local planning authority conservation officer to comment on the proposed internal alteration to the hall given its grade II status.

**Historic England's Position** The proposed scheme will result in significant change to the character and appearance of the historic estate – particularly the Hall, and by extension, the character and appearance of the conservation area. It would increase the quantum of built form, and other infrastructure which we believe would impact negatively upon the visual amenity of the historic estate in a way that would affect the way in which the hall and conservation area are experienced and appreciated as heritage assets.

We therefore believe that the proposed development would result in harm to the significance of the grade II listed building and the conservation area. In terms of the NPPF we consider that harm would be less than substantial. It would therefore fall to the local planning authority to weigh the harm against the public benefits that the development would yield. We believe that a revised scheme that is more reflective of the form, massing and materials of the hall would be a more appropriate response in heritage terms and would help to mitigate the harmful impact upon those affected heritage assets.

**Further comments received 26.07.2024**

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the applications to meet the requirements of paragraphs 195, 205, 206, 208) of the NPPF. In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess; and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

## **APPENDIX 5 - Joint Committee Of The National Amenity Societies Comments:**

Holt Hall is a Grade II listed building within the Glaven Valley Conservation Area. Initially constructed in the early 1840s for Walter Hamilton Pemberton, the building stands near the site of an earlier house, and fragments of a C12 chapel are incorporated into a folly near the Hall. The 1840s Hall was designed in a neo-Elizabethan style and included ancillary buildings (now replaced), and the surviving walled garden. Following a sale of the Hall in 1863 to John Rogers, it was extended and the ancillary buildings were replaced with the existing service wing and stables. After a change of use in the C20 alterations took place within the hall and further development on the site.

Despite C20 alterations and additions that detract from significance the building retains many historic interior features, and the site as a whole retains its legibility as a C19 country house, with ancillary buildings, within a landscape. The Victorian Society understands the need to find a sustainable use for the building and the site's history as an educational facility would suggest the suitability of school use. Despite the uncontentious proposed works to the main Hall and its interior, other aspects of the proposals raise concerns.

This would see the demolition of the 1860s service wing, stables, and the reconstructed glasshouses, and their replacement with several new buildings to facilitate the proposed school use. The loss of the historic service wing and stables in particular would harm the significance of the listed building through the loss of historic fabric that contributes to the legibility of the Hall as a C19 country house. The design of the new buildings is in strong contrast with the historic buildings, using a palette of materials (expanses of glass and metal) that has more in common with an urban or commercial setting, than a historic country house within a predominately rural Conservation Area. Located between the Hall and the walled garden, such a contrasting building would disrupt the relation between these historic structures. Furthermore, the proposal to locate the main entrance within the new building, rather than the historic Hall, would reduce the prominence of the Hall on the site, in effect turning it into a wing of the new school building. This would be increased by the new buildings having a larger footprint than what would remain of the Hall.

Overall, the scale and design of the new buildings, coupled with the loss of historic fabric, would cause a serious level of harm to the significance of the Grade II listed building, the Conservation Area, and the setting of the listed building. The Victorian Society believe that the provision of school facilities on this site is possible, but any proposals must play closer attention to the character of the listed building, its setting, and the Conservation Area

### **Further comments received 06.08.2024**

Holt Hall, built in the 1840s for Walter Hamilton Pemberton, is listed grade II and located within the Glaven Valley Conservation Area. The Victorian Society does not object to reinstating its former use, but concerns remain regarding the harm to significance caused by the proposed demolition of the northern service building and ancillary buildings. The preservation of the Hall is positive, but the removal of these buildings will negatively affect the significance of the heritage asset and the overall understanding of the site.

The service building and ancillary buildings hold high evidential and historical value as they contribute to the understanding of the historic use of the site and demonstrate the original spatial relationship between the buildings and the hall. Their demolition would result in an adverse impact, constituting harm to both the heritage asset and the site through the loss of historic buildings and the removal of tangible evidence of original site layout and planform. The application proposes building recording to mitigate the removal of these buildings, but this

does not outweigh the heritage harm that the demolition will cause. The decision to demolish a historic building and replace it with a new building should not be taken lightly, as the sustainable re-use of existing buildings should be a priority. A full life cycle analysis should be conducted for the replacement building(s) and include the end-of-life energy and carbon of the existing building before any proposal for demolition is considered. Retaining existing buildings and seeking to enhance their energy performance in sensitive ways is in keeping with building conservation and sustainability.

The Victorian Society opposes the proposed construction of a new northern two-storey extension near the current service and ancillary buildings. The extension, which will abut the Hall on its northern elevation, will use materials such as glass and metal, which are at odds with the Hall's materiality and do not provide a seamless visual relationship. The extension's scale and massing may overshadow the principal asset and remove the legibility of the building hierarchy. The extension's height and scale will also negatively impact the garden's significance. The Victorian Society believes that the extension is not in line with the Glaven Valley Conservation Area Appraisal (2024) guidance and policies on new development, which emphasizes appropriate scale, massing, design, and materials. They also suggest that the extension should be subsidiary to the existing buildings, use traditional local vernacular materials, and not compete with or overshadow existing buildings, particularly historic ones. The Victorian Society urges the authority to withhold consent and seek further justification for the proposals.

## **APPENDIX - 6 Norfolk Wildlife Trust Comments:**

Whilst we have no objection to the proposal in principle, we are concerned about the baseline survey evidence and some of the management prescriptions, which we believe would inadvertently damage the CWS. We therefore object to the application as it currently stands. With revisions to the management plan and appropriate conditions, and Biodiversity Net Gain calculations based on botanical surveys in season, we would be prepared to review our position. Our comments are given in more detail below.

### *Impacts on Old Pollard Wood CWS*

Loss of area of waxcap grassland – section 5.3.2 of the EclA notes that there would be a pre-mitigation moderate negative impact, significant at a regional scale, due to proposed works to the existing footpath network around the main building. Beyond the generic Biodiversity Net Gain (BNG) provisions, which do not include waxcap diversity in their calculations, we can find no specific mitigation measures in section 6 of the EclA which would mitigate or compensate for these impacts. Whilst it is possible that a post-consent Habitat Management & Monitoring Plan (HMMP), as mentioned in section 6.2.2 of the EclA, could address this, we recommend that the EclA includes a clear indication of how this impact is intended to be addressed. For example, we note in section 5.4.40 that the Grounds Management Plan indicated that waxcaps used to be present in grassland area G5, so this may present an opportunity for targeted management to deliver mitigation. Grassland Area G7 – section 4.2.17 of the EclA incorrectly states that area G7 is not within the CWS designation, whilst our records indicate that it is. We recommend that the mapping is reviewed and changes to the EclA and BNG reports made accordingly. Woodland - The EclA states that there will be minor negative temporary impacts at a county scale, to a small part of the CWS during the construction and operation phases. Clear requirements for mitigation during these periods should be secured by condition, ideally through a Construction Environmental Management Plan (CEMP) and a HMMP, including a lighting strategy. We support the proposals outlined in the Woodland Management Plan (WMP) to deliver positive impacts to the CWS through the reduction and management of invasive species (Rhododendron) and deer control. In addition to the WMP, we recommend that any new planting is avoided wherever possible and left to natural regeneration. Where this isn't possible, then we recommend a condition that new planting is only from locally sourced seed or proven local provenance stock, to best incorporate with the existing woodland and avoid increasing risks of tree disease. Grassland seed – the management proposals for grassland improvement outlined in paragraphs 5.3.5 – 5.3.9 of the BNG report, must not happen on the grasslands within the CWS (this includes G7 and G1). We are also concerned at the proposals in sections 6.3.11-6.3.12 of the EclA to use commercial seed mixes to enhance existing areas of the CWS, including the proposal in sections 6.3.6 and 6.3.8 of the EclA to use imported Yellow Rattle seed to improve grassland diversity. Yellow rattle is not naturally part of the grassland sward in the CWS, instead we recommend that area G7 is managed with a mid-late summer cut and removal of material, whilst G1 could be improved botanically if mown less regularly, and this would also benefit wax caps and similar fungi species<sup>1</sup>. Therefore, we strongly recommend that these measures are removed from any management plans for the site.

### *Further Surveys Needed*

Protected species - the EclA notes potential impacts on a number of legally protected species. The presence of protected species on an application site is a material concern and sufficient surveys and mitigation measures must be presented with the application in order to satisfy the legal protection provided. We recommend that the recommendations in sections 5.5.2 (bats), 5.4.29 (reptiles) and 6 (great crested newts) are made conditions of any consent in order to ensure adverse effects on protected species are avoided. The Preliminary Ecological Assessment (PEA) also requires a breeding bird survey on the camping field and surveys for nesting barn owls and red kites, transect and static bat surveys for any areas affected by increased lighting and surveys for water vole, otter and badgers. No results have been

submitted for these. Paragraph 4.2.93 of the EclA also states that further bat emergence surveys in May to August are required for the certain buildings which were found to have low bat roost potential. Habitats - the Preliminary Ecological Assessment (table 5.1) identifies the need for further surveys of fungi on the west lawn and camping field to identify the extent of rare/threatened species. This has not been provided. It also states a requirement for additional Phase 2 surveys of rare and scarce plants in May – July, which is also still needed. We therefore recommend that no decision is made until results of these further surveys have been provided and any necessary updates to the EclA and BNG reports made and consulted on. Whilst we are aware that the BNG report presented at this time will only be informative as the sign off of the BNG plan formally occurs post consent, we wish to highlight that due to the survey timings, the existing baseline is likely to be inaccurate and will need updating based on additional surveys prior to any sign-off. Monitoring The HMMP will require habitats on Site to be maintained in accordance with the plan for 30 years. Given our historical familiarity with the CWS, we would be happy to discuss a role for us with the monitoring. Conclusion Whilst we are not opposed in principle, there are outstanding impacts on the CWS which do not appear to have been sufficiently covered in the ecology reports submitted with the application, and the BNG report appears to be based on survey data from out of season, therefore we object to the proposal as it currently stands. We would be happy to review our position should further information be provided. We trust that our comments have been helpful and would be happy to discuss them further with the Council and the applicant if that would be useful. Please can we be consulted on any further ecological information provided with the application and informed of any committee date, as we may wish to speak in support of our position. Please can we also be informed of the outcome of this application.

#### **Further comments received 02.08.2024**

Conclusion We welcome the new proposals which are an improvement, however we still consider that significant harm would result unless mitigation is put in place. If consented, we recommend that:

- The updated Core Campus Masterplan is taken forward to guarantee that no lowland dry acid grassland will be lost to new footpaths
- A Habitat Management and Monitoring Plan (HMMP) should be made a condition of consent. This must include measures to mitigate impacts on grassland G5 and G6.
- There is an adequate Construction Environmental Management Plan (CEMP), HMMP and a lighting strategy to ensure mitigation of ground disturbance in woodlands during construction operations. This should be secured by planning conditions.
- A condition relating to local provenance stock for tree planting using local nurseries where possible and locally appropriate species.
- NWT would like to be consulted on the draft HMMP and CEMP.
- A lighting design strategy for biodiversity should be made a condition of planning consent to minimise nocturnal disturbance during operation.
- Surveys to establish the presence/absence of water vole and otter will be required in order to ensure adverse effects on protected species are avoided, as well as a breeding bird survey on the camping field if any work is to take place in this area We trust that our comments have been helpful, and would be happy to discuss them further with the Council and the applicant if that would be useful. Please can we be consulted on any further ecological information provided with the application and informed of any committee date, as we may wish to speak in support of our position. Please can we also be informed of the outcome of this application.

**GRESHAM - RV/24/1082 - Variation of condition 2 (approved plans) of planning permission PF/13/0960 (Installation of 3.6MW solar development) to allow installation of 2no. banks of inverters, associated replacement production substations and fencing (part retrospective), Solar Farm, New Road, Bodham, Norfolk**

## **Major Development**

**Target Date:** 23rd August 2024

**Extension of Time:** N/A

**Case Officer:** Russell Stock

**Variation of Condition Application**

## **RELEVANT SITE CONSTRAINTS:**

Within the Countryside location in planning policy terms

## **RELEVANT PLANNING HISTORY:**

NMA/24/0947

Non-material amendment of planning permission PF/13/0960 (Installation of 3.6mw solar development) to allow installation of 2no. banks of inverters and associated replacement production substation

Refused: 22.05.2024

NMA1/13/0960

Non-material amendment request to permit re-positioning of solar panels, reduction to two, re-positioning and change of colour to inverter station structures and change of design and materials to substation structure

Approved: 18.12.2013

PF/13/0960

Installation of 3.6mw solar development

Approved: 15.11.2013

## **THE APPLICATION**

This application seeks permission to vary condition 2 (approved plans) of planning permission PF/13/0960 to allow for the installation of 4 banks of inverters and 2 replacement production substations. Each bank of inverters would measure 13.2m in length, 2m in height and 4m in width. The replacement substations would be 7m in length, 3.1m in height and 2.46m in width. The applicant has stated that these changes/upgrades are to maintain the operational efficiency of the solar farm.

During the consideration of the application, amended plans were received which show the following changes:

- The containers reversed 180deg;
- Inverters relocated within site;
- The sheet fencing and gates added;

- Antenna added to top of container;
- Steps to container and foundations 700m from ground level added;
- Reseeding to old removal areas.

It is understood that some of these works have already been carried out which makes this application part retrospective. The changes are not considered to be substantial and can appropriately be considered as part of the current submission. The application description has been updated to reflect what is being proposed.

The 3.6MW solar farm was granted permission in 2013 and completed sometime before mid-2017. The solar farm is bounded to the West by hedging and New Road, and agricultural land to the North, East and South. A single wind turbine is located a short distance to the Southeast.

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

On the basis of the Council's Scheme of Delegation as the ground mounted solar panels have a capacity in excess of 250kw and the site area exceeds the 0.5 hectare threshold set out within paragraph 6.2 (4) (b).

#### **REPRESENTATIONS:**

**None received.**

#### **CONSULTATIONS:**

**Landscape (NNDC): No objection**

**Bodham Parish Council: No comments submitted**

**Environmental Health (NNDC): No comments submitted**

#### **HUMAN RIGHTS IMPLICATIONS:**

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

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

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

#### **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder 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 Local Development Framework Core Strategy (2008)**

Policy SS 1 (Spatial Strategy for North Norfolk)  
Policy SS 2 (Development in the Countryside)  
Policy SS 4 (Environment)  
Policy SS 5 (Economy)  
Policy EN 2 (Protection and Enhancement of Landscape and Settlement Character)  
Policy EN 4 (Design)  
Policy EN 7 (Renewable Energy)  
Policy EN 8 (Protecting and Enhancing the Historic Environment)  
Policy EN 9 (Biodiversity & Geology)  
Policy EN 10 (Development and Flood Risk)  
Policy EN 13 (Pollution and Hazard Prevention and Minimisation)  
Policy CT 5 (The Transport Impact of New Development)  
Policy CT 6 (Parking Provision)

### Material Considerations

### **National Planning Policy Framework (December 2023)**

Chapter 2 (Achieving sustainable development)  
Chapter 4 (Decision-making)  
Chapter 6 (Building a strong, competitive economy)  
Chapter 8 (Promoting healthy and safe communities)  
Chapter 9 (Promoting sustainable transport)  
Chapter 12 (Achieving well-designed 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)  
Chapter 17 (Facilitating the sustainable use of minerals)

### **Supplementary Planning Documents and Guidance:**

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

## **OFFICER ASSESSMENT:**

### **Main Issues for consideration:**

- 1. Environmental Impact Assessment**
- 2. Principle of development**
- 3. Impact on landscape, the character of the area and design**
- 4. Residential amenity**
- 5. Highways**
- 6. Ecology/trees**
- 7. Flood risk and surface water drainage**

- 1. Environmental Impact Assessment**

Application PF/13/0960 was screened at the time under The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and guidance within Circular 02/99. This application to vary Condition 2 has been screening under the more recently published, 2017 Regulations. Officers continue to consider that the development would not be Environmental Impact Assessment (EIA) development and the potential impacts of the proposed variations can continue to be properly and rigorously assessed through the standard planning process.

## **2. Principle of development**

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

As such, the LPA can grant permission unconditionally or subject to different conditions, or alternatively refuse the application if it is deemed that the original condition(s) should remain in place.

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

Since the grant of planning permission PF/13/0960 on 15.11.2013 there has been a change in national planning policy as contained within the NPPF. The changes made to the policies do not significantly differ from those contained within the previous versions of the NPPF with regard to the matters relevant in this case. The assessment below has had regard to the latest version of the NPPF which was published in December 2023. The assessment has also had regard to the Development Plan and all relevant guidance, some of which has been updated since the consideration of application PF/13/0960.

The principle of development on the site has been established following the grant of planning permission under application PF/13/0960 and NMA1/13/0960. Those permissions were subsequently implemented, and the development has now been in situ for a number of years. This application seeks permission to amend the scheme approved under PF/13/0960 and NMA1/13/0960. As noted above, these changes relate to the provision of banks of inverters and replacement substations.

## **3. Impact on landscape, the character of the area and design**

The proposed amendments relate to changes within the centre of the existing solar farm. Whilst the replacement substations, and to a lesser extent, the inverters and fencing, would be visible from outside of the site, they would be seen in the context of the existing development and would not materially increase the solar farm's visual impact. Whilst the proposed replacement substation would be of a similar scale to that of the existing, the latest plans show it raised 700mm off the ground on concrete foundations. The applicant has stated that this is due to a fire exhaust flue, which exits the transformer housing from the underside. The reason

for the raised foundations is required to allow any potentially explosive gases to escape the housing as quickly as possible. Whilst this would increase the substation's prominence within the site, it is not considered that the change would result in significant harm to wider views.

The Landscape Officer has raised no objection to the proposed development for the reasons noted above.

It is considered that the proposed amendments would accord with Policies EN 2 and EN 4 in this respect.

#### **4. Residential amenity**

The proposed amendments would not result in significant adverse impacts upon nearby residential amenities. The development would remain acceptable in these regards in accordance with Policy EN 4.

#### **5. Highways**

Other than during the construction phase, the proposals would not alter the existing traffic associated with the development. The traffic associated with the construction would not have significant impacts on the surrounding highway network. The development would accord with Policy CT 5 in this respect to these matters.

#### **6. Ecology/trees**

The inverters, substation and fencing would be located within areas of grassland within the site. The development would not have an adverse impact upon the site's ecological value, nor would it have any impact upon trees. The proposals would accord with Policies EN 2, EN 4 and EN 9 in respect to these matters.

#### **7. Flood risk and surface water drainage**

Whilst the development would add built form, surface water would continue to be able to naturally infiltrate the ground in the areas immediately surrounding the development. There would be no material change in surface water run-off and the development would accord with Policy EN 10 in this respect.

#### **Other matters**

##### Conditions

The grant of a planning permission under Section 73 enables the LPA to impose planning conditions that are deemed appropriate and meet the relevant tests as cited within the NPPF (paragraph 57). Given that the application provides a new planning permission, it is considered necessary and reasonable to continue to impose those planning conditions attached to

planning permissions PF/13/0960 that remain relevant to the development for clarity and completeness, with amended phrasing where applicable.

### **Conclusion and planning balance**

The proposed amendments have been found to be acceptable in the context of the existing development at the solar farm. The proposals do not seek to amend PF/13/0960 beyond that set out above. Consideration has been given to the latest policy position and relevant guidance when assessing this submission.

### **RECOMMENDATION:**

**APPROVAL subject to the following conditions.**

#### Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents, except as where amendments or further details may be required in order to discharge specific condition(s) attached to this decision:

24002\_0EE002 Rev 03 'Layout of PV Farm with New HV Substations' dated 24/07/2024

Reason:

For the avoidance of doubt and to ensure the satisfactory layout and appearance of the development in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

2. The development shall be carried out in accordance with FS-DWG006 (CCTV Camera Elevations), SCL-01 (Security Camera Layout) and the Security Measures document (produced by Genatec, dated July 2013), and no additional CCTV, public address or speaker system shall be operated from the site at any time unless planning permission has first been granted for such items.

Reason:

In the interests of protecting the amenity of surrounding residents and to protect the rural character of the area in accordance with Policies EN 2, EN 4 and EN 13 of the adopted North Norfolk Core Strategy.

3. Within 25 years from 03/07/2014, the date when electricity was first exported from the solar farm to the electricity grid network or, if before that date, when the solar farm hereby permitted is no longer reasonably necessary for the purposes of generating electricity from solar energy, the solar panels, mounts, substation, inverters and all other associated apparatus/equipment shall be removed from the site within six months of the cessation of operation and the site shall be restored to the condition it was prior to the implementation of the permission (PF/13/0960).

Reason:

To ensure that the land is returned to its previous condition once the solar equipment is no longer required for electricity generation purposes, in the interest of the visual

appearance of the area in accordance with Policy EN 2 and EN 4 of the adopted North Norfolk Core Strategy.

4. The planting, as set out on drawing number 17756/002 Rev. E shall be managed and maintained in accordance with the Landscape Management Plan, prepared by Genatec, dated July 2013 for the operational duration of the development hereby permitted.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

5. The development hereby permitted shall be undertaken in strict accordance with the mitigation and habitat enhancement recommendations set out within Section 6 of the submitted Ecological Report carried out by Wild Frontier Ecology dated March 2013, submitted and approved under application PF/13/0960.

Reason:

To ensure that the development does not adversely affect biodiversity interests in accordance with Policy EN 9 of the adopted North Norfolk Core Strategy.

6. Except in relation to the construction phase of the development hereby permitted, no external lighting whatsoever shall be installed on site unless planning permission has first been granted

Reason:

To protect the dark skies from unnecessary light pollution in accordance with Policies EN 1 and EN 13 of the adopted North Norfolk Core Strategy.

7. No transformer proposed to be installed on the site as part of this permission shall be audible above background noise level beyond the boundaries of the site.

Reason:

To control the noise emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

8. The existing substations shown to be replaced on 24002\_0EE002 Rev 03, shall be removed from site, and the ground made good in accordance with the plan, within one (1) month from the date which the replacement substations are first brought onto site.

Reason:

To ensure compliance with the intended development and to protect the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

#### Informatives:

1. The Local Planning Authority considers that it has worked positively and proactively with the applicant to address any arising issues in relation to determining this planning application, to secure a policy compliant proposal that has been determined in the wider public interest at the earliest reasonable opportunity, in accordance with the requirements of the National Planning Policy Framework.

2. The applicant's attention is drawn to the fact that the above conditions (if any) must be complied with in full. Failure to do so may result in enforcement action being instigated.

**Final wording of conditions and any others considered necessary to be delegated to the Assistant Director – Planning**

**BINHAM - PF/24/0841 - Front and rear extensions to dwelling, external alterations at Bunkers Hill Barn, Bunkers Hill, Binham, Fakenham, Norfolk, NR21 0DF**

**Minor Development**

**Target Date:** 28<sup>th</sup> August 2024

**Extension of time:** n/a

**Case Officer:** Nicola Wray

**Householder Planning Permission**

**RELEVANT SITE CONSTRAINTS:**

Countryside

Binham Conservation Area

**RELEVANT PLANNING HISTORY:**

No relevant planning history

**THE APPLICATION**

The application seeks permission to erect front and rear extensions to the dwelling, with additional windows in the front and rear elevations.

**REASONS FOR REFERRAL TO COMMITTEE:**

At the request of Cllr S Butikofer on the following grounds (summarised):

**REPRESENTATIONS:**

One representation has been made objecting to this application. The key points raised in **OBJECTION** are as follows (summarised):

- The front extension is overbearing and dominant
- The proposed front extension would severely impact the available light in the most significant habitable room
- The rear extension would result in Pilgrims Barn being surrounded on three sides which may have a negative impact on the amount of noise
- Unsure how the front extension would attach the traditional period stone wall in the neighbouring courtyard garden area
- An established tree would also be affected through lack of light and root damage
- Quality of life would be negatively impacted

**CONSULTATIONS:**

**Ward Councillor – Comments provided as above.**

**Binham Parish Council – Object.** The comments in summary are;

- The front extension will impact on the two attached barns and impact on the visual line and character of the barns overall
- The immediate adjacent barn would be impacted by the front extension and the overall courtyard area of Bunkers Hill is so small that any front facing extension would impact on its character.
- With regards to the rear extension, the Parish Council are concerned about the level of light spill into an environment which, at night, is noted for its dark skies and would undoubtedly be in the near vicinity of bats and owls. They therefore feel unable to support the introduction of so many new windows
- The rear extension would impact on the surrounding buildings and historic character of the overall Bunkers Hill area
- Should the application be approved, they are asking that any external lighting is restricted and incorporated into the planning permission

Conservation and Design – No Objection. The comments in summary are:

- The proposed single storey extension to the front of the building does not raise any great concern for Conservation and Design as long as the drawings are accurate and the new section of catslide over the extension follows the form of the existing
- The principle of inserting an additional window into a previous opening is also accepted, as long as it remains possible to read the previous infill work above (including the brick arch)
- There is some concern that the proposed extensions to the rear will overly-domesticate this part of the building, however, it has to be acknowledged that this elevation does have a more altered character than the front elevation. There is, therefore, more scope for alteration.
- The semi-circular opening is being retained and will not be obscured by the new additions. This elevation is also only visible from private land, therefore, impact on the conservation area is limited.
- C&D see no reason to sustain an objection on the basis that it will largely preserve the character and appearance of the conservation area, and it is unlikely to have a real impact on the setting of the adjacent listed building.

## **HUMAN RIGHTS IMPLICATIONS**

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

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

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

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

## **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder 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 (September 2008)**

SS 1 (Spatial Strategy for North Norfolk)

SS 2 (Development in the Countryside)

HO 8 (House Extensions and Replacement Dwellings in the Countryside)

EN 4 (Design)

EN 8 (Protecting and Enhancing the Historic Environment)

EN 9 (Biodiversity and Geology)

CT 5 (Transport Impact of New Development)

CT 6 (Parking Provision)

### Material Considerations:

### **National Planning Policy Framework (NPPF) (December 2023)**

Chapter 2 (Achieving sustainable development)

Chapter 4 (Decision-making)

Chapter 9 (Promoting sustainable transport)

Chapter 12 (Achieving well-designed and beautiful places)

Chapter 15 (Conserving and enhancing the natural environment)

Chapter 16 (Conserving and enhancing the historic environment)

### **Supplementary Planning Documents and Guidance**

North Norfolk Design Guide (2008)

North Norfolk Landscape Character Assessment (2021)

## **OFFICER ASSESSMENT:**

### **Main issues for consideration:**

- 1. Principle of Development**
- 2. Impact on the character of the area, heritage and design**
- 3. Amenity**
- 4. Ecology**
- 5. Highways**

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

Policy SS 1 of the Core Strategy provides that this site within Binham falls within a countryside location. Policy SS 2 relates specifically to development in the countryside and allows the extension and replacement of dwellings. Accordingly, the principle of development is acceptable.

#### **2. Impact on the character of the area, heritage and design**

Policy HO 8 of the Core Strategy states, that “Proposals to extend or replace existing dwellings within the area designated as Countryside will be permitted provided that the proposal:

- would not result in a disproportionately large increase in the height or scale of the original dwelling, and
- would not materially increase the impact of the dwelling on the appearance of the surrounding countryside.

Policy EN 4 of the Core Strategy provides that all development be designed to a high quality, reinforcing local distinctiveness, and ensuring that the scale and massing of buildings relate sympathetically to the surrounding area.

The proposal cumulatively appears quite large, however, the catslide roofs and lower eaves mean that the proposal would be subservient to the original dwelling and would not appear disproportionate. Adding to this that the materials would be similar to the original dwelling, the proposal would not be considered harmful to the local area nor surrounding landscape.

Policy EN 8 of the Core Strategy states that the character and appearance of Conservation Areas will be preserved, and where possible enhanced. Part of the objection from the Parish Council is that the proposal may not preserve or enhance the character and appearance of the courtyard and nearby historic buildings and landscape.

The Conservation and Design Team have raised no objection to the plans, acknowledging that the front extension raises no great concern, and although there is some concern that the proposed extension to the rear would overly-domesticate this aspect, however it already has a more altered character than the front and so has more scope for alteration.

The no objection from the Conservation and Design Team includes caveats that the drawings are accurate, the new section of catslide over the extension follows the form of the existing, and the insertion of the new window does not remove the ability to read the previous infill work.

Despite the front extension projecting forward quite significantly, the officer’s view is in agreement with the Conservation and Design Team conclusions as the drawings show that the catslide extension would follow the existing, which would ensure the front elevation would retain similar architectural lines to the existing one. Furthermore, the rear extensions are not easily visible and so it would be hard to argue that they would impact harmfully on the area. It is therefore concluded that the proposed development complies with Policies HO 8, EN 4 and EN 8 of the adopted North Norfolk Core Strategy.

### **3. Residential Amenity**

Policy EN 4 states that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers.

The Parish Council have raised a concern regarding light spill. The agent has clarified that there is no glass roof, although there is a rooflight on the front extension and a large increase in glazing to the rear. The rear glazing would protrude light horizontally, which would lessen the impact on the surrounding area. Furthermore, the sole additional rooflight, given its location in the utility and WC, would not be considered to result in significant light spill as it would not be considered one of the more habitable spaces within the property.

Whilst the comments from the Parish Council regarding lighting are acknowledged, the scheme is small-scale and the imposition of a lighting condition would not be considered proportionate or reasonable for an extension of this scale.

Considering the objections received, the agent has conducted sun studies which do show a degree of impact in terms of overshadowing to the adjacent dwelling from the proposed front extension, predominantly during March, June and September. However, the proposal never results in a total loss of light, although it is reduced, and, the sun studies show that there would be no change to the level of overshadowing after mid-day year round. Furthermore, there is already some degree of overshadowing from the existing boundary wall. Officers consider that, on balance, whilst there would undeniably be an impact on the neighbouring dwelling from the front extension, it is considered that the proposal would not result in overshadowing impacts that would be considered significantly detrimental to sustain refusal.

The proposed development is therefore considered, on balance, to comply with aims of Policy EN 4 in regards to amenity.

#### **4. Ecological Impacts**

Policy EN 9 provides that all development proposals should protect the biodiversity value of land and buildings and minimise fragmentation of habitats, as well as maximise opportunities for restoration, enhancement and connection of natural habitats. Part of the objection from the Parish Council was potential impact on bats and owls.

A Preliminary Roost Assessment was conducted and showed the building as being of moderate potential suitability for roosting bats and so an emergence bat survey took place, which showed minimal risk to bats and birds subject to mitigation measures which can be secured by condition. There are no concerns in regards to impact upon trees or vegetation.

The proposed development is therefore considered to comply with Policy EN 9.

#### **5. Highways**

Policy CT 5 seeks to ensure that development proposals provide for safe and convenient access for all modes of transport, addressing the needs of all and safe access to the highway network without detriment to the amenity or character of the locality.

Policy CT 6 provides that “adequate vehicle parking facilities will be provided by the developer to serve the needs of the proposed development”.

The proposal would not alter the existing parking requirements or the access to the highway. As such, the proposed development complies with Policies CT 5 and CT 6.

#### **Planning Balance and Conclusion:**

The proposed development is considered to be, on balance, in accordance with the aims of the key Core Strategy Policies as set out above. There are no material considerations that indicate the application should be determined otherwise. Approval is therefore recommended subject to the imposition of conditions.

#### **RECOMMENDATION:**

**APPROVAL subject to conditions relating to the following matters:**

- Time limit
- Development in accordance with approved plans
- Materials as submitted

- Window insertion to retain ability to read previous infill work and brick arch
- Ecological mitigation/enhancement measures

**Final wording of conditions and any others considered necessary to be delegated to the Assistant Director – Planning**

**CROMER – PF/24/0201 – Erection of single-storey dwelling with detached bike/bin store, The Glass House, Fulcher Avenue, Cromer, NR27 9SG**

**Minor Development**

**Target Date: 21 March 2024**

**Extension of Time: 30 Aug 2024**

**Case Officer: Mark Brands**

**Full Planning Permission**

**CONSTRAINTS:**

Within Cromer Settlement Boundary  
Cromer Conservation Area - (Extension)  
Contaminated Land  
Landscape Character Assessment - Coastal Shelf  
Mineral Safeguarding Area  
EA Risk Surface Water Flooding  
GIRAMS Zones of Influence (various)

**RELEVANT PLANNING HISTORY:**

Reference	PF/23/0174
Description	Erection of single-storey dwelling with detached bike/bin store
Outcome	Application Withdrawn
Reference	DE21/16/0870
Description	Erection of 2 dwellings
Outcome	Advice Given
Reference	PO/04/0590
Description	Change of use of land to garden and erection of boundary fence/wall
Outcome	Approved 04.06.2004
Reference	PF/01/0176
Description	Erection of two-storey dwelling and car port
Outcome	Approved 13.12.2001
Reference	PF/99/1512
Description	Erection of bungalow and garage
Outcome	Approved 06.04.2000

**THE APPLICATION**

Full planning permission is sought for the erection of 1 no. single storey 2 bed dwelling with detached bike/ bin store

Further details received during the course of the application

Revised Arboricultural Impact Assessments (Target Trees, dated 14 May 2024).

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

This application has been referred to the Development Committee as requested by the local member given the level of public interest, and their view that it is a windfall development in a sustainable area for development'

## **CONSULTATIONS:**

### **Cromer Town Council - Support**

*net gain of hedge planting and efficient use of land reducing pressure on housing demand.*

### **Environmental Health – No objections subject to condition (contamination)**

### **Conservation and Design (NNDC) – Comments**

Proposal raises no particular concerns from a design and built environment point of view. Equally, however, the natural constraints on the site do, on the face of it at least, appear to make it ill-suited to supporting a new dwelling. Hence, any harm caused to these natural interests are in turn likely to have negative implications for the designated heritage asset. The precise extent of this harm is probably better determined by Landscape. However, assuming actual harm is identified, the public benefits accruing from the proposals would need to outweigh the harm for the scheme to be considered compliant under para 208 of the NPPF.

### **Landscape (NNDC) – Objection**

Significant concerns about squeezing this dwelling in a very constrained site. The trees are in very close proximity to the proposals - nearest within 1-2m. The trees are an important part of the setting and character of this area of Cromer and are prominent in Fulcher Avenue. The design of the proposal is not sympathetic to these maturing trees and will lead to requests for removal or ongoing requests to manage the trees. The proposals risk diminishing the trees' amenity value, and therefore is contrary to policy EN2 and cannot be supported.

### **County Council Highways (Cromer) – No objection subject to conditions**

### **Network Rail (Eastern Region - Anglia) – Comments**

## **REPRESENTATIONS:**

31 public representations received in support of the proposals, main points summarised below (full public comments can be found on the public site).

- Innovative sustainable eco build
- Inkeeping with the local character of the area and the Glass House
- Appropriate scale, design and materials sympathetic to the surroundings
- Appropriate landscaping
- Appropriate amenity and no detriment to neighbouring amenity
- Enhancement of landscaping, biodiversity and ecology
- Retains much of the hedging and trees on the site
- Positive design and use of sedum roof
- Property would readily integrate with the surroundings

- Positive contribution towards local housing supply
- Sustainable location, close proximity to town centre
- Revised scheme enhanced design and tree survey
- Positive design when viewed from the railway
- Positive sustainability credentials
- Appropriate waste storage

### **HUMAN RIGHTS IMPLICATIONS**

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

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

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

### **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder 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 (September 2008):**

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 3: Housing

Policy SS 7: Cromer

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

Policy EN 4: Design

Policy EN 8: Protecting and Enhancing the Historic Environment

Policy EN 9: Biodiversity and Geology

Policy CT5: The Transport Impact of New Development

Policy CT6: Parking Provision

#### Material Considerations

#### **Supplementary Planning Documents and Guidance:**

Design Guide Supplementary Planning Document (December 2008)

#### **National Planning Policy Framework (December 2023):**

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 6: Building a strong, competitive economy

Chapter 12: Achieving well-designed and beautiful places

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

## **OFFICER ASSESSMENT**

### **MAIN ISSUES FOR CONSIDERATION**

- 1. Principle of Development**
- 2. Design**
- 3. Landscape and amenity**
- 4. Conservation Area**
- 5. Highways and parking**
- 6. Environmental**
- 7. Recreational Impacts (GIRAMS)**
- 8. Planning Balance and Conclusion**

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

The site is located within the settlement boundary for Cromer, in a residential area, north of the railway line (Cromer to Norwich / Sheringham), which lies adjacent to the south, with the station and main town centre located to the east.

Within the settlement boundary the principle of new residential development is considered to be acceptable in relation to Development Plan Policies, SS 1, SS 3 and SS 7 of the adopted Core Strategy and Section 2 of the NPPF. Therefore, subject to compliance with other Core Strategy policies, a development comprising housing is considered acceptable in principle.

#### **2. Design**

Fulcher Avenue has a varied streetscene, with late 20<sup>th</sup> C standardised housing on the north side, 3-storey terrace opposite and 2 storey terracing and detached properties to the west going up the hill. The south side has a modern dwelling, built 20 years ago, The Glasshouse, which is a detached two storey distinct dwelling, contemporary in form with different use of materials, fenestration, profile. To the east of this is the Morrisons supermarket. The site rises along the road to the west and drops significantly towards the railway to the south, with significant mature trees present on the site making a positive contribution to the streetscene, as does the hedging from the otherwise built-up form.

A previous application for a similar designed property was withdrawn. Revisions have been made through reducing the size and increasing the garden space, through inclusion of rooflights to provide better internal lighting levels, and provided more details and supporting documentation to address concerns previously raised.

The design proposal involves an angular, contemporary property which would run parallel to the railway line, and as such is not dissimilar to the Glasshouse which has added interest to what would otherwise be an undistinguished area architecturally. The materials would comprise reclaimed Norfolk red brick, larch timber cladding on the side and rear and feature a green roof.

From the streetscene, the dwelling is designed to be relatively discrete and low scale with a simple brickwork frontage and entrance door, merging into the hedging enabling views to the



trees to be retained. The other elevations would be more contemporary in form, with the use of vertical cladding, and extent of glazing. The site is on an embankment, which would preclude use of the southern part as usable amenity space, this is recognised with the main garden being located to the west of the dwelling. There would be paving and a smaller garden area to the east, along with the bin store and parking area for 2 vehicles.

The design aspects are considered acceptable. Local Policy EN 4 supports development where these are designed to a high quality, reinforcing local distinctiveness, with innovative designs particularly encourage, having regards to their surroundings and contexts. The proposals are considered to comply with the local design policy.

The proposed development has been informed by the context of the site, and the character of the streetscene, and is considered to be appropriate in terms of scale, design, use of materials. Officers consider the proposal would comfortably sit within the streetscene, with more contemporary / innovative design to the rear, aiming to retain the natural characteristics of the site, and integrate within the site specific constraints. Fenestration and rooflights have been designed to maximise lighting to the interior. The garden area is limited, but given the location and constraints of the site, the size is considered, on balance, to be acceptable, with sufficient lighting for the internal rooms. Given the distance to neighbouring properties and intervening features, Officers consider the proposal would not adversely impact neighbouring amenity.

However, it also has to be recognised that the amenity afforded to future occupants would be compromised given the proximity of the mature trees and canopy cover as set out in the next section, and these issues weigh against the grant of planning permission.

### **3. Landscape and amenity**

Officers consider that there would be an impact from the proposed dwelling on the nocturnal character of the site. The large extent of glazing adjacent to the railway embankment would have a negative impact, through light spill from the new dwelling, upon nocturnal wildlife (bats), which may forage/commute along the existing treeline and railway corridor.

The Preliminary Ecological Assessment (PEA) submitted by the applicant notes no initial evidence of protected species being found on the site, and suggest the site being of low ecological value with no priority habitat and no significant ecological constraints. The report indicates low roosting potential to bats and low to moderate commuting and foraging potential, with sufficient mitigation and enhancement measures set out in the report.

The proposals would result in the loss of a section of hedgerow (12m) to accommodate the dwelling, it is noted compensatory planting is proposed including native hedgerows covering 57m and additionally 7 x *Quercus robur*, 3 x *Malus sylvestris*, 2 x *Prunus avium*. However, Officers consider that the likelihood of the new planting being successful would be low, given this would be close to or beneath the existing trees. The proposals seek to retain the majority of the landscape features on the site (including the 15 Category C trees).

The amended arboricultural report has overcome a number of direct concerns relating the proposed development on the trees, including reducing the pruning works for branches to be pruned if branches are closer than 2m from the main roofline and within 3m of the buildings eastern wall. Further details and clarification on the micro piling have also been provided, demonstrating the proposed dwelling could be erected on the site without direct impact to the trees and root areas.

It is noted the trees are within the Conservation Area, whereby the council would have some oversight, based on the need to apply for works to trees within this designation. However, there would remain indirect ongoing pressure on these trees. Given the extent of canopy over the site, there would be significant pressure to inappropriately manage and fell the trees. The trees are of stature towering above where the proposed dwelling would be sited, resulting in an oppressive and overbearing impact on future residents. The close proximity of the bungalow to the trees would also give rise to a heightened sense of apprehension that the trees could damage the property. Such pressures are acknowledged by BS 5837:2012. Future occupants would additionally have the added burden of having to undertake regular and essential tree management.

Shading details have been provided, to demonstrate there would be adequate lighting internally, aided with the addition of roof lights to improve lighting levels under the canopy from the previously withdrawn application. However other undesirable impacts from leaf litter, branch shedding and other deposits would fall on the house and garden areas. The local design guide sets out that private garden areas should be of adequate size and shape to serve their intended purpose and have an aspect which is substantially free from shading from trees and building during the year. As a result, Officers consider that the living conditions of future occupants would be compromised.

Consequently, this would likely place the Council under sustained pressure to permit undesirable works to the trees, which would additionally be detrimental to the character of the Conservation Area where these trees currently make a positive contribution to this designated area. While it is noted the revised Arboricultural Implication Assessment (AIA) has gone some way to addressing the direct impacts of the proposed dwelling, this would not overcome the indirect impacts associated with the proposals, and potentially have detrimental impacts to the streetscene, character of the area and degree of harm to the Conservation Area. The trees are an important part of the setting and character of this area of Cromer and are prominent in Fulcher Avenue. The design of the proposal is not sympathetic to these maturing trees and will result in future requests for inappropriate works that will diminish their amenity value.

The proposal is therefore considered contrary to the aims of Core Strategy policy EN2 and the amenity aspects of policy EN 4 and the Design Guide, with compromised amenity for future occupants.

#### **4. Conservation Area**

The site is located within the Cromer Conservation Area (within the 1993 extension), it is noted this area has been suggested to be excluded in future amendments with no strong arguments for this area's retention. Notwithstanding these notes within the Appraisal the site is within this designation and doesn't diminish the application of Policy EN 8 and provisions within the National Planning Policy Framework (NPPF).

No particular concerns have been raised regarding the design from the Design and Conservation Officer, noting the context of the site, complimentary to Glasshouse in a contemporary form. Concerns have been raised regarding the impact to the natural environment with the loss of hedgerow and potential pressures to the trees, partly caveating the response from the landscape section, and noting where harm is identified, the public benefits accruing from the proposals would need to outweigh the harm for the scheme to be considered compliant under para 208 of the NPPF.

In this case the landscape section have identified harm, which would also impact the Conservation Area, regarding pressure to fell the trees given the amenity pressures of the site with the extent of canopy. Local policy EN 8 and provisions within the NPPF set out that development proposals are required to preserve or enhance the character and appearance of designated assets

It is recognised there is a shortfall in the housing supply, as such the addition of a dwelling in a sustainable location would be of some public benefit to address this shortfall. It is also noted the importance of this area to the contribution of the wider Conservation Area is more limited and acknowledged within the Conservation Area Appraisal. However, the public benefits are not considered to outweigh the less than substantial harm to the Conservation Area that would result from compromising this green verdant buffer that the site provides to this part of the Conservation Area. The proposals are also considered contrary to policy EN 8 and paragraph 208 of the NPPF, in association with the concerns raised by the landscape section.

## **5. 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 115 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. See excerpts from the highway officer comments below

The highway authority have raised no objections to the proposals, the new access is not considered detrimental to highway safety, and there is sufficient parking commensurate to the scale of development proposed. The proposals would accord with local policies CT 5 and CT 6.

## **6. Environmental Issues**

The site is located adjacent to the railway and, regarding the noise impact from this feature, the Environmental Protection team is satisfied with the details provided in the design and access statement, noting this is expected to result in minimal disturbances based on the limited number of trains and low speeds. Additionally, reference has been made to the acoustic details provided in association with the approval for the Glass House, which concluded that no sophisticated mitigation was required. The expected noise impact on the proposed dwelling would be similar for that of the adjacent dwelling, and there have been no noise complaints reported to the council, as such the Local Planning Authority is satisfied noise would not adversely affect occupants of the dwelling.

A phase 1 desk survey has been undertaken into potential land contamination. There is potential for contaminated soils within the garden and soft landscaped areas, an intrusive investigation would be required to test the soils in order to better quantify the level of risk and identify any appropriate remediation measures as required. It is not expected that the contamination risk or remediation could not be overcome, with details to be secured via condition, as such subject to this condition, would comply with policy EN 13.

## **7. Recreational Impacts (GIRAMS)**

The Norfolk wide Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) is a strategy agreed between the Norfolk planning authorities and Natural England. The Strategy enables growth in the District by implementing the required mitigation to address adverse effects on the integrity of Habitats Sites arising from recreational disturbance caused by an increased level of recreational use on internationally designated Habitat Sites, particularly European sites, through growth from all qualifying development. Increased recreation without mitigation is likely to affect the integrity of these Habitat Sites across Norfolk. It would result in the significant features of the sites being degraded or lost, and these internationally important areas losing significant important areas for birds, plants and wildlife generally and, therefore, their designations. All net new residential and tourism development are required to mitigate the effects of the development.

This Strategy recommends a tariff approach to ensure funds are collected and pulled together to deliver the Recreational Impact Avoidance and Mitigation (RAMS) package proposed. This reflects the entirety of Norfolk including all partner Local Planning Authorities and would see a common tariff amount for all net new dwellings in the county (£221.17) alongside a 6:1 ratio for tourism development. This has been calculated from the RAMS mitigation package to cover the lifetime of the Local Plans.

The proposed development would create one net new dwelling, a Contribution of £221.17 is therefore required. Payment was received on the previous application, and an updated S111 form and top up payment shall be provided. The Local Planning Authority as the 'competent authority' has completed an Appropriate Assessment and concluded that subject to securing the GIRAMS financial contribution, the planning application would not have an adverse effect on the integrity of the European Sites identified above from recreational disturbance, when considered alone and 'in combination' with other development. Consultation with Natural England is not considered to be necessary as the proposed development would be subject to the GIRAMS payment to offset potential impacts of an increase in recreational disturbance to nearby Habitat Sites.

Subject to the payment of the GIRAMS, the scheme would comply with Policy EN 9 of the adopted Core Strategy and Chapter 15 of the NPPF.

## **8. Planning Balance and Conclusion**

The proposal seeks the erection of a single dwelling within the Principal Settlement of Cromer, which is amongst the most sustainable settlements in the district to accommodate new development.

The Local Authority cannot currently demonstrate either a 5-year or 4-year housing land supply, which is a material planning consideration in the determination of the application. The titled balance under NPPF paragraph 11 d) is therefore engaged which sets out that:

"d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. 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".

The addition of a new dwelling would make a positive contribution towards addressing the housing shortfall and support the local economy both during the construction phase and supporting local services and facilities.

The proposed scheme is considered acceptable from a design perspective, however the amenity standards afforded to the future occupants would be compromised and the proposals would result in significant ongoing pressure to inappropriately manage and potentially remove the trees, to the detriment of the local landscape and Conservation Area.

The adverse impacts would therefore significantly and demonstrably outweigh the benefits and the proposal is therefore considered contrary to local policy considerations EN 2, EN 4 (amenity), EN 8 and provisions within the NPPF including paragraph 208.

**RECOMMENDATION:**

**REFUSAL FOR THE FOLLOWING REASONS:**

1. The residential development of the site would create actual and perceived conflicts between the safety and amenity of future occupiers and the close proximity of trees. This situation would increase the likely pressure for inappropriate management and removal of trees which would be more difficult to resist with residential occupancy of the site. The proposed development would therefore harm the character and appearance of the site to the detriment of the local landscape and Conservation Area. Contrary to Policies EN 2, EN 4, EN 8 of the adopted North Norfolk Core Strategy.

Although a 5-year supply of housing land cannot currently be demonstrated to exist within North Norfolk, in the context of paragraph 11 of the National Planning Policy Framework, the environmental and Conservation harm identified above is sufficiently significant to outweigh the limited social and economic benefits of the development.

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**CROMER – PF/24/1500 - Installation of air source heat pump at 20 Bernard Road  
Cromer, Norfolk, NR27 9AW**

**Minor Development**

**Target Date:** 19<sup>TH</sup> September 2024

**Extension of Time:** N/A

**Case Officer:** Mr H Gray

**Householder Planning Permission**

**RELEVANT SITE CONSTRAINTS**

Settlement Boundary

Residential Area

Cromer Conservation Area (close proximity)

**RELEVANT PLANNING HISTORY**

No relevant planning history

**THE APPLICATION**

This application seeks permission to install an air source heat pump onto the rear of the dwelling.

**REASONS FOR REFERRAL TO COMMITTEE**

This application has been referred to the Development Committee as the applicant is a Local Cllr (Cllr J Boyle)

**REPRESENTATIONS**

No representations have been received.

**CONSULTATIONS**

**Cromer Town Council - No objection**

**Environmental Health - No response**

**HUMAN RIGHTS IMPLICATIONS**

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

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

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

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

The application raises no significant crime and disorder issues.

## **LOCAL FINANCE CONSIDERATIONS**

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

## **STANDING DUTIES**

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

## **RELEVANT POLICIES**

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

Policy SS 1 (Spatial Strategy for North Norfolk)

Policy SS 7 (Cromer)

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

Policy EN 4 (Design)

Policy EN 7 (Renewable Energy)

Policy EN 8 (Protecting and Enhancing the Historic Environment)

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

### **National Planning Policy Framework (December 2023):**

Chapter 2 (Achieving sustainable development)

Chapter 4 (Decision-making)

Chapter 9 (Promoting sustainable transport)

Chapter 12 (Achieving well-designed and beautiful places)

Chapter 15 (Conserving and enhancing the natural environment)

Chapter 16 (Conserving and enhancing the historic environment)

### **Supplementary Planning Documents and Guidance:**

Design Guide Supplementary Planning Document (December 2008)

Landscape Character Assessment (CS1 Coastal Shelf) (January 2021)

## **OFFICER ASSESSMENT:**

### **Main issues for consideration:**



- 1. Principle of development**
- 2. Impact on character of the area and design**
- 3. Impact upon the heritage asset**
- 4. Residential amenity**
- 5. Highways and parking**

## **1. Principle**

Policy SS 1 states that the majority of new development in North Norfolk will take place in the towns and larger villages whilst a smaller amount of development will be focused on designated Service and Coastal Service Villages to support rural sustainability. Cromer, within which the application site is located, is listed within this policy as a Primary Settlement. The site falls within the Settlement Policy Boundary of Cromer whereby extensions to existing dwellings are acceptable in principle subject to compliance with all relevant Core Strategy Policies. Whilst not strictly an extension, but rather an alteration/additional to a dwelling, this policy remains relevant.

## **2. Impact on the character of the area and design**

The proposed air source heat pump (ASHP) would be located at the rear of the property, abutting the rear wall, and towards the middle of the rear elevation. Air source heat pumps are a common sight upon residential dwellings and therefore no substantial concerns are raised. It is ultimately considered that the small scale of proposal would not negatively affect the character and appearance of the existing dwelling.

The application would therefore be considered to comply with Policy EN 4 of the adopted North Norfolk Core Strategy.

## **3. Impact upon the heritage asset**

The small scale and nature of the proposal would prevent any negative impacts upon the character and appearance of the adjacent Cromer Conservation Area or its setting.

The application would therefore be considered to comply with Policy EN 8 of the adopted North Norfolk Core Strategy as well as Chapter 16 of the NPPF.

## **4. Residential amenity**

The nature of the proposal would prevent concerns regarding residential amenities impacts, such as overlooking and overbearing, as listed within Policy EN 4 and the North Norfolk Design Guide.

It is considered that the ASHP would be situated a sufficient distance away from neighbouring properties to prevent concerns regarding noise pollution, as detailed within Policy EN 13. Furthermore, the existing built form of the host dwelling would act partly as an acoustic barrier to help mitigate the sound of the ASHP by preventing a direct line to the bedroom windows of the adjoining neighbour property.

The development would therefore be compliant with the aims of Policy EN 4 and EN 13 of the adopted North Norfolk Core Strategy.

## **5. Highways and parking**

The proposed development would not impact upon the existing highways access and network or the existing parking provisions.

The development is therefore considered to be in accordance with Policies CT 5 and CT 6 of the adopted North Norfolk Core Strategy.

## **Planning Balance and Conclusion**

The proposed development is considered to be in accordance with the aims of the key Core Strategy Policies as set out above. There are no material considerations that indicate the application should be determined otherwise. Approval is therefore recommended subject to the conditions and informative listed below.

## **RECOMMENDATION:**

### **APPROVAL subject to the following conditions:**

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

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

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

- Location Plan, received 16<sup>th</sup> July 2024
- Site Plan, received 16<sup>th</sup> July 2024
- aroTHERM Plus Spec-sheet, received 16<sup>th</sup> July 2024

Reason for Condition: To ensure the development is carried out in accordance with the expressed intentions of the application and to ensure the satisfactory development of the site, in accordance with Policies EN 4 of the adopted North Norfolk Core Strategy.

3. The air source heat pump hereby permitted shall be installed as per the specifications detailed within the Application Form received 16<sup>th</sup> July 2024.





Reason for Condition: For the avoidance of doubt and to accord with the expressed intentions of the applicant, in order to avoid unacceptable levels of noise pollution in accordance with Policies EN 4 and EN 13 of the adopted North Norfolk Core Strategy and Chapter 10 of the North Norfolk Design Guide.

**Final wording of conditions and any others considered necessary to be delegated to the Assistant Director – Planning**

## DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – 22 August 2023

### 1. INTRODUCTION:

- 1.1 This report briefly sets out performance in relation to the determination of planning applications in Development Management the period **June 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
<b>(Speed)</b> <b>Decisions Made</b> <i>(Period June 2024)</i>	<b>Major</b> 1 decision issued.  100% within time period	60%  (80% NNDC)	24 month average to 30 June 2024 is  <b>100.00%</b> 
	<b>Non-Major</b> 69 decisions issued  <i>100% within time period</i>	70%  (90% NNDC)	24 month average to 30 June 2024 is  <b>96.00%</b> 
<b>(Quality)</b> <b>% of total number of decisions made that are then subsequently overturned at appeal</b>	<b>Major</b>	10%  (5% NNDC)	24 month average to 30 June 2024 is  <b>1.79% (one case RV/22/1661)</b> 
	<b>Non-Major</b>	10%  (5% NNDC)	24 month average to 30 June 2024 is  <b>0.74%</b> 

<b>Performance Measure</b>	<b>Actual Performance</b>	<b>Target</b>	<b>Comments</b>
<b>Validation</b> <i>(Period June 2024)</i>	281 applications registered  218 applications validated	3 days for Non- Major from date of receipt  5 days for Majors from date of receipt	Datasets do not currently breakdown validated apps by Major / Minor or those on PS2 returns, but performance data retrieval being reviewed.

**2. S106 OBLIGATIONS**

2.1 A copy of the list of latest S106 Obligations is attached. There are currently three S106 Obligations being progressed, two of which 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:**

**22 August 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 nearly settled but application is currently on hold.	
PO/23/1526	Land To South East Of 1A The Street Thursford Green Norfolk NR21 OAS	Outline application with details of access only (all other matters reserved) for the erection of a self-build dwelling (Class C3)	CP105 - Thursford	Geoff Lyon	Committee	07/12/2023	Fiona Croxon	23285	Completed	
PF/23/1612	Land East Of Coast Road Bacton Norfolk	Hybrid planning application seeking: 1. Detailed/full planning consent for 47 dwellings (affordable homes), associated infrastructure and open space on 2.80 hectares of land (northern part of field between Coast Road and Mill Lane) and access/highways works; and 2. Outline consent (all matters reserved) for village open space and car parking on 0.65 hectares of land (southern part of field along Coast Road frontage)	CP007 - Bacton	Joseph Barrow	Committee	13/06/2024	Fiona Croxon	TBC	Completed	

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**APPEALS SECTION**

**NEW APPEALS**

**BODHAM - PF/23/2684 - Construction of new agricultural building following demolition of existing building subject of lawful development certificate CL/23/0819**

Hurricane Farm Corner, Church Road, Lower Bodham, Holt, Norfolk, NR25 6RN

**For Mr David Gay**

WRITTEN REPRESENTATION

**Appeal Start Date:** 05/08/2024

**Appeal Decision:**

**Appeal Decision Date:**

**HICKLING - PF/24/0687 - Erection of single storey front/side extension**

Old Chapel Cottage, Stubb Road, Hickling, Norwich, Norfolk, NR12 0YS

**For Mr and Mrs S Budgett**

FAST TRACK - HOUSEHOLDER

**Appeal Start Date:** 18/07/2024

**Appeal Decision:**

**Appeal Decision Date:**

**ITTERINGHAM - PF/23/2299 - Change of use of the building known as "The Muster" and "Willow Barn" office-studio and associated outbuildings to a residential dwelling (C3)**

The Muster, The Street, Itteringham, Norwich, Norfolk, NR11 7AX

**For Mr Eric and Penelope Goodman and Blake**

WRITTEN REPRESENTATION

**Appeal Start Date:** 06/08/2024

**Appeal Decision:**

**Appeal Decision Date:**

**TRUNCH - PF/23/0613 - Construction of two-bedroom detached dwelling, cartshed garage and associated works**

The Roost, Mundesley Road, Trunch, North Walsham, Norfolk, NR28 0QB

**For Mr & Mrs Jelliff**

WRITTEN REPRESENTATION

**Appeal Start Date:** 19/07/2024

**Appeal Decision:**

**Appeal Decision Date:**

**WRITTEN REPRESENTATIONS APPEALS - IN HAND**

**BLAKENEY - PF/23/1825 - Erection of single-storey holiday lodge**

Hilltop Retreats, Langham Road, Blakeney, Holt, Norfolk, NR25 7PR

**For Mr James Bunn**

WRITTEN REPRESENTATION

**Appeal Start Date:** 10/04/2024

**Appeal Decision:**

**Appeal Decision Date:**

**CROMER - PF/23/0958 - Change of use of annexe from ancillary accommodation to allow use for holiday let**

Annexe At, Great Gable, Metton Road, Cromer, Norfolk, NR27 9JH

**For Mr Duane Wright**

WRITTEN REPRESENTATION

**Appeal Start Date:** 19/03/2024

**Appeal Decision:**

**Appeal Decision Date:**

**CROMER - PF/23/2053 - Reinstatement of first floor balcony with installation of glass balustrade (resubmission of PF/22/2200)**

The Bath House , Promenade, Cromer, Norfolk, NR27 9HE

**For Mrs J Kinnaird**

WRITTEN REPRESENTATION

**Appeal Start Date:** 03/04/2024

**Appeal Decision:**

**Appeal Decision Date:**

**EDGEFIELD - PU/23/1670 - Change of use of agricultural building to 1 'larger' dwellinghouse (Class C3), and building operations reasonably necessary for the conversion**

Land North East Of Wood Farm Barn, Plumstead Road, Edgefield, Norfolk

**For Mr & Mrs Ben & Anita Jones**

WRITTEN REPRESENTATION

**Appeal Start Date:** 09/05/2024

**Appeal Decision:**

**Appeal Decision Date:**

**FIELD DALLING & SAXLINGHAM - PU/23/2274 - Change of use of an agricultural building to one "larger" dwellinghouse and associated building operations necessary for the conversion**

Grain Store, Langham Road, Field Dalling, Norfolk

**For Mr & Mrs Tom Bacon**

WRITTEN REPRESENTATION

**Appeal Start Date:** 04/06/2024

**Appeal Decision:**

**Appeal Decision Date:**

**KNAPTON - PF/23/2228 - Erection of detached dwelling and car port with vehicle access to Mundesley Road**

Alford Barns, Mundesley Road, Knapton, North Walsham, Norfolk, NR28 0RY

**For Mr John Alford**

WRITTEN REPRESENTATION

**Appeal Start Date:** 25/06/2024

**Appeal Decision:**

**Appeal Decision Date:**

**MORSTON - PF/23/1501 - Erection of timber structure to contain walk-in fridge for kitchen (retrospective)**

Morston Hall, The Street, Morston, Holt, Norfolk, NR25 7AA

**For Mr Galton Blackiston**

WRITTEN REPRESENTATION

**Appeal Start Date:** 10/07/2024

**Appeal Decision:**

**Appeal Decision Date:**

**POTTER HEIGHAM - PU/23/2311 - Application to determine if prior approval is required for the change of use and building operations reasonably necessary for the conversion of an agricultural building - Barn B to create 1 Larger and 2 Smaller Dwellinghouses**

Glebe Farm, Marsh Road, Potter Heigham, Great Yarmouth, Norfolk, NR29 5LN

**For Mr Robert Hall**

WRITTEN REPRESENTATION

**Appeal Start Date:** 14/03/2024

**Appeal Decision:**

**Appeal Decision Date:**



**POTTER HEIGHAM - PF/22/1306 - Erection of two storey semi-detached dwelling to side of 14 Reynolds Lane**  
14 Reynolds Lane, Potter Heigham, Great Yarmouth, Norfolk, NR29 5LY  
**For Alison Vanner**  
WRITTEN REPRESENTATION

**Appeal Start Date:** 17/04/2024

**Appeal Decision:**

**Appeal Decision Date:**

**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

**Appeal Start Date:** 10/11/2023

**Appeal Decision:**

**Appeal Decision Date:**

**SWANTON ABBOTT - EF/23/2459 - Lawful Development Certificate for proposed siting of modular building within curtilage of dwelling for use as an annexe to the main dwelling**

Ambleside, The Footpath, Aylsham Road, Swanton Abbott, Norwich, Norfolk, NR10 5DL

**For Gibbons**

WRITTEN REPRESENTATION

**Appeal Start Date:** 08/04/2024

**Appeal Decision:**

**Appeal Decision Date:**

**WELLS-NEXT-THE-SEA - PF/23/1018 - Erection of two storey dwelling**

34 Freeman Street, Wells-next-the-sea, Norfolk, NR23 1BA

**For Mr Underwood**

WRITTEN REPRESENTATION

**Appeal Start Date:** 14/05/2024

**Appeal Decision:**

**Appeal Decision Date:**

### **APPEAL DECISIONS - RESULTS AND SUMMARIES**

**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 Tucker**

WRITTEN REPRESENTATION

**Appeal Start Date:** 13/11/2023

**Appeal Decision:** Appeal Allowed

**Appeal Decision Date:** 01/08/2024

**Total Number of Appeals listed: 17**

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**OFFICERS' REPORTS TO  
DEVELOPMENT COMMITTEE (ENFORCEMENTS)**

*Appeals Information for Committee between  
18/07/2024 and 09/08/2024*

**22-August-2024**

**APPEALS SECTION**

**INQUIRIES AND HEARINGS - IN PROGRESS**

**CROMER - ENF/22/0026 - Installation of a flue**  
Lily Mai's, New Street, Cromer, Norfolk, NR27 9HP

INFORMAL HEARING

**Appeal Start Date:** 17/01/2024

**Appeal Decision:**

**Appeal Decision Date:**

**WRITTEN REPRESENTATIONS APPEALS - IN HAND**

**ALBY WITH THWAITE - ENF/20/0066 - Erection of a building for residential use, garage and landscaping to create a garden**  
Field View, Alby Hill, Alby, Norwich, NR11 7PJ

WRITTEN REPRESENTATION

**Appeal Start Date:** 24/07/2023

**Appeal Decision:**

**Appeal Decision Date:**

**BODHAM - ENF/23/0169 - Change of use of the land for residential purposes and the siting of motor vehicles and the siting of a static caravan and unit.**  
Land North Of Hurricane Farm Bungalow, Church Road, Lower Bodham, Norfolk

WRITTEN REPRESENTATION

**Appeal Start Date:** 10/11/2023

**Appeal Decision:**

**Appeal Decision Date:**

**EAST BECKHAM - ENF/22/0289 - Material change of use of agricultural land to storing of machinery and creation of a bund**  
Land North Hwrc, Holt Road (a148), East Beckham, Norwich, Norfolk, NR11 8RP

WRITTEN REPRESENTATION

**Appeal Start Date:** 02/03/2023

**Appeal Decision:**

**Appeal Decision Date:**

**EDGEFIELD - ENF/23/0092 - unauthorised works to a protected trees and new camping activity.**  
Dam Hill Plantation, Holt Road, Edgefield, Norfolk

WRITTEN REPRESENTATION

**Appeal Start Date:** 23/02/2024

**Appeal Decision:**

**Appeal Decision Date:**

**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

WRITTEN REPRESENTATION

**Appeal Start Date:** 19/02/2024

**Appeal Decision:**

**Appeal Decision Date:**

**RUNTON - ENF/23/0027 - Breach of conditions 2, 3,4, 6, 7, 8, 10, 11, 13,15 and 16 of planning permission PF/18/1302.**  
Homewood, Mill Lane, East Runton, Cromer, Norfolk, NR27 9PH

WRITTEN REPRESENTATION

**Appeal Start Date:** 09/01/2024

**Appeal Decision:**

**Appeal Decision Date:**

**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

WRITTEN REPRESENTATION

**Appeal Start Date:** 23/05/2023

**Appeal Decision:**

**Appeal Decision Date:**

**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

WRITTEN REPRESENTATION

**Appeal Start Date:** 31/08/2023

**Appeal Decision:**

**Appeal Decision Date:**

**WEYBOURNE - ENF/23/0278 - Change of use of barn to a pilates studio**

Weybourne House, The Street, Weybourne, Holt, Norfolk, NR25 7SY

WRITTEN REPRESENTATION

**Appeal Start Date:** 29/04/2024

**Appeal Decision:**

**Appeal Decision Date:**

**Total Number of Appeals listed: 10**

<b>Planning Service Improvement Plan (PSIP) Update</b>	
<b>Executive Summary</b>	<p>This report focusses on proposals for two more of the PSIP areas highlighted within the report of 25<sup>th</sup> July 2024, namely:</p> <ul style="list-style-type: none"> <li>(i) A new suite of Key Performance Indicators for Planning; and,</li> <li>(ii) A new 'Pre-Application' Advice Service;</li> </ul>
<b>Options considered</b>	Addressed – where appropriate – within the body of the text / appendices. Councillors will also be able to suggest alternative options.
<b>Consultation(s)</b>	Internal consultation has taken place with Officers from within Planning. External consultation has taken place with the Council's Agents and Developers Forum (Appendix 4)
<b>Recommendations</b>	<p>1. Committee's views on the Indicators set out in Appendices 2 and 3 are sought and thereafter the Assistant Director Planning will report progress on target setting and quarterly performance for relevant indicators in November 2024; and,</p> <p>2. Committee's views on the proposed new Pre-Application Service (Appendix 4) are sought and that those views are considered as the Fee Proposal is finalised for Council discussion / decision and that views on the rest of the proposal are considered and incorporated as appropriate – by Officers – into the final scheme design.</p>
<b>Reasons for recommendations</b>	To deliver the improvements sought by the PSIP.
<b>Background papers</b>	25 <sup>th</sup> July 2024 Development Committee Report Overviews and Scrutiny Committee Report from February 2023 on the PSIP

<b>Wards affected</b>	None
<b>Cabinet member(s)</b>	Cllr Andrew Brown
<b>Contact Officer</b>	Russell Williams, Assistant Director – Planning, Tel: 01263 516416

<b>Links to key documents:</b>	
Corporate Plan:	Completing the PSIP is one of the Corporate Actions in the Corporate Plan

Medium Term Financial Strategy (MTFS)	The proposal links to the MTFS agreed in February 2024 – that document assumed increases in Pre-Application Fees
Council Policies & Strategies	The Planning Service Improvement Plan

<b>Corporate Governance:</b>	
Is this a key decision	No
Has the public interest test been applied	Not Applicable
Details of any previous decision(s) on this matter	See the Background Papers section

## 1. Purpose of the report

- 1.1 This report has been written to provide Councillors with an update on progress on the delivery of the Council's Planning Service Improvement Plan (PSIP) and to seek the Committee input on a number of items within the Plan. It follows on from a related report considered at Development Committee on 25<sup>th</sup> July 2024.
- 1.2 This report focusses on proposals for two more of the PSIP areas highlighted within the report of 25<sup>th</sup> July 2024, namely:
- (iii) A new suite of Key Performance Indicators for Planning; and,
  - (iv) A new 'Pre-Application' Advice Service.

## 2. Introduction & Background

- 2.1 The PSIP was agreed by Overview & Scrutiny in February 2023.
- 2.2 It is intended to provide a final report on the Plan – effectively a 'closure report' to Overview and Scrutiny Committee prior to the end of October 2024. Prior to that – at the September 2024 Development Committee meeting - it is anticipated that matters will be tabled for Councillor discussion that cover:
- (i) A new draft Local Validation List;
  - (ii) A new 'standard' set of conditions that would be used by our Officers when issuing decisions on planning applications; and,
  - (iii) An update section of the Constitution that sets in place clear / better delegations to Development Committee and the Director for Place and Climate Change.

- 2.3 The report of 25<sup>th</sup> July 2024 focused on two proposed new initiatives:
- (i) Planning Training proposals for Councillors; and,
  - (ii) A new system to manage consistently the 'Call-In' process for items ending up on the Committee Agenda.
- 2.4 Councillors endorsed the proposed training programme and provided comments on the suggested new Call-In process. Since then a revised version of the Call In Form has been circulated to Councillors for final comment and the new system will be introduced from 1<sup>st</sup> September. The revised version of the form is attached as Appendix 1. Officers are looking at the potential to pre-populate some of the form to make completion easier – so the form may evolve a little further yet.
- 2.5 The element around whether there should be an 'arbiter' as to whether the Call In justification is sufficient and who that might be has been put back for consideration as part of any future Constitution based changes.

### **3. Proposals and Options**

#### **(i) A new suite of Key Performance Indicators for Planning; and,**

- 3.1 It is recognised that the limited suite of indicators that are currently reported to Development Committee on a monthly basis do not measure or report on much of what the Planning Service does and nor do they provide a fully rounded assessment of performance.
- 3.2 Officers across Planning have inputted into the production of a new set of Performance Indicators which would enable an assessment of the performance of the entire planning service to be made.
- 3.3 50 Performance Indicators are proposed (see Appendix 2).
- 3.4 It is intended to report on performance against all 50 indicators on an annual basis – with the first such report in approximately July 2025 (for the 2024/25 financial year). This should also enable the Council's performance to be assessed against that of other councils.
- 3.5 In that regard it is also thought helpful to establish some 'Context Indicators' that will help paint a background picture of the environment against which Planning in North Norfolk operates and which – in some instances – help set some performance indicators in context – i.e. 50% performance might be viewed differently if it applies to 2 cases than if it applied to 2,000 cases.
- 3.6 50 Context Indicators are proposed (see Appendix 3).

- 3.7 Of the 100 indicators in the total suite – 40 have been identified as meriting quarterly monitoring and reporting. Those are identified by a Q in the right-hand column of the two appendices.
- 3.8 The first quarterly report will be produced at the end of quarter 2 of this financial year – and should be reported to Development Committee in November 2024. At that time, a suggested target for each indicator will be proposed – and if it is available, comparable data provide from 2023/24. Thought will also be given as to how best to present the data – e.g. in a ‘numbers based’ table or in an ‘info-graphic’ or a mix of forms.
- 3.9 Any amendments suggested and agreed by Committee to the lists in the Appendices will be included in the updated lists that will go to that November Committee.

**(ii) A new ‘Pre-Application’ Advice Service;**

- 3.10 A ‘pre-application’ service has long been available at North Norfolk District Council that provides advice to people on potential proposals and that should help them: (a) decide whether or not to pursue their idea to a formal application; and, if so, (b) how to improve their application so as to improve it and maximise the chances of gaining consent.
- 3.11 It is recognised that our existing pre-application service isn’t great and that various aspects of it deter people from making pre-application submissions.
- 3.12 We have been working to produce a new service proposal for a number of months. A key element of that work has been to engage with our ‘Developers and Agents Forum’ in that work. They have provided plenty of useful advice and officers are grateful for the suggestions they have made.
- 3.13 In summary their observations included:
- A general recognition that our existing service isn't very attractive – due to both its design and then how we deliver it;
  - A strong preference for having opportunity(s) to meet a planner to discuss their proposals – as against just a written service;
  - Would be better if the service was clearly confidential (at the ‘pre-application stage’)
  - A chance to discuss things at a really early stage would be welcome
  - People really want to know what the chances are of getting approval and what needs to be done to maximise those chances



- Recognition of the challenges of involving third party consultees in pre-application responses – but Norfolk County Council (Highways) and Norfolk County Council (Lead Local Flood Authority) are the two stakeholders that people generally thought would be the most useful for applicant's to engage with / hear from.
- 3.14 As a consequence of the feedback we received, we decided that it would be more appropriate to start from scratch than try to tweak or amend our current offer.
- 3.15 With one exception it is considered that Officers have the authority to introduce this revised service without a formal decision of Councillors. However it is considered important that Councillors have the chance to comment on the service being proposed prior to its design being finalised. Therefore the proposal is set out in full (via a 'Powerpoint Presentation Style' document as Appendix 4).
- 3.16 Particular attention is drawn to:
- Slide 4: The Proposed Offer – this sets out the 5 types of service it is proposed to offer;
  - Slide 6 – Assessment Conclusion (Types 1 to 4) – this sets out the 4 different 'conclusions' we would reach as to the likelihood of something subsequently gaining permission;
  - Slide 9 – Process Points (2) – including ensuring any advice given makes clear it is a view of a particular moment (and might be superseded by changes of circumstance / policy) and that it is an officer opinion and not a final decision (e.g. that might be made by the Committee upon submission of an applications);
  - Slide 10 – Process Points (3) – including a proposal that all 'pre-application' submissions would be confidential (until the point a formal application is subsequently made); and
  - Slide 12 – Fee Proposals.
- 3.17 It is the Fee Proposal element of the new service that requires a formal decision of Councillors. This needs to be a 'Full Council' decision according to the Council's Constitution. The Proposal set out largely seeks to increase fees by a relatively small amount (although in some cases they would reduce as a result of the fact we are proposing to move to a sliding scale of fees based on development quantum's proposed – on an individual house basis – rather than the current scales which cost the same for 2 houses as for 9).
- 3.18 Overall in it is anticipated that income will go up due to the fact that it is hoped that more people will opt to use the service (as it will be better) – i.e. so that income will go up more via volume coming in than via % increases in fees. It should be noted that this improvement was assumed within the 2023/24 budget proposals agreed in February 2024.

#### 4. Corporate Priorities

- 4.1 As specified in the Links to Key Documents section above.

#### 5. Financial and Resource Implications

- 5.1 This report in-itself doesn't have any financial implications. The fee element of the pre-application proposal is a matter for Council in due course – the fee proposals that it is suggested Council consider in due course is set out in Appendix 4.
- 5.2 There are some work-load implications from the report – in terms of additional monitoring and a different Pre-Application process. These will be managed within current resources.

##### Comments from the S151 Officer:

*The fee proposal will be presented to Full Council in due course as mentioned in this report.*

*The impact of any increases in fees will need to be monitored against assumptions contained with the MTFs.*

*It is noted that there are workload implications relating to the recommendations and that these will be managed within current resources. The service will need to monitor the workloads to ensure that this is achieved and that the additional work involved in providing this discretionary service does not adversely impact any statutory functions.*

#### 6. Legal Implications

- 6.1. The main issue from a legal perspective is around the Pre-Application and issues around the confidentiality of any pre-application proposal.

##### Comments from the Monitoring Officer

*The Monitoring Officer (or member of the Legal team on behalf of the MO) will complete this section. They will outline any legal advice provided.*

The AD Planning has engaged in discussions prior to this report. Any changes to fees or to the Constitution are matters that would need to be decided by Full Council. The pre-application procedure would be subject to the information governance regime.

#### 7. Risks

- 7.1 It is important that the two issues within this report are progressed in an appropriate manner. It will not be possible to complete the PSIP without doing so. In addition, it should be noted that the introduction of the new Pre-Application system will ensure the completion of an outstanding 'Audit Report' recommendation.

**8. Net ZeroTarget**

- 8.1. This is not a report that leads to decisions that will result in any direct impact – positive or negative – on the Council's Net Zero position. It is anticipated that aspects associated with Net Zero, Climate Change and sustainable development will feature in many Pre-Application responses issued by the Council.

## **9. Equality, Diversity & Inclusion**

9.1 There are no equality, diversity or inclusion implications of this report.

## **10. Community Safety issues**

10.1 There are no community safety implications of this report. In some instance Pre-Application responses may refer to Community Safety – e.g. by promoting ‘Secured by Design’.

## **11. Conclusion**

11.1 The proposals within this report should help improve the Planning Service.

11.2 Work is underway on the other elements that should be reported to Councillors’ at the next Committee meetings (as set out in paragraph 3). If Councillors would like to contribute to any of those areas prior to that Committee meeting then they should approach the Assistant Director – Planning.

11.3 Finally, Officers have one additional proposal to make in relation to the way Committee works - and the way Officers report to it – which is to change the approach to publishing ‘update information’ reports so that rather than getting ‘performance’, ‘appeals’ and ‘section 106 updates’ on a monthly basis, Committee will – from now on - get one report each month on one of those three topics, i.e.:

- Quarterly Reports on Performance in November, February, May and August
- Quarterly Reports on Appeals in September, December, March and June
- Quarterly Reports on Section 106 Agreements in October, January, April and July.

11.4 This should ensure a more comprehensive and analysed report is produced and enable more time for Committee to identify, focus on and discuss issues that might be raised by the reports than the current mode or operation really allows for.

11.5 In addition to that – and separate from a formal report – and following a suggestion from the Planning Portfolio Holder, Officers will also circulate a monthly report to Councillors (outside of the Committee cycle) that provides a snap-shot of the appeals position at the end of each month (in a similar style to the current reports that are made to Committee).

11.6 It is intended to switch to this new format from September this year.

## **12 Recommendations**

### **12.1 It is recommended that:**

- 12.1.1 Committee's views on the Indicators set out in Appendices 2 and 3 are sought and thereafter the Assistant Director Planning will report progress on target setting and quarterly performance for relevant indicators in November 2024; and,
- 12.1.2 Committee's views on the proposed new Pre-Application Service (Appendix 4) are sought and that those views are considered as the Fee Proposal is finalised for Council discussion / decision and that views on the rest of the proposal are considered and incorporated as appropriate – boy Officers – into the final scheme design.

**North Norfolk District Council**  
**Development Committee: Call-In Form**

This form can be completed by either:

- the ward councillor for the site in question – or – if suitable justification provided (e.g. of their interest to the application) then a councillor from an adjacent ward;
- the Council’s Director for Place and Climate Change;
- the Council’s Assistant Director – Planning; or,
- The Council’s Monitoring Officer

The boxes marked (\*) must be completed by the Person completing the form. The other boxes will be completed by a Council Officer prior to the form being made public.

All completed forms will be added to the publicly accessible application file and where items go to Committee the information from the four underlined questions will be included in a ‘Reasons for the Item being on the Committee Agenda’ section of the relevant Committee report.

Application Reference (*):		Date Application Validated:	
Application Address (*):			
Application Description (*):			
Date public consultation period finishes:		Initial Determination Target Date:	
<u>Planning / Constitutional Grounds for Call In (*)</u> :			
<u>Form Completed By (*)</u>		<u>Form Submission Date (*)</u> :	
<u>Role of Person Completing Form (*)</u> :			
Next Available Committee:		Number of Forms Submitted by Individual in Municipal Year:	

Note: The use of this form will be introduced on / from 1<sup>st</sup> September 2024 - following support of its introduction via a discussion at the Council’s Development Committee on 25<sup>th</sup> July 2024.

## **Explanatory Notes to Assist Form Completion:**

This form must be completed for all applications prior to the item being placed on the Committee Agenda. There will be no exceptions.

The person seeking to call the item in should complete the following 7 boxes of the template:

- (i) Application Reference;
- (ii) Application Address;
- (iii) Application Description;
- (iv) Form Completed By;
- (v) Form Submission Date;
- (vi) Role of Person Completing Form; and
- (vii) Planning / Constitutional Grounds for Call In'.

The information for the first three ((i), (ii), and (iii)) will be available via: the yellow site notice, the Council's web-site and / or the weekly list sent to all councillors.

Clearly, it will be obvious what to complete for (iv) and (v).

In relation to the 'Role of Person Completing Form' box in the template it should be completed with either 'Ward Councillor', 'Adjacent Ward Councillor' or 'Job Title' – if an Officer.

If the person is an 'Adjacent Ward Councillor' they should also briefly summarise in the box why they believe they should be entitled to call the item in – e.g. '*it is a very large application, just outside the boundary of my ward – and one that will have a significant bearing on my ward*' or '*the ward Councillor has a conflict of interest in the application – and has suggested their constituents approach me about the application*' or '*the Ward Councillor is not available due to INSERT and therefore I am taking this view in their absence*'.

An answer along the lines of '*I happen to know the applicant / objector and they asked me to consider calling the application in*' is not an appropriate justification.

In the 'Planning / Constitutional Grounds For Call In' box of the template, if the reason is a simple 'Constitutional' reason (e.g. the applicant is a councillor) then the relevant part of the Constitution should be specified but if it a personal judgement of a councillor or officer then an appropriate explanation should be provided.

This could be along the lines of one or more of the following statements:

- "*This is a very large application and is therefore considered to be of such a scale that the Committee should determine the application*";
- "*The application is in a particularly sensitive location (with an explanation given as to the sensitivity) and allowing / refusing it could have significant impacts on a wide area or set a precedent that might well apply to other applications*";
- "*The level of public interest is so significant that I believe the application should be put before Committee. So far people from X different local addresses have commented and the Town / Parish Council also object / support the proposal*";  
or,

- *“I have considered the planning merits of the case carefully and I do not agree with the Case Officer’s conclusions. In particular I believe considerations associated with [specific planning factors to be set out] should be given more / less weight. I intend therefore to speak at Committee in favour of approval / refusal.”*

In the event that Officers do not feel that the ‘Reason’ is sufficiently detailed or related to Planning then they will look to discuss the Call-In form with the relevant Councillor with a view to clarifying / expanding on the rationale. The Councillor could decide not to continue with the Call-In process at that time. Officers will complete all the other boxes.

Note: the ‘Next Available Committee’ box in the template will normally be completed with the next published main Committee date – i.e. that is after the date the form is completed. That is the date that will normally be entered unless the papers for that meeting have already been published – in which case the entry will probably be the meeting after that. That does not mean that that will automatically be the meeting the item would be reported to – but it does mean that the decision wouldn’t be made before then.

Part 5 of the Council’s Constitution (pages 137 to 146) sets out North Norfolk District Council’s ‘Planning Code of Practice’ and provides useful guidance for Councillors on a range of issues including:

- (i) Development proposals and declaration of interests under the Members’ Code of Conduct;
- (ii) Pre-determination in the planning process
- (iii) Contact with applicants, developers and objectors,
- (iv) Lobbying of Members
- (v) Lobbying by Development Committee members
- (vi) Site visits by Members
- (vii) The decision making process
- (viii) Members relationship with officers
- (ix) Public speaking at meetings by members
- (x) Decision making by members
- (xi) Training of Members

The Constitution can be accessed via: [North Norfolk District Council Constitution](#).

All forms should be sent to [planning.department@north-norfolk.gov.uk](mailto:planning.department@north-norfolk.gov.uk) – when completed – with the subject being “Call-In of Application to Committee”. Whilst ‘typed’ forms would be preferred, ‘hand-written’ and scanned forms will be accepted.

Please Note:

- (1) If a Councillor completes the form – and in so doing – gives a clear indication of their view e.g. “I am opposed to this application because .....” then they will be deemed to have taken a pre-determined position and should not therefore be part of the Committee (i.e. voting for or against the proposal) when it considers the application;



- (2) Development Committee made it clear at their meeting on 25<sup>th</sup> July 2024 that they would normally expect a Councillor that calls a matter into Committee to either attend that meeting to speak on the item or to make a written submission after the publication of the Committee report and before the meeting – that could then be circulated prior to the meeting or read out at the meeting; and,
- (3) If the Call-In form is completed by an Officer, they must also send the completed form direct to the relevant ward councillor(s) at the same time as submitting it to the above email address.

## Appendix 2

### Key Performance Indicators

Reference	Theme	Indicator	Quarterly / Annual
PP01*	Customer Service	Opinion of service (Planning Applications) by service users	A
PP02*	Customer Service	Agent / applicant opinion of service (Planning)	A
PP03*	Customer Service	Parish / Town Council opinion (Planning)	A
PP04	Customer Service	Number of initial stage formal complaints (against Planning) upheld	Q
PP05	Customer Service	Proportion of complaints getting Ombudsman determination of maladministration (relating to Planning)	A
PP06	Customer Service	Proportion of Customer Service responses in line with corporate standards	Q
PP07*	Customer Service	Opinion on Quality of Planning website pages	A
PP08	Democratic Involvement	Proportion of applications determined at Committee	Q
PP09	Democratic Involvement	Proportion of applications refused contrary to recommendation for approval	Q
PP10	Democratic Involvement	Proportion of applications approved contrary to recommendation for refusal	Q
PP11	Development Management	Average number of days to determine 'major' planning (etc) applications	Q
PP12	Development Management	Average number of days to determine 'non-major' planning (etc) applications	Q
PP13	Development Management	% of 'major' planning (etc) applications determined within the Government time limit (including agreed Extensions of Time)	Q
PP14	Development Management	% of 'non major' planning (etc) applications determined within the time limit (including agreed Extensions of Time)	Q
PP15	Development Management	% of all planning (etc) applications determined with Government time-limit or an agreed Extension of Time	Q
PP16	Development Management	Days to determination of all planning (etc) applications - 90th centile	Q
PP17	Development Management	% of householder applications determined within 8 weeks	Q
PP18	Development Management	% of determined planning (etc) applications approved	Q
PP19	Development Management	% of pre-application enquiries submissions determined within the Council's time-targets (including agreed Extensions of Time)	Q
PP20	Development Management	% of appeals allowed	Q
PP21	Development Management	% of appeals with cost awards against the Council	Q
PP22	Development Management	% of all planning (etc) applications where formal pre-application advice was sought	Q
PP23	Development Management	Percentage of applications submitted that are invalid (upon submission)	Q
PP24	Development Management	Number of applications per annum per development management case officer	Q

PP25	Enforcement	Proportion of enforcement cases with outcome determined within 30 working days	Q
PP26	Enforcement	Proportion of Enforcement notices served within 40 working days of establishing case	Q
PP27	Enforcement	Proportion of appeals against enforcement notices allowed	Q
PP28	Enforcement	Number of enforcement cases per annum per enforcement team member	A
PP29	Finance	Fee income from Planning (etc) Applications	Q
PP30	Finance	Total Planning Service income	Q
PP31	Finance	Net expenditure (whole service)	Q
PP32	Finance	Net expenditure (development management)	Q
PP33	Finance	Net expenditure (band D equivalent) (whole service)	A
PP34	Built Heritage	Proportion of Conservation Areas having an adopted Conservation Area Character Appraisal	A
PP35	Biodiversity*	Achievement of Biodiversity Net Gain	A
PP36	Trees	Proportion of tree works decisions challenged and allowed at appeal.	A
PP37	Planning Policy	Years since adoption of current Local Plan	A
PP38	Planning Policy	Number of Neighbourhood Plans 'made' in the last 5 years	A
PP39	Planning Policy	Proportion of Town Council areas with a 'made' Neighbourhood Plan	A
PP40	Housebuilding	Number of years of housing supply	A
PP41	Planning Policy	Number of Parish or Town Council's actively working on a Neighbourhood Plan	Q
PP42	Planning Staff*	Morale of staff	A
PP43	Planning Staff	Training budget spent on training officers in Planning Service (per person)	A
PP44	Planning Staff	Proportion of Staff that have a relevant Professional Institute Membership (e.g. Royal Town Planning Institute)	A
PP45	Planning Staff	Number of formal Trainee roles within Planning	A
PP46	Planning Staff	Turnover of staff	Q
PP47	Land and Property Information	Average turnaround time for Land Charges - CON29 searches%	Q
PP48	Land and Property Information	Accuracy of LLPG data - retain Gold status	A
PP49	Finance	Proportion of Application Fee Income Returned to Applicant (after application validly registered)	Q
PP50	Democratic Involvement	Number of Committee Site Visits per annum to support determination of applications	A

Note: \* indicates indicators where some form of survey / measurement needs to be devised.

## Appendix 3

### Context Indicators

Reference	Theme	Indicator	Quarterly / Annual
CP01	Demography	Population	A
CP02	Demography	Area (hectares)	A
CP03	Demography	Average Number of Residents per Dwelling	A
CP04	Demography	Average Age of Residents	A
CP05	Demography	Median Household Income	A
CP06	Environment	Number of dwellings	A
CP07	Environment	Number of affordable dwellings	A
CP08	Environment	Number of private rented dwellings	A
CP09	Environment	Number of Conservation Areas	A
CP10	Environment	Number of Listed Buildings	A
CP11	Environment	Number of Historic Parks and Gardens	A
CP12	Environment	% of Area nationally designated (e.g. National Landscape, SSSI, Greenbelt)	A
CP13	Environment	Number of Buildings at Risk	A
CP14	Environment	Number of Scheduled Ancient Monuments	A
CP15	Environment	Number of Rateable Hereditaments	A
CP16	Democracy	Number of Councillors	A
CP17	Democracy	Number of Different Planning Committee Meetings Held in Year	A
CP18	Democracy	Majority of Council Administration as at 1st April	A
CP19	Democracy	Number of MPs	A
CP20	Democracy	Number of Town and Parish Councils	A
CP21	Democracy	Number of Town Councils	A
CP22	Democracy	Number of Planning Committee Meetings in Last Year	A
CP23	Democracy	% of Area that is Parished	A
CP24	Finance	Band D Council Tax for Council	A
CP25	Finance	Band D Council Tax for Area (Median Average)	A
CP26	Finance	Median Council Tax for Area ( Median Average)	A
CP27	Finance	Business Rates (£ Billed) in Last Year	A
CP28	Planning Staffing	Full Time Equivalent Employees in Planning Service as at 1st April	A
CP29	Planning Staffing	Vacant Posts in Planning Service (Full Time Equivalent) as at 1st April	Q
CP30	Housebuilding	Annual Housebuilding Target in adopted Local Plan	A
CP31	Housebuilding	New Homes Completed Last Year	A
CP32	Housebuilding	Affordable Homes Completed Last Year	A
CP33	Housebuilding	New Homes Completed since 1st April 2021	A
CP34	Housebuilding	Affordable Homes Completed since 1st April 2021	A
CP35	Housebuilding	Housing Delivery %age	A
CP36	Housebuilding	Homes Not Completed with Planning Permission	A
CP37	Development Management	Number of Planning (etc) Applications Submitted	A

CP38	Development Management	Number of Major Applications Submitted	Q
CP39	Development Management	Number of Householder Applications Submitted	Q
CP40	Development Management	Number of Planning Applications Determined	Q
CP41	Development Management	Total Application Case Load as at 31st March	Q
CP42	Development Management	Number of Appeals Submitted	Q
CP43	Development Management	Number of Appeals Decided	Q
CP44	Customer Service	Number of Formal Stage 1 Complaints About Planning	Q
CP45	Customer Service	Number of Complaints to Local Government Ombudsman Considered	Q
CP46	Trees	Number of Applications for Works to Protected Trees	Q
CP47	Non-Numeric	Community Infrastructure Levy In Place (Yes / No)	A
CP48	Non-Numeric	Type of Council (Unitary / County / District)	A
CP49	Non-Numeric	Elected Mayor / Leader (including separate) to Council (Yes / No)	A
CP50	Non-Numeric	Party(s) of the Council's Administration as at 1st April	A

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