

Development Committee



Please contact: Democratic Services

Please email: democraticservices@north-norfolk.gov.uk Direct Dial: 01263 516108

TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 13 August 2025

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 21 August 2025 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 **Reception on 01263 513811** or by emailing reception@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. 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-WyEzg>

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 P Neatherway, Cllr J Toye, Cllr K Toye, Cllr A Varley, Cllr L Vickers and Cllr L Paterson

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 J Punchard, Cllr C Ringer, Cllr E Spagnola 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

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A G E N D A

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

1. CHAIRMAN'S INTRODUCTIONS

2. TO RECEIVE APOLOGIES FOR ABSENCE

3. SUBSTITUTES

4. MINUTES

(Pages 1 - 12)

To approve as a correct record the Minutes of a meeting of the Committee held on 24th July 2025

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 13 - 18)

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. CROMER - PF/24/2341 - ERECTION OF 5 COMMERCIAL UNITS FOR USES WITHIN USE CLASSES E(G)(III) - INDUSTRIAL PROCESS SUITABLE FOR RESIDENTIAL AREA AND B8 - STORAGE OR DISTRIBUTION
AT HOME FARM ENTERPRISE ZONE, HALL ROAD, CROMER, NORFOLK**

(Pages 19 - 70)

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|-----|--|-------------------|
| 9. | BODHAM - PF/24/2705 - DEMOLITION OF WORKSHOP BUILDING AND ERECTION OF BUILDING FOR USE AS A LIVE/WORK UNIT, RECLADDING OF RETAINED STORAGE BUILDING, DEMOLITION OF OTHER STORAGE BUILDINGS AND ERECTION OF CART SHED AT OLD SCARFE BROTHERS WORKSHOP, CHURCH ROAD, LOWER BODHAM | (Pages 71 - 204) |
| 10. | BLAKENEY - PM/25/0651 - DETAILS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE: MATTERS RESERVED UNDER OUTLINE PLANNING PERMISSION PO/24/2084 FOR ERECTION OF DETACHED DWELLING (SELF-BUILD) AT LAND AT REAR OF, MARIGOLD, 61 NEW ROAD, BLAKENEY, HOLT, NORFOLK, NR25 7PA | (Pages 205 - 216) |
| 11. | BLAKENEY - PF/25/0522 - DEMOLITION OF TWO-STOREY DWELLING AND ERECTION OF REPLACEMENT TWO-STOREY DWELLING (PART-RETROSPECTIVE) AT 8 LANGHAM ROAD, BLAKENEY, HOLT, NORFOLK, NR25 7PG | (Pages 217 - 222) |
| 12. | DEVELOPMENT COMMITTEE PROCESS REPORT | (Pages 223 - 232) |
| 13. | DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE | (Pages 233 - 236) |
| 14. | APPEALS SECTION | (Pages 237 - 244) |
| 15. | EXCLUSION OF PRESS AND PUBLIC | |

To pass the following resolution, if necessary:-

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

PRIVATE BUSINESS

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DEVELOPMENT COMMITTEE

**Minutes of the meeting of the Development Committee held on Thursday, 24 July 2025
in the Council Chamber - Council Offices at 9.30 am**

Committee	Cllr P Heinrich (Chairman)	Cllr R Macdonald (Vice-Chair)
Members Present:	Cllr T Adams	Cllr S Bütikofer
	Cllr A Brown	Cllr P Fisher
	Cllr A Fitch-Tillett	Cllr M Hankins
	Cllr V Holliday	Cllr P Neatherway
	Cllr K Toye	Cllr A Varley

Members attending: also Cllr M Taylor

Officers in Attendance:

- Development Manager (DM)
- Senior Planning Officer(s) SPO
- Development Manager Team Leader(s) (DMTL)
- Legal Advisor (LA)
- Democratic Services Manager (DSM)
- Democratic Services Officer (DSO)

1 CHAIRMAN'S INTRODUCTIONS

The Chairman welcomed everyone to the meeting and explained how he would manage the proceedings.

2 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies had been received from Cllr Batey, Cllr Paterson and Cllr J Toye.

3 SUBSTITUTES

Substitutes for the meeting were Cllr Adams (Cllr Batey), Cllr Bütikofer (For Cllr Toye)

4 MINUTES

The Minutes of the meeting of the Committee held on 27th of June 2025 were approved as a correct record.

5 ITEMS OF URGENT BUSINESS

None

7 DECLARATIONS OF INTEREST

Cllr Fisher declared that in relation to item 8 a close family member lived close to the site and Cllr Brown noted that he contributed to the local neighbourhood plan but was not predetermined.

Cllr Fitch-Tillett noted that she had been lobbied on several matters but was not

predetermined.

Cllr Hankins declared that he was predetermined for item 10. He would therefore not vote.

8 CORPUSTY - PF/21/1990 - CONSTRUCTION OF 38 RESIDENTIAL DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING AT LAND OFF NORWICH ROAD, CORPUSTY FOR BROADLAND DEVELOPMENT SERVICES

SPO-JS presented the report and took the Committee through the Site Plan and layout together with photographs, details of house types and materials and the main issues. In terms of the principle of development Parcel A of the site was identified in the Neighbourhood Plan for residential development and Parcel B was located in an area designated as Countryside. The SPO explained that in terms of nutrient neutrality, 22 septic tank replacements (for householders off site) over a phased period were proposed and considered acceptable, secured by S.106 agreements or S106 Unilateral Undertakings. The Committee was referred to full details of the proposed S.106 contributions and obligations within the report. The recommendation was for approval with conditions and a S.106 agreements.

Public Speakers

Guy Hodgson- Corpusty Parish Council
Andrew Savage (Applicant)

Local Member

Cllr Brown welcomed that the Applicant had now been able to overcome nutrient neutrality issues and was pleased with the previous level of engagement with the Parish Council. There were still some concerns over the level of affordable housing, but overall the village welcomed the plan. He expressed frustration that Housing England could not confirm funding prior to a planning approval and that the market housing could not be designated as primary housing only. He expressed desire for more information regarding the Adams Lane upgrade.

Members Debate

- a. The Chair and Cllr Adams queried the capacity of the sewers and how surface water was to be dealt with. The DM clarified to the Committee that whilst he did not believe the local treatment works was on the Anglian Water list to upgrade, Anglian Water had a duty to connect and the proposal to improve septic tanks in the area would mean that the application mitigated the impact, with the surface water ultimately released back into the river at greenfield runoff rates
- b. Following a question from Cllr Varley, the Applicant confirmed that all properties would have PV panels.

Cllr Brown proposed and Cllr Macdonald seconded the recommendation and requested that the conditions included monitoring fees, a sediment bay, working EV points, Swift boxes and Hedgehog highways and lighting strategy (the request for overage/clawback for an affordable housing contribution was withdrawn after advice from Officers).

IT WAS RESOLVED unanimously to

Delegate authority to the Assistant Director of Planning to Approve the applications in accordance with the recommendation (including a satisfactory s.106 agreement and the S106 unilateral undertakings required for the septic tank upgrades) and including those matters identified by members in the debate.

9 WORSTEAD - PF/24/2474 - DEMOLITION OF PART EXISTING BUILDING AND ERECTION OF NEW COLD STORE TOGETHER WITH ASSOCIATED PLANT ROOM AT ALBERT BARTLETT WESTWICK, STATION ROAD, WORSTEAD, NORTH WALSHAM

SPO-AW presented the report to the Committee. She corrected the report to note that Cllr Penfold formally objected to the application (the report incorrectly stated he returned no comments). She informed the Committee that since publication of the agenda further correspondence has been received including raising issues connected with the time frame given for response for new documents.

The SPO detailed the location providing site plans photographs and visualisations, proposed elevations and floor plans. The Committee was taken through the key issues including the size and scale of the proposed building and its conflict with policy EC3. Further information was provided to the Committee including details of overshadowing of other properties, impact on heritage assets, together with the views from the Landscape Officer. The SPO referred the Committee to the economic considerations and provided information on the current number of employees within this business and the impact to the local economy. On balance, the recommendation was to approve the application.

Public Speakers

John Bacon -Worstead Parish Council
Jennifer Gubbins-objecting
Philip Madeley- Sloley Parish Council
(Additional individual local resident- objecting)
Alan Roberts (Applicant)

Local Members

Cllr Penfold spoke against the application and requested that his objection be formally noted. He noted the distress this application has caused his constituents, and what he believed to be a total lack of consultation with the local community by the applicant. He referred to at least 43 instances of local objection and representation and therefore doubted the suggestion of wider local benefits as suggested by the report. He suggested that a less high and visually intrusive building could have been capable of agreement with the community. He stated he was not against business growth but did object when it rode rough-shod over the local community. He noted the lack of engagement with Sloley Parish Council and objected to the application's lack of provision of a Landscape Visual Impact Assessment. He referred the Committee to the objections of the Senior Landscape Officer and the holding objection of Highways. He urged the Committee to defer the Application and attend a site visit.

Views of Cllr Dixon were read out by the DM. Cllr Dixon stated that in respect of the merit of the application the documents submitted in June and July have clarified concerns around landscape, light loss, noise wildlife, habitat and traffic movement.

He noted that a balanced recommendation had been reached by the Officer. He expressed concern as to whether mitigation measures had been properly explored to reduce impact and residents' objections. He raised further points relating to engagement with Sloley Parish Council and their ability to have their voice heard and the time given to respond and requested the Application be deferred.

Members Debate

- a. Members including the Chair, Cllr Brown, Cllr Hankins expressed concern over the lack of consultation by the applicant with the local community. The DM confirmed to the Committee that such consultation was not a legal requirement.
- b. Cllr Toye, Cllr Bütikofer and Cllr Holliday expressed concern at the height and scale of the building proposed and asked questions regarding alternative size and scale building (the applicant confirmed that the design reflected the need for 4000 pallets and other designs impacted on vehicular movements). Additional questions regarding the colour of the building were raised, the SPO confirmed that it was proposed the colour was controlled by condition.
- c. Cllr Brown noted that in terms of considering a foreseeability test, it would be quite likely that this business would expand, but he considered what was probably not foreseeable was that it would be a building of this height.
- d. Cllr Adams noted that this building would result in reduction in vehicular movements, noise and water usage, and he and Cllr Fitch-Tillett noted the economic benefits as material to the local farming community, substantial local employment and non-domestic rates and considered, with weight, the view of the economic growth team. Cllr Holliday noted that the economic argument lacked some substance in her view. The Chair, Cllr Fitch-Tillett and Cllr Adams also noted the long standing presence of this type of business on this site.
- e. Cllr Bütikofer asked questions concerning the response from Highways and the SPO confirmed that Highways had requested a transport statement, and the applicant had indicated this proposal would result in 8 less HGV movements a week and there would not be any intensity of use.
- f. Members including Cllr Bütikofer and Cllr Hankins noted the difficult balance between the impact on the local community and the impact to the established business. The DM confirmed to the Committee that as Officers they had come to a balanced decision, giving considerable weight to the existing business and its economic benefits whilst noting visual impact of the proposed building. He reminded the Committee that they could give a different weight to the issues and could come to a different view.
- g. Members considered a potential deferment for a site visit with Cllr Neatherway and Cllr Brown expressing support and the Chair doubting its usefulness.

Cllr Fitch-Tillett proposed and Cllr Adams seconded the recommendation

It **WAS RESOLVED** by 6 votes in favour and 6 votes against with the Chair exercising his casting vote in favour that the Application be Approved subject to the Conditions covering the matters detailed in the report.

The meeting adjourned at 11.10 and reconvened at 11.25

10 FULMODESTON - PF/24/2434 - ERECTION OF ADDITIONAL FOUR, ONE-BEDROOM SELF-CONTAINED TREE HOUSES FOR USE AS SHORT-TERM HOLIDAY LET ACCOMMODATION WITH EXTERNAL WORKS AND SERVICING (TO INCLUDE SOLAR PANELS, PONDS AND CAR PARKING PROVISION) AT LAND AT WOODLAND, BROWNS COVERT, HINDOLVESTON ROAD, FULMODESTON FOR MR D ASTLEY

SPO-JS presented the report. The Committee was provided with details of the site location, the existing approved treehouses, floor plans and visualisations and details of the main issues. The SPO explained to the Committee that whilst there was suggestion of additional units in the future, the application before them was for an additional 4 treehouses. Policy EC 7 was explained to the Committee and that the site was within the countryside as designated within policy SS1. In addition, the SPO detailed that the proposals failed to comply with policy CT 5. The recommendation was for refusal.

Public Speakers

Delaval Astley (Applicant)

Local Member

Cllr Hankins spoke in support of the application. He noted that this amounted to another farm and woodland diversification proposal and was an innovative one. He believed that it was essential to enable the woodland to be maintained and supported. He suggested that it was important to promote diverse tourist accommodation.

Members debate

- a. Members including Cllr Adams, Cllr Brown, Cllr Toye, Cllr Varly and Cllr Bütikofer noted the innovative and novel design of the treehouses.
- b. Cllr Adams and Cllr Varley applauded the sustainable design and approach of the application, Cllr Varley expressed disappointment that none of the proposed treehouses were accessible to wheelchair users. Cllr Bütikofer and Cllr Fitch-Tillet expressed concern at the inclusion of a cesspit in the design which would require tanking of waste. The SPO explained to the Committee that should they wish to approve the application, a S.106 could be included to ensure appropriate provisions regarding this tanking.
- c. Cllr Bütikofer expressed the view that adding additional treehouses to the woodland would inevitably alter the characteristics of the woodland and felt that no further treehouses after this application would be desirable, the DM confirmed to the Committee that this was not a restriction that could be placed on the applicant.
- d. Cllr Adams gave considerable weight to the support from the economic growth team and supported the provision of distinct and novel visitor accommodation.

- e. The DM provided the Committee with further information regarding the proposed Biodiversity Net Gain of 18%, being 8% above the minimum and that the previous net gain provided in association for the earlier application for 2 treehouses was not a consideration in relation to this application.
- f. Cllr Brown expressed concern that the application was contrary to policy and remained unconvinced that there were sufficient material considerations to support approval.

Cllr Brown proposed and Cllr Fitch-Tillett seconded the recommendation for refusal contained within the report.

It **WAS RESOLVED** by 5 votes in favour and 6 votes against to reject the recommendation.

- g. Cllr Adams proposed that the application be approved on the basis that the policy considerations were outweighed by the outstanding quality and design of the proposals and the ecological benefits together with economic benefits the proposals would deliver. He noted the need for conditions.
- h. The SPO and DM provided the Committee with details of the previous conditions and contents of S.106 and suggested that they form the basis of conditions and S.106 legal agreement, together with provisions conditioning a site investigation relating to the water level to assess the viability of the cesspit proposed and a lighting strategy. A S.106 agreement would cover similar issues as before with the addition of provisions relating to the tankering of waste to ensure nutrient neutrality issues were dealt with. They suggested the final wording of the Conditions and S.106 be delegated to the Assistant Director of Planning. The LA outlined that a s106 would need to cover a) restrictions at the site being no barbeques, chimeraes or external heaters within the curtilage of the dwellings, b) that the dwellings and woodland need to stay in the same freehold/leasehold ownership c) that the dwellings are only to be used for holiday accommodation d) that the owner needs to keep a register setting out the dates and duration of the lets in relation to each dwelling e) a GIRAMS Contribution for each dwelling is required to be paid f) a Council Monitoring Fee is required to be paid and g) there would be a requirement that waste water is removed to outside of the catchment.

Cllr Adams proposed, and Cllr Varley seconded that the application be approved subject to conditions and a S.106 agreement, the final wording of which be delegated to the Assistant Director of Planning.

It **WAS RESOLVED** by 8 votes in favour and 3 votes against that

The application be approved subject to conditions and a S.106 agreement, the final wording of which be delegated to the Assistant Director of Planning.

Cllr Fisher left the meeting at 12.10.

- 12 **POTTER HEIGHAM - RV/24/2059 - CHANGE OF USE OF AGRICULTURAL LAND AND PART OF BUILDING, INCLUDING EXTERNAL ALTERATIONS, TO FITNESS STUDIO AND CAR PARK (RETROSPECTIVE) WITHOUT COMPLYING WITH CONDITION 2 (OPENING HOURS) OF APPEAL DECISION APP/Y2620/W/19/3229508 (NNDC REF. PF/18/1298) IN ORDER TO EXTEND THE OPENING HOURS FROM 0615 - 1930 MONDAYS TO FRIDAYS TO 0600 - 2000 MONDAYS TO FRIDAYS AND 0800 - 1200 SATURDAYS AT GLEBE FARM, MARSH ROAD, POTTER HEIGHAM, GREAT YARMOUTH**

The Chair requested that item 12 be considered next to ensure local member availability.

DMTL-CR took the Committee through the report and presentation. The DMTL confirmed that all recently submitted information had been uploaded to the planning portal. The Committee was provided with information as to the site location, aerial view, site plan and elevations together with photographs of access and local roads. The DMTL provided the Committee with details of the main issues primarily being resident amenity and highway safety on the local Marsh Lane, a single track road and provided information on his early morning site visit. Details of the planning inspectorate's previous decision was provided to the Committee and the DMTL confirmed to the Committee that a finely balanced recommendation was for approval.

Public Speakers

Sheridan Turner- Potter Heigham Parish Council

Louisa Sharpless – objecting

Local Member

Cllr Blathwayt spoke for refusal of the application. He explained to the Committee that this site was not an agricultural site and that the main purpose of this site had been the storage of building materials. He expressed concern regarding compatibility with other users of March Lane, including dog walkers, horse riders and walkers of the local Weavers Way. He also expressed concern over the other local highways being Station Road and Church Road, the latter being populated by young families and older people. He expressed that he was not against entrepreneurial activities but felt this was the right business in the wrong location. He noted this was retrospective application, this meant that the effects of the changes were known and he urged the Committee to reject the application.

Member Debate

- a. Cllr Adams and Cllr Macdonald asked for information regarding alleged breaches of planning and the DMTL and DM provided information noting they were in relation to opening hours and that no planning enforcement action would be considered whilst there was a relevant planning application to be decided.

- b. Cllr Varley expressed concern at the lack of objection from Highways and that this meant that a decision to refuse based on highways concerns was open to being appealed. The DMTL confirmed that Highways had been asked to confirm that they had no objection-given that they had objected to the earlier application, and they had reiterated their position of no objection. Cllr Fitch-Tillett noted the difficult position that left the Committee in.
- c. Cllr Brown considered the impact on the previous decision of the Planning Inspector and how binding that decision was on the Committee. The LA noted that the focus for the Committee was not on the principle of development but on the acceptability or otherwise of the impact of the proposed increase in hours.

Cllr Fitch-Tillett proposed, and Cllr Toye seconded the recommendation for approval of the application subject to conditions the final wording of which to be delegated to the Assistant Director of Planning.

It **WAS RESOLVED** by 6 votes in favour and 4 votes against that

The application be approved subject to conditions, the final wording of which, to be delegated to the Assistant Director of Planning.

At 12.50 the Chair noted that to continue the Development Committee meeting, standing orders relating to the length of a meeting would need to be suspended.

Cllr Fitch-Tillet proposed and Cllr Toye seconded that the relevant standing order be suspended.

It **WAS RESOLVED** unanimously to suspend the standing order.

It **WAS ALSO RESOLVED** unanimously to continue the Development Committee meeting after a short break.

The meeting adjourned at 12.55 and reconvened at 13.02 with Cllr Bütikofer having left the meeting.

11 **SUTTON- STALHAM - PF/24/2338 - CHANGE OF USE FROM DWELLINGHOUSE (CLASS C3) TO HOLIDAY LET (NO SPECIFIED USE CLASS) INCLUDING UPGRADE OF AN EXISTING ACCESS SURFACE AND INSTALLATION OF A TENNIS COURT (RETROSPECTIVE) AT SUTTON HALL, HALL ROAD, SUTTON**

DMTL-PR presented the report to the Committee. He took the Committee through aerial photographs, proximity to local neighbours, floor plans, elevations, access and provided details of the main issues including the principle of development and noise and light pollution. The DMTL clarified to the Committee that the application before them related only to the change of use of the property to short term letting and not the wider site for weddings and events. The DMTL took the Committee through policies SS1 and SS2 and EN13, together with relevant considerations including sound limiters at the property and a proposed complaints procedure. The

recommendation as for approval.

Public Speakers

John Knowlden -Objecting

Jason Parker -agent

Local Member

Cllr Taylor spoke in favour of refusal of application. He was pleased that the views of local residents could be heard and noted real harm that the residents had already experienced since the start of the year. He referred the Committee to policy EN2 and believed that the proposed changes neither enhanced the special qualities of this historic building nor added to the distinctive nature of the settlement. He also referred to policy EN13 and did not believe that there was adequate mitigation in this regard. He noted that potential other uses would have an on-site presence and highlighted highways concerns.

A statement was read on behalf of Cllr Bayes who noted a lack of engagement with local residents, Parish and Ward Councillors. He suggested the applicant's stance indicated little concern for the feelings and wellbeing of local residents.

Members Debate

- a. The Chair clarified to the Committee that they were considering the application to the areas outlined in red on the plan and not the areas outlined in blue,.
- b. DMTL provided further information of the noise management plan as a tool to help manage noise. The DMTL provided clarification, following a question from Cllr Adams, as to the nearest noise receptors.
- c. Members including Cllr Adams, Cllr Brown, Cllr Holliday and Cllr Fitch-Tillett expressed concerns about the practicality of enforcing a noise management plan and the considerable burden this would place, with Cllr Fitch-Tillett referring to experience relating to a similar property. Cllr Adams also noted the impact in terms of highways use.
- d. The DMTL confirmed, following a question, that Officers were content with the ecological information provided by the applicant.
- e. The DM confirmed that the Committee was entitled to request conditions should they wish and that noise management plans were not impossible to enforce nor was a condition to limit guests to 12. The Committee was entitled to expect conditions to be enforced. The LA provided the Committee with advice regarding the permitted use of Fireworks in the grounds of private dwellings.

The Chair proposed and seconded the recommendation that the application be approved .

IT **WAS RESOLVED** by 1 vote in favour and 9 votes against to reject the recommendation for approval.

- f. Cllr Fitch-Tillet proposed that the application be rejected on the basis of the noise and disturbance to the local area. The DM clarified his understanding from what had been said was that members had no confidence that a noise management plan would be sufficient and therefore the noise impact would be contrary to policy EN13.

Cllr Fitch-Tillet Proposed and Cllr Neatherway seconded that the application be refused.

It **WAS RESOLVED** unanimously to refuse the application.

13 WALSINGHAM - PF/25/1120 - REMOVAL OF DEGRADED CONSERVATORY AND ERECTION OF A SINGLE STOREY REAR EXTENSION AT MILL HOUSE, 5 SCARBOROUGH ROAD, WALSINGHAM, NORFOLK, NR22 6AB

PO-IM presented the report to the Committee providing details of the location together with photographs of the site and planned development. The recommendation was for approval.

Members Debate

Cllr Adams proposed, and Cllr Holliday seconded the recommendation.

It **WAS RESOLVED** unanimously to approve the application.

14 WALSINGHAM - LA/25/1121 - REMOVAL OF DEGRADED CONSERVATORY AND ERECTION OF A SINGLE STOREY REAR EXTENSION AT MILL HOUSE, 5 SCARBOROUGH ROAD, WALSINGHAM, NORFOLK, NR22 6AB

PO-IM presented the report to the Committee providing details of the location together with photographs of the site and planned development. The recommendation was for approval.

Members Debate

Cllr Adams proposed, and Cllr Holliday seconded the recommendation.

It **WAS RESOLVED** unanimously to approve the application.

15 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

The Committee noted the update.

16 APPEALS SECTION

The Committee noted the reports.

The meeting ended at 1.55 pm.

Chairman

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Registering interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

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

Disclosure of Other Registerable Interests

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

Disclosure of Non-Registerable Interests

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

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

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

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

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

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

Table 1: Disclosable Pecuniary Interests

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

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

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

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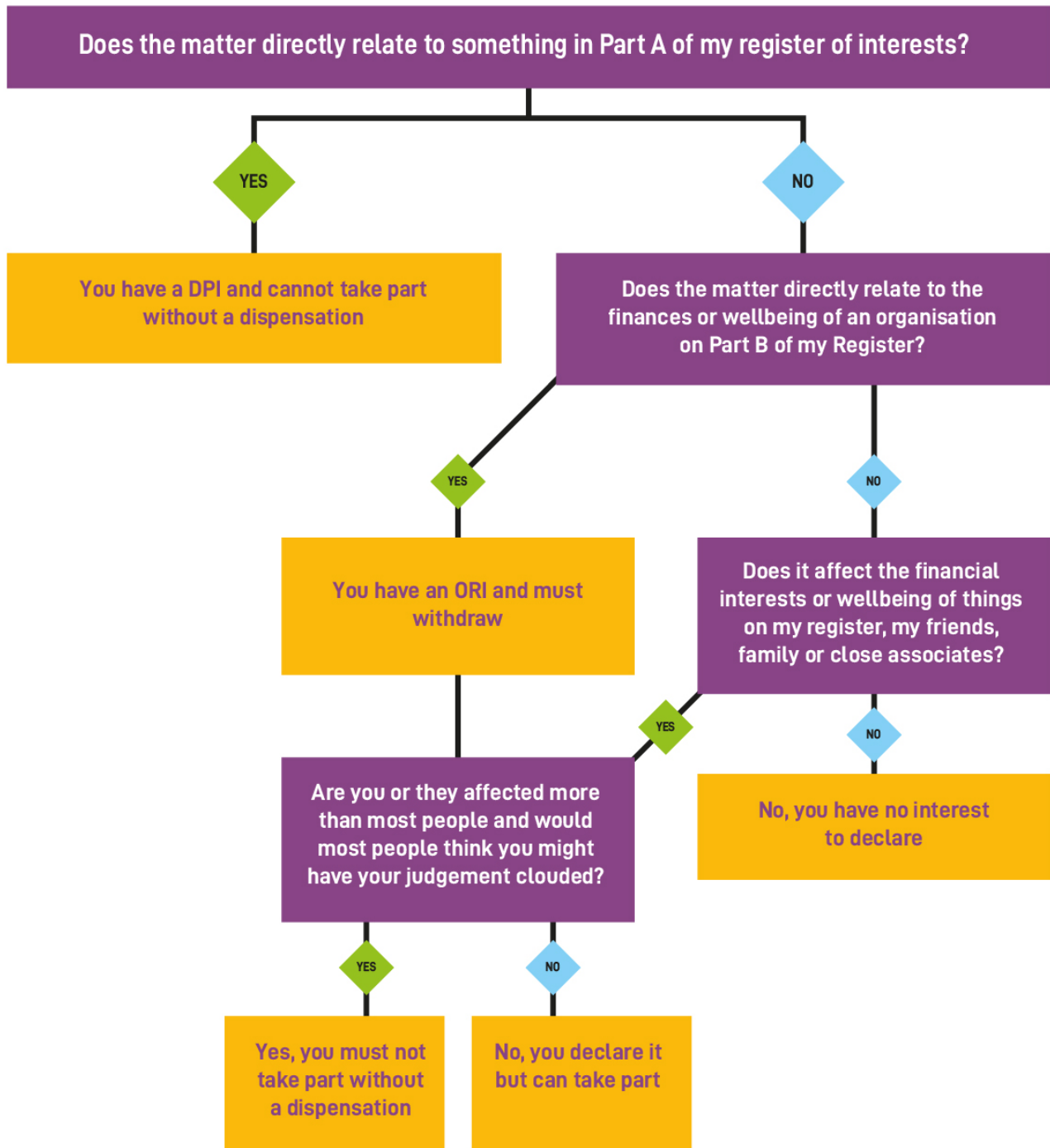
* 'director' includes a member of the committee of management of an industrial and provident society.

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

Table 2: Other Registrable Interests

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)



CROMER – PF/24/2341 - Erection of 5 commercial units for uses within Use Classes E(g)(iii) - industrial process suitable for residential area and B8 - storage or distribution at Home Farm Enterprise Zone, Hall Road, Cromer, Norfolk

ADDENDUM REPORT

Minor Development

Original Target Date: 09.01.2025

Extension of Time: 30.09.2025

Case Officer: Russell Stock

Full Planning Permission

REASON FOR ADDENDUM REPORT

This Addendum Report is to update members with regards to the matters that led to their deferral of the consideration of this planning application at the meeting of the Development Committee on 27th June 2025.

At the meeting on 27th June 2025 the agreed resolution was:

“The application be deferred, with the applicant given 28 days to submit any further information, with the application being considered by the Committee at its August meeting.”

Prior to that the matter had been considered (and deferred) at the Committee meeting on 6th February 2025.

Since then the application description has been revised, further information has been received and relevant consultees reconsulted.

This report should be read in conjunction with the Committee Report and the Development Committee Minutes from:

- (i) The meeting of 27th June 2025. These are included as **Appendices 1 and 2** to this report; and
- (ii) The meeting of 6th February 2025. These are included as **Appendices 3 and 4** of this report.

This report is being tabled to comply with the timing set out within the resolution of the June Committee.

UPDATE

A site meeting took place on 8th July 2025 involving Council Planning Officers, a ward councillor (Councillor Boyle), the applicant and his agent. Officers then issued a summary of the position to the applicant / agent on 16th July 2025.

Additional information was then received on 28th July 2025.

That information included:

- The revised description
- A statutory Biodiversity Metric Calculation
- A Biodiversity Net Gain Baseline Plan
- A Biodiversity Net Gain Proposed Plan
- A proposed Site Plan
- An Ecological Impact Assessment
- An Economic Statement
- A Heritage Impact Assessment
- An Undeveloped Coast statement.

In relation to the description change, the earlier version of the description was:

“Erection of 5 commercial units for uses within Use Classes E(c)(i) - financial services, E(g)(i) - offices, E(d) - indoor sport, recreation or fitness, B8 - storage or distribution.”

The changes are therefore:

- (i) Financial services, offices and indoor sport, recreation or fitness have been ‘taken out’ of the proposal; and
- (ii) Industrial process suitable for residential areas have been ‘added in’.

An analysis of the changes is included within the Officer Assessment section below.

CONSULTATIONS

Following the receipt of the revised information at the end of July 2025 the following internal teams at the Council have been (re)consulted:

- (i) Economic Growth
- (ii) Conservation
- (iii) Landscape / Ecology.

At the time of writing the Committee report, no responses have been received. It should be noted that the comment period had not expired at that stage.

Comments should though be received prior to the Committee meeting and will be reported orally. Whilst it is not considered that they are likely to result in a revised headline recommendation, it is possible that they might reduce the number of reasons officers consider the application should be refused for – and any revisions to the recommendation will be reported to and explained at Committee.

Following discussion with the applicant – at the meeting referred to above – it became clear that the intent of the scheme is focussed in large part on facilitating moves within Cromer of two existing companies. However neither of those fitted within the original description – but do fit within the revised description.

Officers have concluded that the description change does mean the proposal needs to be readvertised publicly – and all consultees be given a (further) chance to comment. Whilst that has commenced – the requisite period will not be concluded prior to Committee.

PREVIOUS OFFICER RECOMMENDATION

While the full reasons can be seen at the end of the last Committee report (**Appendix 1**), the ten reasons related to:

1. Conflict with ‘Countryside’ policies;
2. Potential detrimental impact on Cromer Town Centre;
3. Unjustified development in the ‘Undeveloped Coast’ area;
4. Impact on the setting of the Grade II Listed South Lodge;
5. The proposed access is considered unsatisfactory to serve the development by reason of its inadequate width; and,
6. The unclassified roads of Hall Road and Metton Road serving the site are inadequate to serve the development proposed, by reason of poor alignment, restricted width, lack of passing provision and restricted visibility at adjacent Road junctions.

In addition, 4 of the reasons related to ‘insufficient information’ having been provided. Those related to:

7. The sites ecological value and an inability therefore to assess potential adverse impacts upon habitats and protected species in accordance with the Council’s statutory duties under Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended);
8. The site’s Biodiversity Net Gain (BNG) baseline position;
9. The impact on mature trees adjoining the application site; and,
10. Surface water flooding risks.

OFFICER ASSESSMENT

This assessment looks at the 10 reasons set out above – and uses the same numbering system as above:

1. Development in the countryside

Policy SS2 of the Core Strategy states that:

“In areas designated as countryside development will be limited to that which requires a rural location and is for one or more of the following:

- *Agriculture*
- *extensions to existing businesses*

[and 15 other types that of development that aren’t relevant to this proposal]

Proposals that do not accord with the above will not be permitted.”

In this instance it is understood from the applicant that his intention is that the Hall Farm estate would occupy (at least) one of the proposed units (for agricultural related purposes) and that (at least) one of the other units would be occupied by an existing business on the wider Home Farm site (i.e. just to the west of the application site). Effectively therefore two units can be seen to be compliant with Policy and controllable within any approval that might be issued.

The other three units are a different matter. Whilst it has been suggested that Policy EC3 might cover these units, Council Officers do not agree with that view. That Policy says:

“Extensions to existing businesses in the countryside will be permitted where it is of a scale appropriate to the existing development and would not have a detrimental effect on the character of the area”

In Officers view existing businesses is not written in a manner that includes the over-arching business of a landowner expanding by them building new units for new businesses to operate from their land.

The consideration here is whether there are material considerations that justify these three units on this countryside site.

Policy E3 (Employment Development Outside of Employment Areas) of the Draft Local Plan is probably the most relevant Policy. The relevant part of the latest draft published in August 2025 states:

“1. New employment development outside of designated Employment Areas, Enterprise Zones, Employment Allocations or Mixed Use Allocations will only be permitted where it can be demonstrated that:

- (a) there is no suitable and available land on designated or allocated employment areas; or,*
- (b) there are specific reasons for the development not being located on designated or allocated employment areas, including, but not limited to:*

- (i) *the expansion of an existing business;*
 - (ii) *businesses that are based on agriculture, forestry or other industry where there are sustainability advantages to being located in close proximity to the market they serve;*
 - (iii) *industries and/or businesses which would be detrimental to local amenity if located in settlements, including on designated or allocated employment areas; and,*
- (c) *the development would not adversely affect highway safety”*

The applicant has submitted an Economic Statement that identifies two existing Cromer businesses who it is understood have a need to relocate due to the long-term availability of their existing site. Between them it states they employ 14 people and they both plan to increase their employment numbers over time.

The August draft of the Local Plan suggests that there are 6.37 hectares of ‘undeveloped employment land’ in the identified ‘Central Area’ with 1.92 hectares of that in Cromer and the rest in Holt (see draft Policy E1). The draft Plan doesn’t seek to make any new employment allocations in Cromer.

That 1.92 hectares is at the north end of Stonehill Way – off the A148 (Holt Road). The eastern part of that site has now been occupied by Coastal Gas Supplies Ltd. The remainder of the site is currently for rent on Rightmove as:

“Site 1 has an extensive concreted hard standing area of 1.87 acres (0.76 hectares) which is accessible at the end of Stonehill Way through secure double gates.

Site 2 (770 m²/0.19 acres) is a smaller site to the right hand side of Stonehill Way and is ideal for car parking or lightweight external storage. The footings are in for a temporary office building which could reinstate if required.”

The Arnold Keys brochure for the site is available at: [Stonehill Way Brochure](#)

It is therefore concluded that part (a) to (1) above is complied with in this case. Whilst it is recognised that it could be argued other employment land and sites outside Cromer – but within the Central Area - should be considered and discounted before non-employment sites are considered, that doesn’t seem to be a practical or appropriate proposition in this case.

Whether or not (1)(c) is complied with will be considered under points (5) and (6) below.

If, therefore, it is concluded that an employment use outside an employment area is acceptable here – and there is a strong economic argument in support of business retention and growth – then the next ‘question’ is ‘if not on an employment site, then where should these uses / business be’.

The ‘settlement boundary’ of Cromer is shown on page 177 of the latest draft Local Plan and is drawn tightly around the built up area with the exception of the three housing sites allocated on the edge of Cromer (none of which include employment provision within the allocation policy).

There are not thought to be any obvious sites these uses could go on – which then means a ‘countryside’ and an ‘undeveloped coast’ location are the only alternatives.

This isn’t an easy issue to balance – especially as the site isn’t immediately adjacent to the settlement boundary – but then it does have some existing employment buildings on the site already.

Regard should also be had to the National Planning Policy Framework – and paragraph 85 is probably most relevant:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development ...”

Paragraph 87 (c) also states

“Planning ... decisions should ... (make) provision for: ...

- c) the expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience.”*

To conclude on this matter, the proposal is contrary to Development Plan Policy. However, the need to accommodate the sorts of uses proposed in the Cromer area is considered to be a material consideration to which weight can be afforded and the absence of policy compliant alternatives increases the weight that can be afforded by the decision maker to this issue. The conflict with the Development Plan and the material considerations in favour will be weighed in the planning balance.

2. Impact on Cromer Town Centre

The revised description removes the uses that caused the concern about the potential impact on Cromer Town Centre. Therefore, the change means that that ‘reason’ effectively falls away and the conflict with Development Plan Policy SS 5 no longer arises.

3. Development in the “Undeveloped Coast”

Officers note that, save for the 1.92 hectares of land at the north end of Stonehill Way, most if not all other potential locations for commercial development around Cromer would be sited within the defined “Undeveloped Coast” under Core Strategy Policy EN 3.

In the event that the Development Committee conclude that the material considerations in support of development in the countryside on the fringes of Cromer – i.e. reason (1) above – are considered to attract sufficient weight in favour, then these may also act as a material consideration to justify departure from Development Plan policy EC 3 absent reasonable alternative sites.

The conflict with the Development Plan and the material considerations in favour will be weighed in the planning balance. However, if the economic case isn't considered made then this reason for refusal should remain.

4. Impact on Heritage Assets

The previous reports have recognised that the heritage harm from this proposal is at the 'less than substantial' end of the impact spectrum – and that whilst the harm would be weighed against public benefits of the proposal, Officers previously concluded that the public benefits had not been justified.

Having considered the matter carefully, Officers recognise that if an economic case justifying the development in the 'Countryside' is made – then the need for economic premises to safeguard jobs and provide additional employment and spend within the town would be capable of being material considerations that could attract positive weight and could be considered enough to outweigh the heritage harm in this case. However, if the economic case isn't considered made then this reason for refusal should remain.

5&6. Highway Safety

The latest submission from the Norfolk County Council (as highways authority) states:

“ ... the Highway Authority concerns are as follows:

- a) Suitability of Hall Road to support intensification at the Home Farm commercial area.*
- b) Visibility from the access*
- c) Layout of the access.*

As you will be aware, Hall Road / Metton Road typically have a poor alignment and restricted width. They do however benefit from a recently implemented 30mph speed limit. The applicant has not sought to mitigate their impact at the route but it does seem unlikely that a meaningful improvement could reasonably be secured.

In terms of b) and c), there would seem to be scope to improve the access.

I understand there might be scope to provide improved visibility from the access. In the absence of a vehicle speed survey, I would suggest that 85%iles are likely to be in the region of 35mph at this location. Accordingly would suggest the visibility splays of 2.4m by 54m are sought in both directions.

The Highway Authority would generally limit radii at commercial accesses to 12m. The existing radii appear larger than would normally be supported but considering the reduced road width, they may help enable access by larger vehicles. The revised layout should be informed by vehicle swept-path analysis and the access radii constrained so far as possible.

The access layout is complicated slightly by the presence of the Home Farm Lodge access. I would highlight that the proposal seems to rely on using the adjacent access to accommodate waiting vehicles. I would suggest that to suitably accommodate two opposing vehicles at the access, it should be widened to 6.5m for a distance of 15m back from Hall Road.

Whilst acknowledging the constrained nature of the local network, it is accepted that the commercial area is existing. Improved visibility splays and access as above, would to an extent ameliorate the Highway Authority concern.

If the Planning Authority minded to approve the application, the Highway Authority would request inclusion of [five] conditions ...”

That was a softening of their position, which up to then was recommendation of refusal for the following two grounds:

- (i) The access is unsatisfactory to serve the proposed development by reason of its inadequate width and the proposal would therefore lead to the stopping and waiting of vehicles on the highway to the detriment of highway safety. Contrary to Policy CT5; and,*
- (ii) The unclassified roads of Hall Road and Metton Road to the west serving the site is considered to be inadequate to serve the development proposed, by reason of poor alignment / restricted width / lack of passing provision and restricted visibility at adjacent Road junctions. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety. Contrary to Policy CT5.*

For the avoidance of doubt, it is considered that the Highway Authority are still ‘objecting’ to the proposal but providing some ‘what if’ suggestions alongside that – with an awareness of the discussion at the February Committee meeting in the background to their June comments.

The conditions that the County Council refer to (see their response dated 24th June 2025), would mean extensive works would be required on access widening and visibility splays which raise some concerns about the impact of any such works on the setting of the listed building (i.e. reason 4) and the impact on trees and hedgerows around the junction.

While the applicant’s agent has asserted that no tree or hedge tree / plant will need to be removed as part of this scheme, it is not clear how the access works can be done in keeping with the conditions advocated by Highway Authority.

Further consideration to this will be given upon receipt of the comments from the Council’s landscape team.

7. Ecology

The awaited consultation response from the Council’s Ecologist should – when received – enable a re-appraisal of this ground. The Committee will be provided with a verbal update on this matter.

8. Biodiversity Net Gain

The awaited consultation response from the Council's Ecologist should – when received – enable a re-appraisal of this ground. The Committee will be provided with a verbal update on this matter.

9. Impact on Trees

The awaited consultation response from the Council's landscape team should – when received – enable a re-appraisal of this ground. Central to this will be the impacts around the junction onto Hall Road. The Committee will be provided with a verbal update on this matter.

10. Surface Water Flood Risk

Very little additional information has been received on surface water flooding – and it remains relevant that parts of the site are within a recognised 'surface water flooding zone'. Absent the requested information then this reason for refusal would remain.

In the event that the Development Committee afford weight to the economic case for the proposal and wish to support the development, Officers will give further thought as to whether a 'before development commences' type condition could control the matter adequately.

PLANNING BALANCE / CONCLUSIONS

Officers consider that the further information and the revised description received in July 2025 have strengthened the proposal and made it more Policy compliant.

Nonetheless the proposal would still represent a departure from the Development Plan. However, if the Development Committee are persuaded by the primary material consideration in favour – i.e. the economic case - and conclude that significant weight should be afforded to that matter, then it could be argued that there are sufficient material considerations to outweigh the identified departure from the Development Plan.

However, irrespective of any economic case, Officers note that not all of the reasons for refusal recommended to Committee in June have been overcome.

Four core elements of concern remain:

- (i) The highways concerns (reasons 5 and 6 above);
- (ii) Whether the submitted ecological report provides the assurance required to overcome reason 7;
- (iii) The impact on trees (and hedgerows in the area) – in particular around the access point (reason 9) above;
- (iv) The lack of information on surface water flood risk (reason 10).

This is the third time this application is being reported to Committee – and while there are some matters outstanding at the time of writing – and public consultation period will still be

running at Committee – Officers are of the view that there will be enough information for the Committee to reach a decision at Committee.

Fundamentally though Officers remain of the view that the application should still be refused – although for a smaller group of reasons than before.

RECOMMENDATION:

To authorise the Assistant Director – Planning to **REFUSE** permission upon conclusion of the (re)advertisement / (re)consultation period associated with the revised description – unless comments received materially change the position – for the following reasons:

- (i) Highways matters (reasons 5 and 6 above)
- (ii) Surface Water flooding matters (reason 10 above).

The wording of those three reasons would be as previously suggested:

1. The proposed access is considered unsatisfactory to serve the development by reason of its inadequate width. The proposals would therefore lead to the stopping and waiting of vehicles on the highway to the detriment of highway safety contrary to Policy CT 5 of the adopted North Norfolk Core Strategy and Chapter 9 of the National Planning Policy Framework.
2. The unclassified roads of Hall Road and Metton Road serving the site are inadequate to serve the development proposed, by reason of poor alignment, restricted width, lack of passing provision and restricted visibility at adjacent Road junctions. Consequently, as a result of the additional traffic generated by the development, the proposals would be likely to give rise to conditions detrimental to highway safety contrary to Policy CT 5 of the adopted North Norfolk Core Strategy and Chapter 9 of the National Planning Policy Framework.
3. Insufficient information has been provided by the applicant in order to demonstrate that the proposal would not be at risk itself from, or give rise to, surface water flooding elsewhere. The application has not provided sufficient information to demonstrate this development would/could incorporate an appropriate sustainable drainage system. The proposal is therefore contrary to Policy EN 10 of the adopted North Norfolk Core Strategy, paragraphs 181 and 182 of the National Planning Policy Framework and the guidance contained within the Government's Planning Practice Guidance in relation to Flood Risk.

And, depending on the outcome of the (re)consultation responses that will be reported to Committee:

- (iii) Ecological matters (reason 7 above)
- (iv) Tree and hedgerow matters (reason 9 above).

In each of those cases the wording is likely – if recommended – to be updated from the June 2025 wording (at **Appendix 1**).

APPENDIX 1

CROMER – PF/24/2341 - Erection of 5 commercial units for uses within Use Classes E(c)(i) - financial services, E(g)(i) - offices, E(d) - indoor sport, recreation or fitness, B8 - storage or distribution at Home Farm Enterprise Zone, Hall Road, Cromer, Norfolk

ADDENDUM REPORT

Minor Development

Target Date: 09.01.2025

Extension of Time: 04.07.2025

Case Officer: Russell Stock

Full Planning Permission

REASON FOR ADDENDUM REPORT

This Addendum Report is to update members with regards to the matters that led to their deferral of the consideration of this planning application at the meeting of the Development Committee on 6th February 2025. This report should be read in conjunction with the Committee Report and the Development Committee Minutes from the meeting of 6th February 2025. These are included at **Appendix 1** and **2** of this report.

UPDATE

Following debate at the 6th February 2025 Development Committee meeting, the Committee resolved to defer making a decision on the application so that the applicants could provide sufficient information required in order to make an informed decision.

Since the 6th February 2025 Development Committee meeting, amended plans and various emails have been provided by the planning agent on behalf of the applicant. Additionally, further consultee comments have been received. A summary of the changes since the meeting on the 6th February 2025 are provided within the relevant sections below.

CONSULTATIONS (received since the 6th February 2025 meeting):

NNDC Conservation and Design: Objection

No significant changes proposed since previous iteration. The fundamental concerns remain. Vegetation cannot be relied upon to screen inappropriate new development, particularly when it results in 'less than substantial' harm to the significance of a designated heritage asset.

NNDC Landscape: Objection

None of the reports required have been received. There remains a lack of information provided. Impacts on trees, species, habitats all remain unknown.

NCC Highway: Objection

As the proposals have not changed in relation to highway matters, the previous objection remains. There appears scope for the applicant to address the concerns relating to the access width.

Historic Buildings and Places: Further information required

A lack of information has been provided.

OFFICER ASSESSMENT:

The following information has been provided in support of the application since the 6th February 2025 meeting:

- Covering letter from Pike Partnership, dated 18 March 2025
- Email from Matthew Boyer (Boyer's Body & Service Centre) to applicant, dated 5th March 2025
- Email from Josh Willis (JW Sports and Fitness) to applicant, dated 8th March 2025
- Email from Darren (Cromer Electrical Limited) to applicant, dated 10th March 2025
- Photographs of drainage areas and surroundings – taken 10th March 2025
- Drawing 3082-09 Proposed Site Plan, Floor Plans and Elevations, received 19th March 2025
- Drawing 3082-08a Proposed South Elevation, received 19th March 2025 (resubmission of plan already provided)

In relation to the amended plans, no physical changes to the site layout, building design or access/parking have been made when compared to the plans considered by Members at the 6th February 2025 meeting. The only amendments relate to the inclusion of the words 'larger planting area' and the rearrangement and addition of circles which have been used to indicatively indicate tree planting. The plans have also been re-orientated and have removed the surrounding dwellings and landscaping features, providing less context to the proposed scheme.

In addition to the covering letter from Pike Partnership – which itself does not provide the required information as highlighted within the 6th February report; three emails from local businesses have been submitted. These emails indicate that there are local businesses which may require additional or new floorspace, with a desire to remain in the Cromer area. These emails provide limited details of each business's aspirations. They do not provide any tangible evidence to support their requirements, or set out any form of business case. The information provided does not address the evidence base used to inform/support the relevant policies within the Core Strategy, nor Policy E3 of the Council's emerging North Norfolk Local Plan, which is now in its advanced stages.

No information has been provided to satisfy the required sequential and viability/vitality tests as a result of the Main Town Centre/retail uses proposed.

The Highway Authority have provided brief updated comments which set out that as the proposals have not been amended, and no additional highway information has been provided, the original objection comments still remain valid.

No professional reports or meaningful information has been provided since the 6th February 2025 meeting to address any of the ten (10) recommended reasons for refusal. In light of this, the planning balance and overall recommendation remains the same as that from the 6th February 2025 meeting. The full recommendation is set out below for clarity:

PLANNING BALANCE / CONCLUSIONS

The application form states that the development would create 25 full-time equivalent jobs. Beyond this statement however, very limited information has been provided in support of the business case for the proposals. The applicant has stated that the proposal would bring significant economic benefits, whilst the Ward Councillor expands upon this within their call-in form, stating that the development would support the growth of one of the existing units, and provide homes to several other existing businesses.

Undoubtedly, the development would result in economic benefits; this includes the job creation opportunities which would come from the delivery of 5 commercial units, as well as general economic growth benefits resulting from the increase, provision and diversity of commercial floorspace in the Cromer area. The full extent of these benefits is however, not fully known at this stage given the limited information submitted in support of the application. Nevertheless, modest weight is given to the economic benefits of the development.

The development has been found to conflict with the key strategic Core Strategy Policies, SS 1 and SS 2, which seek to limit development within the Countryside to that which requires a rural location. In this instance, it has not been demonstrated that the proposals would fall within any of the categories which support new-build economic development within Countryside locations. The proposals, through the lack of supporting evidence, have failed to demonstrate that the development would not adversely impact Cromer Town Centre as a result of the use of the buildings for Main Town Centre uses. In this respect, there is conflict with Core Strategy Policy EC 5 and the guidance contained within Chapter 7 of the NPPF.

Insufficient information has been provided to justify the proposed development, which falls within the designated Undeveloped Coast. Without justification, the proposals conflict with the requirements of Policy EN 3.

Ecologically, the application has provided insufficient information to establish the proposal's impact upon protected species and/or sites. Furthermore, the site's baseline for calculating Biodiversity Net Gain requirements has not been agreed, due to discrepancies between site conditions and those used within the baseline categorises. Furthermore, the full extent of the works required to deliver the development have not been fully considered by the applicants. In these respects, the proposal fails to comply with Policy EN 9 and the guidance contained within Chapter 15 of the NPPF.

Insufficient information has been provided in relation to the proposal's arboricultural implications, with the site surrounded by a number of important trees, conflicting with the requirements of Policies EN 2 and EN 4 in this respect.

Insufficient information has been provided as part of this application to demonstrate whether or not the proposal would be put at risk from flooding or give rise to flooding elsewhere. This conflicts with the aims of Policy EN 10 and the guidance set out with the NPPF within Chapter 14.

The development would not provide safe access and the traffic generated by the proposals would not be accommodated by the existing road network without detriment to highway safety. Conflict arises with Policy CT 5 of the Core Strategy in this respect, as well as paragraphs 89 and 116 of the NPPF as the proposals would have an unacceptable impact on local roads and highway safety.

The development has been found to result in 'less than substantial' harm to the significance of the Grade II listed South Lodge as a result of the position and sheer scale of the proposed commercial units and the intervisibility between the two. The development would intrude into the important rural setting of the Lodge, disrupting the landscape in which it was originally intended to be appreciated from. Having undertaken the balancing exercise as required by NPPF paragraph 215, the heritage harm resulting from the development has been found to not be outweighed by public benefits.

Matters which are neutral in the overall planning balance in this instance include the development's acceptable impact within the landscape, impacts upon neighbouring amenities and, subject to conditions, energy efficiency and contamination.

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

RECOMMENDATION:

To **REFUSE** permission on the following grounds:

1. The site is located in an area designated as Countryside where Policy SS 2 limits development to that which requires a rural location. The proposals have not demonstrated why departure from the Council's key strategic policies is appropriate for this development. The development would therefore constitute unjustified intrusion of built form into the Countryside, contrary to strategic aims of achieving sustainable development as set out within Policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy.
2. The proposed development would result in Main Town Centre and retail uses within the Countryside. The application has not been supported by any assessment of the development's likely impacts upon the viability or vitality of the Cromer Town Centre. No information has been provided to support a sequential test to demonstrate the suitability of this site to contain Main Town Centre uses. In the absence of such information, the applicant has failed to demonstrate how the proposal would accord with the aims of Core Strategy Policy EC 5, in particular the impact upon Cromer Town Centre. In this respect, conflicts arise with Policy EC 5 of the adopted North Norfolk Core Strategy as well as the guidance contained within Chapter 7 of the National Planning Policy Framework.

3. Insufficient information has been provided in order to sufficiently demonstrate that the proposal requires a coastal location within the designated Undeveloped Coast in order to justify impacts upon the undeveloped character in line with the requirements of Policy EN 3 of the adopted North Norfolk Core Strategy.
4. The proposed development would, by virtue of its location and massing, have a notable impact on the important rural setting of the Grade II Listed South Lodge, disrupting the landscape in which it was originally intended to be appreciated from. The development would cause harm to the significance of South Lodge, falling within the setting of that listed building. Such harm would be within the less than substantial category, as set out in the National Planning Policy Framework and would not be outweighed by the public benefits associated with the development. The proposed development would therefore be in conflict with Policy EN 8 of the adopted North Norfolk Core Strategy and Chapter 16 of the National Planning Policy Framework.
5. Insufficient information has been provided by the applicant in order to establish the site's ecological value and the impacts of the proposal on protected species. Therefore, the potential for adverse impacts upon habitats and protected species cannot be assessed in accordance with the Council's statutory duties under Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) (also see paragraph 99 of the ODPM Circular 06/2005). Therefore, the proposal would be contrary to Policy EN 9 of the adopted North Norfolk Core Strategy and Chapter 15 of the National Planning Policy Framework.
6. Insufficient information has been provided by the applicant in order to sufficiently establish that the site's Biodiversity Net Gain (BNG) baseline calculations are an accurate reflection of site conditions. Inconsistencies between the information provided and that observed on site brings the accuracy of the baseline calculations into question where no further information or justification has been provided. The proposals therefore conflict with the requirements set out within Article 7A of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
7. Insufficient information has been provided by the applicant in order to sufficiently demonstrate that the proposal would not adversely affect the existing mature trees adjoining the application site, many of which are important to the local landscape. Therefore, in the absence of an up-to-date and reliable Arboricultural Impact Assessment, which fully considers the implications of the proposed impact upon affected trees, the proposal fails to demonstrate the suitable retention of existing important landscaping and natural features, contrary to the requirements of Policies EN 2 and EN 4 of the adopted North Norfolk Core Strategy and paragraphs 136 and 187 of the National Planning Policy Framework.
8. The proposed access is considered unsatisfactory to serve the development by reason of its inadequate width. The proposals would therefore lead to the stopping and waiting of vehicles on the highway to the detriment of highway safety contrary to Policy CT 5 of the adopted North Norfolk Core Strategy and Chapter 9 of the National Planning Policy Framework.
9. The unclassified roads of Hall Road and Metton Road serving the site are inadequate to serve the development proposed, by reason of poor alignment, restricted width, lack of passing provision and restricted visibility at adjacent Road junctions. Consequently, as a result of the additional traffic generated by the development, the proposals would be likely to give rise to conditions detrimental to highway safety contrary to Policy CT

5 of the adopted North Norfolk Core Strategy and Chapter 9 of the National Planning Policy Framework.

10. Insufficient information has been provided by the applicant in order to demonstrate that the proposal would not be at risk itself from, or give rise to, surface water flooding elsewhere. The application has not provided sufficient information to demonstrate this development would/could incorporate an appropriate sustainable drainage system. The proposal is therefore contrary to Policy EN 10 of the adopted North Norfolk Core Strategy, paragraphs 181 and 182 of the National Planning Policy Framework and the guidance contained within the Government's Planning Practice Guidance in relation to Flood Risk.

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Friday, 27 June 2025 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:	Cllr P Heinrich (Chairman)	Cllr A Brown
	Cllr P Fisher	Cllr A Fitch-Tillett
	Cllr M Hankins	Cllr V Holliday
	Cllr P Neatherway	Cllr K Toye
	Cllr A Varley	Cllr L Paterson

Officers in Attendance:	Assistant Director for Planning (ADP)
	Development Manager (DM)
	Senior Planning Officer(s) (SPO)
	Planning Officer (PO)
	Trainee Planning Officer (TPO)
	Democratic Services Manager (DSM)
	Democratic Services Officer (DSO)

1 CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting and explained how he would manage the proceedings.

2 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies had been received from Cllr Batey, Cllr MacDonald, Cllr J Toye and Cllr Vickers.

3 SUBSTITUTES

Substitutes for the meeting were Cllr Adams (for Cllr Batey), Cllr Bayes (for Cllr Vickers) and Cllr Ringer (for Cllr J Toye)

4 MINUTES

The Minutes of the meeting of the Committee held on 29th May 2025 were approved as a correct record.

5 ITEMS OF URGENT BUSINESS

None

7 DECLARATIONS OF INTEREST

Cllr Ringer declared that in relation to item 9 he was predetermined and would therefore not take part in the debate and would abstain from the vote.

APPENDIX 2

Cllr Adams declared that he would abstain from the vote in relation to both Comer matters (items 8 and 11)

8 CROMER - PF/24/2341 - ERECTION OF 5 COMMERCIAL UNITS FOR USES WITHIN USE CLASSES E(C)(I) - FINANCIAL SERVICES, E(G)(I) - OFFICES, E(D) - INDOOR SPORT, RECREATION OR FITNESS, B8 - STORAGE OR DISTRIBUTION AT HOME FARM ENTERPRISE ZONE, HALL ROAD, CROMER, NORFOLK

SPO-RS presented the report and took the Committee through additional information that had been received from the applicant since the Committee last considered the matter, some of which had been received since the publication of the agenda. The SPO identified the changes that had been made to the application and the informal views that had been received from consultees including Highways (relating to proposed access changes), Landscape Officer (relating to the new planting scheme) and the Tree Officer. The updated recommendations were explained to the Committee- the recommendation was for refusal.

Public Speakers

Colin Robb- Cromer Town Council

Local Members

Cllr Boyle spoke in support of the application, noting the existence of commercial units at the premises, the shortage of available units in Cromer and the that potential tenants were already existing local businesses using local roads. Cllr Boyle stated she believed that the use was compliant with policies EC3 and EC5 and was pleased to note the improved access proposed. She noted that that area was well concealed and that the change would not be detrimental when compared to its current use.

Cllr Adams spoke in support of the application, noting the shortage of local premises and the fact that the existing site had not seen any issues with its use. He also referred to the changes to the application and that highways were now content with the access. He referred the Committee to the change to the speed limit in the area. He believed all outstanding matters could be dealt with by conditions and the benefits far outweighed the policy considerations.

Member debate

- a. Cllr Brown, Cllr Holliday, Cllr Toye, Cllr Fisher and Cllr Bayes expressed a need for further information including details of the economic benefits and the impact on businesses in the town through the sequential test. Cllr Brown proposed that the matter be deferred with the applicant being given 28 days to provide further information.
- b. Cllr Paterson and Cllr Hankins expressed the view that the Committee had sufficient information to make a decision.
- c. The ADP and the DM gave advice to the Committee, the ADP agreeing with the suggestion for a time limit for the applicant if the Committee was minded to defer and the DM suggesting to the Committee that to ensure a sound decision they needed to satisfy themselves that they had information on both sides of any matter to which they were giving weight.

APPENDIX 2

Cllr Brown proposed and Cllr Holliday seconded that the application be deferred, with the applicant given 28 days to submit any further information, with the application being considered by the Committee at its August meeting.

IT **WAS RESOLVED** by 9 votes in favour, 2 votes against and 2 abstentions that

The application be deferred, with the applicant given 28 days to submit any further information, with the application being considered by the Committee at its August meeting.

9 LOWER BODHAM - PF/24/2705 - DEMOLITION OF WORKSHOP BUILDING AND ERECTION OF BUILDING FOR USE AS A LIVE/WORK UNIT, RECLADDING OF RETAINED STORAGE BUILDING, DEMOLITION OF OTHER STORAGE BUILDINGS AND ERECTION OF CART SHED AT OLD SCARFE BROTHERS WORKSHOP, CHURCH ROAD, LOWER BODHAM, HOLT, NR25 6PS

The SPO-JS took the Committee through the presentation, the Committee was provided with information including the site location and plan, elevations and photographs of the site. The main issues for consideration, being the principle of development and the design, appearance and effect on character, were brought to the Committee's attention. The recommendation was for refusal.

Public Speakers

JP Ringer- Bodham Parish Council
Alice Kemp (Applicant)

Local Member

Cllr Ringer spoke in support of the application, believing that the application complied with the aims of the NPPF and seeks to re-use existing brownfield land, supports a rural business in the countryside and proposes an off grid sustainable development. He noted the existing condition of the site and suggested that the development would improve the site and whilst noting the large size of the proposed building believed the building would sit low in the landscape. He concluded he was of the view that the application was well designed and that the balance was in favour of approval.

Members debate

- a. Members debated the 2 main issues. Members including Cllr Fitch-Tillett, Cllr Holliday and Cllr Brown expressed concern over the size and mass of the building, with Cllr Adams, Cllr Varley and Cllr Bayes expressing general support, citing reasons including the re-use of a brownfield site and the applications sustainability credentials.
- b. Cllr Paterson suggested that the matter be deferred to allow the applicant to provide information as to how the building would sit in the landscape and consideration of reducing the height of the ridgeline.
- c. The ADP summarised to the Committee the views that he had heard them express, namely that the Committee appeared more comfortable with the principle of development but had some concerns over the scale and mass of the

building. The ADP outlined a number of options available to the Committee, including refusal, approval, deferral or a site visit, suggesting that if the Committee was minded to defer, he understood that this would be to allow the applicant to provide information on the impact of the development on the landscape (landscape impact assessment) and consideration of the height and scale of the ridgeline in particular. The Chairman confirmed this to be his understanding of the debate.

- d. Cllr Adams asked for clarification as to what was hoping to be gained by any deferral. The DM expressed his understanding that it would be to obtain information that would allow the Committee to make a decision on what amounted to an appropriate scale of building on the site.

Cllr Paterson proposed and Cllr Fitch-Tillett seconded that the application be deferred to allow the applicant to provide a landscape impact assessment and for consideration to be given to the height and scale of the ridgeline. A deadline to be provided to the applicant to allow this matter to be reconsidered at the August meeting.

IT **WAS RESOLVED** by 8 votes in favour, 4 against with 1 abstention that

The application be deferred to allow the applicant to provide a landscape impact assessment and for consideration to be given to the height and scale of the ridgeline. A deadline to be provided to the applicant to allow this matter to be reconsidered at the August meeting

The meeting adjourned at 10.55 and recommenced at 11.10 am

10 FAKENHAM - PF/24/2184 - ERECTION OF TWO BUILDINGS FOR USE AS A RESTAURANT AND FARM SHOP, AND ASSOCIATED DEVELOPMENT INCLUDING A SEPARATE WC AND BAR, TWO POLYTUNNELS, CAR-PARKING, PATHS AND ACCESS AT SALMONDS LANE, THORPLAND, FAKENHAM, NORFOLK, NR21 0HB

PO-IM presented the report and brought the viability report circulated after the agenda was published to the attention of the Committee. The Committee was provided with information including the site location and plan, proposals, elevations and site access. Further information was provided about the main issues being the principle of development and location, sustainability and impact on the highways network. The recommendation was for refusal.

Public Speakers

Angela Glynn-Mayor of Fakenham
Jack Spencer Ashworth (Applicant)

Local Member

Cllr Cushing spoke in support of the application. He gave the Committee a history of the business, starting as a “pop-up” and that he wanted to see North Norfolk flourish and this business would provide additional employment opportunities and important farm diversification. In terms of policies, he believed that the application did or could comply with SS1 and SS2. He noted the huge support for the application in the town of Fakenham from residents, through to local Councillors. He noted the recent approval of fast food outlets in the town and urged the Committee to make a

APPENDIX 2

decision based on the greater good and approve the application.

Member Debate

- a. The Chairman, together with Cllr Paterson, Cllr Adams, Cllr Bayes, Cllr Hankins, Cllr Toye, Cllr Varley and Cllr Brown spoke against the recommendation, noting benefits of the development including important farm diversification, support from the local community, the need for rural business in rural areas, a pleasing design and the importance of the business for the farm sustainability.
- b. Cllr Ringer noted the issues and concern with the access for pedestrians and cyclists but did not believe that should prevent approval of the application.
- c. The DM noted the comments from the Committee and suggested that if they were minded to approve they may wish to consider whether they wished to ensure that the site didn't later develop into something they would not wish to see and how generally they may wish to control the development whilst benefitting the local economy.
- d. The ADP advised it would be possible to impose relevant conditions and create a link between the ownership of the farm and the development by way of a legal agreement, this would reflect the benefits that the Committee had raised in the debate and to which they were giving weight.

Cllr Fisher proposed and the Chair seconded the recommendation for **Refusal** of the application.

IT **WAS RESOLVED** by 1 vote in favour and 12 votes against

That the recommendation for refusal be rejected.

- e. Cllr Paterson suggested that the application be approved, noting the economic benefits of the scheme and following a request from the DM for clarification, confirmed that that it was noted that the development is outside policy but that the benefits outweigh that conflict.
- f. The ADP confirmed that his understanding was that the recommendation was that he be given authority to approve the application, subject to agreement of appropriate conditions and if necessary, a S.106 agreement, such conditions to include an ongoing link between the ownership of the farm and the business on the development site.

Cllr Paterson proposed, and Cllr Adams seconded that the ADP be given authority to approve the application, subject to agreement of appropriate conditions and if necessary, a S.106 agreement, such conditions to include an ongoing link between the ownership of the farm and the business on the development site

IT **WAS RESOLVED** by 12 votes in favour and 1 abstention

That the ADP be given authority to approve the application, subject to agreement of appropriate conditions and if necessary, a S.106 agreement, such conditions to include an ongoing link between the ownership of the farm and the business on the development site

The ADP left the meeting at 11.55

11 CROMER - PF/25/0724 - INSTALLATION OF 10 SHEDS (1.58M X 1.58M) ON TEMPORARY GARDEN PLOTS, ALLOTMENTS AT, CEMETERY, HOLT ROAD, CROMER

TPO-NW presented the report including providing the Committee with site location plan, photographs and details of the main issues. The recommendation was for approval.

Cllr Fitch-Tillett proposed and Cllr Brown seconded the recommendation that the application be approved subject to conditions detailed in the report and that the final wording of conditions and any other considered necessary be delegated to the ADP.

IT **WAS RESOLVED** by 12 votes in favour with 1 abstention

That the application be approved subject to conditions detailed in the report and that the final wording of conditions and any other considered necessary be delegated to the ADP

The ADP returned to the meeting at 12.05.

12 MHCLG CONSULTATION RESPONSE

The ADP provided the Committee details on the proposed response to the Government Consultation paper regarding the national scheme of delegation. He identified to the Committee that under the proposals there would be 2 types of planning applications, Tier A applications which would have to be dealt with by Officers and Tier B applications which would be dealt with by Officers unless the ADP and the Chair agreed to send it to Committee. He noted that all applications heard today by the Committee would be considered Tier A.

Cllr Adams and Cllr Brown, noted the proposals with concern and following a question from Cllr Fitch-Tillett the ADP confirmed the government timescale for introducing this new scheme of delegation was this year.

13 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

The DM presented the report to the Committee noting a slight dip in performance relating to non-major applications which was partly a result of the issues previously surrounding nutrient neutrality and associated delays.

14 APPEALS SECTION

The DM presented the report to the Committee and noted the delays with the Planning Inspectorate were particularly acute relating to enforcement decisions.

The meeting ended at 12.35 pm.

Chairman

APPENDIX 3

CROMER – PF/24/2341 - Erection of 5 commercial units for uses within Use Classes E(c)(i) - financial services, E(g)(i) - offices, E(d) - indoor sport, recreation or fitness, B8 - storage or distribution at Home Farm Enterprise Zone, Hall Road, Cromer, Norfolk

Minor Development

Target Date: 14.02.2025

Extension of Time: 14.02.2025

Case Officer: Russell Stock

Full Planning Permission

RELEVANT SITE CONSTRAINTS

The site lies within a Countryside location in policy terms
The site lies within the Undeveloped Coast
The site lies within the Norfolk Coast National Landscape (formerly AONB)
The site may contain Contaminated Land
The site lies within an ungraded Historic Park and Garden
The site is within the setting of a number of Listed Buildings
The site is within a Mineral Safeguarding Area
The site contains an area at risk of surface water flooding
The site lies within various GIRAMS Zones of Influence

RELEVANT PLANNING HISTORY

NP/13/0041

Prior notification of intention to erect re-located agricultural storage building

Prior approval not required 04.02.2013

PF/06/0160

Continued Use of Former B1 (Light Industrial) Premises for Repair and Storage of Coaches

Finally Disposed of 28.02.2017

PF/03/1453

Change of use of buildings from agricultural to industrial use, erection of industrial units and agricultural building

Approved 26.01.2004

S106/22/23 – Unilateral Undertaking securing funding maintenance and repair of the fabric of the Hall. Set up Maintenance Fund following permission of new industrial building (enabling development).

THE APPLICATION

Site Description:

The site is currently used for ad-hoc informal agricultural storage purposes. The site is located between Hall Road and a large agricultural building, beyond which a number of smaller industrial units are located, along with Home Farm House and barns. Mature trees and

vegetation adjoin the site from the south and east. Cromer Hall and what is referred to within the application as the concert field are located to the north.

Proposal:

This application seeks full planning permission for the erection of two buildings, containing five separate commercial units. Alongside the proposed buildings, the development would include a significant area of hardstanding for vehicular movements, vehicular parking, the creation of a new access and track to the concert field, and soft landscaping.

The buildings would measure:

Units 1-3

34.8m in length, 18.1m in width, 7.06m in height

Units 4/5

30m in length, 11.5m in width, 6.15m in height

REASONS FOR REFERRAL TO COMMITTEE

The application has been referred to committee at the request of Cllr Tim Adams for the following reasons:

“- I believe the proposal is in accordance with EC3, in that this proposal, limited in scale, will have no overall detrimental impact on the area whilst providing for the expansion of an existing enterprise zone/ park business. The expansion will support the growth of one business at the existing units, and a home for several other existing businesses.

- The site has existing commercial and agricultural uses, and the business tenants envisaged are unlikely to generate detrimental volumes of traffic – mostly individual cars and vans who are largely using the local road network already due to existing presence in the Town.

- Whilst the site of construction itself is not distinctive, it is understood there are concerns about wider landscape impacts. However, I am not sure how well understood this is, as the site is very well concealed by trees and vegetation in every direction – including that immediately East of NNDC offices. I am unable to find any significant visibility of the site from existing footpaths due to extensive landscaping. The setting of South Lodge, also part of the Cromer Hall Estate, is also similarly protected in this respect. I therefore believe that the proposal to be in accordance with relevant ‘EN’ policies.

- I also do not believe there are any insurmountable issues with ecology or trees, given the existing use of the land.

- Finally, I believe the development would accord with the economic objectives of the National Planning Policy Framework (8a). Given the limited supply of commercial units in the District, there is significant demand. This development is greatly needed in Cromer with several existing businesses needing new premises imminently to ensure continued operation, and access to existing customer base in the locality. I am confident in my knowledge that no other sites are becoming available in the timescales required in the immediate locality, and an expansion of an existing commercial setting is therefore desirable.”

HUMAN RIGHTS IMPLICATIONS

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

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

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

CRIME AND DISORDER

The application raises no significant crime and disorder issues.

EQUALITY AND DIVERSITY ISSUES

The application raises no significant equality and diversity issues.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application.

Local finance considerations are not considered to be material to this case.

CONSULTATIONS

Cromer Town Council: No objection

North Norfolk District Council Economic Growth: Support

North Norfolk District Council Environmental Health: No objection, subject to conditions

North Norfolk District Council Landscape Team: Objection - Further information required

North Norfolk District Council Conservation Officer: Objection

Norfolk County Council Highways: Objection

Norfolk County Council Minerals and Waste: No comment

Historic England: No comment

Historic Buildings and Places: Further information required

REPRESENTATIONS

None

RELEVANT PLANNING POLICIES

North Norfolk Local Development Framework Core Strategy (September 2008):

Policy SS 1 (Spatial Strategy for North Norfolk)
 Policy SS 2 (Development in the Countryside)
 Policy SS 4 (Environment)
 Policy SS 5 (Economy)
 Policy SS 6 (Access and Infrastructure)
 Policy SS 7 (Cromer)
 Policy EN 1 (Norfolk Coast Area of Outstanding Natural Beauty and The Broads)
 Policy EN 2 (Protection and Enhancement of Landscape and Settlement Character)
 Policy EN 3 (Undeveloped Coast)
 Policy EN 4 (Design)
 Policy EN 6 (Sustainable Construction and Energy Efficiency)
 Policy EN 8 (Protecting and Enhancing the Historic Environment)
 Policy EN 9 (Biodiversity & Geology)
 Policy EN 10 (Development and Flood Risk)
 Policy EN 13 (Pollution and Hazard Prevention and Minimisation)
 Policy CT 2 (Developer Contributions)
 Policy CT 5 (The Transport Impact of New Development)
 Policy CT 6 (Parking Provision)

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

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

Material Considerations:

Supplementary Planning Documents and Guidance:

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

National Planning Policy Framework (December 2024):

Chapter 2 (Achieving sustainable development)
 Chapter 4 (Decision-making)
 Chapter 6 (Building a strong, competitive economy)
 Chapter 7 (Ensuring the vitality of town centres)
 Chapter 8 (Promoting healthy and safe communities)
 Chapter 9 (Promoting sustainable transport)
 Chapter 11 (Making effective use of land)
 Chapter 12 (Achieving well-designed places)
 Chapter 14 (Meeting the challenge of climate change, flooding and coastal change)
 Chapter 15 (Conserving and enhancing the natural environment)
 Chapter 16 (Conserving and enhancing the historic environment)
 Chapter 17 (Facilitating the sustainable use of minerals)

Other material documents/guidance:

Norfolk Coast Area of Outstanding Natural Beauty Management Strategy 2019 – 2024
 North Norfolk Development and Coastal Erosion (2009)

OFFICER ASSESSMENT

Main Issues for consideration:

- 1. Principle of development**
- 2. Landscape, character of the area and design**
- 3. Historic environment**
- 4. Residential amenities**
- 5. Sustainable construction and energy efficiency**
- 6. Biodiversity & Geology**
- 7. Arboriculture**
- 8. Highways and parking**
- 9. Flooding and drainage**
- 10. Contamination**

1. Principle of development

Core Strategy Policy SS 1 sets out the spatial strategy for North Norfolk seeking to locate the majority of new development within the towns and larger villages, dependent on their local needs, their role as employment, retail and service centres and particular environmental and infrastructure constraints. Policy SS 2 of the Core Strategy states that in areas designated as Countryside development will be limited to that which requires a rural location and is one or more of a list of certain forms of development permissible under the policy.

Core Strategy Policy SS 5 relates to the economy and supports the creation of jobs and economic development through the designation of employment sites. In 'Employment Areas' as designated on the Proposals Map, only employment generating development proposals will be permitted. The rural economy and farm diversification will be supported including extensions to existing businesses of an appropriate scale and re-use of existing buildings, including appropriate re-use of the operational land at redundant defence establishments. Primary Shopping Areas and Primary Retail Frontages are defined in order to concentrate retail development in central areas of towns.

Emerging Policy E 3 states that new employment development outside of designated Employment Areas, Enterprise Zones, Employment Allocations or Mixed Use Allocations will only be permitted where it can be demonstrated that:

- a) there is no suitable and available land on designated or allocated employment areas; and
- b) there are specific reasons for the development not being located on designated or allocated employment areas, including, but not limited to:
 - (i) the expansion of an existing business;
 - (ii) businesses that are based on agriculture, forestry or other industry where there are sustainability advantages to being located in close proximity to the market they serve;
 - (iii) industries and/or businesses which would be detrimental to local amenity if located in settlements, including on designated or allocated employment areas; and,
- c) the development would not adversely affect highway safety.

In terms of the National Planning Policy Framework (NPPF), paragraph 85 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 88, which provides support for a prosperous rural economy, states the planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Paragraph 89 sets out that “decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

Located within the Countryside, the proposed new-build employment units have no Core Strategy support for the principle of development in this location. Historically, the site appears to have developed and evolved from its agricultural origins. Application PF/03/1453, which was for the change of use and erection of industrial units, was ultimately viewed favourably, despite being contrary to policy at the time, following securing of a heritage maintenance and repair fund for Cromer Hall by legal agreement (a form of enabling development).

In relation to this application, both applicant and local member have suggested that these new units should be considered as extensions to existing businesses, and thus fall within the remit of Policy EC 3, thus subsequently complying with Policy SS 2. For clarity Policy EC 3 (Extensions to Existing Businesses in the Countryside) states:

“Extensions to existing businesses in the Countryside will be permitted where it is of a scale appropriate to the existing development and would not have a detrimental effect on the character of the area.”

The proposals seek permission for use Classes E(c)(i) - financial services, E(g)(i) - offices, E(d) - indoor sport, recreation or fitness, B8 - storage or distribution. No individual existing business at Home Farm has been named as requiring extension, and no business case or needs have been advanced. The large building immediately adjoining the site has an agricultural use, rather than a commercial one.

The applicant has stated that “owning a commercial estate and letting out the buildings on it, is a legitimate business”. Officers do not disagree with this statement, however there is a difference in opinion as to whether the creation of five commercial units, unrelated to any of the individual existing businesses located at Home Farm, would fall within the remit of Policy EC 3. Officers take the view that this policy provides existing businesses, located in the Countryside, support to sensitively extend when required, i.e. where there is a business need/case for doing so. The assertion that this policy applies to landowners/developers seeking to expand built development into the Countryside, for potentially unknown businesses, which are currently not on site, or which may not necessarily require a Countryside location, does not appear to accord with the wider policy aims seeking to achieve sustainable development.

Emerging Policy E 3 sets out the situations as to where employment development outside of allocations, may be appropriate. In relation to this application, insufficient information has been provided to demonstrate compliance with this policy’s aims.

NPPF provisions when it comes to economic development in Countryside locations generally reflect the aims of the local plan strategies discussed above.

The proposals are therefore not supported in principle by Development Plan policies, conflicting with key Core Strategy Policies SS 1 and SS 2.

Retail Impact

Policy EC 5 states that proposals for retail development in the Countryside will not be permitted unless they comply with other Development Plan policies. Policy EC 5 also sets out that proposals that do not comply with the acceptable retail and commercial leisure location table set out within the policy should demonstrate that:

- a need exists within the catchment area for the scale and type of development proposed; and
- no sequentially preferable site is available, suitable and viable (starting with town centre, edge of centre sites, then out-of-centre locations), and
- the proposed development would not, individually or cumulatively, have a significant adverse impact on the vitality and viability of existing town centres or nearby Service Villages or Coastal Service Villages; and
- and the proposed development would be accessible by a choice of means of transport, including public transport, walking, cycling and the car.

Emerging Policy E 4 states that in the designated Countryside Policy Area proposals for small scale specialist retail services will be supported in principle only where it can be demonstrated that the proposal is to perform a wholly ancillary role to an existing or planned use and is of an appropriate and proportionate small scale. It also states that support for out-of-centre development will be dependent on how it reflects:

1. the capacity available to support the proposal as identified in the Retail Study and subsequent permissions; and,
2. how it seeks to enhance expenditure retention and in relation to the assessment of impacts on the town centre and wider retail catchments, and is in accordance with the locally derived impact thresholds (1000sqm for Cromer).

The guidance contained with chapter 7 of the NPPF seeks to ensure the vitality of town centres. Paragraph 90 states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Paragraph 91 states:

“Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.”

The application proposes a number of Main Town Centre uses (as defined by the NPPF), including use classes E(c)(i) - financial services, E(g)(i) - offices, and E(d) - indoor sport, recreation or fitness. Core Strategy Policy EC 5 seeks to guide retail and commercial leisure development to the most sustainable places, setting out tables for acceptable locations dependent upon respective floor areas. In this instance, the application site does not fall within the locations included. As set out above, the policy continues to state that proposals which don't comply with these locations should demonstrate that the four bullet points are met.

This application has not been supported by any assessment of the development's likely impacts upon the viability or vitality of the Cromer Town Centre. No information has been provided to support a sequential test, which would be required to demonstrate the suitability of this site to contain main town centre uses.

In the absence of information, it is not possible to fully assess the impacts of the proposal upon the Cromer Town Centre. In this respect, conflicts arise with Core Strategy Policy EC 5 as well as the guidance contained within Chapter 7 of the NPPF.

The proposal is therefore contrary to the Development Plan in respect of Core Strategy Policies SS 1, SS 2, EC 3 and EC 5. This conflict weighs heavily against the grant of planning permission. Unless material considerations in favour are identified which outweigh the identified Development Plan policy conflict, Officers consider the principle of development to be unacceptable in this location.

2. Landscape, character of the area and design

Policy context

The site lies within the Norfolk Coast National Landscape (NCNL), which is a protected landscape. Therefore, it is necessary to give special regard to section 85(A1) of the Countryside and Rights of Way Act 2000 (as amended) (the CRWA) and the duty imposed by the Levelling Up and Regeneration Act 2023 (the LURA) to seek to further the purposes of protected landscapes.

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

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

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

The National Planning Policy Framework (NPPF) sets out within paragraph 189 that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection in relation to these issues. This paragraph also states that the scale and extent of development within NCNL's should be limited.

The Norfolk Coast Management Plan 2019-2024, a working document, provides a summary of the special qualities of the NCNL. Relevant to these proposals the qualities include: the dynamic character of the coast, important habitats and species, and the richness of archaeological heritage and historic environment.

Policy EN 2 states that proposals should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment and features identified in relevant settlement character studies. Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance, the special qualities and local distinctiveness of the area, gaps between settlements, distinctive settlement character, landscape features, visually sensitive areas, nocturnal character, the setting of, and views from, Conservation Areas, Historic Parks and Gardens and the defined Setting of Sheringham Park.

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 scales, make clear distinctions between public and private spaces, create safe places, are accessible to all, incorporate footpaths and green links, ensure that parking is discreet and accessible and where possible, contain a mix of uses, buildings and landscaping.

Assessment

Located within a rolling and wooded part of the NCNL on the edge of Cromer, the site itself is relatively well contained within the landscape. Views of the site are afforded from Hall Road to the east and the Weavers Way and Public Right of Way (Cromer FP9) to the south. Mature trees surrounding the site filter the views from these locations, however the site is clearly visible during winter months when leaves are not on trees.

No formal assessment has been provided of the development's potential landscape impact. However, the site benefits from being located at a valley bottom, this coupled with the surrounding vegetation, limits its prominence within the landscape. The development would extend the built form found at Home Farm closer to Hall Road, which in turn, would result in it being more visible from both the road and the Weavers Way. The removal or cutting back of boundary trees/hedging would further reveal the site from public vantage points.

The two buildings would consist of five individual commercial units. The proposed buildings scales would be comparable to the other commercial units at Home Farm, albeit not quite so large as the adjoining agricultural building. The form and design of the buildings would give them a simple, generic commercial, appearance. The proposed use of dark materials within both commercial buildings would help limit their visual impacts. The proposed tree planting would also help soften the mass of the buildings, albeit that these would take some time to mature to the size sufficient to provide screening benefits. Full hard and soft landscaping details could be secured by condition. Given the changing ground levels across the site, should permission be granted, it is recommended that full levels plans be provided to ensure that the buildings are suitably set into the landscape.

On balance, and subject to conditions, the proposals are considered to accord with the requirements set out within Policies EN 1, EN 2 and EN 4.

Undeveloped Coast

As the site falls within the designated Undeveloped Coast, relevant to this application are paragraphs 187 of the NPPF, which states that decision should maintain the character of the undeveloped coast, as well as Core Strategy Policy EN 3, which states that:

“In the Undeveloped Coast only development that can be demonstrated to require a coastal location and that will not be significantly detrimental to the open coastal character will be permitted.”

The supporting text for Policy EN 3 states that non-essential development in a coastal area can have cumulative effects on landscape, biodiversity and recreation. Development that does not require a coastal location should not normally be provided within the coastal zone and it is reasonable to expect provision for housing, employment and other activities to be made elsewhere.

No justification has been provided to demonstrate that a coastal location is required for the five commercial units. In this respect, conflict arises with this element of the policy. Should this first element have been met, it is considered that the second part, relating to the open coastal character, would have been found acceptable in light of the assessment above.

Therefore, in the absence of sufficient information, the proposals conflict with the requirements of Core Strategy Policy EN 3 and this weighs against the grant of planning permission.

3. Historic environment

Policy EN 8 of the Core Strategy states that development proposals should preserve or enhance the character and appearance of designated assets, historic buildings/structures, monuments, landscapes and their settings through high quality, sensitive design. Where required, development proposals affecting sites of known archaeological interest will be required to include an assessment of their implications and ensure that provision is made for the preservation of important archaeological remains. This policy also seeks to ensure that the character and appearance of Conservation Areas is preserved, and where possible enhanced, encouraging the highest quality building design, townscape creation and landscaping in keeping with these defined areas.

It should be noted that the strict ‘*no harm permissible*’ clause in Local Plan Policy EN 8 is not in full conformity with the guidance contained in the latest version of the NPPF. As a result, in considering the proposal for this site, the Local Planning Authority will need to take into consideration the guidance contained within Chapter 16 of the NPPF as a material consideration. A number of these requirements are alluded to below, including the requirement to balance any less than substantial harm to a designated heritage asset against the public benefits of the development.

Paragraph 207 of the NPPF states that “in determining applications, local planning authorities should require an applicant 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 asset’s importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”

Paragraph 212 of the NPPF states 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 215 of the NPPF provides 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.

No heritage assessment has been provided by the applicant, including any statement of significance as required by the NPPF.

The application site is situated within the immediate setting of the Grade II listed South Lodge and within the wider setting of the Grade II* Cromer Hall, both of which are considered designated heritage assets for the purposes of the NPPF.

Setting is a key consideration when assessing an application for its impact on any heritage assets. For the purposes of the NPPF, setting is defined as: “the surroundings in which a heritage asset is experienced. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”. In accordance with Para 208 of the NPPF, local planning authorities are obliged to identify and assess the significance of any heritage asset that may be affected by a proposal, which includes the setting.

South Lodge is one of two lodges built along Hall Road at the north and south entrances to the Cromer Hall estate, thought to have been constructed around 1879. Although they served a practical purpose, lodges formed part of the wider estate and would often be designed by the same architects who worked on the main house. They were seen as an important way for the estate owner to announce their wealth and status, as well as providing an opportunity for architectural experimentation. South Lodge was built in an ornate Tudor Gothic style and has undergone very little external alteration, retaining much of its original detailing, together with the boundary walls and gate piers to the entrance. As a group they survive in a condition close to the original form, including their rural setting, as originally intended.

The application seeks consent to construct 2 large commercial structures on the site adjacent to South Lodge, the larger of the two is situated to the east of the site in close proximity to the lodge. Despite the presence of mature planting between the two sites, the position and sheer scale of the proposed eastern unit would increase the likelihood of intervisibility between the two. This would be particularly exacerbated during the winter months when the vegetation is not in full leaf, and so the presence of vegetation cannot be relied upon to effectively screen the development. Furthermore, there is no guarantee that the existing or any additional planting would always be there and as such should not be relied upon to mitigate harm to a heritage asset. The Conservation Officer considers that the eastern building in particular would have a notable impact on the important rural setting of the Lodge, disrupting the landscape in which it was originally intended to be appreciated from. Whilst there is pre-existing development further along the track from the application site, this is far enough removed that the Lodge remains at least visually isolated.

The Conservation Officer considers that bringing the built form so close to the boundary with South Lodge would result in ‘less than substantial’ harm to the setting of the heritage asset, which has historically enjoyed a rural setting. Paragraph 213 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”. Proposals within the setting should look to preserve those elements which make a positive contribution to the asset in order to be treated favourably (NPPF, Paragraph 219). The rural setting of the lodge forms part of the building’s significance, and should therefore be conserved as far as is reasonably possible.

It is acknowledged that the site is perhaps not in the best condition as it stands, used for ad-hoc informal agricultural storage. However, this is mostly low level and so is not viewed in conjunction with the listed building, accordingly it has a fairly neutral impact on the setting of the heritage asset.

The site forms part of the ungraded Historic Park and Garden of Cromer Hall. The Conservation Officer has raised no objection in relation to this aspect.

Comments have been received from Historic Buildings & Places. These comments highlight their concerns about the impact of the development on the setting, and therefore significance, of South Lodge and the associated gateway and walls. The comments also highlight that no consideration of the potential intervisibility between Cromer Hall or South Lodge has been provided. Historic Buildings & Places recommend that a view and impact analysis is provided to ensure that the development is not visible from Cromer Hall, and to ensure that the new buildings do not harm the setting of Cromer Hall and South Lodge.

In undertaking the balancing exercise as required by NPPF paragraph 215, the public benefits resulting from this development are economic in character. This includes the job creation opportunities which would come from the delivery of 5 commercial units, as well as general economic growth benefits resulting from the increase, provision and diversity of commercial floorspace in the Cromer area.

As expanded upon within the section of this report above, the exact extent of these benefits has not been made clear through the limited information provided with the application. Having regard to the matters set out above, Officers consider that the heritage harm resulting from the development would not be outweighed by public benefits.

Officers concur with the Conservation Officer's assessment and consider, with the public benefits accruing from the development not outweighing such harm and having due regard for the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that the proposals would not accord with the requirements of Core Strategy Policy EN 8, nor the relevant guidance contained within Chapter 16 of the National Planning Policy Framework. Consequently, this harm is given considerable importance and weight in the planning balance of this application.

4. Residential amenities

Policy EN 4 states that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers. Policy EN 13 states that all development should minimise and reduce forms of pollution and development will only be permitted where there are not unacceptable impacts on general amenity, health and safety of the public and air quality, amongst other matters.

Paragraph 3.3.10 of the North Norfolk Design Guide states that residents have the right to adequate privacy levels, nor should new development lead to any overbearing impacts upon existing dwellings. Existing residents should also be kept free from excessive noise and unwanted social contact. In order to ensure a degree of privacy between neighbouring properties guidance minimum separation distances are set out within this section of the document.

Paragraph 135 of the NPPF states that developments should create places with a high standard of amenity for existing and future users.

Paragraph 187 states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Paragraph 198 states that planning decisions should ensure new development is appropriate for its location taking into account the likely effects of pollution on health and living conditions.

The proposal's impact upon the amenities of nearby residential properties as well the operations of the neighbouring businesses and users have been considered. In terms of the latter, regard has been given to paragraph 200 of the NPPF which states "planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established."

There are two residential properties located in close proximity to the site, South Lodge to the north and Home Farm Lodge to the south. Whilst the scale of the proposed buildings is not insignificant, they would be sufficiently distanced from these dwellings as to avoid adverse overbearing, overshadowing or loss of light impacts. The creation of the five commercial units would intensify the noise and disturbance coming from the land, whilst acknowledging that the existing agricultural use would not be silent. In order to protect residential amenities, conditions requiring the prior submission of details for any plant, machinery, ventilation, air con, or extraction would be imposed. Furthermore, in order to limit noise and disturbance extending into unsociable times of the day, conditions restricting opening/operating and delivery hours would be required.

The proposed commercial units would be located adjacent to an existing agricultural building, with other commercial units located beyond. Given the scale and nature of the uses proposed, it is considered that these would not have adverse impacts upon existing neighbouring uses.

The development would therefore accord with Core Strategy Policies EN 4 and EN 13 and paragraphs 135, 187, 198 and 200 of the NPPF in respect to these matters.

5. Sustainable construction and energy efficiency

Core Strategy Policy EN 6 states that all new development will be required to demonstrate how it minimises resource consumption, minimises energy consumption compared to the current minimum required under part L of the Building Regulations, and how it is located and designed to withstand the longer-term impacts of climate change. 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. The most appropriate technology for the site and the surrounding area should be used, and proposals should have regard to the North Norfolk Design Guide.

No information relating to the development's energy performance has been provided as part of this application, and no renewable or low carbon energy sources have been detailed. At 926.5sqm of floor space, the proposals fall below the 1000 square metre threshold within EN 6 whereby on-site renewable energy should account for at least 10% of the predicted total energy usage.

Conditions to secure further information in relation to these matters could be included as part of any approval. Any renewable energy scheme would need to be sensitively designed given the heritage and tree constraints of the site. Subject to conditions, the development would accord with Policy EN 6.

6. Biodiversity & Geology

Policy Context

The Council has a duty under the Natural Environment and Rural Communities Act 2006 to have full regard to the purpose of conserving biodiversity which extends to being mindful of the legislation that considers protected species and their habitats and to the impact of the development upon sites designated for their ecological interest.

Core Strategy Policy SS 4 states that areas of biodiversity interest will be protected from harm, and the restoration, enhancement, expansion and linking of these areas to create green networks will be encouraged. Policy EN 2 states that development should protect, conserve and, where possible, enhance distinctive landscape features, such as woodland, trees and field boundaries, and their function as ecological corridors for dispersal of wildlife.

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

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

The policy also states that development proposals that would be significantly detrimental to the nature conservation interests of nationally designated sites will not be permitted.

Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.

Paragraph 193 states that when determining planning applications, significant harm to biodiversity should be avoided, adequately mitigated, or, as a last resort, compensated for. Should this not be possible, then permission should be refused. Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused unless there are wholly exceptional reasons. Opportunities to incorporate biodiversity improvement in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Officer assessment

The habitats present at the site (scrub, scrubbed over spoil mounds, trees and treelines) have strong connectivity to (priority) woodland habitats with the site almost enclosed by woodland between Cromer to the north, Roughton Road to the east, the railway line to the south and Holt Road to the west. These habitats are of potential value to reptiles, breeding birds and foraging/commuting bats.

Officers would usually expect an application of this type and where habitats of ecological value will be impacted to be supported by a Preliminary Ecological Appraisal (PEA) or Ecological Impact Assessment (EclA). The Ecology Officer would not recommend the application is

approved in the absence of further information regarding the potential for adverse impacts upon habitats and protected species. They advise that this would be contrary to paragraph 99 of ODPM Circular 06/2005 and Core Strategy Policy EN 9 and could equate to a failing of the Council's statutory duties under the Conservation of Habitats and Species Regulations 2017 (as amended).

In relation to Biodiversity Net Gain (BNG), the Ecologist has highlighted discrepancies between site conditions and those used within the baseline categories. These inconsistencies bring the accuracy of the baseline calculations into question where no further information or justification has been provided (e.g. no 'User Comments' have been provided in the metric). There is also concern that additional boundary vegetation will need to be removed to facilitate the creation of required visibility splays, and the red line may need to extend further east as a result. Until the true extent of the site boundary and any habitats which may be impacted by the proposal can be confirmed, the Ecologist cannot agree to the baseline value of the site. The baseline value must be agreed prior to approval.

Officers concur with the Ecologist's concerns regarding the development's potential ecological impacts and consider that in the absence of appropriate assessments addressing the issues raised above, including an updated BNG baseline, the potential impacts of the proposal on habitats and protected species has not been adequately established. The information provided does not enable the Council to discharge its statutory duties under Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) (also see paragraph 99 of the ODPM Circular 06/2005). The proposal fails to comply with Policy EN 9 of the adopted North Norfolk Core Strategy, and the guidance contained within Chapter 15 of the NPPF.

7. Arboriculture

Policy EN 2 states that development should protect, conserve and, where possible, enhance distinctive landscape features, such as woodland, trees and field boundaries. Policy EN 4 states that development will be expected to retain existing important landscaping and natural features. Policy EN 9 seeks to maximise opportunities for restoration, enhancement and connection of natural habitats.

Paragraph 136 of the NPPF sets out that new developments should ensure that streets are tree-lined, and incorporated elsewhere within the site (including parks and community orchards), along with appropriate measures to secure their long-term maintenance. Existing trees should be retained wherever possible. Paragraph 187 of the NPPF states that decisions should recognise the intrinsic character and beauty of the countryside, including the benefits associated with trees and woodland.

There are significant and mature trees located along the boundary with Hall Road, which contribute positively to the landscape and biodiversity value of the road and wider area. No arboricultural assessment has been provided as part of this application. The proposed works have potential to impact upon trees within and surrounding the site, including those along Hall Road. The proposed field access to be created from the junction with Hall Road would require the removal of trees and vegetation. It is likely some boundary vegetation would need to be removed to create acceptable visibility splays.

Given the significance of a number of the trees within and surrounding the site, the lack of a reliable assessment supporting the proposals could result in the loss of, or harm to these trees occurring should permission be granted. In the absence of adequate information, officers consider the proposal fails to demonstrate that it would be able to retain these existing important landscape and natural features. For that reason, it is considered the proposal would

be contrary to Policies EN 2 and EN 4 of the Core Strategy. Furthermore, the development has not demonstrated that it would retain trees in line with paragraph 136 of the NPPF, nor does it fully recognise the intrinsic character and beauty of the countryside, including the benefits associated with trees and woodland as required by paragraph 187 of the NPPF.

8. Highways and parking

Core Strategy Policy CT 5 requires development to be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its particular location and to provide safe and convenient access for all modes of transport, including access to the highway network. Proposals should be 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 should be accommodated by the existing road network without detriment to the amenity or character of the area or highway safety.

As set out above, paragraph 89 of the NPPF states that “decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).”

Paragraph 109 of the NPPF seeks to ensure that developments understand and address potential impacts on transport networks, identify and pursue opportunities to promote walking, cycling and public transport use. Paragraph 115 requires development to prioritise sustainable transport modes, provide safe and suitable access for all, be designed to meet national guidance and standards, and mitigate any significant impacts on the transport network. Paragraph 116 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, following mitigation, would be severe, taking into account all reasonable future scenarios”

Trip Generation

The proposal would result in increased commercial traffic south of the site at Metton Road and Hall Road. Metton Road and Hall Road are not of a high standard with poor alignment, restricted width, lack of passing provision and also visibility constraints at the respective highway junctions with the B1436. Hall Road to the north is wider but is restricted close to Cromer Hall, where verge erosion is already evident. The Highway Authority have stated that it would not be feasible to improve the roads to a satisfactory standard for the proposed development. Conflict with Policy CT 5 arises as the traffic generated by the proposals would not be accommodated by the existing road network without detriment to highway safety.

Access

The Highway Authority regards the existing access as being substandard, whereby the width is insufficient for two-way commercial movements and visibility is restricted by roadside hedging. Appropriate visibility splays may be achievable via hedge maintenance/removal, however in the absence of information, the full extent of works required to achieve this are unknown at this stage.

Whilst it may therefore be possible to achieve suitable visibility, the access as existing/proposed would not provide for two-way movements. In the view of the Highway

Authority, improvements would be required so that two goods vehicles could pass within it for it to be ultimately viewed as being acceptable. Conflict with Policy CT 5 arises in that the development would not provide safe access to the highway network.

The creation of a new access track to the concert field, close to the junction with Hall Road, would need to be reconfigured away from the existing intersection and served from the improved arrangements noted above. As presented, this access track is also likely to require the removal of a number of the trees located along the site's boundaries.

Accessibility

The application site has footway links north into the town centre, and east onto Roughton Road. These footpath connections link to the town's bus and rail connections and would provide employees and customers of the proposed development a choice of travel options. Commercial movements are however, likely to undertaken by road.

Parking

Policy CT 6 requires the provision of adequate vehicle parking facilities to serve the needs of the development having regard to the Council's parking standards. Relevant to these proposals the Council's parking standards are:

Use Class A2 / E(c)(i) – Financial services – 1 space per 20sqm

Use Class B1 / E(g)(i) – Offices – 1 space per 30sqm

Use Class D2 / E(d) – Indoor sport, recreation or fitness – 1 space per 22sqm (plus coach drop off point)

Use Class B8 Storage and Distribution – 1 space per 150sqm

Based on the above, the development of 926.5sqm of floor space would require 30 vehicular parking spaces. The proposed plans show 30 spaces, however a number of those in the northeast corner would not be easily accessible. Given the size of the 'yard', it is considered that a sufficient vehicular parking arrangement could be provided and could be secured via condition. A condition could also be used to secure the required coach drop-off point. Comments made within the design and access statement indicate that mezzanine floors may be provided. However, as these have not been proposed, the above calculations have been based on the floor space proposed. Given the potential parking implications of creating additional floorspace by insertion of mezzanine floors, conditions could be used to prevent the creation of these without first securing planning permission.

In addition to the above, the Council's parking standards require provision to be made for people with disabilities (6% of total). For this development this would equate to an additional two (2) spaces. Furthermore, the standards require parking for motorcycles, mopeds and scooters at a rate of 1 space per 20 car parking spaces. These should be safe, secure and convenient with fixtures so that vehicles can be locked and secured. A single parking space should measure a minimum of 2.5 m x 1.2m. In the absence of the required information being provided as part of the application, conditions could be used to secure the details and provision of these parking elements.

No electric vehicle charging has been shown or discussed within the submission. Emerging Policy CC 8 requires non-residential development to provide 20% of all new parking spaces with electric vehicle charging points. This equates to the six (6) spaces for the proposed development. This policy broadly aligns with requirement S4 from Part S of Schedule 1 and regulation 44G of the Building Regulations 2010. Conditions could be used to secure details of the charging points and their timely delivery in line with the emerging policy's aims.

In relation to cycle parking and storage the Council's parking standards are:

Use Class A2 / E(c)(i) – Financial services – 1 space per 200sqm for visitors, 1 space per 100sqm for staff

Use Class B1 / E(g)(i) – Offices – 1 space per 100sqm for visitors, 1 space per 50sqm for staff

Use Class D2 / E(d) – Indoor sport, recreation or fitness – 1 space per 4 visitors, 1 space per 4 staff.

Use Class B8 Storage and Distribution - 1 Space per 400sqm for visitors, 1 space per 100sqm for staff

The parking standards state that cycle parking should be secure, under effective surveillance and conveniently located to the entrance or buildings with safe and direct routes to the surrounding road network.

No details have been provided as part of this application in relation to cycle parking. Conditions could be used to secure details and the provision of facilities.

Summary

The Highway Authority conclude that the development would result in a significant highway safety impact that could not practicably be mitigated, and have provided reasons for refusal. Officers concur with these conclusions, consequently the development would fail to accord with Policy CT 5 of the Core Strategy as it would not provide safe access and the traffic generated by the proposals would not be accommodated by the existing road network without detriment to highway safety. Furthermore, the development would conflict with NPPF paragraphs 89 and 116 as the proposals would have an unacceptable impact on local roads and highway safety.

No objection is raised in relation to parking and subject to conditions, it is considered that the development would accord with Policy CT 6 in this respect.

9. Flooding and drainage

Policy EN 10 of the Core Strategy states that the sequential test will be applied rigorously across North Norfolk and most new development should be located in Flood Risk Zone 1. The policy also states that appropriate surface water drainage arrangements for dealing with surface water runoff from new development will be required. The use of Sustainable Drainage Systems will be the preference unless, following an adequate assessment, soil conditions and / or engineering feasibility dictate otherwise.

NPPF paragraph 182 states that “applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity.”

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

The Environment Agency Flood Risk Maps position the site as falling within Flood Zone 1 giving the site a low risk of flooding (less than 1 in 1000 annual probability). The Government's long-term flood risk mapping shows the site falling within an area at high risk of surface water flooding (more than 3.3% chance each year).

Falling below the relevant thresholds for requiring a site-specific Flood Risk Assessment (FRA) and not constituting 'major development', the application has not been supported by any flooding/drainage information. The applicant has highlighted that the existing surface water runs to a collection point and is then piped under the road to a connection with the mains. This arrangement would not be suitable for the proposed development, without justification, given that connection to a combined sewer is considered to be the least preferable means of dealing with surface water, both in relation to planning and building control guidance and legislation.

The proposal would cover a significant area of land with impermeable surfaces, namely the two buildings and parking and turning areas. Whilst further drainage information could be secured by condition, it is not known at this stage whether infiltration drainage could be successfully delivered at this site. The reliance on such a condition in the absence of more certainty is not considered appropriate in this instance. The existence of areas already at risk of surface water flooding further complicates matters. It is not known whether the development would be put at risk of flooding given its location within an area already at high risk. Should an infiltration basin be required to ensure that the development wouldn't result in increased surface water run-off from the site, the location likely to be most suitable would be outside of the red-line, potentially within the root protection area of important trees, and/or within the setting of the Grade II listed South Lodge.

Consequently, the proposal has, as a result of insufficient information, not demonstrated that it would meet the requirements set out in paragraphs 181 and 182 of the NPPF, nor does it include the necessary supporting information as set out in Paragraph: 059 Reference ID: 7-059-20220825 of the Planning Practice Guidance. Given the unknowns surrounding this matter, including whether a suitable surface water drainage scheme could be achieved within the site given tree and heritage constraints, it is not possible to secure the outstanding information by condition. The application has therefore not provided sufficient information to demonstrate this development would incorporate a sustainable drainage system. The proposal conflicts with Core Strategy Policy EN 10 and paragraphs 181 and 182 of the NPPF in this respect.

10. Contamination

Policy EN 13 of the Core Strategy states that all developments should minimise, and where possible reduce, all emissions and other forms of pollution, and ensure no deterioration in water quality. Development proposals on contaminated land (or where there is reason to suspect contamination) must include an assessment of the extent of contamination and any possible risks. Proposals will only be permitted where the land is, or is made, suitable for the proposed use.

Paragraph 187 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing development from contributing to or being put at risk from unacceptable levels of pollution; along with remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 196 states that planning policies, and decisions should ensure that sites are suitable for the proposed use, taking account of ground conditions and risks arising from contamination.

The application site is considered to contain potentially contaminated land as a result of the nearby industrial uses, and agricultural storage. The Environmental Health Officer has raised

no objection to the proposals, subject to conditions. This includes a condition securing a contamination assessment to be undertaken prior to works commencing in order to assess the potential for contamination before development that may place those involved in construction, the public, and end users in a position of risk from harmful contaminants. Should contamination be found within the site, appropriate remediation would be required in the interest of public health and safety and that of the end users of the development.

Subject to condition, the proposals therefore accord with Policy EN 13 in respect to these matters.

11. Other matters

Mineral Safeguarding

The application site falls within a Mineral Safeguarding Area whereby Policy 16 of the Norfolk County Council's Minerals Plan is relevant. This policy seeks to ensure that existing mineral deposits are safeguarded from needless sterilisation. The Minerals and Waste Officer has raised no objection to this development. The development is considered to comply with Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

12. Planning balance/conclusions

The application form states that the development would create 25 full-time equivalent jobs. Beyond this statement however, very limited information has been provided in support of the business case for the proposals. The applicant has stated that the proposal would bring significant economic benefits, whilst the Ward Councillor expands upon this within their call-in form, stating that the development would support the growth of one of the existing units, and provide homes to several other existing businesses.

Undoubtedly, the development would result in economic benefits; this includes the job creation opportunities which would come from the delivery of 5 commercial units, as well as general economic growth benefits resulting from the increase, provision and diversity of commercial floorspace in the Cromer area. The full extent of these benefits is however, not fully known at this stage given the limited information submitted in support of the application. Nevertheless, modest weight is given to the economic benefits of the development.

The development has been found to conflict with the key strategic Core Strategy Policies, SS 1 and SS 2, which seek to limit development within the Countryside to that which requires a rural location. In this instance, it has not been demonstrated that the proposals would fall within any of the categories which support new-build economic development within Countryside locations. The proposals, through the lack of supporting evidence, have failed to demonstrate that the development would not adversely impact Cromer Town Centre as a result of the use of the buildings for Main Town Centre uses. In this respect, there is conflict with Core Strategy Policy EC 5 and the guidance contained within Chapter 7 of the NPPF.

Insufficient information has been provided to justify the proposed development, which falls within the designated Undeveloped Coast. Without justification, the proposals conflict with the requirements of Policy EN 3.

Ecologically, the application has provided insufficient information to establish the proposal's impact upon protected species and/or sites. Furthermore, the site's baseline for calculating Biodiversity Net Gain requirements has not been agreed, due to discrepancies between site conditions and those used within the baseline categorises. Furthermore, the full extent of the works required to deliver the development have not been fully considered by the applicants.

In these respects, the proposal fails to comply with Policy EN 9 and the guidance contained within Chapter 15 of the NPPF.

Insufficient information has been provided in relation to the proposal's arboricultural implications, with the site surrounded by a number of important trees, conflicting with the requirements of Policies EN 2 and EN 4 in this respect.

Insufficient information has been provided as part of this application to demonstrate whether or not the proposal would be put at risk from flooding or give rise to flooding elsewhere. This conflicts with the aims of Policy EN 10 and the guidance set out with the NPPF within Chapter 14.

The development would not provide safe access and the traffic generated by the proposals would not be accommodated by the existing road network without detriment to highway safety. Conflict arises with Policy CT 5 of the Core Strategy in this respect, as well as paragraphs 89 and 116 of the NPPF as the proposals would have an unacceptable impact on local roads and highway safety.

The development has been found to result in 'less than substantial' harm to the significance of the Grade II listed South Lodge as a result of the position and sheer scale of the proposed commercial units and the intervisibility between the two. The development would intrude into the important rural setting of the Lodge, disrupting the landscape in which it was originally intended to be appreciated from. Having undertaken the balancing exercise as required by NPPF paragraph 215, the heritage harm resulting from the development has been found to not be outweighed by public benefits.

Matters which are neutral in the overall planning balance in this instance include the development's acceptable impact within the landscape, impacts upon neighbouring amenities and, subject to conditions, energy efficiency and contamination.

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

RECOMMENDATION:

To **REFUSE** permission on the following grounds:

1. The site is located in an area designated as Countryside where Policy SS 2 limits development to that which requires a rural location. The proposals have not demonstrated why departure from the Council's key strategic policies is appropriate for this development. The development would therefore constitute unjustified intrusion of built form into the Countryside, contrary to strategic aims of achieving sustainable development as set out within Policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy.
2. The proposed development would result in Main Town Centre and retail uses within the Countryside. The application has not been supported by any assessment of the development's likely impacts upon the viability or vitality of the Cromer Town Centre. No information has been provided to support a sequential test to demonstrate the suitability of this site to contain Main Town Centre uses. In the absence of such

information, the applicant has failed to demonstrate how the proposal would accord with the aims of Core Strategy Policy EC 5, in particular the impact upon Cromer Town Centre. In this respect, conflicts arise with Policy EC 5 of the adopted North Norfolk Core Strategy as well as the guidance contained within Chapter 7 of the National Planning Policy Framework.

3. Insufficient information has been provided in order to sufficiently demonstrate that the proposal requires a coastal location within the designated Undeveloped Coast in order to justify impacts upon the undeveloped character in line with the requirements of Policy EN 3 of the adopted North Norfolk Core Strategy.
4. The proposed development would, by virtue of its location and massing, have a notable impact on the important rural setting of the Grade II Listed South Lodge, disrupting the landscape in which it was originally intended to be appreciated from. The development would cause harm to the significance of South Lodge, falling within the setting of that listed building. Such harm would be within the less than substantial category, as set out in the National Planning Policy Framework and would not be outweighed by the public benefits associated with the development. The proposed development would therefore be in conflict with Policy EN 8 of the adopted North Norfolk Core Strategy and Chapter 16 of the National Planning Policy Framework.
5. Insufficient information has been provided by the applicant in order to establish the site's ecological value and the impacts of the proposal on protected species. Therefore, the potential for adverse impacts upon habitats and protected species cannot be assessed in accordance with the Council's statutory duties under Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) (also see paragraph 99 of the ODPM Circular 06/2005). Therefore, the proposal would be contrary to Policy EN 9 of the adopted North Norfolk Core Strategy and Chapter 15 of the National Planning Policy Framework.
6. Insufficient information has been provided by the applicant in order to sufficiently establish that the site's Biodiversity Net Gain (BNG) baseline calculations are an accurate reflection of site conditions. Inconsistencies between the information provided and that observed on site brings the accuracy of the baseline calculations into question where no further information or justification has been provided. The proposals therefore conflict with the requirements set out within Article 7A of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
7. Insufficient information has been provided by the applicant in order to sufficiently demonstrate that the proposal would not adversely affect the existing mature trees adjoining the application site, many of which are important to the local landscape. Therefore, in the absence of an up-to-date and reliable Arboricultural Impact Assessment, which fully considers the implications of the proposed impact upon affected trees, the proposal fails to demonstrate the suitable retention of existing important landscaping and natural features, contrary to the requirements of Policies EN 2 and EN 4 of the adopted North Norfolk Core Strategy and paragraphs 136 and 187 of the National Planning Policy Framework.
8. The proposed access is considered unsatisfactory to serve the development by reason of its inadequate width. The proposals would therefore lead to the stopping and waiting of vehicles on the highway to the detriment of highway safety contrary to Policy CT 5 of the adopted North Norfolk Core Strategy and Chapter 9 of the National Planning Policy Framework.

9. The unclassified roads of Hall Road and Metton Road serving the site are inadequate to serve the development proposed, by reason of poor alignment, restricted width, lack of passing provision and restricted visibility at adjacent Road junctions. Consequently, as a result of the additional traffic generated by the development, the proposals would be likely to give rise to conditions detrimental to highway safety contrary to Policy CT 5 of the adopted North Norfolk Core Strategy and Chapter 9 of the National Planning Policy Framework.
10. Insufficient information has been provided by the applicant in order to demonstrate that the proposal would not be at risk itself from, or give rise to, surface water flooding elsewhere. The application has not provided sufficient information to demonstrate this development would/could incorporate an appropriate sustainable drainage system. The proposal is therefore contrary to Policy EN 10 of the adopted North Norfolk Core Strategy, paragraphs 181 and 182 of the National Planning Policy Framework and the guidance contained within the Government's Planning Practice Guidance in relation to Flood Risk.

Informative(s)

- 1 In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the Applicant in the following positive and creative manner:-
 - proactively offering a pre-application advice (in accordance with paragraphs 39 - 47);
 - seeking further information following receipt of the application;
 - seeking amendments to the proposed development following receipt of the application;
 - considering the imposition of conditions (in accordance with paragraphs 55-58).

In this instance:

- the Applicant was updated of any issues after the initial site visit;
- additional information was submitted by the Applicant and has been given due consideration;
- the details of this application have been passed onto the Council's Economic Development Team with the hope that positive engagement can be made which will help support the applicant and their business needs.

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

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DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 6 February 2025 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:

Cllr P Heinrich (Chairman)	Cllr M Batey
Cllr A Brown	Cllr M Hankins
Cllr G Mancini-Boyle	Cllr P Neatherway
Cllr J Toye	Cllr K Toye
Cllr A Varley	Cllr L Vickers

Substitutes Cllr K Boyes

Members also attending:

Officers in Attendance:

- Development Manager (DM)
- Planning Officer (PO)
- Principle Lawyer (PL)
- Housing Strategy Manager (HSM)
- Community Housing Enabler (CHE)
- Democratic Services Officer (DSO)

1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Macdonald, Councillor P Fisher, Councillor A Fitch-Tillet and Councillor V Holliday.

2 SUBSTITUTES

Councillor K Boyes was present as a substitute for Councillor V Holliday.

3 MINUTES

The minutes of the Development Committee meeting held on Thursday 23rd January will be presented at the next Development Committee meeting.

4 ITEMS OF URGENT BUSINESS

None.

5 DECLARATIONS OF INTEREST

Councillor G Mancini-Boyle declared an interest in Item 8, PF/24/1634 and confirmed he previously employed by the applicant, Broadland Housing Association.

6 LITTLE SNORING - PF/24/1634 - CONSTRUCTION OF 19 DWELLINGS (CLASS C3) WITH ASSOCIATED PARKING, INFRASTRUCTURE, OPEN SPACE AND LANDSCAPING AT LAND NORTH OF KETTLESTONE ROAD, LITTLE SNORING

Officer's Report

The PO-RS introduced the application and outline permission was requested for 10 affordable dwellings cross subsidised by 9 market dwelling as a part of a rural exception scheme in Little Snoring. He explained to the Committee the proposed application was acceptable in line with the policy H03 which was the rural exception policy. The PO-RS highlighted there was a conflict with policy H01 in relation to the market homes as the policy seeks to provide a mix of dwellings in regards to the dwelling size and number of beds.

The PO-RS highlighted to the Committee the application included open space of 3470 metres square and the applicant agreed to pay a contribution of £9004 to Little Snoring recreation ground. There was a conflict with policy CT6 in relation to lack of cycle storage but this was considered waived under the planning considerations.

The PO-RS advised that this application was recommend for approval and that the conflicts with policies mentioned would not significantly outweigh the benefits of the development.

Public Speakers

Sophie Sadler- Broadland Housing Association- Supporting

Councillor M Hankins joined the meeting at 9:41am. The Chair reminded Councillor M Hankins that he was unable to speak or vote on this application.

Local Members

The Local Member- Councillor T FitzPatrick- expressed the concerns of residents of Walsingham which included the plot was too small for the number of proposed dwellings. He highlight residents felt the village was being expanded in a way the infrastructure would not cope. He outlined there would be a loss of green space and hedgerow. Councillor T FitzPatrick added the development would cause additional concerns and add disturbance to existing highway safety and parking. He highlighted there was no additional pavement for pedestrians proposed as part of the application.

Cllr Fitzpatrick noted the proposal included 10 affordable dwellings and asked the committee to consider appropriate conditions to reflect the concerns of the residents.

Member's Debate

- a. Councillor P Netherway sought clarification on the location of the School in relation to development site.
- b. The PO-RS highlighted to the Committee the School was located south west to the site.
- c. Councillor G Mancini- Boyle referred page 25 of the report and sought clarification on further information on EV charging points.
- d. The PO-RS confirmed those details of the EV charging point were to be conditioned. He explained it was in relation to the appearance of the EV charging points and provisions to be secured.
- e. Councillor J Toye commented some of the concerns and objections from residents had been mitigated already with adjustments made to the

application.

- f. The PO-RS added the applicant had addressed some residents comments in terms of the scheme and principal of the application.
- g. Cllr Toye proposed acceptance of the officer's recommendation.
- h. Councillor A Varley commented this was a finely balanced decision but acknowledged the local need for both affordable and market dwellings. He was encouraged to see PV, air source heat pumps which contributed towards 2045 net zero position and ensure the tenants and occupiers of these dwellings benefitted from lower energy bills. Cllr Varley seconded the acceptance of the officer's recommendation.
- i. Councillor A Brown acknowledged the understandable nervousness in the community over such a development and reflected that the conditions were important to address those concerns of local residents. He highlighted the need and lack of affordable housing in the district. He noted that there was little objection or comment from any of the consultees and he confirmed his support for the proposal.
- j. Councillor G Mancini-Boyle asked further if capacity of internet connection was relevant for inclusion in the reports for future.
- k. The PO-RS In response to Councillor G Mancini- Boyle's further question, the Local Plan reference the capacity of internet connection.

UNANIMOUSLY RESOLVED by 10 votes.

That Planning Application PF/24/1634 be APPROVED in accordance with the Officers recommendation.

Councillor T Adams joined the meeting at 9:55am.

7 CROMER - PF/24/2341 - ERECTION OF 5 COMMERCIAL UNITS FOR USES WITHIN USE CLASSES E(C)(I) - FINANCIAL SERVICES, E(G)(I) - OFFICES, E(D) - INDOOR SPORT, RECREATION OR FITNESS, B8 - STORAGE OR DISTRIBUTION AT HOME FARM ENTERPRISE ZONE, HALL ROAD, CROMER, NORFOLK

Officer's Report

The PO-RS introduced the report and highlighted to the Committee the recommendation was for refusal. The proposal was for 2 buildings containing 5 units with associated hard standing for parking. The PO-RS brought to the Committee's attention the site plans, existing and proposed elevations, photographs and the location of the site which was next to existing agricultural and commercial units. He highlighted the objections which included the impact on the town centre, highways, heritage, drainage, ecological and trees.

The PO-RS outlined the benefits of the application together with the issues raised in the report considered the harm outweighs the benefits of the application at this stage.

Public Speakers

Councillor David Roberts- Town/Parish

Local Member

Local Member- Councillor J Boyle expressed her support for this application as it complied with both policies EC3 and EC5 allowing additional units alongside the existing use. She highlighted the local community would benefit from the additional units which would not otherwise be available within the town therefore allowing existing business to continue. Councillor J Boyle explained there would be minimal impact on traffic and road structure as existing infrastructure would be used. She believed the site could be suitably concealed, that the area was already used for parking and storage of agricultural vehicles and was not the most attractive use currently and the new building would not be majorly visible.

Local Member- Councillor T Adams expressed support for this application stating one of the units already had permission and his belief that it met the policy criteria and aligned with appropriate economic objective of the national planning policy framework. He commented the development was needed as homes for existing longstanding Cromer businesses which would otherwise not have suitable units available to them. Councillor Adams believed there was unlikely to be detrimental traffic impact given the traffic was already on the local roads and noted the reduction in speed limit on Hall Road to 30mph. He brought to the Committee's attention the site was heavily concealed and was barely visible in the area and in his view would not negatively impact on the listed building. He concluded that the existing use and appearance was relevant and needed to be weighed up in the consideration of benefits given that Cromer in his view needed this development and that there had been no objections from local residents.

Member's Debate

- a. Councillor J Toye, commented as the Portfolio Holder for sustainable growth, small businesses need the opportunity to expand, as the most of them are rurally located and therefore needed to be sited accordingly. He commented further he did not believe the roads in the area were an issue and suggested that appropriate conditions would enable the development to be approved. He added he did not support the Officer's recommendation as he believed the issues could be resolved by conditions.
- b. Councillor A Varley echoed and agreed with Councillor J Toye comments and felt as a Council businesses and economic development should be encouraged. He believed with suitable conditions the proposal could be acceptable. He did not support the Officer's recommendation.
- c. Councillor P Netherway echoed the comments of Councillor A Varley and Councillor J Toye. He added he did not agree with the recommendation.
- a. The DM provided the committee with further information as to the reasons for the recommendation, stating that the application came before the committee at a relatively early stage because there were many issues including ecology, trees, highways and heritage. He commented if there was a need for units in Cromer there needs to be consideration as to where best to locate those units. He advised, Members could reject the recommendation, or they could defer the matter asking for further information from the applicant to allow a decision to be made.
- d. Councillor A Brown commented the committee were legally required to make decisions in accordance with planning policy unless there were material considerations that dictated otherwise. He commented that with the lack of

information on ecology, bio diversity net gain, and policy EC3 sequential test to determine the need. He was in support of the recommendation of refusal to then defer the decision to a following meeting. Councillor A Brown sought clarification on the reference to a planning application in 2003 and the associated Section 106 agreement included in the report.

- e. The PO-RS confirmed the referred 2003 application and associated permission was relating to what you can currently see on site and explained this was contrary to the policies at the time. He outlined as part of the 2003 application there was a financial contribution which was a material consideration and therefore justified the contradiction to the policies.
- f. The DM commented the Section 106 agreement for that application would be checked to ensure it was fulfilled.
- g. Councillor G Mancini-Boyle commented appendices 3,5,6,7,10 all stated insufficient information was provided and therefore agreed with deferment to allow for more information.
- h. Councillor P Heinrich questioned if there were alternative developments sites in Cromer which could be used.
- i. Councillor T Adams, confirmed there were no other sites available and commented a sequential test could be carried out. He added further he had no concerns on landscape, trees or biodiversity net gain. He added the Highway issues were being mitigated.

Councillor P Heinrich, as Chair proposed and seconded the Officer recommendation.

The Officer Recommendation was refused.

Cllr J Toye proposed a deferral of the matter on grounds of insufficient information to make a decision and the matter be brought back with more information to allow a proper decision to be made.

Cllr L Vickers seconded the proposal.

UNANIMOUSLY RESOLVED

That Planning Application PF/24/2341 be DEFERED.

Councillor T Adams left the meeting at 10:24am.

8 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

The DM presented the report which referred to the performance for December 2024. He highlighted to the Committee there was 100% for major applications and 97% for non-majors. He commented the authority were below both government and NNDC targets relating to the number of appeals.

Cllr A Brown thanked the Planning team for their efforts.

9 APPEALS SECTION

The DM referred the committee to the report and commented on recent decisions from the Planning Inspectorate supporting the NNDC decisions.

Cllr A Brown asked for information about the resourcing of the Planning Inspectorate.

The DM commented on the lack of experienced Planning Officers which the Inspectorate will also be suffering from and there would be recruitment issues.

Councillor T Adams joined the meeting at 10:34am.

10 EXCLUSION OF PRESS AND PUBLIC

The agenda circulated contained no exempt/confidential business and there was therefore no requirement to exclude the press and public to allow for its consideration.

The meeting ended at 10.35 am.

Chairman

BODHAM - PF/24/2705 - Demolition of workshop building and erection of building for use as a live/work unit, recladding of retained storage building, demolition of other storage buildings and erection of cart shed at Old Scarfe Brothers Workshop, Church Road, Lower Bodham.

ADDENDUM REPORT

REASON FOR ADDENDUM REPORT

This Addendum Report is to update members with regards to the matters that led to their deferral of this planning application at the meeting of the Development Committee on 27 June 2025. This report should be read in conjunction with the Committee Report and the Development Committee Minutes from the meeting of 27 June 2025 and these are included at **Appendices 1 and 2** of this report.

UPDATE

At the meeting on 27 June 2025, the application was deferred to allow the applicant to provide a Landscape Impact Assessment (LIA) and further consideration to be given to the height, scale and massing of the proposed building, in particular the scale of the ridgeline.

An amended plan has been submitted reducing the ridge height of the building from approximately 9.8 metres to 8.2 metres, a reduction of 1.6 metres. Additionally, a series of aerial photographs have also been submitted captured by a drone to show how the existing building sits within the existing landscape from various viewpoints surrounding the site. No supporting statement or justification (such as a LIA) has been provided other than the agent's brief assessment stating amongst other things that the *"the drone footage of the site demonstrates that the site has minimal impact visually. There are no footpaths anywhere near the site and the site it is well screened within in a dip and surrounded by trees. A fleeting glimpse is viewable as you drive down the road"*.

Whilst Officers welcome the reduction in height from 9.8 metres to 8.2 metres as a positive step, concerns remain regarding the overall cumulative impact of the building's scale, appearance and massing. The applicant has not sought to address the building's 28-metre-long uninterrupted ridgeline. This extent of ridgeline is uncharacteristic for domestic premises and is more akin to the ridgeline of a large agricultural building. Furthermore, the revised proposal has not adequately addressed issues related to the overall design approach, particularly the extent and impact of glazing, which may exacerbate the building's visibility and affect its integration with the local character.

Whilst the building is now clearly lower in height by 1.6m, Officers consider that the issues raised within the Committee report have not been fully addressed and additional amendments are still recommended to meaningfully mitigate the visual and contextual impact of the proposed development.

Planning Balance and Conclusion:

Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In terms of the residential element, the development has been found to conflict with CS Policies, SS 1 and SS 2, which seek to limit development within the Countryside to that which requires a rural location.

Whilst the site can be considered 'isolated' and therefore afforded weight under NPPF paragraph 84 as an exception to the plan-led approach, within the context of NPPF paragraph 84, then the proposals do not re-use redundant or disused buildings as required by criterion c) and are not considered to be exceptional in terms of design which may be otherwise be supported by paragraph 84e).

The site is considered to meet the definition of "previously developed land" (brownfield) and this would attract moderate weight in favour.

As the council is currently unable to demonstrate deliverable sites sufficient to provide a minimum of five years' worth of housing, planning applications must be considered in line with paragraph 11(d) of the NPPF which requires that:

Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- i) the application of policies in the NPPF that protect areas or assets of particular importance provides a strong 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 the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

CS Policies SS 1 and SS 2 are therefore considered to be out of date in accordance with NPPF paragraph 11d). Recent appeal decisions have however, continued to confirm that these policies remain broadly consistent with the NPPF in respect of setting an overall strategy for the distribution of sufficient housing and focusing significant amounts in locations which are sustainable, thus limiting the need to travel, offering a choice of transport modes and helping to reduce congestion and emissions, so as to improve air quality and public health.

The benefits of the proposal are:

Social - the proposals would only add a single dwelling to the housing supply. which is afforded limited weight in meeting the undersupply of housing within the district..

Economic - these would be provided through the construction of the development with work for local contractors, trades people and suppliers. This, however, would be limited and short lived. Occupiers of the development would contribute to the local economy by spending within the surrounding area and the wider District The relocation and expansion of an existing business would also attract some weight, especially if the proposal helps to maintain employment opportunities in the local area.

Environmental – the development would involve the reuse of a site of which is previously developed / brownfield land, albeit demolition rather than conversion. The replacement building would be energy efficient and make use of renewable energy sources. Some minor biodiversity gains could be secured through a condition.

On balance, the reuse of previously developed land for appropriate economic uses is supported in principle enabling an existing business to relocate, expand and improve its offer to its customers. However, the case for a dwelling to accompany the retail unit is less convincing and the design, scale and massing of the building(s) would result in a visually

discordant and overly dominant element of built form which would be harmful to the character and appearance of the surrounding landscape.

The proposal is therefore considered to be contrary to CS Policies SS 1, SS 2 EN 2 and EN 4 for the reasons stated.

RECOMMENDATION

REFUSE permission on the following grounds:

1. Whilst the site is considered to be “previously developed land” the proposed residential element of the live/work unit would be located on land designated as 'Countryside' where there is a general presumption against residential development and in a location with poor access to a full range of basic services. The future occupiers would therefore be highly dependent on the car to be able to reach such services. There is no overriding justification for the proposed development in this unsustainable location, and the proposal therefore represents an undesirable and sporadic form of residential development in the countryside. The proposal would therefore not be sustainable development and is contrary to policies SS 1, SS 2 and SS 4 of the adopted North Norfolk Core Strategy. Whilst the location of the development is considered to be isolated in terms of paragraph 84 of the National Planning Policy Framework, no evidence has been provided that the provision of such a dwelling would meet the criteria in paragraph 84.

2. The proposed development by reason of design, scale and massing would result in a visually discordant and overly dominant element of built form which would be harmful to the character and appearance of the surrounding landscape. As such, the proposal would be contrary to the aims of North Norfolk Core Strategy Policies EN,2 and EN 4.

The proposals are contrary to North Norfolk Core Strategy Policies SS 1, SS 2, SS 4, EN 2 and EN 4

Final wording of reasons for refusal and any others considered to be necessary, to be delegated to the Assistant Director – Planning.

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Development Committee



Please contact: Democratic Services

Please email: democraticservices@north-norfolk.gov.uk Direct Dial: 01263 516108

TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Thursday, 19 June 2025

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Friday, 27 June 2025 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 Wednesday before the meeting** by telephoning **Reception on 01263 513811** or by emailing reception@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. 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-WyEzg>

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 P Neatherway, Cllr J Toye, Cllr K Toye, Cllr A Varley, Cllr L Vickers and Cllr L Paterson

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 J Punchard, Cllr C Ringer, Cllr E Spagnola and Cllr L Withington

All other Members of the Council for information.

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



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

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

Chief Executive: Steve Blatch

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A G E N D A

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

PUBLIC BUSINESS

1. CHAIRMAN'S INTRODUCTIONS

2. TO RECEIVE APOLOGIES FOR ABSENCE

3. SUBSTITUTES

4. MINUTES

(Pages 1 - 8)

To approve as a correct record the Minutes of a meeting of the Committee held on 29th May 2025

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 9 - 14)

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. CROMER - PF/24/2341 - ERECTION OF 5 COMMERCIAL UNITS FOR USES WITHIN USE CLASSES E(C)(I) - FINANCIAL SERVICES, E(G)(I) - OFFICES, E(D) - INDOOR SPORT, RECREATION OR FITNESS, B8 - STORAGE OR DISTRIBUTION AT HOME FARM ENTERPRISE ZONE, HALL ROAD, CROMER, NORFOLK

(Pages 15 - 50)

9. LOWER BODHAM - PF/24/2705 - DEMOLITION OF WORKSHOP BUILDING AND ERECTION OF BUILDING FOR USE AS A

(Pages 51 - 68)

LIVE/WORK UNIT, RECLADDING OF RETAINED STORAGE BUILDING, DEMOLITION OF OTHER STORAGE BUILDINGS AND ERECTION OF CART SHED AT OLD SCARFE BROTHERS WORKSHOP, CHURCH ROAD, LOWER BODHAM, HOLT, NR25 6PS

- | | | |
|------------|---|--------------------------|
| 10. | FAKENHAM - PF/24/2184 - ERECTION OF TWO BUILDINGS FOR USE AS A RESTAURANT AND FARM SHOP, AND ASSOCIATED DEVELOPMENT INCLUDING A SEPARATE WC AND BAR, TWO POLYTUNNELS, CAR-PARKING, PATHS AND ACCESS AT SALMONDS LANE, THORPLAND, FAKENHAM, NORFOLK, NR21 0HB | (Pages 69 - 84) |
| 11. | CROMER - PF/25/0724 - INSTALLATION OF 10 SHEDS (1.58M X 1.58M) ON TEMPORARY GARDEN PLOTS, ALLOTMENTS AT, CEMETERY, HOLT ROAD, CROMER | (Pages 85 - 88) |
| 12. | MHCLG CONSULTATION RESPONSE | (Pages 89 - 106) |
| 13. | DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE | (Pages 107 - 110) |
| 14. | APPEALS SECTION | (Pages 111 - 120) |
| 15. | EXCLUSION OF PRESS AND PUBLIC | |

To pass the following resolution, if necessary:-

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

PRIVATE BUSINESS

LOWER BODHAM – PF/24/2705 – Demolition of workshop building and erection of building for use as a live/work unit, recladding of retained storage building, demolition of other storage buildings and erection of cart shed at Old Scarfe Brothers Workshop, Church Road, Lower Bodham, Holt, NR25 6PS

Minor Development

Target Date: 04.07.2025

Extension of Time: 04.07.2025

Case Officer: Jamie Smith

Full Planning Permission

RELEVANT SITE CONSTRAINTS

The site lies within a Countryside location in policy terms

The site lies within the Tributary Farmland landscape type in the North Norfolk Landscape Character Assessment

The site is within a Mineral Safeguarding Area

The site contains an area at risk of surface water flooding

The site contains an area at risk of ground water flooding

The site lies within the Zone of Influence of a number of habitats sites

RELEVANT PLANNING HISTORY

PF/22/1077: Demolition of existing structures; Conversion of existing building to dwelling - refused due to failure to comply with CS Policy HO 9 (Conversions and re-use of building in the countryside), CS Policy SS 2 (Development in the Countryside), CS Policies EN 2 and EN 4 (Design and Protection and Enhancement of the Landscape Character), Policy EC9 (Ecology)

IS2/20/0130: Proposed erection of two-storey detached dwelling (C3) using highly innovative construction system, following demolition of existing unsafe buildings (B8) - advice given raising concerns regarding compliance with CS Policy SS 2 (Development in the Countryside) for a residential dwelling and Paragraph 79 of the NPPF (now Paragraph 84).

PU/18/1115: Notification for prior approval for change of use from storage or distribution building (Class B8) to dwellinghouse (Class C3) - refuse prior notification

THE APPLICATION

Site Description:

The site is located on Church Road in Lower Bodham and historically operated as haulage business with lorry and coach workshop. The site contains both disused buildings which are deteriorating and with overgrown vegetation. A woodland with mature trees bounds the site to the south and southwest with agricultural fields to the north, south and southeast.

Proposal:

This application seeks full planning permission for the demolition of the existing workshop and a storage building and the erection of a new two storey building as a live/work unit, and a cart shed. A retained storage building would be reclad.

The proposed two storey live work building would comprise a five bedroom dwelling on the first floor with a workspace comprising storage, office and sales area on the ground floor for BFR Equestrian Country which sells rural and countryside products. They currently operate online but want to expand by offering retail/showroom space. The proposal is a mixed use and as such would not fall within a specified Use Class.

In terms of the dimensions of the proposal:

- The live work building would measure approximately 28.8 metres in length x 11 metres in width x 9.9 metres in height.
- The cart shed would measure approximately 14 metres in length x 4 metres in width x 6 metres in height.
- The existing store measures approximately 6.4 metres in length x 7.2 metres in width 5.6 in height.

Alongside the proposed buildings, the development would include an area of hardstanding for vehicular movements and parking, soft landscaping and private amenity provision.

REASONS FOR REFERRAL TO COMMITTEE

The application has been referred to committee at the request of Cllr Ringer for the following reasons:

- Paragraphs 124 and 125 of the National Planning Policy Framework (NPPF) support re-use of such land for housing and economic development
- The showroom meets a genuine rural economic function (equestrian retail)
- The development is designed off-grid, relying on renewable energy and appropriate in scale, showing sustainability in construction and operation. This aligns with Core Strategy Policy EN6 (Sustainable Construction) and EN7 (Renewable Energy)
- The proposal would generate local employment and support wider equestrian and tourism-linked activity in the area, satisfying NPPF Paragraph 88 on supporting rural enterprises and diversification.
- The proposal has been designed to reflect the scale and massing of existing structures on the site. This demonstrates compliance with Core Strategy Policy EN2 (Landscape Character) and EN4 (Design), which promote context-sensitive development.
- The shift from a derelict yard to a well-designed, self-sustaining development constitutes a visual and environmental enhancement, not harm
- The site is previously developed (brownfield) land—a disused former lorry yard. Both NPPF Paragraphs 124 and 125 support re-use of such land for housing and economic development
- Core Strategy Policy SS2 new-build employment generating proposals where there is particular environmental or operational justification and in part the re-use and adaptation of buildings for appropriate purposes
- Disagree that this application doesn't comply with Core Strategy Policy EC5 - the proposed development would not, individually or cumulatively, have a significant adverse impact on the vitality and viability of existing town centres or nearby service villages or coastal service village. Whilst it is not accessible by public transport it is by Horse!

CONSULTATIONS

Bodham Parish Council: Support

North Norfolk District Council Landscape: Object

Conflict with CS Policies EN 2 and EN 4. *(Currently awaiting further comments regarding ecology and trees which will be reported verbally at the meeting).*

North Norfolk District Council Environmental Health: No objection subject to conditions.

Norfolk County Council Highways: No objection, subject to conditions.

Norfolk County Council Minerals and Waste: No objection

REPRESENTATIONS

Two **supporting** for the following reasons:

- Development of a disused site.
- Sustainable work/live unit which will lower the carbon footprint of the site.
- Supports North Norfolk's aspiration for carbon neutrality.
- Will bring new life into the derelict site.
- Plans appear well considered from a community and environmental perspective.

HUMAN RIGHTS IMPLICATIONS

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

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

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

CRIME AND DISORDER

The application raises no significant crime and disorder issues.

EQUALITY AND DIVERSITY ISSUES

The application raises no significant equality and diversity issues.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application.

Local finance considerations are not considered to be material to this case.

RELEVANT PLANNING POLICIES

North Norfolk Core Strategy

SS 1: Spatial Strategy for North Norfolk
SS 2: Development in the Countryside
SS 4: Environment
SS 5: Economy
SS 6: Access and Infrastructure
HO 7: Making the most efficient use of land
EN 2: Protection and Enhancement of Landscape and Settlement Character
EN 4: Design
EN 6: Sustainable Construction and Energy Efficiency
EN 9: Biodiversity & Geology
EN 13: Pollution and Hazard Prevention and Minimisation
CT 5: The Transport Impact of New Development
CT 6: Parking Provision

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

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

Material Considerations:

Supplementary Planning Documents and Guidance:

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

National Planning Policy Framework

Chapter 2: Achieving sustainable development
Chapter 4: Decision-making
Chapter 6: Building a strong, competitive economy
Chapter 7: Ensuring the vitality of town centres
Chapter 8: Promoting healthy and safe communities
Chapter 9: Promoting sustainable transport
Chapter 11: Making effective use of land
Chapter 12: Achieving well-designed places
Chapter 14: Meeting the challenge of climate change, flooding and coastal change
Chapter 15: Conserving and enhancing the natural environment
Chapter 17: Facilitating the sustainable use of minerals

OFFICER ASSESSMENT

Main Issues for consideration:

- 1. Principle of development**
- 2. Design and appearance of the proposed development and its effect on the character of the area**
- 3. Residential amenities**
- 4. Biodiversity & ecology**
- 5. Arboriculture**
- 6. Sustainable construction and energy efficiency**

- 7. Highways and parking
- 8. Environmental considerations

1. Principle of development

In accordance with Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

At a national level, the National Planning Policy Framework (NPPF) constitutes guidance which the LPA must have regard to. The NPPF does not change the statutory status of the development plan as the starting point for decision making but is a material consideration in any subsequent determination.

The spatial strategy for North Norfolk is set out within Core Strategy (CS) Policy SS 1. This states that the majority of new development within the district will take place in the towns and larger villages dependent on their local housing needs, their role as employment, retail and service centres and particular environmental and infrastructure constraints. The policy lists Principal and Secondary Settlements as well as Service and Coastal Service Villages. The rest of North Norfolk is designated as 'Countryside' where development is restricted to particular types of development to support the rural economy, meet affordable housing needs and provide renewable energy.

Housing in the Countryside

The application site is within the Countryside where CS Policy SS 2 limits development to that which requires a rural location and is for one of the types of development listed in the policy. Other than rural workers dwellings, the only new build residential proposals that are considered acceptable under this is affordable housing under the exceptions policy (HO 3).

As the proposal is not for affordable housing, or a rural workers dwelling, the proposal is contrary to CS Policies SS 1 and SS 2.

Paragraph 84 of the NPPF

Paragraph 84 of the NPPF applies to consideration of development in isolated countryside locations and states:

"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential building; or*
- e) the design is of exceptional quality, in that it:*

- i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- ii. would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area”.*

For NPPF paragraph 84 to be applicable then the application site must be isolated in its setting. The Bramshill judgement addresses the interpretation and application of policies in the NPPF against the development of isolated homes in the countryside and on the assessment of harm and benefit to heritage assets. The Bramshill judgement determined that the measure for whether a site is isolated is its proximity to a settlement, not other dwellings, and confirms that the definition of a “settlement”; and whether the development would be “isolated” from a settlement, are both matters of planning judgment for the decision-maker on the facts of the particular case.

Whilst the application site is located approximately 130m and 190m respectively from Church Farm Cottage and Church Farmhouse to the west; and approximately 190m from Highfield House to the northwest, it is approximately 4km from the edge of Holt as the nearest designated settlement. It is therefore concluded that the site can be considered ‘isolated’ in the terms of paragraph 84.

However, the application fails to comply with the relevant criteria (c) and (e) in paragraph 84. With regards to criterion (c), the application fails to ‘re-use redundant or disused buildings’, as required by this criterion as the scheme proposes to demolish the existing structures on site other than a storage building. With regards to criterion (e), whilst there may be some landscape and biodiversity benefits, the design of the proposal is clearly not ‘exceptional or truly outstanding’, given its excessive and suburban appearance such that it would not “significantly enhance” the immediate setting as required by paragraph 84.

Economic impact and retail Development in the countryside

CS Policy SS 5 supports the rural economy and farm diversification, including extensions to existing businesses in the countryside of an appropriate scale and re-use of existing buildings. However, as the application is for the erection of a new building as a live work unit, rather than the conversion of the existing building(s), and is not for the expansion of an existing rural business which is currently located at Fulmodeston, the proposed development conflicts with the aims of CS Policy SS 5.

Paragraph 86(e) states that “policies should be flexible to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live work accommodation) and to enable a rapid response to changes in economic circumstances”.

The NPPF states at Paragraph 88 states that:

“Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings and*
- b) the development and diversification of agricultural and other land-based rural businesses”.*

Paragraph 89 further adds that *“planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). **The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist**”*. [emphasis added]

It is contended within the supporting Planning Statement that this proposal utilises brownfield (or “previously developed land”). The Glossary at Annex 2 of the NPPF defines previously developed land as:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape”.

Officers consider that the site would meet the definition of “previously developed land” (brownfield).

The CS does not include any specific policies that address the reuse of brownfield land, however, paragraph 125 (d) of the NPPF states that decisions should *“support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained...”*.

The proposal includes a mixed use. Whilst there is no current business being operated at the site; consideration has been given to the previous haulage business (use class unclear albeit Use Class B8 - storage and distribution is stated in the application form), as a fallback position in that permission would not be required for such a use to resume.

Officers consider that, whilst the site would meet the definition of previously developed land and this would attract positive weight in favour of the proposal, this does not necessarily provide an unqualified basis for allowing development which would otherwise conflict with other policies in the Development Plan such those relating to the location as housing or retail development.

Therefore, whilst the principle of a new business similar to that previously operating from the site, which would not generate similar levels of traffic movements may well be acceptable at this site, it is considered that a particular environmental or operational justification for residential or retail development in this countryside location has been provided, as required under CS Policies SS 2 and EC 5.

It is also contended by the applicant that the residential element is necessary to provide essential crime prevention and ensure the safe operation of the business. Whilst it is

acknowledged that this would be a concern for the applicant, given that no business is currently operating at the site, there is no evidence available to show that there have been losses, break-ins, or vandalism at the site. Similarly, no information been provided to show that alternative means of improving security, such as CCTV, security alarms, or robust fencing have been explored, or deployed, or why such measures would not successfully overcome the concerns in this regard. Based on this, it is not considered that a residential presence on-site to provide security is adequately justified.

Whilst accepting that an appropriate business use may be acceptable on this site, given the unsustainable location, the proposed live/work development would not comply with the spatial strategy conflicting with CS Policies SS 1 and SS 2.

Retail Impact

CS Policy EC 5 indicates that proposals for retail development in the Countryside will not be permitted unless they comply with other relevant CS policies. The policy also sets out that proposals that do not comply with the acceptable retail and commercial leisure location table set out within the policy should demonstrate that

- a need exists within the catchment area for the scale and type of development proposed; and
- no sequentially preferable site is available, suitable and viable (starting with town centre, edge of centre sites, then out-of-centre locations), and
- the proposed development would not, individually or cumulatively, have a significant adverse impact on the vitality and viability of existing town centres or nearby Service Villages or Coastal Service Villages; and
- and the proposed development would be accessible by a choice of means of transport, including public transport, walking, cycling and the car.

Chapter 7 of the NPPF emphasises the need to ensure the vitality of town centres and advises that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

The retail element of the proposal is considered to be a Town Centre Use on the basis of the definition in the NPPF, as it would involve the retail sale of goods such as equestrian supplies, pet foods and country clothing, as confirmed within the supporting Planning Statement. CS Policy EC 5 seeks to guide retail and commercial leisure development to the most sustainable locations, specifying acceptable locations dependent upon the floor areas of a proposed development. In this case, the application site does not fall within any of these locations. As set out above, the policy continues to state that proposals which do not comply with these locations should demonstrate that its four criteria are met.

Whilst the application form states that 47 sq. metre trading space will be created, the proposed ground floor plan details a shop/showroom including the counter of approximately 100 sq. metres. The existing business (located elsewhere in Fulmodeston the district) is currently online only, and the Planning Statement refers to *'expanding the business by incorporating a retail and storage space to diversify its offerings and improve customer access' and 'a dedicated area for customer interaction and showcasing products'*.

No information has been provided to demonstrate that there are no sequentially preferable sites available, suitable and viable (starting with town centre, edge of centre sites, then out-of-centre locations). Additionally, no consideration has been given to how the proposed

development would be accessible by a choice of means of transport, other than the private car.

In the absence of information, it is not possible to fully assess the impacts of the proposal. As such the proposal conflicts with CS Policy EC 5 as well as the guidance contained within Chapter 7 of the NPPF.

Summary

It is considered that whilst the principle of re-using this site for an appropriate economic purpose may be acceptable and would result in some economic benefits. the matters of housing, retail provision and the sustainability of the site's location weigh heavily against the proposal.

2. Design, appearance and effect on character

Policy EN 2 states that proposals should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment and features identified in relevant settlement character studies. Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance, the special qualities and local distinctiveness of the area, gaps between settlements, distinctive settlement character, landscape features, visually sensitive areas, nocturnal character, the setting of, and views from, Conservation Areas, Historic Parks and Gardens and the defined Setting of Sheringham Park.

Policy EN 4 seeks to ensure 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 scales, make clear distinctions between public and private spaces, create safe places, are accessible to all, incorporate footpaths and green links, ensure that parking is discreet and accessible and where possible, contain a mix of uses, buildings and landscaping.

The site is located in the Tributary Farmland (TF) Landscape Character Type as defined in the North Norfolk Landscape Character Assessment (SPD 2021) but is located close to the Wooded Glacial Ridge (WGR) which exerts a strong influence on this landscape type. A valued feature and quality of this landscape is the strong rural character with a sense of remoteness and tranquillity, with the rural lanes contributing to the perception of a rural landscape and providing historical continuity. Farm diversification, including change of use to small scale industrial uses and storage facilities, and the conversion of agricultural buildings and scale of new storage structures continue to contribute to development pressures and is a key force for change in the landscape.

The current condition of the site is detracting from the prevailing landscape characteristics. However, it is the decline in the usefulness of the buildings which has led to neglect. The site is situated on Church Road a quiet, rural road directly adjacent to Dark Plantation, a finger of woodland that connects northwards to a large swathe of woodland making up High Kelling.

The site is bounded by hedgerows, all of which are positive features of the local landscape character. The site is currently a mix of unused modern agricultural style buildings constructed in concrete block and corrugated steel. Along Church Road, there is sporadic development in the form of former traditional farmsteads such as Church Farm with associated cottages. In its current condition the site is an incongruous feature but as the buildings are well recessed back into it, it does not significantly detract from the local landscape character.

The proposed live/work unit would occupy the similar position to that of the existing workshop and would retain the same east-west alignment. However, the live/work unit would be significantly larger in overall scale and size. Whilst the existing building is approximately 5.9 metres in height with a varied roofline, the proposed live/work unit is significantly larger at just under 10 metres in height comprising 2.5 storeys and with a continuous 28 metre long ridgeline. It would therefore be significantly more visible from the road frontage.

It is considered that the overall size and scale of the building has not been justified. The size of the building would be more than doubled by the inclusion of the living accommodation at first floor and storage at second floor (within the roof), making it far larger than required solely by the necessity for the proposed business use. Consequently, it would not be appropriate in scale, when applying the principles contained within CS Policy EN 4 which requires *'the scale and massing of buildings to relate sympathetically to the surrounding area'*.

Proposed materials are black slate roof tiles, black bitumen corrugated cladding to the lower elevation and timber cladding to the upper section with anthracite grey aluminium windows and doors. It is considered that due to its scale, height and massing the proposed live/work building would appear incongruous and more as a large suburban building in this highly rural setting.

The extent and impact of the glazing is also of concern, more so within the nocturnal rural setting. The existing building contains limited openings (6 on the north elevation, two on the south elevation, 3 on the west and 1 on the east elevation). In contrast, the proposed north elevation contains 16 glazed openings (11 double height) with 7 rooflights. The proposed south elevation contains 15 openings, the east elevation contains 4 (3 double height) and the west elevation contains 2 openings. Despite the proposed curved canopies on some windows and the roof overhang, the light spill from the significant increase in openings would be very noticeable and detract from the valued dark night skies of the prevailing landscape and potentially impact protected species. The high number of openings is not typical of large farm buildings. The presence of a number of glazed doors, windows and rooflights, would give rise to a suburban rather than rural appearance. The proposed large building will be read neither as a dwelling nor a retail unit and as such will appear as a new built feature that is incompatible with the local vernacular.

Whilst the application refers to the use of blackout blinds and automatic shading systems to control light spill, internal lighting cannot be controlled by way of planning condition. Issues relating to dispersal of internal light remain a material consideration and control of glazing design, position of windows and overall glazing size is therefore the only real way to address these concerns.

Overall, the scale, height and appearance of the new building would not contribute positively to the defined local landscape character. Therefore, the proposed development would not accord with CS Policies EN 2 or EN 4.

3. Residential amenities

CS Policy EN 4 states amongst other things that *“proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers...”*. CS Policy EN 13 requires that all development should minimise and reduce forms of pollution and indicates development will only be permitted where there are not unacceptable impacts on general amenity, health and safety of the public and air quality, amongst other matters.

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

Paragraph 135 f) of the NPPF refers to the need for developments to create places with a high standard of amenity for existing and future users. Paragraph 187 e) advises that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Paragraph 198 advises that planning decisions should ensure new development is appropriate for its location taking into account the likely effects of pollution on health and living conditions.

The proposal's impact including the operation of the proposed business on the amenities of nearby residential properties have been considered. The application site has three neighbouring properties - Church Farm Cottage (approximately 130 metres to the west), Church Farmhouse (approx. 190 metres to the west) and Highfield House a similar distance to the northwest. Given the distance between the site and these dwellings there would be no adverse overbearing, overshadowing or loss of light impacts.

With regards to the business element of the proposal, this would re-introduce noise and disturbance emanating from the site, although it must be acknowledged that previous use is not considered to have been abandoned. In order to protect residential amenities, conditions requiring the prior submission of details for any plant, machinery, ventilation, air conditioning or extraction would be imposed. Furthermore, in order to limit noise and disturbance extending into unsociable times of the day, conditions restricting opening/operating and delivery hours would be required. The Environmental Health Officer advises that a condition to ensure that the business premises can only be operated by the occupier/s of the residential element would also help to avoid future impacts of noise and disturbance.

Subject to the imposition of conditions, it is considered that the proposal would comply with relevant elements of CS Policies EN 4 and EN 13.

4. Biodiversity and Ecology

The Council has a duty under the Natural Environment and Rural Communities Act 2006 to have full regard to the purpose of conserving biodiversity which extends to being mindful of the legislation that considers protected species and their habitats and to the impact of the development upon sites designated for their ecological interest.

CS Policy SS 4 indicates that areas of biodiversity interest will be protected from harm, and the restoration, enhancement, expansion and linking of these areas to create green networks will be encouraged.

CS Policy EN 2 aims to ensure that development protects, conserves and, where possible, enhances distinctive landscape features, such as woodland, trees and field boundaries, and their function as ecological corridors for dispersal of wildlife.

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

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

Paragraph 187 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs. Paragraph 193 advises that when determining planning applications, significant harm to biodiversity should be avoided, adequately mitigated, or, as a last resort, compensated for. Should this not be possible, then permission should be refused.

Ecology

The application is supported by an Ecological Assessment. A wind turbine initially proposed has now been removed from the scheme, alleviating concerns raised by the Council's Landscape Officer regarding potential impacts upon protected species, including birds and foraging/commuting bats.

Subject to the Landscape Officer confirming there are no unresolved issues and with the imposition of appropriate conditions regarding mitigation and enhancement measures as detailed in the Ecology Assessment, the proposed development would accord with CS Policies SS 4 and EN 9.

Biodiversity Net Gain

In relation to Biodiversity Net Gain (BNG), the application is supported by a completed copy of the Council's Biodiversity Gain Statement template and Statutory Metric. The Landscape Officer has confirmed that subject to updating of the metric in relation to comments advised, and agreeing these prior to approval, the baseline calculations have been satisfied.

However, there are concerns regarding post intervention proposals and how 10% habitat can be achieved. However, the use of off-site units or statutory credits to deliver the habitat units necessary to achieve a 10% gain can be established when discharging the statutory

biodiversity gain condition which requires submission of a Biodiversity Gain Plan and Habitat Monitoring and Management Plan. A condition and informative to secure the BNG provisions would be imposed in the event that an approval is granted.

It is therefore considered that the scheme would accord with the requirements of CS Policy EN 9.

Recreation impacts

Norfolk local planning authorities (LPAs) have worked collaboratively to adopt and deliver a Green Infrastructure and Recreational Impact Avoidance and Mitigation (GIRAM) Strategy to ensure that the cumulative impacts of additional visitors, arising from new developments of housing and tourism to European sites, will not result in any likely significant effects which cannot be mitigated. The application site is within the Zone of Influence of a number of such sites with regards to potential recreational impacts.

In line with the RAM strategy a mechanism has been secured to ensure the appropriate financial contribution per dwelling prior to occupation as part of this proposal at the time planning permission is approved. It is considered that the contribution (£304.17) which has been secured, is sufficient to conclude that the project will not have an adverse effect on the integrity of the above identified European sites from recreational disturbance, when considered alone or 'in combination' with other development. As such the proposal complies with CS policy EN 9.

5. Arboriculture

CS Policy EN 2 aims to ensure that development protects, conserves and, where possible, enhance distinctive landscape features, such as woodland, trees and field boundaries. CS Policy EN 4 advises that development will be expected to retain existing important landscaping and natural features. Policy EN 9 seeks to maximise opportunities for restoration, enhancement and connection of natural habitats.

Paragraph 187 of the NPPF indicates that decisions should recognise the intrinsic character and beauty of the countryside, including the benefits associated with trees and woodland.

The application is supported by an Arboricultural Assessment and Tree Protection Plan. No objection has been received from the Landscape Officer in terms of the impact of the development on trees.

It is therefore considered that with the imposition of appropriate conditions, the proposed development would accord with CS Policies SS 4 and EN 9.

6. Sustainable construction and energy efficiency

CS Policy EN 6 requires that new development demonstrates how it minimises resource and energy consumption and how it is located and designed to withstand the longer-term impacts of climate change. All developments are encouraged to incorporate on site renewable and / or decentralised renewable or low carbon energy sources, and regard should be given to the North Norfolk Design Guide in consideration the most appropriate technology for the site.

Whilst the proposed wind turbine had to be removed due to ecology concerns, PV panels would be provided on the roof of the proposed building. Additionally, the building will be constructed with timber framed Structural Insulated Panels and incorporate water efficiency saving measures, amongst other sustainability features. This approach is considered to be consistent with CS Policy EN 6.

7. Highways and parking

As a remote location which intends to service a single new build live/work unit then Policy CT 5 (The Transport Impact of New Development) is a material consideration. The policy requires that proposals provide safe and convenient access on foot, cycle, public and private transport inclusive of those with a disability; and that they are capable of being served via a safe highway network without detriment to the character or amenity of the locality. The expected nature and volume of traffic generated by the proposal should be able to be accommodated by the existing road network without detriment to the amenity or character of the surrounding area or highway safety. Access to the site is via narrow rural lanes with no pedestrian facilities such that virtually all trips to and from it would be dependent on the use of a private car.

It is recognised that the site has an existing access and an extant use as a haulage business which would have generated a number of daily vehicle movements including by good vehicles. However, to ensure that the site reflects both that which has been proposed, as a live work unit and reduce the potential for more traffic intensive commercial uses at the site, the Highway Authority advise that if permission was granted it should be subject to a condition to limit the use of the site to the applicants only (i.e. a personal permission). On that basis the Highway Authority raises no objection on highway safety grounds and it is considered that the proposed development would accord with Policy CT 5. Officers note the request from the Highway Authority for a "personal permission" type condition. However, such a condition would be unlikely to meet the six tests for conditions. Instead, if permission were to be granted then conditions could be imposed controlling the types of retail activities that can take place and ensuring the retail and the dwelling are tied so that they do not become separate planning units, which could result in increases in traffic movements.

Policy CT 6 requires 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 at Appendix C of the Core Strategy, including provision for parking for people with disabilities.

Given the size of the site, it has the capacity to accommodate parking and turning associated with the proposed development that would accord with the adopted standards. With conditions to secure this it is considered that the proposed development would accord with CS Policy CT 6.

8. Environmental considerations

Policy EN 13 of the Core Strategy states that all developments should minimise, and where possible reduce, all emissions and other forms of pollution, and ensure no deterioration in water quality. Development proposals on contaminated land (or where there is reason to suspect contamination) must include an assessment of the extent of contamination and any possible risks. Proposals will only be permitted where the land is, or is made, suitable for the proposed use.

Paragraph 187 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing development from contributing to or being put at risk from unacceptable levels of pollution; along with remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 196 states that planning policies, and decisions should ensure that sites are suitable for the proposed use, taking account of ground conditions and risks arising from contamination.

No objections were received from the Environmental Health Officer subject to conditions in relation to noise, machinery and ventilation, hours of use, contaminated land and lighting. Subject to the imposition of the relevant conditions the proposal is considered to be compliant with CS Policy EN 13 and Chapter 15 of the NPPF.

9. Other consideration

Mineral Safeguarding

The application site is within a Mineral Safeguarding Area whereby Policy 16 of the Norfolk County Council's Minerals Plan is relevant. This policy seeks to ensure that existing mineral deposits are safeguarded from needless sterilisation. The County Council's Minerals and Waste Officer has raised no objection to the proposed development. The development is therefore considered to comply with Policy CS16 of the adopted Norfolk Minerals and Waste Core Strategy.

10. Planning balance/conclusions

Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In terms of the residential element, the development has been found to conflict with CS Policies, SS 1 and SS 2, which seek to limit development within the Countryside to that which requires a rural location.

Whilst the site can be considered 'isolated' and therefore afforded weight under NPPF paragraph 84 as an exception to the plan-led approach, within the context of NPPF paragraph 84, then the proposals do not re-use redundant or disused buildings as required by criterion c) and are not considered to be exceptional in terms of design which may be otherwise be supported by paragraph 84e).

The site is considered to meet the definition of "previously developed land" (brownfield) and this would attract moderate weight in favour.

As the council is currently unable to demonstrate deliverable sites sufficient to provide a minimum of five years' worth of housing. Planning applications will therefore be considered in line with paragraph 11(d) "Tilted Balance" of the NPPF which states that:

"Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination".

CS Policies SS 1 and SS 2 are therefore considered "out of date" in accordance with NPPF paragraph 11 d). Recent appeal decisions have however, continued to confirm that these policies remain broadly consistent with the NPPF in respect of setting an overall strategy for the distribution of sufficient housing and focusing significant amounts in locations which are sustainable, thus limiting the need to travel, offering a choice of transport modes and helping to reduce congestion and emissions, so as to improve air quality and public health.

The benefits of the proposal are: *Social* - the proposals would only add a single dwelling to the housing supply. which is afforded limited weight in meeting the undersupply of housing within the district. Further limited positive weight is given to the employment provided during construction and future occupants contribution to spending to the local economy.

Economic - these would be provided through the construction of the development with work for local contractors, trades people and suppliers. This, however, would be limited and short lived. Occupiers of the development would contribute to the local economy by spending within the surrounding area and the wider District The relocation and expansion of an existing business would also attract some weight, especially if the proposal helps to maintain employment opportunities in the local area..

Environmental – the development would involve the reuse of a site of which is previously developed / brownfield land, albeit demolition rather than conversion. The replacement building would be energy efficient and make use of renewable energy sources. Some minor biodiversity gains could be secured through a condition.

The Committee are being asked to weigh up many competing planning issues. On the one hand, the use of previously developed land for appropriate economic uses would likely be supported in principle enabling an existing business to relocate, expand and improve its offer to its customers. However, the case for a dwelling to accompany the retail unit is less convincing and the design, scale, height and massing of the building(s) would result in a visually discordant and overly dominant element of built form which would be harmful to the character and appearance of the surrounding landscape.

The proposal is therefore considered to be contrary to CS Policies SS 1, SS 2 EN 2 and EN 4 for the reasons stated.

Therefore, **REFUSAL** of the application is recommended.

RECOMMENDATION:

To **REFUSE** permission on the following grounds:

- 1 Whilst the site is considered to be “previously developed land” the proposed residential element of the live/work unit would be located on land designated as 'Countryside' where there is a general presumption against residential development and in a location with poor access to a full range of basic services. The future occupiers would therefore be highly dependent on the car to be able to reach such services. There is no overriding justification for the proposed development in this unsustainable location, and the proposal therefore represents an undesirable and sporadic form of residential development in the countryside. The proposal would therefore not be sustainable development and is contrary to policies SS 1, SS 2 and SS 4 of the adopted North Norfolk Core Strategy. Whilst the location of the development is considered to be isolated in terms of paragraph 84 of the National Planning Policy Framework, no evidence has been provided that the provision of such a dwelling would meet the criteria in paragraph 84
- 2 The proposed development by reason of design, scale, height and massing would result in a visually discordant and overly dominant element of built form which would be harmful to the character and appearance of the surrounding landscape. As such, the proposal would be contrary to the aims of North Norfolk Core Strategy Policies EN 2 and EN 4.

The proposals are contrary to North Norfolk Core Strategy Policies SS 1, SS 2, SS 4, EN 2 and EN 4

Final wording of reasons for refusal and any others considered to be necessary, to be delegated to the Assistant Director – Planning

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DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Friday, 27 June 2025 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:	Cllr P Heinrich (Chairman)	Cllr A Brown
	Cllr P Fisher	Cllr A Fitch-Tillett
	Cllr M Hankins	Cllr V Holliday
	Cllr P Neatherway	Cllr K Toye
	Cllr A Varley	Cllr L Paterson

Officers in Attendance:	Assistant Director for Planning (ADP)
	Development Manager (DM)
	Senior Planning Officer(s) (SPO)
	Planning Officer (PO)
	Trainee Planning Officer (TPO)
	Democratic Services Manager (DSM)
	Democratic Services Officer (DSO)

1 CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting and explained how he would manage the proceedings.

2 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies had been received from Cllr Batey, Cllr MacDonald, Cllr J Toye and Cllr Vickers.

3 SUBSTITUTES

Substitutes for the meeting were Cllr Adams (for Cllr Batey), Cllr Bayes (for Cllr Vickers) and Cllr Ringer (for Cllr J Toye)

4 MINUTES

The Minutes of the meeting of the Committee held on 29th May 2025 were approved as a correct record.

5 ITEMS OF URGENT BUSINESS

None

7 DECLARATIONS OF INTEREST

Cllr Ringer declared that in relation to item 9 he was predetermined and would therefore not take part in the debate and would abstain from the vote.

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Cllr Adams declared that he would abstain from the vote in relation to both Comer matters (items 8 and 11)

8 CROMER - PF/24/2341 - ERECTION OF 5 COMMERCIAL UNITS FOR USES WITHIN USE CLASSES E(C)(I) - FINANCIAL SERVICES, E(G)(I) - OFFICES, E(D) - INDOOR SPORT, RECREATION OR FITNESS, B8 - STORAGE OR DISTRIBUTION AT HOME FARM ENTERPRISE ZONE, HALL ROAD, CROMER, NORFOLK

SPO-RS presented the report and took the Committee through additional information that had been received from the applicant since the Committee last considered the matter, some of which had been received since the publication of the agenda. The SPO identified the changes that had been made to the application and the informal views that had been received from consultees including Highways (relating to proposed access changes), Landscape Officer (relating to the new planting scheme) and the Tree Officer. The updated recommendations were explained to the Committee- the recommendation was for refusal.

Public Speakers

Colin Robb- Cromer Town Council

Local Members

Cllr Boyle spoke in support of the application, noting the existence of commercial units at the premises, the shortage of available units in Cromer and the that potential tenants were already existing local businesses using local roads. Cllr Boyle stated she believed that the use was compliant with policies EC3 and EC5 and was pleased to note the improved access proposed. She noted that that area was well concealed and that the change would not be detrimental when compared to its current use.

Cllr Adams spoke in support of the application, noting the shortage of local premises and the fact that the existing site had not seen any issues with its use. He also referred to the changes to the application and that highways were now content with the access. He referred the Committee to the change to the speed limit in the area. He believed all outstanding matters could be dealt with by conditions and the benefits far outweighed the policy considerations.

Member debate

- a. Cllr Brown, Cllr Holliday, Cllr Toye, Cllr Fisher and Cllr Bayes expressed a need for further information including details of the economic benefits and the impact on businesses in the town through the sequential test. Cllr Brown proposed that the matter be deferred with the applicant being given 28 days to provide further information.
- b. Cllr Paterson and Cllr Hankins expressed the view that the Committee had sufficient information to make a decision.
- c. The ADP and the DM gave advice to the Committee, the ADP agreeing with the suggestion for a time limit for the applicant if the Committee was minded to defer and the DM suggesting to the Committee that to ensure a sound decision they needed to satisfy themselves that they had information on both sides of any matter to which they were giving weight.

Cllr Brown proposed and Cllr Holliday seconded that the application be deferred, with the applicant given 28 days to submit any further information, with the application being considered by the Committee at its August meeting.

IT **WAS RESOLVED** by 9 votes in favour, 2 votes against and 2 abstentions that

The application be deferred, with the applicant given 28 days to submit any further information, with the application being considered by the Committee at its August meeting.

9 LOWER BODHAM - PF/24/2705 - DEMOLITION OF WORKSHOP BUILDING AND ERECTION OF BUILDING FOR USE AS A LIVE/WORK UNIT, RECLADDING OF RETAINED STORAGE BUILDING, DEMOLITION OF OTHER STORAGE BUILDINGS AND ERECTION OF CART SHED AT OLD SCARFE BROTHERS WORKSHOP, CHURCH ROAD, LOWER BODHAM, HOLT, NR25 6PS

The SPO-JS took the Committee through the presentation, the Committee was provided with information including the site location and plan, elevations and photographs of the site. The main issues for consideration, being the principle of development and the design, appearance and effect on character, were brought to the Committee's attention. The recommendation was for refusal.

Public Speakers

JP Ringer- Bodham Parish Council
Alice Kemp (Applicant)

Local Member

Cllr Ringer spoke in support of the application, believing that the application complied with the aims of the NPPF and seeks to re-use existing brownfield land, supports a rural business in the countryside and proposes an off grid sustainable development. He noted the existing condition of the site and suggested that the development would improve the site and whilst noting the large size of the proposed building believed the building would sit low in the landscape. He concluded he was of the view that the application was well designed and that the balance was in favour of approval.

Members debate

- a. Members debated the 2 main issues. Members including Cllr Fitch-Tillett, Cllr Holliday and Cllr Brown expressed concern over the size and mass of the building, with Cllr Adams, Cllr Varley and Cllr Bayes expressing general support, citing reasons including the re-use of a brownfield site and the applications sustainability credentials.
- b. Cllr Paterson suggested that the matter be deferred to allow the applicant to provide information as to how the building would sit in the landscape and consideration of reducing the height of the ridgeline.
- c. The ADP summarised to the Committee the views that he had heard them express, namely that the Committee appeared more comfortable with the principle of development but had some concerns over the scale and mass of the

building. The ADP outlined a number of options available to the Committee, including refusal, approval, deferral or a site visit, suggesting that if the Committee was minded to defer, he understood that this would be to allow the applicant to provide information on the impact of the development on the landscape (landscape impact assessment) and consideration of the height and scale of the ridgeline in particular. The Chairman confirmed this to be his understanding of the debate.

- d. Cllr Adams asked for clarification as to what was hoping to be gained by any deferral. The DM expressed his understanding that it would be to obtain information that would allow the Committee to make a decision on what amounted to an appropriate scale of building on the site.

Cllr Paterson proposed and Cllr Fitch-Tillett seconded that the application be deferred to allow the applicant to provide a landscape impact assessment and for consideration to be given to the height and scale of the ridgeline. A deadline to be provided to the applicant to allow this matter to be reconsidered at the August meeting.

IT **WAS RESOLVED** by 8 votes in favour, 4 against with 1 abstention that

The application be deferred to allow the applicant to provide a landscape impact assessment and for consideration to be given to the height and scale of the ridgeline. A deadline to be provided to the applicant to allow this matter to be reconsidered at the August meeting

The meeting adjourned at 10.55 and recommenced at 11.10 am

10 FAKENHAM - PF/24/2184 - ERECTION OF TWO BUILDINGS FOR USE AS A RESTAURANT AND FARM SHOP, AND ASSOCIATED DEVELOPMENT INCLUDING A SEPARATE WC AND BAR, TWO POLYTUNNELS, CAR-PARKING, PATHS AND ACCESS AT SALMONDS LANE, THORPLAND, FAKENHAM, NORFOLK, NR21 0HB

PO-IM presented the report and brought the viability report circulated after the agenda was published to the attention of the Committee. The Committee was provided with information including the site location and plan, proposals, elevations and site access. Further information was provided about the main issues being the principle of development and location, sustainability and impact on the highways network. The recommendation was for refusal.

Public Speakers

Angela Glynn-Mayor of Fakenham
Jack Spencer Ashworth (Applicant)

Local Member

Cllr Cushing spoke in support of the application. He gave the Committee a history of the business, starting as a “pop-up” and that he wanted to see North Norfolk flourish and this business would provide additional employment opportunities and important farm diversification. In terms of policies, he believed that the application did or could comply with SS1 and SS2. He noted the huge support for the application in the town of Fakenham from residents, through to local Councillors. He noted the recent approval of fast food outlets in the town and urged the Committee to make a

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decision based on the greater good and approve the application.

Member Debate

- a. The Chairman, together with Cllr Paterson, Cllr Adams, Cllr Bayes, Cllr Hankins, Cllr Toye, Cllr Varley and Cllr Brown spoke against the recommendation, noting benefits of the development including important farm diversification, support from the local community, the need for rural business in rural areas, a pleasing design and the importance of the business for the farm sustainability.
- b. Cllr Ringer noted the issues and concern with the access for pedestrians and cyclists but did not believe that should prevent approval of the application.
- c. The DM noted the comments from the Committee and suggested that if they were minded to approve they may wish to consider whether they wished to ensure that the site didn't later develop into something they would not wish to see and how generally they may wish to control the development whilst benefitting the local economy.
- d. The ADP advised it would be possible to impose relevant conditions and create a link between the ownership of the farm and the development by way of a legal agreement, this would reflect the benefits that the Committee had raised in the debate and to which they were giving weight.

Cllr Fisher proposed and the Chair seconded the recommendation for **Refusal** of the application.

IT **WAS RESOLVED** by 1 vote in favour and 12 votes against

That the recommendation for refusal be rejected.

- e. Cllr Paterson suggested that the application be approved, noting the economic benefits of the scheme and following a request from the DM for clarification, confirmed that that it was noted that the development is outside policy but that the benefits outweigh that conflict.
- f. The ADP confirmed that his understanding was that the recommendation was that he be given authority to approve the application, subject to agreement of appropriate conditions and if necessary, a S.106 agreement, such conditions to include an ongoing link between the ownership of the farm and the business on the development site.

Cllr Paterson proposed, and Cllr Adams seconded that the ADP be given authority to approve the application, subject to agreement of appropriate conditions and if necessary, a S.106 agreement, such conditions to include an ongoing link between the ownership of the farm and the business on the development site

IT **WAS RESOLVED** by 12 votes in favour and 1 abstention

That the ADP be given authority to approve the application, subject to agreement of appropriate conditions and if necessary, a S.106 agreement, such conditions to include an ongoing link between the ownership of the farm and the business on the development site

The ADP left the meeting at 11.55

11 CROMER - PF/25/0724 - INSTALLATION OF 10 SHEDS (1.58M X 1.58M) ON TEMPORARY GARDEN PLOTS, ALLOTMENTS AT, CEMETERY, HOLT ROAD, CROMER

TPO-NW presented the report including providing the Committee with site location plan, photographs and details of the main issues. The recommendation was for approval.

Cllr Fitch-Tillett proposed and Cllr Brown seconded the recommendation that the application be approved subject to conditions detailed in the report and that the final wording of conditions and any other considered necessary be delegated to the ADP.

IT **WAS RESOLVED** by 12 votes in favour with 1 abstention

That the application be approved subject to conditions detailed in the report and that the final wording of conditions and any other considered necessary be delegated to the ADP

The ADP returned to the meeting at 12.05.

12 MHCLG CONSULTATION RESPONSE

The ADP provided the Committee details on the proposed response to the Government Consultation paper regarding the national scheme of delegation. He identified to the Committee that under the proposals there would be 2 types of planning applications, Tier A applications which would have to be dealt with by Officers and Tier B applications which would be dealt with by Officers unless the ADP and the Chair agreed to send it to Committee. He noted that all applications heard today by the Committee would be considered Tier A.

Cllr Adams and Cllr Brown, noted the proposals with concern and following a question from Cllr Fitch-Tillett the ADP confirmed the government timescale for introducing this new scheme of delegation was this year.

13 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

The DM presented the report to the Committee noting a slight dip in performance relating to non-major applications which was partly a result of the issues previously surrounding nutrient neutrality and associated delays.

14 APPEALS SECTION

The DM presented the report to the Committee and noted the delays with the Planning Inspectorate were particularly acute relating to enforcement decisions.

The meeting ended at 12.35 pm.

Chairman

BLAKENEY - PM/25/0651 - Details of appearance, landscaping, layout and scale: matters reserved under outline planning permission PO/24/2084 for erection of detached dwelling (self-build) at Land at Rear Of, Marigold, 61 New Road, Blakeney, Holt, Norfolk, NR25 7PA

Minor Development

Target Date: 29.08.2025

Extension of Time: 29.08.2025

Case Officer: Russell Stock

Reserved Matters

RELEVANT SITE CONSTRAINTS:

- The site is within the Blakeney and the Glaven Valley Conservation Areas
- The site lies within the Blakeney Settlement Boundary and Residential Area as defined within the Core Strategy
- The site lies within the Norfolk Coast National Landscape (Formally Area of Outstanding Natural Beauty (AONB))
- The site lies within various Zones of Influence for European Sites (GIRAMS)
- The site lies within a Sand and Gravel Mineral Safeguarding Area

RELEVANT PLANNING HISTORY:

PO/24/2084

Erection of detached dwelling (self-build) - outline with details of access only (all other matters reserved)

Approved 28.02.25

PF/24/1591

Reconfiguration of driveway including brick piers and gated entrance; Erection of carport/garage

Approved 12.09.24

PF/24/0906

Two/single storey rear extension to dwelling and front porch extension

Approved 18.06.24

THE APPLICATION

Site description:

The site lies to the rear of Marigold, no. 61 New Road, within the coastal village of Blakeney. Dwellings surround the site on all sides, those on the east and west separated by access tracks. The site was formally part of the garden for Marigold, however following works to that property, it has been separated by boundary fencing. Clearance of the site has occurred, whilst a few trees and hedges remain.

Proposal:

This application seeks approval for the reserved matters (appearance, landscaping, layout and scale) pursuant to outline permission PO/24/2084 which granted permission for a detached self-build dwelling at this site on the 28 Feb 2025.

REASONS FOR REFERRAL TO COMMITTEE:

The application has been referred to committee at the request of Cllr. Victoria Holliday for the following reasons:

“Application does not conform to Blakeney Neighbourhood Plan policies 7 (Improving the Design of New and Replacement Homes, the scale should be appropriate to the size of the plot) and 8 (Infill Development, development should not be unneighbourly).

It does not conform to NNDC Local Plan Policy EN 4 Design (proposals should not have a significant detrimental effect on the residential amenity of nearby occupiers)”

CONSULTATIONS:

Blakeney Parish Council: Object

North Norfolk District Council Conservation and Design Team: No objection, suggestions made

North Norfolk District Council Landscape Team: No objection, subject to conditions

REPRESENTATIONS:

Six received with **objections** on the following summarised grounds:

- The siting, in combination with the proposed windows along the northern boundary, would result in a loss of privacy for the occupants of adjoining dwelling 63 New Road.
- The siting and scale of the proposed dwelling would result in severe loss of light/sunshine, particularly during winter months, for no. 63 New Road.
- The shadow plans provided in support of the application are inaccurate and misleading.
- The overshadowing resulting from the proposed dwelling would impact upon the efficiency of no.63's solar panels.
- No topographic survey has been provided. This information is required in order to fully understand the impacts resulting from the proposed development.
- The amendments made to the design of the dwelling during the application would exacerbate the impacts upon no. 63 New Road.
- The siting and scale of the proposed dwelling would not comply with Policy EN 4 requirements in relation to design. It would not relate sympathetically to the surrounding area.
- Due to the proximity of the proposed dwelling to neighbouring properties, damage to buildings and trees outside the application site may occur.
- The development does not provide sufficient parking, which could lead to on-street parking.
- The development would result in the loss of a number of trees, replacement planting should be secured as part of any permission.

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 PLANNING POLICIES:

North Norfolk Local Development Framework Core Strategy (September 2008):

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 4: Environment

Policy SS 6: Access and Infrastructure

Policy HO 1: Dwelling Mix and Type

Policy HO 2: Provision of Affordable Housing

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

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

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

Policy EN 4: Design

Policy EN 6: Sustainable Construction and Energy Efficiency

Policy EN 8: Protecting and Enhancing the Historic Environment

Policy EN 9: Biodiversity & Geology

Policy EN 10: Development and Flood Risk

Policy EN 13: Pollution and Hazard Prevention and Minimisation

Policy CT 2: Developer Contributions

Policy CT 5: The Transport Impact of New Development

Policy CT 6: Parking Provision

Blakeney Neighbourhood Plan 2020-2040 (November 2023):

Policy 2: Managing Second Home Ownership

Policy 6: Design of Development

Policy 7: Improving Design of New and Replacement Homes

Policy 8: Infill Development

Policy 10: Drainage and flooding

Policy 11: Biodiversity and Accessibility

Policy 12: Dark Night Skies

Material Considerations:

Supplementary Planning Documents and Guidance:

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

National Planning Policy Framework (December 2024 + Feb 25 update):

Chapter 2: Achieving sustainable development
Chapter 4: Decision-making
Chapter 5: Delivering a sufficient supply of homes
Chapter 6: Building a strong, competitive economy
Chapter 8: Promoting healthy and safe communities
Chapter 9: Promoting sustainable transport
Chapter 11: Making effective use of land
Chapter 12: Achieving well-designed places
Chapter 14: Meeting the challenge of climate change, flooding and coastal change
Chapter 15: Conserving and enhancing the natural environment
Chapter 16: Conserving and enhancing the historic environment

Other material documents/guidance:

Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy - Habitats Regulations Assessment Strategy Document (2021)
Natural England's letter to local authorities relating to development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites (March 2022)
Technical housing standards – nationally described space standard (March 2015)
National Design Guide (2019)
Norfolk Coast National Landscape Management Plan 2019-2024

North Norfolk Emerging Local Plan

The Council's Emerging Local Plan was subject to a further round of examination in April 2025 and, following receipt of the Inspector's letter dated 08 May 2025, subject to completion of required Main Modifications, six-week public consultation (now commenced) and completion of any additional modifications, the plan is expected to be found sound and adopted in Autumn 2025. At this stage, whilst the Emerging Local Plan is capable of attracting some weight for decision making purposes, this would be considered "limited" at this stage.

OFFICER ASSESSMENT:

Main Issues:

1. Principle of development
2. Appearance
3. Landscaping
4. Layout and scale

1. Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case the Development Plan for the area consists of the North Norfolk Local Development Framework Core Strategy (2008) (Core Strategy), The Blakeney Neighbourhood Plan 2020-2040 (November 2023), and the Norfolk Minerals and Waste Local Plan 2023-2038 (May 2025)

At a national level, the National Planning Policy Framework (NPPF) constitutes guidance which the Local Planning Authority must have regard to. The NPPF does not change the statutory status of the development plan as the starting point for decision making, but is a material consideration in any subsequent determination.

This is a reserved matters application whereby the principle of residential development for a single detached self-build dwelling at this site was accepted and established under outline application PO/24/2084 which was granted planning permission on the 28 Feb 2025. Access was considered in detail at the outline stage, with all other matters reserved. The main planning considerations for this application are therefore whether the proposed housing development as set out in this reserved matters submission gives rise to a form of development appropriate in terms of its appearance, landscaping, layout and scale and is in accordance with the requirements of the outline planning permission.

2. Appearance

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, amongst other matters, to have regard to the North Norfolk Design Guide, make efficient use of land, be suitably designed within their context,.

Policy 6 of the Blakeney Neighbourhood Plan (BNP) states that all development will be expected, alongside other considerations, to deliver high quality design, be sensitive to the local character, reinforce a strong sense of place. Policy 7 of the BNP states that all new homes will be expected to be designed to a high standard and recognise and reinforce features and building materials reflecting the village style, and enhance the visual quality of the built environment.

The dwelling would appear fairly traditional in its appearance with the use of materials typical of the locality. This includes red brick, flint and clay pantiles. Amended plans received during the consideration of the application have satisfactorily addressed the Conservation Officer's comments regarding the initially proposed unbroken ridgeline.

A condition to ensure that materials used are as proposed is necessary, including a specific reference that flint inlays are to be used, rather than a pre-fabricated block. Subject to such a condition, the development would accord with the above noted policy requirements in respect to appearance.

3. Landscaping

Core Strategy Policy EN 1 states that development affecting the Norfolk Coast Area of Outstanding Natural Beauty (now National Landscape) should be appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area; not detract from the special qualities of the Norfolk Coast AONB; and seek to facilitate delivery of the Norfolk Coast AONB management plan objectives.

Core Strategy Policy EN 2 states that proposals should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment and features identified in relevant settlement character studies.

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, amongst other matters, to retain important landscape and natural features and incorporate landscape enhancements, incorporate footpaths and green links, ensure that parking is discreet and accessible and where possible, contain a mix of uses, buildings and landscaping.

Policy 6 of the BNP sets out that development should respect and be sensitive to the local character and natural assets of the surrounding area. Boundary treatments should reflect the distinct local character in relation to materials, layout, height and design. External Lighting should accord with the requirements listed.

Policy 7 of the BNP states that development should enhance the visual quality of the landscape and not have a significant detrimental impact on public amenity views of surrounding countryside and coastline or the special qualities of the National Landscape. Measures to limit light pollution impact should be taken.

Policy 8 of the BNP seeks to ensure that development would not detract from the National Landscape through scale, materials and design.

Policy 12 of the BNP states that all new developments should include a clear statement of intention in relation to minimising the impact of the development on light pollution. External lighting must demonstrate that it is necessary for safety and/or security reasons, rather than ornamental purposes. Residential development should be designed to minimise light pollution.

Located within the built-up part of Blakeney and sited within the former rear garden of 61 New Road, surrounded by residential properties, the proposed single storey dwelling itself would not adversely impact the special qualities of the National Landscape, as established as part of the outline permission. In order to minimise light spill occurring from the proposed development, which does include significant areas of glazing, the use of Visible Light Transmittance (VLT) glazing of no more than 0.65 is considered appropriate to be secured by condition. This would be consistent with the VLT conditions placed upon the approved extensions/alterations to no. 61 New Road itself. External lighting details are to be secured through condition as insufficient information has been provided to assess their acceptability against policy requirements at this stage.

The application site has largely already been cleared, and the development proposed would result in the loss of further trees within the site. For those trees/hedges which are to be retained, protection measures have been secured through condition 7 of the outline permission, following the consideration of the Arboricultural Impact Assessment submitted as part of that application. The plans submitted with this reserved matters application detail the location, species, size and number of replacement planting. The Landscape Officer is broadly content with the details provided. Conditions are recommended to secure the successful implementation and retention of the replacement/retained landscaping.

The proposed boundary treatments are considered acceptable having regard to the context of the site.

Subject to the conditions noted above, the development would accord with the relevant policy requirements of the Core Strategy and BNP in respect to landscaping matters.

4. Layout and Scale

Section 72(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 states that with respect to any buildings or other land within a conservation area, in the exercise of relevant functions under the Planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Core Strategy Policy EN 4 requires all development to be designed to a high quality, reinforcing local distinctiveness. Proposals should have regard to the North Norfolk Design Guide, make efficient use of land while respecting density, character, landscape and biodiversity of the area, be suitably designed for the context within which they are set and ensure that the scale and massing of the buildings relate sympathetically to the surrounding area.

Policy EN 8 of the Core Strategy states that development proposals should preserve or enhance the character and appearance of designated assets, historic buildings/structures, monuments, landscapes and their settings through high quality, sensitive design. Where required, development proposals affecting sites of known archaeological interest will be required to include an assessment of their implications and ensure that provision is made for the preservation of important archaeological remains. This policy also seeks to ensure that the character and appearance of Conservation Areas is preserved, and where possible enhanced, encouraging the highest quality building design, townscape creation and landscaping in keeping with these defined areas.

Policies 6, 7 and 8 of the BNP amongst other matters expect development to respect and be sensitive to local character, ensure that massing, height and scale is appropriate to the plot, preserve or enhance the Conservation Area, and provide sufficient refuse storage and car parking.

Occupying a backland location within the residential area of Blakeney the proposed dwelling would be accessed via a private drive which runs adjacent to Samphire Close, along the western side no. 61 New Road, with which it would share an access from New Road. Having an L-shaped footprint, with a driveway and parking area at the entrance into the main part of the site, the layout would be similar to other dwellings within the area and would be compatible with the local character.

The proposed dwelling would have an approximate maximum height of 5.6m, whilst the main ridgeline would measure approximately 5.1m. Occupying a backland location, adjacent to existing single storey dwellings, the modest height of the proposed dwelling is appropriate in the context. Taking up a reasonable proportion of the site, the dwelling would have a larger footprint than some of the surrounding dwellings. However, with sufficient external amenity space, the dwelling would not appear cramped or oversized for its plot.

The development would not harm the significance of the Blakeney Conservation Area, as confirmed by the Conservation Officer.

Whilst not demarcated on the plans, the drive and turning zone proposed would provide a sufficient area for the required two vehicular parking spaces in line with the Core Strategy's standards. A bin collection point is shown on the submitted site plan, however no storage area is shown. Given the distance between the dwelling and the collection point, likely beyond reasonable drag distances, it is necessary to secure further information about bin storage through condition in the interests of visual amenities.

Residential amenities

- Existing neighbouring properties

Policy EN 4 of the Core Strategy states that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers. Paragraph 135 of the NPPF states that developments should create places with a high standard of amenity for existing and future users.

Policy 6 of the BNP states that the massing, height, scale and proximity, of any proposed development should not result in an unacceptable loss of light or overshadowing, or other adverse amenity impacts on other properties.

Policy 8 of the BNP states that infill development should not be backland or unneighbourly development that requires unsuitable access, reduces the privacy of adjoining properties or is inconsistent with the character of the locality.

Paragraph 3.3.10 of the North Norfolk Design Guide states that residents have the right to adequate privacy levels, nor should new development lead to any overbearing impacts upon existing dwellings. Existing residents should also be kept free from excessive noise and unwanted social contact.

The most affected neighbouring property by the proposed development would be no. 63 New Road. This property, located to the north of the application site, is sited within a narrow plot, is single storey and has a number of windows facing south towards the application site. Historically, the application site was used as garden in association with no. 61, with the area closest to no. 63 used for growing fruit/vegetables. The boundary treatment between the site and this neighbour is a patchy hedge and wire fence.

As highlighted during the assessment of the outline application, the development's impact upon no. 63 is a key consideration. The applicant has chosen to pursue the dwelling in the location initially proposed. This would result in a separation distance between the proposed dwelling and no. 63 itself of 5.4m, with the proposed dwelling sited 3m from the boundary.

The application has been supported by shadow modelling along with Building Research Establishment (BRE) Daylight/Sunlight assessments. In relation to the impacts upon no. 63, an assessment of the vertical sky component (VSC) has been undertaken. This is a measure of the amount of diffuse daylight reaching a window. The BRE Guidelines stipulate that the diffuse daylighting of the existing building may be adversely affected if either:

- the VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value (or reduced by more than 20%), known as the "VSC test" or
- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value known as the "NSL test" (no sky line).

Additionally overshadowing, or loss of sunlight has been analysed using annual probable sunlight hours (APSH). This is a measure of how much sunlight the window can receive with and without the new development. The BRE Guidelines stipulate that the sunlight of an existing window may be adversely affected if the centre of the window:

- receives less than 25% of APSH, or less than 5% of annual winter probable sunlight hours between 21 September and 21 March (WPSH); and

- receives less than 0.8 times its former sunlight hours (or a 20% reduction) during either period; and
- has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

If one of the above tests is met, the dwelling is not considered to be adversely affected.

The BRE assessments show that both the tests for VSC (daylight) are passed – i.e. that the proposal would not result in adverse impacts. In respect to the three tests for APSH (sunlight), the modelling shows that the development would reduce the amount of sunlight the four tested windows at no. 63 would receive, and the second and third criteria above would not be passed. However, the first criteria would be passed, and by a reasonable margin, despite the reductions in sunlight that the development would result in. As noted in the guidance, provided that one of tests is met, the neighbouring dwelling would not be adversely affected.

The BRE guidelines are only guidance, however they are generally regarded as being the most appropriate tool for quantifying such impacts. Significant weight is given to the BRE assessment in the consideration of this application. Regard has also been given to the potential impacts from a 'permitted development' 2 metre high fence or outbuilding, as highlighted by the applicant within their submissions. Taking the above into account, in relation to overshadowing/loss of light, whilst no. 63 would experience notable reductions, such impacts are not considered to be 'adverse'. Consequently, the development would accord with the policy aims highlighted above.

Consideration has also been given to overbearing / overshadowing impacts upon the garden area for no. 63. Similar to the above, whilst the proposed development would have impacts in respect to these matters, they are not considered to be 'adverse'.

In relation to privacy, the proposal would result in two bedroom windows facing north towards no. 63, at a distance of 5.4m as noted above. No. 63 has a number of windows facing south, including those serving living rooms, kitchens/dining rooms etc. The North Norfolk Design Guide sets out that single and two-storey dwellings should provide 18m separation distance between windows such as these in order to ensure a degree of privacy for adjacent properties. At 5.4m, the proposals would fall significantly short of these standards. The bathroom, en-suite and utility room windows can be secured as obscure glazing given their purposes. Additionally, the high-level window proposed within the kitchen area would be at a level where views towards no. 63 would not be achievable.

A 2m high, solid boundary fence is proposed along the boundary with no. 63. This height of fence could also be erected by the applicant under their permitted development rights – as highlighted by the applicant. With such a boundary in place, direct intervisibility between the two dwellings would not be possible (window to window). A levels plan, showing existing and proposed ground and finished floor levels, remains to be submitted, secured by Condition 5 of the outline planning permission. This would ensure that the proposed dwelling was not sited at a level whereby overlooking could take place. A condition to remove permitted development rights for roof extension/alterations is required to prevent installation of windows/openings which may result in adverse privacy impacts. With a condition to secure the boundary fence, as well as removing certain permitted development rights, it is considered that the development would not result in adverse privacy impacts.

The proposed dwelling and fence would significantly alter the outlook from a number of windows within no. 63, as well as from within its external amenity space. However as noted above, the fence could be erected without the need for express planning permission, and whilst close, the separation distance between dwellings would provide a reasonable gap, with access to daylight remaining within acceptable levels as highlighted above.

There are a number of other dwellings surrounding the application site which would have their outlooks altered as a result of the proposals. Such changes to outlooks are considered acceptable, with separation distances sufficient to avoid any significantly adverse impacts upon amenities occurring.

The development would change the outlook, reduce sunlight and daylight for no. 63. It would also result in outlook changes for a number of other neighbouring properties. Critically however, the layout and scale of the proposal has demonstrated that it would not adversely affect the amenities of neighbouring dwellings. Consequently, compliance with the Core Strategy Policy EN 4 would be achieved, along with compliance with the relevant BNP policies which seek to safeguard existing residential amenities.

- Future occupiers

Policy EN 4 of the Core Strategy states that new dwellings should provide acceptable residential amenity. Paragraph 135 of the NPPF states that developments should create places with a high standard of amenity for existing and future users.

Policy 7 of the BNP states that new homes should provide appropriate private external amenity space.

Paragraph 3.3.9 of the North Norfolk Design Guide states that dwellings should include refuse disposal and recycling storage facilities, drying areas and access to outdoor amenity space. Internally, dwellings should have not less than 20 square metres of habitable floor area. Paragraph 3.3.10 states that private garden areas should be of adequate size and shape to serve their intended purpose. They should be substantially free from shading and are recommended to be of an area equal or greater than the footprint of the dwelling they serve.

The proposed dwelling would provide sufficient internal and external areas, in excess of those set out within the guidance noted above, for the future occupants. The BRE daylight/sunlight reports submitted also considered the amenities of the proposed dwelling, with all aspects passing the relevant tests.

The proposed development would provide high quality residential amenities for the future occupiers. The development would accord with relevant requirements of the Core Strategy, BNP and the guidance contained within the North Norfolk Design Guide.

5. Other matters

Habitat Regulations matters

The recreational impacts of the development on European sites was considered as part of the outline application and the relevant mitigation payment was received and an appropriate assessment produced with likely significant effects on protected sites able to be ruled out. Conditions attached to the outline permission in respect to GIRAMS continue to apply.

Energy

Policy EN 6 sets out that all new development would be required to demonstrate how it minimises resource consumption, minimises energy consumption, and how it is located and designed to withstand the impacts of climate change. All developments are encouraged to incorporate on site renewable and/or decentralised renewable or low carbon energy sources.

Policy 7 of the BNP expects new homes to incorporate, where appropriate, methods of energy generation, renewable and energy conservation.

Paragraph 166 of the NPPF requires that new development should comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the Applicant, having regard to the type of development involved and its design, that this is not feasible or viable.

The applicant has supported their application with an Energy Statement. This sets out the measures proposed to minimise energy consumption and CO2 emissions. In addition to the construction measures proposed, the development would be heated by Air Source Heat Pump (ASHP). Further details of the can be secured by condition to ensure amenities are safeguarded.

Subject to the above noted condition, the development would accord with the policies aims to reduce carbon emissions.

Sewage

Polices 6, 7 and 10 of the BNP seek to ensure that sewerage from new developments are appropriately managed, and where connection to the public sewer is proposed, sufficient capacity exists within the network to accommodate the additional flows.

The proposal seeks to connect to the mains/public sewer, which in this instance is treated at the Cley-Glandford Road Sewage Treatment Works (STW). Anglian Water in their letter to the Council in April confirmed that sufficient capacity exists at this STW to accommodate additional flows. No comments have been received from Anglian Water in relation to this specific development, with the scale of the proposal falling below their consultation threshold.

6. Planning balance/conclusion

The most relevant polices for determining the proposals are considered to be up-to-date and no material considerations have arisen which would suggest that a decision be made other than in accordance with the Development Plan. The proposed development as set out within this reserved matters submission has been found to be in accordance with the requirements of the outline permission, as well as the policies contained within the Development Plan. As such, the development should be approved as set out within the recommendation below:

RECOMMENDATION:

APPROVAL subject to the imposition of appropriate conditions including those summarised below (plus any amendments to these or other conditions considered to be necessary by the Assistant Director of Planning).

1. In accordance with approved plans
2. External Materials
3. Hard and Soft Landscaping
4. Boundary Treatments – small mammal gaps
5. External Lighting
6. VLT Glazing
7. Air Source Heat Pump details
8. Vehicle Parking

9. Cycle Parking
10. Bin Storage
11. Obscure Glazing
12. Removal of Permitted Development Rights (Class B and C of Part 1 of Schedule 2)

BLAKENEY – PF/25/0522 – Demolition of two-storey dwelling and erection of replacement two-storey dwelling (part-retrospective) at 8 Langham Road, Blakeney, Holt, Norfolk, NR25 7PG

Minor Development

- Target Date: 15th May 2025

Extension of time: N/A

Case Officer: Colin Reuben

Full Planning Permission

RELEVANT SITE CONSTRAINTS

Within a Settlement Boundary (Blakeney)

Within a Residential Area

Within the Norfolk Coast National Landscape

Landscape Character Area – Rolling Heath and Arable

RELEVANT PLANNING HISTORY

Ref	PF/23/1577
Description	Installation of two dormer windows (front and side), enlargement of first floor rear windows and rendering of property
Outcome	APP - Approve
Ref	RV/23/2332
Description	Installation of two dormer windows (front and side), enlargement of first floor rear windows and rendering of property without complying with condition 2 (approved plans) of planning permission PF/23/1577 to allow for amendments to approved design
Outcome	APP - Approve
Ref	RV/24/1921
Description	Installation of two dormer windows (front and side), enlargement of first floor rear windows and rendering of property without complying with condition 2 (approved plans) of planning permission RV/23/2332 (variation of PF/23/1577) to allow further amendments to approved design
Outcome	APP - Approve

THE APPLICATION

The application seeks to erect a two-storey dwelling to replace an existing two-storey dwelling which has already been demolished and part-rebuilt – this follows the approval of three previous applications on the site, one to extend the existing dwelling and two subsequent applications to vary the design. The site lies along the west side of Langham Road which is lined with residential properties, within the development boundary of Blakeney. The village centre lies further to the north, with neighbouring dwellings to the north and west, a doctor's surgery to the south, dwellings opposite along the east side of Langham Road.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr V Holliday for the following reasons:

"I do not think this complies with Policy EN4. This will have detrimental effect on the residential amenity of nearby occupiers, blocking light from the southern elevation of the house to the north (which I understand includes a bedroom window). It doesn't seem to comply with the North Norfolk Design Guide which says (page 21) that the distance between secondary elevations to blank should be (at least) 8.5m - this does not appear to be the case from the plans.

There is concern about the general bulk being over-powering and the roof height being higher than adjacent properties.

I have concerns with this application complying with Policy CT6 in that the parking layout is unrealistic and therefore inadequate for the number of bedrooms".

PARISH/TOWN COUNCIL

Cley Parish Council - Comment, raising the following matters:

- This property has shown a complete abuse of the planning system, and contempt of the entire planning process.

CONSULTATIONS

None

REPRESENTATIONS

To date, **one** public **objection** has been received raising the following concerns (summarised):

- the new building's bulk and appearance are completely out of proportion compared with neighbouring properties.
- object to the new roofline because of its intimidating height and overbearing nature.

HUMAN RIGHTS IMPLICATIONS

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

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

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

CRIME AND DISORDER

The application raises no significant crime and disorder issues.

EQUALITY AND DIVERSITY ISSUES

The application raises no significant equality and diversity issues.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application.

Local finance considerations are not considered to be material to this case.

RELEVANT POLICIES

North Norfolk Core Strategy (adopted September 2008)

SS 1 - Spatial Strategy for North Norfolk

SS 3 – Housing

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

CT 6 – Parking provision

Material Considerations:

Blakeney Neighbourhood Plan (2023)

Policy 2 – Managing Second Home Ownership

Policy 6 – Design of Development

Policy 7 – Improving the Design of New and Replacement Homes

Policy 9 – Existing Dwelling Replacement

Policy 12 – Dark Night Skies

National Planning Policy Framework (NPPF) (2024)

Chapter 4 – Decision-making

Chapter 12 – Achieving well-designed places

Chapter 15 – Conserving and enhancing the natural environment

North Norfolk Emerging Local Plan

The Council's Emerging Local Plan was subject to a further round of examination in April 2025 and, following receipt of the Inspector's letter dated 08 May 2025, subject to completion of required Main Modifications, six-week public consultation and completion of any additional modifications, the plan is expected to be found sound and adopted in Autumn 2025. At this stage, whilst the Emerging Local Plan is capable of attracting some weight for decision making purposes, this would be considered "limited" at this stage and, in any event, there are no specific proposed new policies that would lead to a materially different planning outcome than the policies within the existing Core Strategy documents.

OFFICER ASSESSMENT

Main issues for consideration:

- 1. Principle of Development and Site History**
- 2. Design**
- 3. Residential Amenity**
- 4. Landscape Impact**

5. Parking

1. Principle of Development and Site History

The site lies within the Development Boundary of Blakeney (Policy SS1) and designated Residential area (Policy SS 3) where extensions and alterations to existing dwellings, along with the replacement of existing dwellings, are considered to be acceptable in principle. The site has benefitted from three previous planning consents as follows:

- PF/23/1577 – Installation of two dormers (front and side), enlargement of first floor rear windows and rendering of property
- RV/23/2332 - Installation of two dormers (front and side), enlargement of first floor rear windows and rendering of property without complying with condition 2 (approve plans) of planning permission PF/23/1577 to allow for amendments to approved design – this allowed the north extension not be extend in length along with the addition of rooflights and internal layout changes
- RV/24/1921 - Installation of two dormers (front and side), enlargement of first floor rear windows and rendering of property without complying with condition 2 (approve plans) of planning permission RV/23/2332 to allow further amendments to approved design - Removal of dormer window and raising of eaves on the north elevation; Reconfiguration of the south elevation including removal of dormer, part raising of eaves but reduction in roof height, replacement of two-storey gabled extension with a two-storey mono-pitch extension and a further single-storey extension, along with porch canopy; and Minor alterations to fenestration on east and west elevations.

Following the continuation of works on the site, it transpired that the entire property had been demolished, resulting in unauthorised works which were not in accordance with the most recent planning approval (ref: RV/24/1921). It was therefore necessary for the applicant to submit a full planning application to regularise the situation. The application, rather than being extensions and alterations to an existing property, is therefore for the full replacement of the previously existing dwelling. However, as the property lies within the Development Boundary of Blakeney, this does not alter the acceptability of the development which would remain compliant with strategic policies SS 1 and SS 3 of the Core Strategy and Policy 2 of the Neighbourhood Plan.

2. Design

In terms of the design, a couple of further minor alterations have been made to the scheme as approved under RV/24/1921 which include:

- The addition of external brick and flint rather than render;
- Minor alterations to fenestration to the side and rear;
- Addition of chimney to the rear; and
- A further small extension to the front to enclose a porch area and create a first floor ensuite.

Given that there is a wide mix of materials in the locality, the use of brick and flint rather than render is considered to be acceptable, noting that the previously existing property consisted of brick. The further extensions, whilst contributing to an additional size increase, are considered to be relatively minor in the context of what has been previously approved. The fenestration alterations are again very modest and largely confined to the side and rear of the property, whilst the chimney similarly raises no concerns.

Accordingly, the additional design alterations are considered to be acceptable and compliant with Policy EN 4 of the Core Strategy and Policies 6, 7 and 9 of the Neighbourhood Plan.

3. Residential Amenity

In terms of amenity, there have been concerns raised in regard to the proximity of the new property to the south-facing first floor side window of the neighbouring property. With the new property having almost been completed, it has become clear that this relationship is close, and it is likely this has resulted in some moderate loss of light to the neighbour's first floor window, though not fully. It is understood from the applicant that this is an unobscured bathroom window, however the local planning authority cannot be certain on this point so have assessed this window as potentially serving a primary or secondary living space. Nevertheless, given that the new dwelling is set slightly further back from the neighbouring dwelling and given angle of the new roof, it is considered that the neighbour's window would still benefit from sunlight. It is also reiterated that this is a situation which was accepted under the previously approved application (with no objections raised at the time), and the current application does not alter the amenity situation, the only difference being that the project now constitutes a rebuild rather than an extension, with the end result being the same. This being the case, it is considered that refusal of the current application on amenity grounds could not be justified.

It is also accepted that the replacement dwelling has a bulkier appearance and greater scale than the previously existing dwelling. Whilst the overall ridge height of the main section of the property has not changed, the eaves height has increased in part but again, this is no different from the previous approved application. Given that much of the new dwelling would be in line with the neighbouring property and outbuildings, it is considered that this would not result in a significantly overbearing development or adverse amenity impacts.

Accordingly and on balance, it is considered that in respect of amenity, the proposed development complies with the requirements of policy EN 4 of the Core Strategy and policies 6, 7 and 9 of the Neighbourhood Plan.

4. Landscape Impact

As the property lies within a residential area of Blakeney and between existing buildings, it is considered that the development would not have any wider detrimental landscape impact. Accordingly, it is considered that proposed development complies with the requirements of Policies EN 1 and EN 2 of the Core Strategy and Policies 6, 7 and 9 of the Neighbourhood Plan.

5. Parking

The parking situation on the site remains unchanged – the number of bedrooms, compared to the previous existing dwelling, remains the same (a 4-bed property) and as such, there is no requirement for any additional parking on site, and the number of on-site parking spaces has not reduced. Accordingly, there are no concerns in regard to Policy CT 6 of the Core Strategy and Policy 7 of the Neighbourhood Plan.

Planning Balance and Conclusion

It is clear that the development has evolved to the point where the situation has necessitated the rebuilding, rather than extension of, the existing property. However, as explained above, the principle of development remains acceptable. The relationship with the neighbouring property is to an extent uncomfortable, however, it is not considered that any impact in terms of loss of light and being overbearing, would be significantly detrimental. It also has to be acknowledged that, with the exception of the additional small extensions and fenestration alterations, this has been accepted under the previously approved application, with no objections. The overall design and appearance of the property is acceptable, and no alterations are proposed to the on-site parking arrangements.

It is therefore concluded that, subject to conditions, the proposed development is considered to be acceptable and compliant with the relevant Development Plan policies as outlined above.

RECOMMENDATION:

APPROVAL subject to conditions relating to the following matters:

- Accordance with approved plans
- Materials as submitted
- Removal of permitted development rights

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

REPORT: Development Committee Processes Update	
Executive Summary	This report focussed on a review of the 'Call-In Form Process' that results in items being 'tabled' for 'decision' by Development Committee.
Options considered	This report does not consider options (with the exception of 'not doing' the elements proposed at paragraph 2.10).
Consultation(s)	The main contents of the report have been discussed with the Portfolio Holder for Planning and Enforcement and the Development Committee Chair.
Recommendations	That the new version of the Call In Form (at Appendix 1) be agreed for use from 1 st September 2025.
Reasons for recommendations	The recommendation sets out the proposed outcome of a review of the Call In Form process that has taken place (i.e. 12 months after the matter was discussed at Committee on 25 th July 2024).
Background papers	<p>Planning Service Improvement Update Report – Development Committee – 25th July 2025.</p> <p>Cal In Form and Guidance Note (sent weekly to all councillors within an email containing the 'weekly list' of (planning) applications validated).</p>

Wards affected	All
Cabinet member(s)	Cllr Andrew Brown
Contact Officer	Russell Williams

Links to key documents:	
Corporate Plan:	Customer Focus
Medium Term Financial Strategy (MTFS)	No direct links to the MTFS
Council Policies & Strategies	Not applicable

Corporate Governance:	
Is this a key decision	No
Has the public interest test been applied	N/A
Details of any previous decision(s) on this matter	None

1. Purpose of the report

- 1.1 This report looks at the current 'Call In Form' process started from 1st September 2025 – following agreement at Committee on 24th July 2025.
- 1.2 The process was introduced to ensure consistency, make the process more transparent and to ensure there is a published reason as to why matters are 'Called In' and by whom.
- 1.3 A year on the process has been reviewed and it is recommended that the Council should continue with the 'Form' – but with some minor changes being made to it and the accompanying 'Guidance Note'.
- 1.4 The issue is covered in a more detail in Section 2 of this report.
- 1.5 It should be noted that work is underway on reviewing the Council's Constitution and a new version is likely to be discussed at Council in the coming months. While the 'Planning' section of the Constitution may well change – it is not anticipated that it will be amended in a manner that fundamentally changes the rules around what applications are - and aren't – considered by Committee. Therefore it is not anticipated that the new Constitution will have any bearing on this process.
- 1.6 However – the position with the proposed 'National Scheme of Delegation' may well be different – as the consultations that have taken place on that suggest that the Government are likely to mandate a new system is introduced that would remove any involvement of local councillors, town or parish councils or local people in determining or influencing what goes to Committee. This matter was most recently discussed at Development Committee on 27th June 2025 (see [Dev Comm MHCLG Consultation Papers](#)). For the avoidance of doubt, the Council is opposed to the reduction of local democratic involvement in the process that the Government appears to be intent on introducing. If a 'national scheme' is introduced, then it will supplant the Council's Constitution as it relates to this matter and would probably mean that the Call In Form would be redundant from that point onwards.

2. Substance of Report

- 2.1 The current system has been in effect since 1st September 2024.
- 2.2 It basically means that whoever wishes to 'call a matter' in to Development Committee has to fill in a set form and submit it centrally to Council Officers. Council Officers then complete the form and – if necessary – share drafts of it with the person who initially filled it in. When it is finalised it is published on the Council web-site and parts of it are included within the subsequent Committee Report (including the full text of the 'reason' for the Call In).
- 2.3 Every week, all Councillors are sent a 'Weekly List' of newly 'validated' applications, a copy of the Form and a copy of the Guidance Notes. Councillors can also use the form through the 'consideration' period of the application.

- 2.4 For the avoidance of doubt, if a Councillor wishes to Call In an application, then they can do so providing the request accords with the Constitution – i.e. officers do not have the ability to ‘over-rule’ the Councillor due to possible concerns about the quality of the reason given.
- 2.5 For the period 1st September 2024 to 31st July 2025 (i.e. 11 months) the following statistics have been extracted from our records:
- 40 forms have been received
 - Nearly a third of them have been submitted by Officers (i.e. mainly the Assistant Director for Planning)
 - 21 different councillors have submitted at least one form
 - No councillor has called in more than three applications
 - 51 applications have been considered by Committee in that same 11 month period.
- 2.6 While records haven’t been kept on this matter, Officers are of the view that in about half the cases where a councillor has submitted the form, they have gone back to the councillor to query something about the form (e.g. to suggest the reason could be a bit clearer or that it could be shortened (e.g. with the longer version submitted as a representation). But in all those cases, agreement has easily been reached and the point about the councillor having primacy in the matter is clear (see paragraph 2.4 above).
- 2.7 It is also clear that councillors can choose to complete the form in a manner where they effectively ‘pre-determine’ their position on the application – but they can also choose a neutral form of wording which means that they haven’t pre-determined their position e.g. there is a big difference between submissions using wording such as *“I support this application because (etc)”* and *“I believe Committee should be asked to consider the compatibility of this proposal with Policy X .. (etc)”*.
- 2.8 Officers are of the view that the new system works reasonably well and should remain in place. It is certainly helping the Council achieve the aims set out in paragraph 1.2 above (i.e. consistency, transparency and having a published reason as to why matters are ‘Called In’ and by whom).

2.9 Officers would though suggest a few minor alterations to the form. These are all shown in **yellow** highlight on the form at **Appendix 1**. The Committee could choose not to make them – or to make other changes. They can be summarised as:

- Updates relating to some amendments to job titles;
- Adding in reference to the fact that our Development Manager can now also call matters in – as recently authorised by the Director for Service Delivery;
- Inclusion of two additional questions in the ‘office completion’ section – to record which officer finalised the form and that the form meets the provisions of the constitution; and,
- Explaining more clearly how the answer to the ‘Next Available Committee’ should be interpreted.

2.10 Officers have also reviewed the Guidance Notes (see **Appendix 2**) and do not believe that they require any amendment at this time. However, if the Constitution is amended, then the section on the final page starting ‘Part 5 ...’ that is followed by a list of eleven issues will almost certainly be out-of-date – even if, just, by referring to the wrong page numbers. Officers will ensure that section is updated - in the light of any new Constitution – i.e. to ensure it refers to the correct pages, titles and / or issues.

3. Corporate Priorities

3.1 The topic covered by this Report closely relates to parts of ‘A Strong, Responsible and Accountable Council’ Priority of the Corporate Plan 2023-2027.

[Note: Sections 4 and 5 are shortened versions of the relevant sections from the last time the Call In Form was reported to Committee. The Assistant Director for Planning has taken the view that there aren’t any material changes since then that would necessitate – or make useful - a new consultation with those two senior officers]

4. Financial and Resource Implications

4.1 There are no direct financial implications resulting from this report.

Comments from the S151 Officer:

There are no direct financial implications arising from this paper

5. Legal Implications

- 5.1 While there are not thought to be any legal implications directly associated with this report, there would be implications – and potentially significant one's – if the Government bring forward mandatory changes to how our Development Committee – and planning decision making – processes operate.

Comments from the Monitoring Officer

This report sets out a proposed procedure around planning committee and related decision making.

6. Risks

- 6.1 There are not thought to be any risks associated with this report as it does – effectively – advocate the continuation of a system that has been in place since September 2024.

7. Net Zero Target

- 7.1 No implications for this update report.

8. Equality, Diversity & Inclusion

- 8.1 No impact identified with this update report.

9. Community Safety issues

- 9.1 No impact on community safety issues with this update.

10. Recommendations

- 10.1 It is recommended that:
- the new version of the Call In Form (at **Appendix 1**) be agreed for use from 1st September 2025.

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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. **in relation to** their interest to the application) then a councillor from an adjacent ward;
- the Council's Director for **Service Delivery**;
- the Council's Assistant Director **for** Planning;
- **the Council's Development Manager**; or
- the Council's Monitoring Officer

All completed forms will be added to the publicly accessible application file and where items go to Committee the information from the last four questions (in blue) will be included in a '*Reasons for the Item being on the Committee Agenda*' section of the relevant Committee report.

Application Reference No	
Application Address	
Application Description	
Date public consultation period finishes:	
Planning / Constitutional Grounds for Call In	
Form Completed By (Name)	
Date Form Submitted	
Role of Person Completing Form (circle and complete as appropriate) <i>*Add a reason / justification if 'Adjacent Ward Member' is the option circled</i>	Ward Member / Adjacent Ward Member* / Senior Officer

For office completion only			
Date Application Validated:		Initial Determination Target Date:	
In accordance with the Constitution:		Officer finalising form:	
Next Available Committee (see note 1):		Number of Forms Submitted by Individual in Municipal Year:	

Note 1: The date entered here is the earliest Committee date that the matter might be considered at – it doesn't mean it will definitely be considered on that date. The Committee papers for Development Committee are available at [Development Committee Meeting Papers](#) and are always published a week before the meeting (e.g. on a Wednesday 8 days before a Thursday Committee meeting).

Completed forms must be submitted to: planning@north-norfolk.gov.uk. Please use "Call-In of Application to Committee" as the 'Subject' for the email.

Explanatory Notes to Assist Development Committee Call In 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 – 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 25th 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.

DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – 21 Aug 2025

1. INTRODUCTION:

- 1.1 This report briefly sets out performance in relation to the determination of planning applications in Development Management the period **July 2025**.
- 1.2 This report sets out the figures for the number of cases decided and percentage within time set against the relevant target and summary of 24-month average performance.
- 1.3 The tables also set out the percentage of the total number of decisions made that are subsequently overturned at appeal as 24-month average performance.
- 1.4 In addition, the tables set out the number of cases registered and validated within the specified months.

Performance Measure	Actual Performance	Target	Comments
(Speed) Decisions Made (Period July 2025)	Major 3 decisions issued <i>100% within time period</i>	60% (80% NNDC)	24 month average to 31 July 2025 is 98.00% 
	Non-Major 62 decisions issued <i>97% within time period (2 cases over time)</i>	70% (90% NNDC)	24 month average to 31 July 2025 is 96.00% 
(Quality) % of total number of decisions made that are then subsequently overturned at appeal	Major	10% (5% NNDC)	24 month average to 31 July 2025 is 1.52% (one case RV/22/1661) 
	Non-Major	10% (5% NNDC)	24 month average to 31 July 2025 is 0.88% 

Performance Measure	Actual Performance	Target	Comments
Validation (Period July 2025)	Information not currently available for this period	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 five S106 Obligations being progressed.

3. RECOMMENDATIONS:

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

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OFFICERS' REPORTS TO DEVELOPMENT COMMITTEE 21-August-2025

*Appeals Information for Committee between
15/07/2025 and 08/08/2025*

APPEALS SECTION

INQUIRIES AND HEARINGS - IN PROGRESS

LUDHAM - PF/23/0861 - Change of use of land for the formation of 1 Gypsy/Traveller pitch comprising the siting of 1no. Mobile Home, and 1no. Portacabin for ancillary residential use, associated hardstanding and fencing and installation of a sealed septic tank (part retrospective)

Malthouse Corner, Malthouse Lane, Catfield, Great Yarmouth, Norfolk, NR29 5AE

For Mr Tom Harber

INFORMAL HEARING – HELD ON 12 AUGUST 2025

Appeal Start Date: 06/05/2025

Appeal Decision:

Appeal Decision Date:

WRITTEN REPRESENTATIONS APPEALS - IN HAND

CATFIELD - CL/24/1249 - Lawful Development Certificate for existing use of land as residential garden

Fenview, 3 Fenside Cottages, Fenside, Catfield, Great Yarmouth, Norfolk, NR29 5DD

For Mr J Amos

WRITTEN REPRESENTATION

Appeal Start Date: 12/12/2024

Appeal Decision:

Appeal Decision Date:

COLBY AND BANNINGHAM - PF/22/1068 - Demolition of existing buildings and erection of single storey detached dwelling

Ambrose House , Mill Road , Banningham, Norfolk, NR11 7DT

For Mr Matthew Ambrose

WRITTEN REPRESENTATION

Appeal Start Date: 11/02/2025

Appeal Decision:

Appeal Decision Date:

CROMER - PF/24/1536 - Replacement of 2 No. first floor windows with Upvc double glazed windows on rear elevation (retrospective)

Flat 2, Shipden House, High Street, Cromer, Norfolk, NR27 9HG

For Mr Stuart Parry

WRITTEN REPRESENTATION

Appeal Start Date: 12/12/2024

Appeal Decision:

Appeal Decision Date:

CROMER - LA/24/1384 - Replacement of 2 No. first floor windows with Upvc double glazed windows on rear elevation (retention of works already carried out)

Flat 2, Shipden House, High Street, Cromer, Norfolk, NR27 9HG

For Mr Stuart Parry

WRITTEN REPRESENTATION

Appeal Start Date: 12/12/2024

Appeal Decision:

Appeal Decision Date:

EAST RUSTON - PF/24/0556 - Change of use of building from office and store to a single dwellinghouse (Class C3)

Crosswinds, Grub Street, Happisburgh, Norwich, Norfolk, NR12 0RX

For Philip Buskell

WRITTEN REPRESENTATION

Appeal Start Date: 25/04/2025

Appeal Decision:

Appeal Decision Date:

EDGEFIELD - PP/24/2388 - Permission in principle for development of up to 5 custom and self-build dwellings (as a phased development)

Land North Of Plumstead Road, Edgefield, Norfolk, NR24 2RN

For Mr Charlie De Bono

WRITTEN REPRESENTATION

Appeal Start Date: 09/07/2025

Appeal Decision:

Appeal Decision Date:

FELMINGHAM - PF/22/0213 - Proposed Demolition of Single Storey Link Blocks and Conversion of Existing Care Home into 16 No. Residential Apartments

The Old Rectory, Aylsham Road, Felmingham, North Walsham, Norfolk, NR28 0LD

For Mr Paul Bartholomew

WRITTEN REPRESENTATION

Appeal Start Date: 02/06/2025

Appeal Decision:

Appeal Decision Date:

GUNTHORPE - PU/25/0893 - Change of use of agricultural building to 1 dwellinghouse (Class C3) and building operations reasonably necessary for the conversion

Agricultural Barn, Clip Street, Bale, Norfolk

For Mr Ben Carter

WRITTEN REPRESENTATION

Appeal Start Date: 07/07/2025

Appeal Decision:

Appeal Decision Date:

MELTON CONSTABLE - EF/23/2472 - Lawful Development Certificate for proposed conversion of loft to bedroom and installation of rooflights

Sloley House, 27 Briston Road, Melton Constable, Norfolk, NR24 2DG

For Mr & Mrs Dean & Sonia James

WRITTEN REPRESENTATION

Appeal Start Date: 18/11/2024

Appeal Decision:

Appeal Decision Date:

SHERINGHAM - PF/24/0476 - Erection of a single storey detached dwelling with rooms in the roof space and associated works.

Land North Of East Court , Abbey Road, Sheringham, Norfolk
For GSM Investments Ltd
WRITTEN REPRESENTATION

Appeal Start Date: 31/10/2024
Appeal Decision:
Appeal Decision Date:

SMALLBURGH - PF/22/1697 - Erection of single storey building for use as holiday accommodation on site of existing tennis court

Smallburgh Hall, Hall Drive, Smallburgh, Norwich, Norfolk, NR12 9FW
For Mr Garry Coaley
WRITTEN REPRESENTATION

Appeal Start Date: 11/12/2024
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:

TRUNCH - PO/24/0716 - Construction of 6no self-build dwellings (outline with details of access only)

Land Off Bradfield Road, Trunch, North Walsham, NR28 0QL
For Miss Ruth Hicks and Mrs Rachel Cook
WRITTEN REPRESENTATION

Appeal Start Date: 07/07/2025
Appeal Decision:
Appeal Decision Date:

TUNSTEAD - PF/24/0665 - Erection of 3 single storey dwellings with attached garages; new vehicular access to Market Street; associated external works

Land To The East Of Market Street , Tunstead, Norfolk
For Broadleaf Group Ltd.
WRITTEN REPRESENTATION

Appeal Start Date: 07/05/2025
Appeal Decision:
Appeal Decision Date:

APPEAL DECISIONS - RESULTS AND SUMMARIES

CROMER - PF/24/1206 - Single storey rear extension to dwelling

27 Shipden Avenue, Cromer, Norfolk, NR27 9BD

For Mr Andrew Crane

FAST TRACK - HOUSEHOLDER

Appeal Start Date: 22/11/2024

Appeal Decision: Appeal Dismissed

Appeal Decision Date: 24/07/2025

HOLT - PF/24/1401 - Change of use from garage and first floor offices to dwelling (retrospective)

The Gatehouse, The Grove, Cromer Road, Holt, Cromer, Norfolk, NR25 6EB

For Jamie Rennie

WRITTEN REPRESENTATION

Appeal Start Date: 02/04/2025

Appeal Decision: Appeal Dismissed

Appeal Decision Date: 24/07/2025

RAYNHAM - TW/24/0784 - T1 & T2 - Cherry Tree - Take down leaving only Stump T3 - Whitebeam - Reduce width to 4m and height to 7m

19 Earl Of Bandon Avenue, West Raynham, Fakenham, Norfolk, NR21 7DQ

For Miss Stephanie Inns

WRITTEN REPRESENTATION

Appeal Start Date: 30/09/2024

Appeal Decision: Appeal Allowed

Appeal Decision Date: 23/07/2025

SHERINGHAM - PF/24/1827 - Change of use of ground floor former shop (Class E) to hot food takeaway (no specified use class), installation of extraction and ventilation equipment; external alterations

10 Church Street, Sheringham, Norfolk, NR26 8QR

For Pegasus N/A

WRITTEN REPRESENTATION

Appeal Start Date: 14/03/2025

Appeal Decision: Appeal Allowed

Appeal Decision Date: 24/07/2025

STODY - PF/24/1219 - Erection of 4no. two storey self build dwellings and creation of new access (self build)

Land Adjacent To Bertha Bloggs Cottage, King Street, Hunworth

For Mr David Moore

WRITTEN REPRESENTATION

Appeal Start Date: 04/04/2025

Appeal Decision: Appeal Dismissed

Appeal Decision Date: 24/07/2025

SWAFIELD - PF/24/2625 - Change of use of detached outbuilding to B&B/holiday let (retrospective)

Lilac Cottage, Knapton Road, Swafield, North Walsham, Norfolk, NR28 0RP

For Mr Mark Short

WRITTEN REPRESENTATION

Appeal Start Date: 16/05/2025

Appeal Decision: Appeal Dismissed

Appeal Decision Date: 01/08/2025

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

For Mr Robert McNeil-Wilson

WRITTEN REPRESENTATION

Appeal Start Date: 03/02/2025

Appeal Decision: Appeal Dismissed

Appeal Decision Date: 23/07/2025

Total Number of Appeals listed: 22

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**OFFICERS' REPORTS TO
DEVELOPMENT COMMITTEE (ENFORCEMENTS)**

*Appeals Information for Committee between
15/07/2025 and 08/08/2025*

21-August-2025

APPEALS SECTION

INQUIRIES AND HEARINGS - IN PROGRESS

CATFIELD - ENF/22/0259 - Use of land for residential purposes

Caravan On, Malthouse Lane, Catfield, Great Yarmouth, Norfolk, NR29 5AE

INFORMAL HEARING – HELD ON 12 AUGUST 2025

Appeal Start Date: 30/04/2025

Appeal Decision:

Appeal Decision Date:

WRITTEN REPRESENTATIONS APPEALS - IN HAND

BLAKENEY - ENF/24/0158 - Change of use of the land for the siting of a static caravan

Villeroche, Langham Road, Blakeney, Holt, Norfolk, NR25 7PW

WRITTEN REPRESENTATION

Appeal Start Date: 26/02/2025

Appeal Decision:

Appeal Decision Date:

CROMER - ENF/24/0079 - Two twelve-light windows have been replaced with uPVC windows in Grade II listed building

Flat 2, Shipden House, High Street, Cromer, Norfolk

WRITTEN REPRESENTATION

Appeal Start Date: 19/02/2025

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:

HOLT - ENF/24/0026 - Material change of use of the land for the siting of shipping containers.

Oakhill House, Thornage Road, Holt, Norfolk, NR25 6SZ

WRITTEN REPRESENTATION

Appeal Start Date: 06/02/2025

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:

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:

APPEAL DECISIONS - RESULTS AND SUMMARIES

ROUGHTON - ENF/24/0060 - Siting of caravans for residential purposes, storage of scrap vehicles and scaffold poles.

Fern Bank, Carr Lane, Roughton, Norwich, Norfolk, NR11 8PG

WRITTEN REPRESENTATION

Appeal Start Date: 12/05/2025

Appeal Decision: Appeal Dismissed

Appeal Decision Date: 31/07/2025

Total Number of Appeals listed: 9