

# Development Committee



**Please contact:** Linda Yarham

**Please email:** [linda.yarham@north-norfolk.gov.uk](mailto:linda.yarham@north-norfolk.gov.uk) Direct Dial: 01263 516019

**TO REGISTER TO SPEAK PLEASE CALL 01263 516150**

4 September 2019

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices, Holt Road, Cromer, NR27 9EN** on **Thursday, 12 September 2019** at **9.30 am**.

Coffee will be available for Members at 9.00am and 11.00am when there will be a short break in the meeting. A break of at least 30 minutes will be taken at 1.00pm if the meeting is still in session.

Any site inspections will take place on **3 October 2019**.

## **PUBLIC SPEAKING – REGISTRATION IS STRICTLY BY TELEPHONE ONLY**

Members of the public who wish to speak on applications must register **by 9 am on Tuesday 10 September 2019** by telephoning **Customer Services on 01263 516150**. We do not accept requests by email or on any other number. Please read the information on the procedure for public speaking on our website [here](#) or request a copy of "Have Your Say" from Customer Services.

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

**Emma Denny**  
**Democratic Services Manager**

**To:** Mrs P Grove-Jones, Mr P Heinrich, Mr D Baker, Mr A Brown, Mr P Fisher, Mrs A Fitch-Tillett, Mrs W Fredericks, Mr R Kershaw, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Dr C Stockton, Mr A Varley and Mr A Yiasimi

**Substitutes:** Mr T Adams, Dr P Butikofer, Mrs S Bütikofer, Mr N Housden, Mr J Punchard, Mr J Rest, Mrs E Spagnola, Mr J Toye and Ms K Ward

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

**Heads of Paid Service:** Nick Baker and Steve Blatch  
Tel 01263 513811 Fax 01263 515042 Minicom 01263 516005  
Email [districtcouncil@north-norfolk.gov.uk](mailto:districtcouncil@north-norfolk.gov.uk) Web site [www.north-norfolk.gov.uk](http://www.north-norfolk.gov.uk)

## AGENDA

**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 AND DETAILS OF ANY SUBSTITUTE MEMBER(S)

3. MINUTES

To approve as a correct record the Minutes of a meeting of the Committee held on 15 August 2019.

4. 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.

5. 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.

6. DECLARATIONS OF INTEREST

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.

### OFFICERS' REPORTS

### ITEMS FOR DECISION

#### PLANNING APPLICATIONS

7. HOLT - PM/19/0981 - ERECTION OF 66 BED, 3 STOREY CARE HOME FOR OLDER PEOPLE (USE CLASS C2) WITH ASSOCIATED PARKING, ACCESS AND LANDSCAPING (RESERVED MATTERS FOR: ACCESS, APPEARANCE, LAYOUT AND SCALE) PURSUANT TO OUTLINE PERMISSION PO/16/0253; LAND OFF NIGHTJAR ROAD, HOLT, NORFOLK FOR LNT CARE DEVELOPMENTS (Pages 1 - 16)

8. BINHAM - PF/19/1062 - PROPOSED CONVERSION OF AN AGRICULTURAL BARN TO A DWELLING; BARN SOUTH OF WESTGATE OLD FARMHOUSE (PREV REF WESTGATE BARNS), WARHAM ROAD, BINHAM, NR21 0DQ FOR MR & MRS BRUCE (Pages 17 - 32)
9. SEA PALLING - PF/19/0519 - CHANGE OF USE OF LAND TO A STORAGE AREA FOR CARAVANS (CLASS B8); LAND OPPOSITE GOLDEN BEACH CARAVAN PARK, BEACH ROAD, SEA PALLING, NR12 0AL FOR GOLDEN BEACH CARAVAN PARK (Pages 33 - 38)
10. TRIMINGHAM - PF/19/0812 - 'DEEP HISTORY COAST' DISCOVERY POINT INCLUDING PICNIC TABLE, SEATING/BENCHES AND THREE INTERPRETATION MONOLITHS ON LAND ADJACENT TO THE PILGRIM SHELTER; THE PILGRIM SHELTER, LOOP ROAD, TRIMINGHAM, NORWICH, NR11 8EQ FOR NNDC LOCAL HOUSING ENABLERS (Pages 39 - 44)
11. APPLICATIONS RECOMMENDED FOR A SITE INSPECTION (Pages 45 - 46)
12. APPEALS SECTION (Pages 47 - 56)
- (a) New Appeals  
 (b) Inquiries and Hearings – Progress  
 (c) Written Representations Appeals – In Hand  
 (d) Appeal Decisions – Results and Summaries  
 (e) Court Cases – Progress and Results
13. ANY OTHER URGENT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE
14. 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
15. ANY OTHER URGENT EXEMPT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE
16. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA

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**HOLT - PM/19/0981 - Erection of 66 bed, 3 storey care home for older people (Use Class C2) with associated parking, access and landscaping (reserved matters for: access, appearance, layout and scale) pursuant to outline permission PO/16/0253; Land off Nightjar Road, Holt, Norfolk for LNT Care Developments**

## **Major Development**

**- Target Date: 11 October 2019**

Case Officer: Miss S Hinchcliffe

Reserved Matters

## **CONSTRAINTS**

Mixed Use Allocation

LDF - Countryside

LDF - Principal Routes

A Road

Section 106 Planning Obligations

Development within 60m of Class A road

Mineral Safeguarding Area

## **RELEVANT PLANNING HISTORY**

PM/18/2211 PM

Land off Nightjar Road, Holt, Norfolk

Erection of 66 bed, 3 storey care home for older people (Use Class C2) with associated parking, access and landscaping (Reserved Matters for: access, appearance, layout and scale, pursuant to outline permission PO/16/0253)

Refused 29/04/2019

PO/16/0253 PO

Land to the North of, Hempstead Road, Heath Farm, Holt NR25 6JU

Erection of up to 215 dwellings, employment land (A3, A4, B1, B2, B8, C1, C2, D1 and D2 class uses), public open space and provision of roundabout and vehicular link road from Cromer Road (A148) to Heath Drive with associated landscaping and infrastructure (Outline application)

Approved 16/08/2016

CDA/16/0253 CD

Land to the North of, Hempstead Road, Holt

Discharge of conditions 6, 7, 8,10,11,14,16 (highways),19 (landscaping),20 (ecological surveys), 21 (CEMP), 22 (LEMP), 23 (surface water drainage), 24 (foul drainage), 26 (ground gas) & 27 (renewables) of planning permission PO/16/0253

Condition Discharge Reply 11/04/2018

CDB/16/0253 CD

Heath Farm, Hempstead Road, Holt

Discharge of condition 18 (Residential Travel Plan) of planning permission PO/16/0253 - submission relating to residential development only

Condition Discharge Reply 04/04/2018

PM/16/1204 PM

Land to the North of, Hempstead Road, Heath Farm, Holt NR25 6JU

Reserved matters submission of appearance, landscaping, layout and scale; for erection of 213 dwellings, public open space, highway and other infrastructure, in respect of outline planning application PO/16/0253

Approved 16/03/2017

NMA1/16/1204 NMA  
Land to the North of, Hempstead Road, Heath Farm, Holt NR25 6JU  
Non-material amendment to change dwelling materials, structure & features  
Approved 24/05/2017

NMA2/16/1204 NMA  
Heath Farm, Hempstead Road, Holt  
Non-Material Amendment for planning permission PM/16/1204 for design revisions  
Approved 29/06/2018

PO/13/1306 PO  
Heath Farm, Hempstead Road, Holt, NR25 6JU  
Residential and employment (A3, A4, B1, B2, B8, C1, C2, D1 and D2 Class Uses)  
development including provision of public open space, roundabout and vehicular link road  
Approved 11/09/2014

PF/17/0464 PF  
Land South of Holt bypass, Heath Farm, Hempstead Road, Holt, NR25 6ES  
Erection of temporary marketing suite with associated parking, creation of new vehicle and  
pedestrian access, erection of 1.8m fence and landscaping  
Approved 13/06/2017

ADV/17/0465 AI  
Land South of Holt bypass, Heath Farm, Hempstead Road, Holt, NR25 6ES  
Display of non-illuminated signs  
Approved 13/06/2017

PF/18/0999 PF  
Land South of Holt Bypass, Heath Farm, Hempstead Road, Holt, NR25 6ES  
Retention of temporary marketing suite with associated parking, vehicular and pedestrian  
access, fencing and landscaping for extended period  
Approved 16/08/2018

## **THE APPLICATION**

The application is for the erection of a 66 bed, three storey care home for older people, with associated parking, access and landscaping. This is a reserved matters application which seeks approval of matters of access, appearance, layout and scale but not landscaping. Landscaping is reserved for subsequent determination. The application site which measures approximately 0.5 hectares is located to the south east of the roundabout on the A148 which provides access to the new Heath Farm development. The site is part of a former agricultural field. On part of the site there is currently a temporary marketing suite for the adjacent residential development.

The application is a resubmission of previous planning application PM/18/2211, which was refused by officers under delegated powers on 29 April 2019 for reasons relating to the impact that the proposed development would have on the surrounding landscape, due to the scale and massing of the proposed building, with insufficient space available to accommodate meaningful landscaping.

This application differs from the previously refused proposals in that the application site is slightly larger (approximately 350 square metres), with the building located further from the roundabout and the design of the building has also been modified in an attempt to overcome the previously identified reasons for refusal.

## **REASONS FOR REFERRAL TO COMMITTEE**

At the request of the local ward member Councillor Baker to allow consideration by members of the economic benefits that a care home could bring to Holt.

## **TOWN COUNCIL**

**Holt Town Council** – Objection. Although it is agreed that Holt needs a care home, councillors felt that the current proposed location is inappropriate. The location is out of town making access to essential facilities difficult for the less able. The proposed site is on a roundabout adjacent to a busy road which would be noisy for residents. The care home would create an unattractive gateway to the town. Residents would benefit from a much quieter location with good access to nearby facilities and would ask the applicant to re-consider the location of the proposed care home.

## **REPRESENTATIONS**

None.

## **CONSULTATIONS**

### **NNDC Environmental Health**

#### Noise

In terms of noise, the expectation is that the windows will need to be non-opening on the north, south and west elevation. In terms of noise control, ventilation can be via acoustically attenuating trickle vents or in wall vents or a ducted MVHR system or central ventilation system. These type of measures are common and have been included as part of similar schemes in some locations. Various noise control specifications exist for glazing and ventilation in terms on the amount of attenuation they can give. I would expect that a suitable specification can be found to achieve an acceptable noise environment indoors.

Regarding outdoor amenity, I would not expect noise levels in gardens or balconies to be acceptable on the north, south and west elevations.

#### Contamination

Give the absence of made ground within the proposed boundary of the site and favourable results derived from soil screening, there is no requirement to undertake further investigation of the site.

#### Air Quality

According to air quality validation requirements, the applicant has provided sufficient material to assess the nature of the site. In regards to air quality the development is classed as medium impact site, and thus requires a Travel Plan, low level mitigation and some practical consideration of local air quality impacts. In regards to the travel plan and mitigation proposals the applicant has provided sufficient documentation to meet these requirements.

In general the size of the development negates the need for a detailed air quality assessment, but considerations need to be made regarding opening windows and positions of ventilation on the road facing elevation. Any opening windows or assisted forms of ventilation on this elevation need to account for potential sources from roadside vehicular emissions and migration of any sources of impacted air to the internal environment of each apartment.

**Norfolk County Council (Highways)** - The application assumes that staff will be found within a 3 mile radius of the site and that parking demand would therefore be lower, however I can find no evidence that this could be fulfilled locally and with consideration of the numerous care home staff vacancies currently advertised, would indicate that staff may need to come from further afield to meet the staffing requirements, as such, I would seek to ensure that parking in accordance with current adopted standards is provided.

**Anglian Water** - We have reviewed the applicant's submitted foul drainage information and consider that the impacts on the public foul sewerage network have been adequately addressed at this stage. We request that we are consulted on any forthcoming application to discharge Condition 10 or 24 of the outline planning application PO/16/0253 to which this Reserved Matters application relates, which requires the submission and approval of detailed foul drainage information.

The proposed method of surface water management does not relate to Anglian Water operated assets.

The development site is within 15 metres of a sewage pumping station. The site layout should take this into account and accommodate this infrastructure type through a necessary 'cordon sanitaire' through public space or highway infrastructure to ensure that there is no development within 15 metres of the sewage pumping station boundary (to the south) if potentially sensitive to noise, odour or general disruption from maintenance work caused by the normal operation of the pumping station.

**National Grid (now Cadent Gas Ltd)** – No objection in principle. Note the presence of an intermediate pressure gas pipeline in close proximity to the proposed development, the pipeline has a 6m wide easement in operation, no buildings may be sited within the easement. Landscaping with the easement must have formal written approval from Cadent Gas before commencing. Tree planting must comply with National Grid tree planting on pipelines guidance. (Within 3 metres restricted to hedge planting only where necessary for screening or field boundary purposes, plus shallow rooting hedge plants and shrubs).

**Norfolk County Council Flood & Water Management (LLFA)** – no objection, subject to securing a detailed drainage design by condition.

**NNDC Conservation and Design** – Objection. Whilst acknowledging that the design amendments have added some visual interest, it is difficult to see how the design conclusion can be any different as this resubmission provides for largely the same scheme. Fundamentally, it is still considered that the development would create a rather monolithic wall of development which would both be extremely visible and out of scale with its site and surroundings. With the design also still driven principally by function and an established formula there is no sense that the building would accord with the Government's current Beautiful Buildings agenda or offer real local distinctiveness.

**NNDC Landscape** – Objection. The development still presents a large block form that remains out of context with the surrounding new built form and wider open landscape setting. There are some minor alterations to the indicative landscape layout, none of which demonstrate any form of proportional landscape mitigation. The ratio of external space to building form remains the same. This proposal would be contrary to Core Strategy Policy EN 2 on the grounds that it would not protect, conserve or enhance the special qualities and local distinctiveness of the area. It would also not be compliant with Policy EN 4 on two stated counts, as it is not considered to be suitably designed for the context within which it is set and the scale and massing of the building is not considered to relate sympathetically to the surrounding area.

**NNDC Strategic Housing** – In principle support for residential care in Holt. There is a demonstrable need for specialist/supported housing for older people in the District. There will be a need for enhanced care homes and nursing homes in line with older population growth. By 2028 it is estimated that there will be a need to build an additional 263 care and nursing homes in the North Norfolk district.



**NNDC Economic Growth Officer** - it is recognised that there are potential economic benefits that would be derived by such a proposal, in particular the employment generation of up to 60 jobs. We would therefore be keen to support this application.

**Norfolk County Council Adult Social Care in conjunction with NHS England East** - We in particular would want any new home to cater for people with dementia which requires careful consideration of the built environment or nursing, whilst there is capacity in North Norfolk generally there is in fact a shortage of beds in this location.

In general terms we would support design and access to the site which reduces overall individual car use and supports low emission vehicles and public transport (NICE Guidance 70 2017 and NICE Quality Standard February 2019). For this particular group of residents supporting active travel away from the care home may be of less direct relevance than for the wider population. However if public transport pick up and set down can be safely accommodated within the scheme this may encourage some to be able to use this without navigating busy roads. More generally the ability of staff, visitors and other professionals to access the site by active, public and / or low emission means is to be encouraged. Therefore consideration of provision, for example, for electric vehicle charging or car sharing parking could be encouraged and anti-idling signage for vehicles at or close to the home would also be supported, given the potentially increased level of vulnerability of older people and those located for long periods of time at home.

We would also want to ensure that consideration is given to possible impacts of excessive warm weather on a vulnerable population e.g. south facing glass fronted rooms, use of suitable and safe blue and green infrastructure and that adequate ventilation does not also draw in external air pollutants.

**Norfolk Fire Service** - Based on the location and infrastructure already in place and the type of building proposed, there is a minimum requirement for 1 fire hydrant capable of delivering a minimum of 20 litres per second of water.

**Norfolk Constabulary Architectural Liaison/Crime Prevention Officer** – No objection to the layout and scale of the application. Boundary treatments should be robust enough to stop casual intrusions and prevent harm to residents. Some ground floor bedrooms have doors opening out onto the grounds and non-residents should be prevented from entering through these apertures.

With a 24 hour manned reception and surveillance from the main/office areas, together with appropriate lighting, there are no concerns over the car park area and pathways.

Lighting is an important factor in deterring intruders and reducing the fear of crime. It should comply with BS 5489-1:2013.

#### HUMAN RIGHTS IMPLICATIONS

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

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

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

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

The application raises no significant crime and disorder issues.

## **POLICIES**

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

Section 6 – Building a strong, competitive economy – particularly but not exclusively paragraphs 80

Section 9 – Promoting sustainable transport - particularly but not exclusively paragraphs 102, 108, 110

Section 12 – Achieving well-designed places – particularly but not exclusively paragraphs 124, 127, 130

Section 15 – Conserving and enhancing the natural environment – particularly but not exclusively paragraphs 170, 180, 182.

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

Policy SS 1: Spatial Strategy for North Norfolk (*specifies the settlement hierarchy and distribution of development in the District*).

Policy SS 3: Housing (*strategic approach to housing issues*).

Policy SS 5: Economy (*strategic approach to economic issues*).

Policy SS 6: Access and Infrastructure (*strategic approach to access and infrastructure issues*).

Policy SS 9: Holt (*identifies strategic development requirements*).

Policy HO 1: Dwelling mix and type (*specifies type and mix of dwellings for new housing developments*).

Policy EN 2: Protection and enhancement of landscape and settlement character (*specifies criteria that proposals should have regard to, including the Landscape Character Assessment*).

Policy EN 4: Design (*specifies criteria that proposals should have regard to, including the North Norfolk Design Guide and sustainable construction*).

Policy EN 6: Sustainable construction and energy efficiency (*specifies sustainability and energy efficiency requirements for new developments*).

Policy EN 10: Development and Flood risk (*prevents inappropriate development in flood risk areas*).

Policy EN 13: Pollution and hazard prevention and minimisation (*minimises pollution and provides guidance on contaminated land and Major Hazard Zones*).

Policy CT 2: Development contributions (*specifies criteria for requiring developer contributions*).

Policy CT 5: The transport impact on new development (*specifies criteria to ensure reduction of need to travel and promotion of sustainable forms of transport*).

Policy CT 6: Parking Provision (*requires compliance with the Council's car parking standards other than in exceptional circumstances*).

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

Policy H09 - Land at Heath Farm / Hempstead Road:

*Land amounting to approximately 15 hectares is allocated for a mixed use development including approximately 200 dwellings, not less than 5 hectares of land in employment generating uses of which not less than 3.5 hectares shall comprise serviced industrial land, public open space, and community facilities. Development will be subject to compliance with adopted Core Strategy policies including on-site provision of the required proportion of affordable housing (currently 45%) and contributions towards infrastructure, services, and other community needs as required and:*

*a. The prior approval of a Development Brief to address access (to be from the A148) and sustainable transport, layout, phasing, including the phased provision of serviced employment land, and conceptual appearance;*

*b. retention and enhancement of perimeter hedgerows and trees;*

- c. provision of significant internal open spaces, hedgerow and tree planting within the site and a landscape buffer to the A148 and the adjacent County Wildlife Site;*
- d. prior approval of an agreement to secure contributions towards management of the adjacent County Wildlife Site;*
- e. investigation and remediation of any land contamination;*
- f. provision of a direct pedestrian / cycleway connection to Hempstead Road underpass;*
- g. prior approval of a scheme of mitigation to minimise potential impacts on the North Norfolk Coast SPA / SAC and Ramsar site arising as a result of increased visitor pressure, and on-going monitoring of such measures; and,*
- h. demonstration that there is adequate capacity in sewage treatment works and the foul sewerage network and that proposals have regard to Water Framework Directive objectives. Retail development, other than that serving the needs of the proposed development, will not be permitted.*

### **Material Considerations**

- Development Brief – Heath Farm, Hempstead Road, Holt – Approved July 2013
- North Norfolk Design Guide SPD 2008
- Evidence Base - North Norfolk Landscape Character Assessment (November 2018)

### **MAIN ISSUES FOR CONSIDERATION**

- Principle
- Design
- Landscape
- Residential Amenity
- Highways
- Economic Benefits
- Flooding Risk - Drainage

### **APPRAISAL**

#### **Principle:**

The application site falls within an area of land which is included as mixed use site allocation H09 within the North Norfolk Site Allocations Development Plan Document (DPD) 2011.

In accordance with the requirements of Site Allocations Policy H09 a Development Brief was approved in July 2013 for the area covered by the outline planning application. The Development Brief should be used as a guide to inform all applications on the site.

Subsequently outline planning permission was approved for the erection of up to 215 dwellings, employment land (A3, A4, B1, B2, B8, C1, C2, D1 and D2 class uses), public open space and provision of roundabout and vehicular link road from Cromer Road (A148) to Heath Drive with associated landscaping and infrastructure, in August 2016.

This reserved matters application for a 66 bed care home use falls within an area identified for mixed use employment and complies with the expectations set out in the Development Brief which states that employment generating development which could require a street presence such as a care home is considered appropriate on land to the eastern side of the new link road. In addition a care home as proposed falls within the C2 residential institution use class, a use accepted in principle in the grant of planning permission in outline. The application seeks approval of matters of access, appearance, layout and scale but not landscaping.

Any planning application associated with an 'allocated site' should be determined in accordance with the policies of the adopted Core Strategy together with this site specific policy within the Site Allocations DPD.

Core Strategy Policy HO 1 states that purpose built or specialist accommodation for the elderly, in appropriate locations within selected settlements in accordance with Policy SS 1, and well served by public transport and local services, will be supported provided that it does not detract from the character of the surrounding area. It is also acknowledged by Norfolk County Council, Adult Social Care and the Councils Strategic Housing section that at this time there is a need for additional residential and dementia care in the district. In this context Holt is a Principal Settlement and the application site is part of a mixed use allocation with the benefit of outline planning permission and therefore the principle of the use in this location is accepted. However, consideration as to whether detailed proposals detract from the character of the surrounding area need to be considered alongside relevant Development Management policies such as policies EN 2 and EN 4 and relevant sections of the NPPF.

**Design:**

The site sits directly adjacent to the roundabout and spine road (Nightjar Road) constructed on the A148, approved as part of the outline planning approval and subsequent full and reserved matters approvals for such development. This visually prominent site will be accessed from a newly formed access drive from Nightjar Road.

The applicant agrees that the site is a prominent, gateway site to the new development and consider a building of significant scale and presence and which addresses the roundabout will result in a landmark building.

It is appreciated that the applicant has specific requirements of the building to deliver for economies of scale, staffing ratios and viability, which result in the need for the development to consist of 66 bedrooms, across three full floors of accommodation. They are also required to meet with Care Quality Commission requirements in terms of layout, facilities, natural light, and amenity areas etc. and as such the building needs to be a functional residential institution which is fit for purpose. The scheme is understood to be of a configuration which can provide for both general residential and residential dementia care.

The proposals involve one single building consisting of three floors of accommodation with two wings hinged from a central section in an angular crescent type form. The accommodation sits under a dual pitched roof with minor variances in ridge height. The building will be located on the northern and western part of the site and follows the curve of the adjacent road network. Secure landscaped gardens are indicated to the front (west) of the building to the roadside elevation with further areas of landscaped gardens indicated to the rear of the building along with the main access to the building itself and the car and cycle parking, bin storage and small plant room/garden store building for the development.

Although the site is located well outside the Holt Conservation Area, the site in question is nonetheless an important one given its prominent position on the junction of the A148 and Nightjar Road. With it also affectively acting as a gateway into the new Heath Farm residential development behind, it is a location which demands a high quality development which employs good design and is compatible with its surroundings.

The Heath Farm Development Brief states that ‘the entrance to the Heath Farm development site ‘should have the feel of a gateway into an estate with residential buildings to the western side and commercial buildings to the eastern side set back from the roundabout behind a landscaped buffer’.

The Development Brief goes on to say that ‘Highlight buildings should be placed at key focal points to define gateways ... , they should have heightened architectural status, achieved through increased scale and mass, larger and more detailed fenestration, increased complexity of detailing and dressings. Primary materials could include cream Gault bricks,

flintwork panels dressed with brickwork quoins in the traditional manner and render in traditional pastel colours as a contrast'.

### Scale and massing

Measuring nearly 80 metres long (end to end), 14-15 metres deep and 12 -13 metres high and extending across the entire site frontage (with the exception of a small access road to the south) fronting directly on to the roundabout, the building would be an immense structure which would appear far more suited to a city centre or a more truly urban location. It is difficult to see how the proposed development would find any real resonance in a rural market town like Holt where the buildings are entirely of more modest scale.

In recognition of its size and scale, the building features a number of breaks or steps in its elevations. Whilst these changes of plane provide a degree of articulation and modelling, they would be relatively modest in practice and would certainly not prevent the building being perceived and viewed as one monolithic wall of development which would rise abruptly out of the adjacent countryside.

The applicant has explained that the form of the building is commanded by the internal layout and as a result alternative options for provision of a care home within a building of alternative form and scale have not been forthcoming. Suggestion was made that the applicant should consider alternative sites within the commercial parts of the Heath Farm development and investigate the feasibility of acquiring a site further south along the new spine road in a less visually prominent location. Although it is understood that other land may be available the applicant is insistent that the application site is their preferred location as it best suits their business needs as it overlooks the roundabout, providing a more interesting outlook for residents and also due to the likely health needs of the residents (preventing unaccompanied trips) the development would not require a more central location as the Town Council suggests.

The proposed development on this site is however considered to comprise a significantly oversized building which would have an unduly urbanising impact upon the outskirts of the town and is therefore not considered to relate sympathetically to and indeed detracts from the character of the surrounding area, contrary to policies HO 1 and EN 4 of the North Norfolk Core Strategy.

### Design & Materials

The building's elevations are largely symmetrical in form and that characteristic is carried through into the design detailing. Hence, out of the central hub, each of the two arms would comprise three near-identical building blocks with repeating bays and fenestration. Whilst these reflect the internal layout, there is a disappointing sameness and regularity about the resultant external appearance.

In addition, because the majority of the windows would line through across all of the individual elements, they tend to emphasise the horizontal mass of the development rather than the verticality of the individual blocks. Whilst the regular changes in facing material attempt to counteract this effect, the relatively straight ridgeline and the consistently oriented roofslopes would largely undermine their impact.

Since their earlier submission the applicant has made revisions to the design in an attempt to address the concerns raised in the previous refusal. As a result the contemporary design now incorporates greater variety to the materials to reflect the local vernacular, introducing flintwork and vertical brick piers to some of the walls, in addition to the brick and render. The design now proposes both red and grey roof tiles and use of finials to break the mass of the roof and add interest, reflecting the variety of materials in use within the new residential development adjacent. Greater interest and articulation to the elevations has been achieved through the

use of more domestic scale fenestration, along with arched brick heads and artstone cills and a canopy above the ground floor windows and doors within the north facing part of the central hub. Together these design changes have added greater visual interest to the proposed development and secured some improvements since the previous refusal, but do not unfortunately have a significant bearing on the scale and massing issues identified in the previous submission.

The development still proposes rather everyday architectural detailing, there remains little to commend the building as an exemplar. The feel is rather the opposite, i.e this is a standard formulaic composition which would be lacking in visual interest and quality. Given the prominence of the site, it is considered the building is not of an acceptable design quality to justify this location.

The Government through publication of revisions to the NPPF reinforced good design as being a key aspect of sustainable development and have continued to tackle the challenge of poor-quality design by commissioning an independent body, the 'Building Better, Building Beautiful Commission' to advise how to promote and increase the use of high quality design for new buildings and neighbourhoods. The Council through its current Development Plan, including detailed design policies within the Core Strategy, having regard to the North Norfolk Design Guide and through emerging revisions to the Design Guide aimed at raising the standard of design across the District, is and continues to be clear of the design expectations of new development as paragraph 124 of the NPPF promotes. Against this context and the requirement to create high quality buildings and places, it is considered that this development falls short of what should be achieved.

#### **Landscape:**

The site forms part of a new development located on the edge of town adjacent to both new residential development, land allocated for employment purposes and beyond this open countryside. Although landscaping is not a matter for determination in this application the basic indications that have been provided as part of this application as to how landscaping will be used to provide adequate screening and visual interest to the site have been considered. The applicants submission states that soft landscaping will comprise trees, shrubs, flower beds and lawns, but provides no further detail as to how much, of what species and where, other than a basic indication on a general site plan.

The context of the location as set out previously is that this is an extremely prominent showcase site on a busy tourist route around Holt at the entrance to a new mixed development, at the transition between the built form of Holt and the arable and wooded countryside that forms the town's setting. It therefore warrants a high quality design that is compatible with this sensitive location.

#### Landscape Design

The submitted proposal presents a large three storey building with over 60 windows on the main west elevation to the roundabout. The minimal changes in angle and height of the different sections do not dilute the extensive solid mass of the form. The large mass and height are out of context with the surrounding new built form and the building is incompatible with its landscape setting.

Immediately east of the site is a relatively open landscape comprising arable fields and a farmstead, before dense woodland planting becomes the dominant land cover. Due to its large height and form, the proposal would be incongruous, not only from this aspect, but also in relation to its location on the A148 Holt by-pass where there are no other developments of this scale. The road follows the route of a former railway line and is contained and characterised by tall woodland edge planting on either side of the road, the verges becoming

steeper to the west of the roundabout. The development as proposed would be highly visible and at odds with this setting.

The site layout contains a distinct lack of meaningful quality outside space that could be enjoyed by the residents and staff at the care home. The space to the east of the building will gain the most sun due to lack of building shading, yet much of this space is taken up with car parking. The layout plan denotes secure landscaped gardens to the west of the building, enclosed by fencing understood to comprise of black scalloped railings of 1.8 metre height at the highest point. This is the less optimal, shadier and noisier external space, being close to the road and roundabout. There is limited capacity here to create functional spaces. Due to the scale of the building and the amount of space it occupies on the plot, the scope for landscape mitigation that is actually effective in assimilating such a large form into its open setting is very limited. Added to this planting restrictions relevant to the existence of an intermediate pressure gas pipeline running east/west along the northern edge of the site is likely to give rise to limitations on planting types (preventing the use of some larger tree species) along a 37 metre length of the site frontage adjacent to the A148.

### Landscape Context

The site lies within the Wooded with Parkland Landscape Type (WP2 Holt Cromer Area), as defined within the North Norfolk Landscape Character Assessment, SPD 2009. High woodland presence is relatively rare in Norfolk and is a distinct feature of this landscape type. Mixed woodland planting gives a distinct setting to Holt.

The Council have published a new North Norfolk Landscape Character Assessment (November 2018) to provide an up-to-date evidence base for the emerging Local Plan. This document has been published in final form and represents the most up-to-date and accurate assessment of landscape character, based on current best practice and in line with the requirements of the latest NPPF. Public consultation has taken place on this document, with adoption as a Supplementary Planning Document (SPD) planned for Autumn 2019. It is the view of the Council that the baseline environment needs to take account of this new resource to help inform the management of future change and to ensure consistency with the NPPF.

In accordance with the new Landscape Character Assessment, the site is located within a Landscape Type called Wooded Glacial Ridge. The dominant landform and predominantly wooded land cover provide a distinctive setting to Holt, which is the main settlement within the Type. The historic and cultural interest of Holt is a defined Valued Feature of this landscape due to the distinct and cohesive late Georgian and early Victorian character of the town. Whilst not located in the core of the settlement, this proposal could not be said to reinforce this key quality.

The night-time impact of the development also merits consideration. There are no street lights along the A148 in the vicinity of the site. The inordinate amount of windows proposed on all elevations will incur significant light spill in what is an area of relatively dark skies. The applicant suggests that internal and external lighting will operate on sensors which will turn the lights off when not in use, with external lighting consisting of low level bollard lighting or down lighters to minimise light pollution. Given the range of uses permitted in principle in this area, suitable lighting arrangements which minimise light spill could be secured by planning condition if necessary.

This proposal would be contrary to Core Strategy Policy EN 2 as it would not protect, conserve or enhance the special qualities and local distinctiveness of the area and as it is considered to detract from the character of the surrounding area is also contrary to Policy HO 1 of the Core Strategy. It would also not be compliant with Core Strategy Policy EN 4 on two stated counts, as it is not considered to be suitably designed for the context within which it is set and

the scale and massing of the building is not considered to relate sympathetically to the surrounding area.

**Residential Amenity:**

The application site is located directly adjacent to the A148, a Principal Route and main tourist route and a new roundabout on this road which gives access to Nightjar Road which will serve as the main access to the existing Hempstead Road Industrial Estate. The roundabout and new spine/link road has been designed accordingly. The application was supported by a noise assessment which considered the noise from the A148 and local highway network on the proposed development and suggested appropriate noise mitigation measures where necessary.

Low to medium risks of adverse effects from noise have been identified to the north-west façade of the building (affecting just over 50% of the bedrooms and large areas of lounge and dining space). However, with good acoustic design measures to mitigate and minimise adverse impacts of noise such as appropriate glazing specifications and ventilation via acoustically attenuating trickle vents or in wall vents or a ducted MVHR system or central ventilation system to this façade, it is technically possible to achieve internal target noise levels as set out in BS8233 and WHO guidelines in all residential rooms and residents of the proposed development should not be significantly adversely impacted by noise from road traffic.

The applicant has confirmed however that the windows will not be non-opening, giving residents an element of choice to allow windows to be opened to provide natural ventilation. However, any opening windows or assisted forms of ventilation on this elevation need to account for potential sources from roadside vehicular emissions and migration of any sources of impacted air to the internal environment of each habitable room. In such instances those residents are likely to be subject to adverse noise and air quality impacts from road traffic for periods when windows are opened depending on the time of day.

It has not been demonstrated that the design of the development has considered possible impacts of excessive warm weather on a vulnerable population e.g. south facing glass fronted rooms, use of suitable and safe blue and green infrastructure and that adequate ventilation does not also draw in external air pollutants. However given the orientation of the building the south facing elevations face away from the A148 and therefore it is likely that mitigation of such excessive heating issues could be more easily achieved on elevations facing away from the A148 without giving rise to resultant air pollution impacts within effected areas of the building.

In terms of the external amenity areas identified, due to acoustic screening provided by the building the average daytime noise levels in external amenity areas to the east (rear) of the building are reported to not be expected to exceed 50dB (ProPG guideline values). The report however appears silent in relation to the amenity areas to the north, south and west elevations or external balconies in these locations. Therefore it is assumed that noise levels in these areas falls short of the required standards.

Therefore, although not ideal, it is feasibly possible to mitigate the adverse impacts of existing noise from the adjacent highway network through mitigation measures within the building where necessary and indeed some parts of the development will not be effected so. However, the proximity to the road and associated noise and air quality impacts are likely to have some impacts on residential amenity in terms of the associated quality of the outside amenity space provided for use by the residents and the quality of environment achievable to habitable space within a significant proportion of the building with windows opened. Although not perhaps at levels and to an extent which would amount to a reason for refusal of the application the reduced quality of inside and outside amenity areas and habitable rooms should be acknowledged if only as a consequence of poor design and layout of the proposed



development created to some extent by the confined extent of the site located in close proximity to the A148 and roundabout.

### **Highways:**

The site is part of a large mixed use allocation and located just over 1km from the town centre. The introduction of a mix of residential and employment uses in this location and associated new footpath and cycle links through to existing development and facilities all contribute to achieving sustainable development in a sustainable location. Although currently access to public transport is over 400 metres from the site, contributions already secured from the development towards a Hopper Bus service which would hope to serve the new development will help to further improve access to public transport for staff and visitors.

The layout proposes 27 car parking spaces including 2 disabled parking spaces and 8 covered cycle parking spaces. Commitment has also been made to provide an electric vehicle charging point. The car parking provision falls short of the 28 spaces required by the Councils parking standards and North Norfolk Core Strategy Policy CT 6. The applicant points out that the parking standards are a maximum standard and their evidence shows that similar sized care homes in similar situations elsewhere operate with similar or less car parking provision and therefore consider that the parking proposed is more than adequate for the scale of development proposed. In addition a commitment to make a Travel Plan contribution was secured at outline application stage, to be used towards implementing and reviewing a Travel Plan for the employment land. Therefore, on balance the accessibility, parking and servicing provision across the site is considered broadly compliant with Core Strategy policies CT5 and CT 6 and NPPF paragraphs 102, 108 and 110.

The new access drive is considered suitable to serve the development proposed only and has not been considered on the basis of serving any further development from this access. The development is therefore acceptable in terms of highway safety and parking considerations and complies with Core Strategy policies CT 5 and CT 6.

### **Economic Benefits:**

As an employment generating proposal on a mixed use development a care home use is accepted in principle and is stated to be needed in this part of the district by both the applicant and relevant consultees. Paragraph 80 of the NPPF places significant weight on the need to support economic growth and productivity. The applicant promotes the benefits of the scheme being construction based employment (a relatively short term benefit) and investment and benefits to the local economy of employment generation of up to 60 full time equivalent jobs ranging from Home Manager, care workers, catering and domestic assistants. It is also recognised that there could be associated additional employment opportunities in the wider health sector in terms of visiting health professionals and service industry professionals (hairdresser, entertainers etc.)

It is also acknowledged that the positive introduction of development on the commercial elements of the Heath Farm site could serve to kick start interest in commercial opportunities on the remainder of the site and encourage investment in further much welcomed employment opportunities to Holt.

These benefits are acknowledged and welcomed, however they need to be considered as a part of the planning balance alongside other identified benefits and any adverse impacts of the development proposals.

### **Flooding Risk - Drainage:**

The site extends to less than 1 hectare in size and is located within Flood Zone 1 of the Environment Agency flood risk classification and is not identified as being at risk of flooding from other local sources. A very basic level Drainage Strategy has been provided which

considered sustainable drainage methods such as infiltration, permeable paving and attenuation. Ground investigations carried out to date would seem to suggest that infiltration would be feasible on a site consisting mainly of sand and gravels. Therefore there appears no reason why detailed drainage proposals cannot be secured by planning condition.

### **Conclusion – Planning Balance**

The benefits of the proposed care home for older people both in terms of meeting an identified need for such accommodation and also the identified economic benefits in terms of employment generation are recognised as attracting weight in favour of the proposed development. However, the significant identified harm that would result in terms of the scale, massing and design of the building not being suitable for the context within which it is set, and subsequent failure of the proposals to protect, conserve or enhance the special qualities and local distinctiveness of the area are considered to significantly outweigh the benefits, resulting in an officer recommendation of refusal as set out below.

### **RECOMMENDATION: REFUSE planning permission for the following reasons:**

The District Council adopted the North Norfolk Core Strategy on the 24th September 2008 and the North Norfolk Site Allocations Development Plan in February 2011. The latest revised National Planning Policy Framework was published in February 2019. Collectively these provide the context for the determination of planning applications in accordance with Section 38 of the Planning and Compensation Act 2004.

The Core Strategy includes the following applicable policies:

HO 1 - Dwelling mix and type

EN 2 – Protection and enhancement of landscape and settlement character

EN 4 – Design

Although the principle of a care home use in this location is accepted through mixed use site allocation H09 within the North Norfolk Site Allocations Development Plan Document (DPD) 2011 and associated Heath Farm Development Brief July 2013 and outline planning permission reference PO/16/0253, the details of the reserved matters application are also required to comply with relevant detailed Development Management Policies.

The site occupies an important and prominent location on a busy tourist route around Holt at the gateway entrance to a new mixed development. The site forms the transition between the built form of Holt and the arable and wooded countryside that forms the town's setting, which warrants a high quality design that is compatible with this sensitive location and surrounding new development.

In the opinion of the Local Planning Authority:

1. The development proposed by reason of its scale and massing would have an undue urbanising impact in this location. The proposal would be highly visible and would fail to relate sympathetically to the surrounding area, contrary to the aims of Policy EN 4 of the North Norfolk Core Strategy.
2. Furthermore the formulaic composition of the building, lack of visual interest, together with the large mass and height of the building is considered out of context with the surrounding new built form, contrary to the aims of Core Strategy Policy EN 4 and paragraphs 127 and 130 of the NPPF.
3. In addition, insufficient space has been provided within the site to secure meaningful amounts of landscape planting which are vital to help to assimilate the development into the surrounding landscape and provide meaningful quality private amenity space

for the vulnerable residents living on the site, contrary to North Norfolk Core Strategy Policy EN 4 and paragraph 127 of the NPPF.

4. In the absence of a well planned development and limited opportunity for meaningful landscaping the development would detract from the character of the surrounding area contrary to the aims of Core Strategy Policy HO 1 and furthermore would not protect, conserve or enhance the special qualities and local distinctiveness of the area, contrary to North Norfolk Core Strategy Policy EN 2.

The proposal is contrary to the provisions of the adopted Development Plan, and it has been concluded that there are no material considerations which should be afforded sufficient weight to justify the departures from adopted policies.

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**BINHAM - PF/19/1062 - Proposed conversion of an agricultural barn to a dwelling; Barn South of Westgate Old Farmhouse (prev ref Westgate Barns), Warham Road, Binham, NR21 0DQ for Mr & Mrs Bruce**

## **Minor Development**

**- Target Date: 11 September 2019**

Case Officer: Phillip Rowson

Full Planning Permission

## CONSTRAINTS

Countryside

Conservation Area

## RELEVANT PLANNING HISTORY

PU/15/1249 PUA

Barn at Westgate Farm East, Warham Road, Binham, Norfolk

Prior notification of intention to convert agricultural building to a dwelling (C3)

Approval - Prior Approval Given 15/10/2015

PF/15/1748 PF

2 Westgate Barns, Warham Road, Binham, FAKENHAM, NR21 0DQ

Conversion of single storey agricultural barn to one dwelling - Approved 01/02/2016

PF/18/0921 PF

2 Westgate Barns, Warham Road, Binham, FAKENHAM, NR21 0DQ

Variation of condition 2 (approved plans) of planning permission PF/15/1748 to allow for changes to position of openings, internal walls and corrections to size and position of building -

Approved 12/07/2018

PF/18/1524 PF

Proposed Conversion of agricultural barn to dwelling – Refused 06/06/2019

## THE APPLICATION

Seeks permission to convert and extend a traditional single storey “U” shaped building in order to create a three-bedroom dwelling.

Access to the site would be via the existing driveway off the Warham Road.

This application follows a recent refusal of planning permission at the Development Committee in June. The application is varied under this submission by the deletion of a cart shed / store from the proposals. The minutes from that meeting are attached as **Appendix 1** to this report

## REASONS FOR REFERRAL TO COMMITTEE

At the discretion of the Head of Planning to ensure that continuity of member consideration is given following the recent history of referral to Development Committee.

## PARISH/TOWN COUNCIL

Binham Parish Council - No response at the time of the compilation of this report.

## REPRESENTATIONS

### CONSULTATIONS

Conservation and Design Officer –

1. *The removal of the previously proposed (attached and then detached) garage from the scheme can only be welcomed on the basis that it;*
  - a) *Would better preserve the character and appearance of the site, and*
  - b) *Would reduce the total amount of new build proposed.*
  
2. *On the subject of new build, the scheme still provides for the same two extensions to the existing building – a northern projection to house a bath and plant room, and an infill extension within the central yard. In both instances, these would not only alter and complicate the existing footprint and form of what is currently a fairly simple/humble agrarian structure, but they would also not sit at all comfortably alongside the requirements of Policies HO9 and EN4 and LDF Core Strategy; i.e. in terms of buildings having to be suitable for conversion without substantial rebuilding or extension, and that extensions need to have due regard to their context.*
  
3. *More specifically, the northern extension would present a new gable end immediately on the approach to the building and would thus detract from the existing clean lines of the elevation and the balance provided by its hipped roof. This balance would also be compromised by lengthening the east-facing elevation and thus creating wings of different lengths.*
  
4. *The infill extension, meanwhile, would affectively square off the building and merge the two enclosing arms wings under a part pitched/part flat roof structure. Whilst admittedly much of this would be hidden from wider public gaze, it would nonetheless introduce an alien domesticity which would be at odds with the host building.*
  
5. *The submission places a great deal of store on the functional and environmental benefits provided by this infill extension. Breaking these down into the individual subject areas:*
  - a) *It is acknowledged that the additional floor space would offer increased usability over and above that provided by the previously approved scheme. However, this is surely more a matter of convenience rather than an essential part of addressing inherent deficiencies with the building. Indeed, if we refer back to the previously approved layout (below), travel times would not have been excessive with the main rooms placed centrally and enjoying a south-facing aspect (journeys from Bed 2 to Bed 3 would surely be rare).*
  - b) *Again, it is accepted that more compact built forms potentially suffer less heat loss than their more elaborate counterparts. Having discussed this with Building Control, however, there is no overriding reason why similar energy ratings could not be achieved by simply upgrading the shell of the building in its existing form. Therefore, only relatively limited weight can be attached to any perceived sustainability benefits offered by the new build (particularly as no allowance has been made of the environmental impact of the materials used in its construction (in terms of production and transportation)).*
  
6. *Finally, one of the other central tenets of barn conversions is that they make use of existing openings and avoid new ones in order to protect character. In the proposed elevations, however, it appears that not one of the existing openings is proposed to be reused in its existing form. Instead, they are either to be repositioned or replaced with entirely new openings. I say*

*'appears' because the submitted elevations do not actually tally with the proposed floor and roof plans. Hence, it is difficult to be sure exactly what is being proposed. From what can be deduced, however, the clear suggestion is that the proposed layout has driven the external treatment rather than the other way around. As a consequence, the end result seems to err more towards a domestic bungalow rather than a rustic agricultural building (a fact not helped by formalising the brick plinth).*

*Summarising, C&D have always had a degree of ambivalence around this particular building. On the one hand, it is certainly not a particularly noteworthy structure or one that is blessed with architectural or historic interest. However, it is part of the support cast of buildings within Binham and has stood on site for at least the last 70 years. As a result, a case can definitely still be made for its retention and conversion. However, if it is to be reused, the actual conversion scheme needs to be policy compliant and respectful of its essential character and appearance. As we stand, C&D remain unconvinced that this would be the case with this application.*

\* Note: Amended plans received 23.8 for consideration with regard to creation of openings ensuring correlation between floor and elevation plans. – consultee comments on amended plans to be received verbally at the meeting.

Environmental Health – Comments awaited at compilation of report.

Previously under 18/1524 on the basis of the same supporting *“raising No objection subject to the inclusion of an advisory note on any permission relating to contaminated land / asbestos.”*

Landscape Officer – Comments awaited at compilation of report.

Previously under 18/1524 on the basis of the same supporting *“Revised plans submitted on 8 April meet with the satisfaction of the Landscape officer in terms of proposed Landscaping and Arboricultural Assessment received on 8 April 2019 and detailed on plan number 518/18/LD01Rev B.”*

County Council (Highway) - Cromer – No objection subject to the imposition of appropriate conditions in relation to parking and turning areas before first occupancy.

#### HUMAN RIGHTS IMPLICATIONS

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

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

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

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

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

The application raises no significant crime and disorder issues.

#### POLICIES

North Norfolk Core Strategy (Adopted September 2008):

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS2: Development in the Countryside

Policy HO9: Conversion and re-use of rural buildings as dwellings

Policy EN 4: Design  
Policy EN 6: Sustainable Construction & Energy Efficiency  
Policy EN 8: Protecting and enhancing the historic environment  
Policy CT 5: The transport impact on new development  
Policy CT 6: Parking provision

Supplementary Planning guidance:  
North Norfolk Design Guide (2008)

Nation Planning Policy Framework (NPPF): 2018:  
Section 5. Delivering a sufficient supply of homes  
Section 12. Achieving well-designed places  
Section 16. Conserving and enhancing the historic environment

#### MAIN ISSUES FOR CONSIDERATION

1. Principle of development
2. Design
3. Heritage
4. Amenity
5. Highways

#### APPRAISAL

This application has been resubmitted to materially address the concerns and reasons for refusal issued in response to application 18/1524. That reason for refusal is as follows:

*The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:*

*Policy SS 1: Spatial Strategy for North Norfolk  
Policy SS2: Development in the Countryside  
HO9: Conversion and Re-Use of Rural Buildings as Dwellings  
Policy EN 4: Design  
Policy EN 8: Protecting and enhancing the historic environment  
Policy CT 5: The transport impact on new development  
National Planning Policy Framework  
Paragraphs 79 and 193*

*In the opinion of the Local Planning Authority the proposed scheme of conversion, due to the extent of new build, would result in a significant increase in the scale and massing of the host building which would fail to protect or enhance the character and appearance of the building and its setting.*

*Furthermore, due to its form, bulk and general design the proposed conversion scheme would fail to respect the simple character and utilitarian appearance of the host building.*

*The proposal is therefore contrary to the above Development Plan policies.*



## 1. Principle of development

Policy SS 1 sets out the spatial strategy for North Norfolk and identifies main and service settlements where development of varying scales can take place. The remainder of the district, including settlements not listed in the policy, are designated as Countryside. This is the lowest tier of the settlement hierarchy and within the designated countryside area development is restricted to particular types of development to support the rural economy, meet affordable housing needs and provide renewable energy.

The types of development acceptable in principle in designated Countryside are listed under policy SS 2; this includes the re-use and adaptation of buildings for appropriate purposes.

Policy HO9 then specifically considers the conversion of buildings in the countryside to residential use. The policy requires that proposals will only be permitted where the building meets the specified criteria including, but not limited to:

- The building is located within an area identified in the Proposals Map for that purpose
- That the building is worthy of retention due to its appearance, historic, architectural or landscape value, and;
- That the building is structurally sound and suitable for conversion to a residential use without substantial rebuilding or extension and the alterations protect or enhance the character of the building and its setting, and;
- The scheme is of an appropriate scale in terms of the number of dwellings proposed for the location.

Since adoption of the Core strategy in September 2008 planning policy and case law has moved forward. It is important that the policy is not slavishly adhered to where more recent development indicate otherwise. This approach requires flexibility when assessing the relevant criteria of policy H09.

### *Locational Controls:*

The publication of revised National Planning Policy Frameworks in 2012 and 2018 have essentially removed location (first bullet point) from the list of national planning policy considerations. Indeed, paragraph 79 of the latest NPPF expressly states that building conversions should be regarded as an acceptable form of development in isolated locations. It follows that if such proposals are acceptable in 'isolated' locations they must be equally acceptable elsewhere. Reflecting this, and similar advice in the 2012 NPPF, the Council has not been imposing locational controls in respect of proposals for building conversions for some time.

Alongside the changes to the NPPF government has also introduced new permitted development allowances providing for the conversion of existing agricultural buildings to dwellings without the need to secure formal planning permission.

The Part Q allowances, the NPPF, and Policy H09 of the Core Strategy are concerned with the conversion and re-use of existing buildings. Those allowances are not spatially restrictive, i.e. do not require compliance with the core strategy Proposals Map.

Please note that the policy requirements should no longer seek that the building is worthy of retention.

*Worthy of retention:*

These national policy changes and new permitted development allowances influence the relevant weight which should be afforded to consideration of the building as being 'worthy of retention'

The existing building is a typical of agricultural building and although small in scale does include the use of timber boarding and terracotta clay pantiles, it is in a simple C shape layout with crew yard. In essence the building is unexceptional, but is a recognised feature within the local landscape. Paragraph 79 of the National Planning Policy Framework is again relevant. The provision for made is where 'the development would re-use redundant or disused buildings and enhance its immediate setting' (*officer emphasis*). This does not in itself require that the building must be worthy of retention in terms of its architecture, landscape or some other historic or social justification. The position moves to simply requiring that the building must enhance its immediate setting. I will return to a full assessment of the impact of the development on its immediate setting later in this section of the report.

The NPPF is a material consideration, and as such officers consider that the 'worthy of retention' carries very limited weight, in addition, the relaxation of permitted development rights for agricultural buildings allows the conversion of such buildings under part Q, without any need for such buildings to be 'worthy of retention'. Clearly the first criteria of Policy H09 is out of step with the NPPF.

Please note that the policy requirements should no longer seek that the building is worthy of retention.

*Structural Integrity*

Whether the building is structurally sound and suitable for conversion to a residential use without substantial rebuilding or extension and the alterations protect or enhance the character of the building and its setting remains a material consideration both within Part Q permitted development conversions and in recent case law. The proposals should demonstrate that the building is capable of conversion without substantial rebuilding.

The application is supported by a Visual Structural Appraisal (VSA), prepared by a consulting engineers on 17/11/2015. The report is historic and has some limitations; it is a short textural report supported by photographs it was a visual inspection, and was submitted as an update to a previous report which supported a previous planning permission for the reuse of this building. The engineer concludes that subject to mitigating recommendations that this building is capable of being reused without substantial demolition and rebuilding of the existing structure, officer see no sign of any significant visual deterioration since that time. If minded to grant this may be controlled by suitably worded planning conditions.

*Substantial extension:*

Prior notification for conversion of the existing building to a dwelling was approved by the Local Planning Authority in October 2015. A fundamental requirement of this process is that the fabric of the building is kept largely intact and was not subject to significant extension or alteration. Having established that principle then a planning application (PF/15/1748) was submitted convert the building into a dwelling, this was approved in February 2016. This permission retained the simple layout form of the barn, with no extensions or outbuildings proposed.

In 2018, a further application was received (PF/18/0921) seeking changes to the 2015 permission including the position of openings, internal walls and corrections to size and position of building. This permission again retained the simple layout form of the barn, with no extensions or

outbuildings proposed. Permission was given in July 2018 and carries a three-year implementation period.

As such there is a valid permission to convert the building which could be otherwise be implemented subject to the discharge of any pre commencement conditions. This approval forms a fall-back consideration in the current case as the applicant's inform officers that this permission was commenced (and is not completed).

The scheme approved in July 2018 was based on the original footprint of the building and creates a floor area of some 150 sq. metres. The conversion achieves a three-bedroom dwelling with lounge, dining room, separate kitchen and three bathrooms.

The current proposals are assessed under planning policy requirements and with consideration against the recent approval (PF/18/0921) as a fall-back position. The current proposals would involve infilling the open courtyard to the southern elevation, a new small extension to the north eastern corner.

The proposals add a floor area of 97.65 sq. metres to the existing building, the existing floor area of the building is circa 150 sq. metres. Officers note that the proposals are reduced by approx. 55 sq. metres, from the recent refusal of planning permission. The proposed cart shed and store were a large standalone building, their removal from the proposals is significant as a means to reduce the built form on site. However, within the context of this modest existing building then even in this reduced form the extensions significantly alter the simple U shape footprint of the building and adds approx. 65% more floor space to the dwelling.

Given the form, layout and scale of extensions then the proposals are considered to remain a substantial extension of the existing building which is not be compliant with this criteria of policy H09.

*Appropriate scale in terms of number of dwellings:*

In terms of the number of dwellings proposed for the location – a single dwelling is proposed to be formed. As a single dwelling then it is considered to be appropriate in terms of the overall size of the site, the layout of the development, the living conditions that would be provided for the future occupiers including provision of private amenity space. The site is accessed via narrow private lane; the Highway Authority have not raised any concerns in terms of the impact on the local road network. The proposals are considered to comply with this criterion.

With regard to the criteria of policy HO9 above, then it is clear that the proposal are appropriate in terms of the number of dwellings being created; that a visual inspection has been updated and that suitable conditions can be imposed to ensure that the structure of the building can be largely retained during conversion. It is considered locational requirements for conversions such as this will not be pursued; and that it will no longer be materially relevant to consider whether or not the building is in itself worthy of retention. Critically, the conversion cannot be considered as anything other than a substantial extension of the existing building and also proposes an ancillary garage and store. On this basis alone then the proposals cannot be argued to be fully compliant with policy H09.

It is therefore considered as a matter of principle the proposals will comply accord with the requirements of policy SS1 and SS2.

A key criteria of policy HO9 cannot be met, the requirement to convert without substantial extension.

The requirement for the proposed alterations to protect or enhance the character of the building and its setting will be considered within the design and heritage sections of this report. Matters of Sustainable Construction & Energy Efficiency; the transport impact on new development and parking provision will also be considered before the proposals are then balanced against the policies of the local plan when considered a whole.

## 2. Design

The current building is a simple 'U' shaped form with walls primarily of horizontal timber boarding under a clay pantile roof. The only exception being the two south facing gables which are of a weathered concrete block construction. The building remains clad in timber boarding, with terracotta pantiles being reclaimed for the building or otherwise appropriately sourced.

The scheme proposes significant infilling of the courtyard (9.5m x 8m) to the southern elevation with a partially flat roofed extension, this section incorporates a large glazed lantern light serving the dining / sitting room. The front element of the infill extension has a duo pitched roof clad in terracotta pantiles. The elevations of the infill extension are held back from the existing gables by a return of approximately 1M; this is designed to create the impression of light and shade over the southern elevation so as to appear similar in appearance to that already existing. The infill extension connects the two south facing wings creating a kitchen, snug and hall. It is proposed that the gables to the outer wings would be reconstructed in facing brick (as would the southern wall of the flat roofed extension).

In addition, a small extension (4.5m x 4.7m) is proposed to the rear elevation, this projects out in a northerly direction from the north eastern corner of the building. This extension would contain a bathroom and plant room and would be again be clad facing brick. The ridge and eaves height of the building would be maintained on the northern extension.

The infilling of the open courtyard to the southern elevation would significantly alter the form, character and appearance of the original building. The simple C shape layout is all but lost under these proposals.

The proposals follow previous elevations in terms of the treatment of openings and creation of new openings. It was reported previously that the conversion provided appropriate use of existing openings and treatment of those new and where required existing openings is considered appropriate in the amended form. On this basis then the concerns of the consultees is noted but no objection is raised to this element of the proposals.

Officers recognise that the applicant has previously striven on a number of occasions to meet concerns of officers and the Development Committee. Some significance can be attached to the removal of the cart shed and store element of these proposals. However, it remains a concern that the overall scheme of conversion continues to be reliant on an unacceptable level of infilling to the Courtyard and extension to create a bathroom / Plant room. These elements fail to comply with the strict requirements of policy EN4. Extensions and alterations in conversion proposals will be expected to be suitably designed for the context within which they are set and to ensure that the scale and massing of buildings relate sympathetically to the surrounding area. Furthermore, it should be noted that the North Norfolk Design Guide, in particular Section 7 - Conversions, which suggests that schemes for conversion should avoid any works which otherwise rob the building of its context, original architectural features and interest 9 (in this case layout).

The proposals do not comply with Policy EN4 and the North Norfolk Design Guide (2008).

### 3. Heritage

The proposals are set in the open landscape to the south of the ribbon development along the Warham Road the building is seen against the backdrop of the conservation area to the north from the surrounding countryside. The building and majority of the application site are not within the Binham Conservation Area, the northern part of the garden and driveway is within the designated area. There are limited, glimpsed views of the building when looking south from the access, and from some vantage points along Warham Road. The building and proposals will also be viewed via the proposed access from Warham Road.

Development Committee is required by Sections 66 (1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act 1990) to have special regard to the “desirability of preserving” the character and appearance of conservation areas. This means that the desirability of preserving the setting of and character and appearance of conservation areas is not merely a material consideration to which appropriate planning weight can be attached, but it is a legal obligation to have ‘special regard’ or pay ‘special attention’ to these matters. When a local authority finds that a proposed development would harm these matters, it must give that harm considerable importance and weight as a matter of law. There is effectively a statutory presumption against planning permission being granted where such harm arises. That presumption can be waived only in exceptional circumstances where other material considerations, including the public benefits of a proposal, demonstrably outweigh the harm created on the heritage asset.

Development Committee should also take into account the advice contained within the National Planning Policy Framework (NPPF), which specifically addresses the need for conserving and enhancing the historic environment, in particular paragraph 193, which states:

*‘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)...’*

Paragraph 196 goes on to state: *‘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’.*

Considerable weight must therefore be given to the preservation of heritage assets including their setting.

In considering development proposals affecting heritage assets, Core Strategy Policy EN 8 sets out that *‘the character and appearance of conservation areas will be preserved and where possible enhanced’*. However, this element of Core Strategy Policy EN 8 is now out of step with the guidance set out in the NPPF which is more permissive towards allowing development affecting heritage assets but only where there are clear and convincing public benefits in favour, and in accordance with the statutory requirements set out above.

The NPPF defines setting of a heritage asset as the surroundings in which it is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, and may affect the ability to appreciate the significance or may be neutral. Significance is defined as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

The proposals have been significantly amended since refusal of planning permission. A new build cart shed / store has been removed from the Northern site boundary, i.e. that section of the site immediately adjacent to the conservation area. Previously the proposals were considered not result in substantial harm to the conservation area, or its significance as a heritage asset. These changes also help to assimilate the proposals in the wider landscape. Despite these changes the alterations to the building retain a significant extension and new build element. It is those aspects that may present harm to the heritage asset, i.e. the setting of the conservation area. The proposals fail to respect the simple character and utilitarian appearance of the host building, the harm that arises is mitigated by limited views from Warham Road and the rising landform that offsets views to the site from the public footpath to the South of the application site. The landscape planting and design changes do help to mitigate that impact further but the harm created by the significant extensions cannot be lost entirely. The harm created is assessed as laying at the lower end of the spectrum but will have some impact upon the setting of the Conservation Area.

Having measured this less than substantive harm, I turn to the wider benefits that can be delivered from the proposals, re-use and adoption of the building, a new home as a conversion, inclusion of a sustainable geothermal energy project, an elderly local couple will be able to live within the village and function effectively as an extended family with their grandchildren.

I am persuaded that the less than substantial harm that arises to the character and appearance of the wider Binham Conservation Area carries a limited weight, and that this very limited weight can now be outweighed by those material benefits listed above, when considered in combination.

As such the proposals are compliant with the provisions of Local Plan Policy EN8, Sections 66 (1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act 1990); and Paragraphs 103 & 196 of the NPPF.

#### 4. Amenity

Due to its location being set some 50 metres from the Warham Road it is not considered that the scheme as proposed would give rise to any amenity issues in respect of the neighbouring properties in terms of potential overlooking or loss of light.

#### 5. Highways

Subject to suitable conditions being imposed then The Highway Authority has indicated that the scheme does not raise any issues in terms of highway safety.

#### 6. Sustainable energy provisions

The applicant proposes to utilise a sustainable geothermal energy heating system, and has specifically designed the layout of the conversion to maximise solar gain within the building. The infilling of the crew yard is considered by the applicant to reduce potential heat loss by reducing the length of external perimeter walls. The layout ensures room are readily accessed from a central living area. Further additions may be secured by the use of planning conditions to ensure that low water volume fittings are added, are high levels of insulation are provided. In this way provisions can be made which will satisfy local plan policy EN6, and our drive to low carbon future.

#### 7. Fall-back

When examining the fall-back position then I see a previous extant permission (PF/18/0921) which adheres closely to the existing template of the building and required no extension to facilitate a three bedroomed dwelling.

The applicants have suggested that environmental, sustainability, amenity considerations are of material weight in this matter:

- Solar gain, providing main living accommodation to south facing elevations,
- Provision of a ground source heating supply (extension to north east corner houses plant),
- Meeting the families housing requirements by living as an extended family within the same village
- Overcoming a compromised internal arrangement / circulation space within the approved scheme

It is reasonable to agree that at least some of these elements may offer a proportionality may mitigate some increase in floor space and change in layout. However, the significant increase in floor space and layout to encompass all of these elements is considered excessive and cannot be considered to establish a more desirable fall-back position than the approved scheme. It is entirely conceivable that the existing building may be redesigned to accommodate a more effective internal arrangement / use of circulation space; modest alterations may be made to relocate living space / accommodate solar gain. Similarly, geothermal / other sustainable energy sources or sustainable resolutions may be delivered without requiring the wholesale change proposed.

#### 8. Conclusion

On the basis of the above assessment then the proposals result in a development which cannot comply with local plan policy requirements under HO9 & ENV4. The mitigation offered is genuine and is materially helpful to the consideration of planning balance, but when taken within the context of the wider local plan cannot suitably mitigate the harm created by the significant extension and alterations proposed. In such circumstances then the implementation of the previously approved planning application PF/18/0921 is assessed as being preferable as a fall back consideration.

#### **RECOMMENDATION:**

#### **Refuse planning permission on the following grounds:**

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS2: Development in the Countryside

Policy HO9: Conversion and Re-Use of Rural Buildings as Dwellings

Policy EN 4: Design

Policy EN 8: Protecting and enhancing the historic environment

Policy CT 5: The transport impact on new development

National Planning Policy Framework - Paragraphs 79 and 193

In the opinion of the Local Planning Authority the proposed conversion scheme, due to the extent of new build, would result in a significant increase in the scale and massing of host building which would which fail to protect or enhance the character and appearance of the building and its setting.

Furthermore, due to its form, bulk, general design, the proposed conversion scheme would fail to respect the simple character and utilitarian appearance of the host building.

The proposal is therefore contrary to the above Development Plan policies.

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(Minute - Development Committee 6 June 2019)

**6 BINHAM - PF/18/1524 - Proposed conversion of an agricultural barn to a dwelling; Westgate Barn, Warham Road, Binham, Fakenham, NR21 0DQ for Mr & Mrs Bruce**

The Committee considered item 8 of the agenda.

Public Speaker

Peter Gidney (supporting)

The Principal Lawyer referred to a letter which had been received from Solicitors acting for the applicant and which had been forwarded to Committee Members. He advised the Committee on the content of the letter, which suggested that the previous Committee on 28 March had approved the application by its rejection of the Officer's recommendation, raised issues regarding the Officer's recommendation and expressed concerns regarding the handling of the application.

The Principal Lawyer explained that the resolution to defer this application was clear and unambiguous and the minutes had been formally approved by the former Committee on 23 April. He advised that the rejection of the Officer's recommendation at the meeting on 28 March did not mean that the officers had to reject their objective, qualified, professional opinions and in the absence of significant changes to material considerations it was consistent to again recommend refusal of the application.

The Principal Lawyer advised that there was no such concept as indirect approval and an expression of predisposition could not fetter a councillor's discretion. Predetermination would be unlawful and would make any decision vulnerable to legal challenge.

The Principal Lawyer stated that the handling of the application was a reflection of its complicated nature. The application had to be considered objectively, on its merits and as an application to carry out development on the land irrespective of the land ownership issue.

The Head of Planning presented the report and displayed plans and photographs of the site. He reported that a representation had been received from former Councillor Mrs A Green stating that she considered that planning permission had been granted at the 28 March meeting and that leniency had been offered to the conversion of farm buildings at recent Development Committee meetings. He referred to the advice given by the Principal Lawyer with regard to the previous resolution.

The Head of Planning confirmed that the building would be timber clad and not faced with brick as stated in the report. He clarified that the barn was 4.5 metres in height and the proposed garage would be 5.8 metres in height.

The Head of Planning recommended refusal as set out in the report.

Councillor R Kershaw, the local Member, stated that he had attended the Binham Parish Council meeting and no objections had been raised in respect of this application .

Councillor N Pearce considered that the proposal was an innovative solution to a dilapidated barn. He had viewed the site from further along the Warham Road and the infill would hardly be seen. He requested clarification as to whether or not the garage counted as floor space and as part of the building.

The Head of Planning explained that Policy HO9 related to the amount and extent of change. The infill area and garage were new build and had to be considered in combination.

Councillor Mrs A Fitch-Tillett welcomed the attempt to improve the glazing proposals. However, this was still a building in the countryside, and an agricultural building which had been amended and extended. The development was contrary to policy and with a heavy heart, she proposed refusal of this application as recommended.

Councillor N Housden asked if sections showing the height and bulk of the garage building had been requested and whether or not the applicants had been requested to reduce its scale.

The Head of Planning explained that the heights were shown on the plan and he considered that sections were not necessary as the differences were apparent. He had met with the applicants following the deferral of the application and had offered an opportunity to reflect on and discuss changes to the size and scale of the building in the light of the recommendation.

Councillor N Lloyd welcomed the geothermal heating proposals but he understood that once installed, it would not be possible to plant anything over the top of it.

The Chairman invited Mr Wyndham Spice, on behalf of the applicant, to respond to Councillor Lloyd's comment.

Mr Spice explained that he had installed a number of geothermal systems. Pipework would be installed at a depth of 1200 mm and anything could be planted on top of it.

Councillor Lloyd expressed concern at the precedent that would be set if this application were approved.

Councillor D Baker stated that policies and procedures were important but it was necessary to exercise common sense. The proposal would not impact anybody and no objections had been raised. The proposal would reuse a derelict barn which had no agricultural use. The site was not in a Conservation Area. The infrastructure was environmentally friendly and he considered there was no reason to refuse this application.

Councillor P Heinrich considered that there was a need for flexibility depending on circumstances. It was a good design and very sympathetic to the existing building. It would not make a dramatic change to the landscape and he could not see a reason to refuse the application.

Councillor A Brown appreciated the concerns with regard to breaching Policy HO9 but considered that compromise should be applied to this application. He suggested that the impact could be ameliorated by screen hedging to make the site less visible in the surrounding area, limiting the height of the garage to 4.5 metres to be consistent with the existing barn and an open cart shed design for the garage. He considered that it was good to bring buildings back into use and the proposal would provide new housing.

The Head of Planning summarised his views with regard to the balance in this application. There would be a slight impact on the landscape and Conservation Area, which had to be balanced against the benefits. Policy HO9 allowed conversion of rural buildings with limited change. The building was currently a simple U shaped barn but this would no longer be the case if the proposal was built. There had been many good

changes to the proposal during the process. In making their decision, it was paramount that Members balanced the harm to policy and the landscape against the positive issues. However, he referred Members to his recommendation and the fundamental changes which were outstandingly detrimental to the understanding and appreciation of the building in the area.

The Principal Lawyer referred to Mr Gidney's statement that there was a presumption in favour of development. He advised that the issue was more complicated as the presumption was to determine the application in accordance with the development plan unless material considerations indicate otherwise.

The Chairman seconded the proposal to refuse this application. She had tremendous sympathy for the applicants but the application was contrary to policy.

**RESOLVED** by 9 votes to 5

**That this application be refused in accordance with the recommendation of the Head of Planning.**

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**SEA PALLING - PF/19/0519 - Change of use of land to a storage area for caravans (Class B8); Land opposite Golden Beach Caravan Park, Beach Road, Sea Palling, NR12 0AL for Golden Beach Caravan Park**

**Target Date: 3 July 2019**

Case Officer: Mr R Arguile

Full Planning Permission

**RELEVANT CONSTRAINTS**

Article 4 Direction

EA Risk of Flooding from Surface Water 1 in 100

EA Risk of Flooding from Surface Water 1 in 1000

Flood Zone 3

Landscape Character Area

LDF - Countryside

SFRA - Flood Alert Area

SFRA - Flood Warning Area

SFRA - Flood Zone 3A

SFRA - Internal Drainage Boards Boundary

SFRA - Risk of Flooding from Surface Water + CC

**RELEVANT PLANNING HISTORY**

None

**THE APPLICATION**

The application for the change of use of the land from vacant land to use for the storage of caravans (B8). The proposal involves the temporary storage of old caravans from the Golden Beach Caravan Park opposite whilst they are awaiting removal by a haulage firm and new caravans prior to them being stationed at the caravan park. It is proposed that no more than four caravans will be on site at any one time and they would be stored for a maximum of four weeks.

**DESCRIPTION OF THE SITE**

The site comprises of a strip of land with a grass surface opposite the Golden Beach Caravan Park on Beach Road, and directly opposite dwellings - Primrose and Lavender Cottages. There are dwellings either side of the site and agricultural land to the rear. It is understood that the site is occasionally used for car parking by tourists and visitors to Sea Palling, but this is not subject of any planning permission. It also lies within Flood Zones 3A.

**REASONS FOR REFERRAL TO COMMITTEE**

At the request of Cllr H Blathwayt, on the grounds of adverse impact on highway safety and access to the site.

**PARISH/TOWN COUNCIL**

Sea Palling and Waxham Parish Council – Object for the following reasons:

- They consider the site is an undeveloped site, not a brownfield site. They are also concerned that this will set a precedent, particularly as it could lead to the area be used as a retail area.
- Traffic generation and vehicular access - the road to the site is narrow and completely unsuitable for regular deliveries of mobile homes. The current, occasional delivery arrangements necessitate the road being closed so that the vehicles can shunt backwards and forwards to gain access.
- Safety - the road is in the busiest part of the village and is the only way emergency

vehicles can access the beach. The village and the beach are very busy during a large part of the year, especially summer. How will public safety be maintained if the road is closed?

- Mobile home purchasers will increase the traffic
- Environment - the process of shunting the vehicles creates a great deal of noise and fumes, on a larger scale this would be unacceptable.
- In the past the sale of mobile homes took place on the Golden Beach Caravan Park where there is sufficient space for large vehicles and road closure was unnecessary.

## REPRESENTATIONS

None received

## CONSULTATIONS

Environmental Protection - No objection. Suggest a condition to ensure the site is only used for the storage of caravans and no other items.

With regard to flood risk it is acknowledged that the site lies within Flood Zone 3A and that the report provided by the applicant determined flood risk was low. A suitable warning and evacuation scheme forms part of this report which include safe refuge points. It is further acknowledged that the caravans stored on the site will not be occupied at any time so there would be no threat to life. The management of the site have been advised to register with the Environment Agency's *Flood Warnings Direct* service, to give warnings to any possible flood event occurring.

Highway Authority - Although having some reservations about the scheme consider they could not sustain an objection on highway grounds. They do however, consider the existing vehicular access needs to be widened and upgraded, together with surface improvements within the site to facilitate manoeuvring and avoid mud and debris being carried on to the highway. A condition is suggested to secure this.

Environment Agency - comments awaited. Any received will be reported verbally at the meeting

## 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.

## POLICIES

North Norfolk Core Strategy (September 2008):

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

EN 4 - Design and Amenity

EN 10 - Development and Flood Risk

CT 5 - The Transport Impact of New Development

EC 3 - Extensions to Existing Businesses in the Countryside

National Planning Policy Framework (February 2019):  
Section 6 - Building a strong, competitive economy  
Section 12 - Achieving well-designed places  
Section 14 - Meeting the challenge of climate change, flooding and coastal change

## MAIN ISSUES FOR CONSIDERATION

- Principle
- Design
- Highway impacts
- Flood Risk
- Amenity

## APPRAISAL

### Main Issues:

#### Principle: SS 1 and SS 2

The site is located within an area, designated as 'Countryside' under policy SS 1 of the Norfolk Core Strategy. Policy SS 2 limits development in the Countryside to that which requires a rural location and which is for one of the types of development listed in the policy. These include, extensions to existing businesses. It is considered that the proposal can be treated as an extension to the existing caravan park business as it would enable the business to replace its caravan stock when needed more effectively than the current arrangement which involves removing and replacing caravans on a one to one basis. The proposal is therefore considered to be in terms of policies SS 1 and SS 2.

#### Effect on the character and appearance of the area: EN 4 and EC 3

The site would be used for the storage of up to a maximum of four caravans at any one time. These caravans would be removed from the Golden Beach Caravan Park, which is located opposite the site, and stored until they are taken away permanently. No caravan would remain in situ for a period in excess of four weeks before removal. The change of use of the land allows for the applicant to replace caravan stock more efficiently by having a temporary area to store them while new caravans can be sited on the main park.

The site sits between dwellings within a row along the east side of Beach Road comprises bungalows, with some two storey properties, in a mix of styles. Its frontage to Beach Road is open and would need to remain so to allow for the manoeuvring of caravans in and out of the site and because of the access improvements that would be required should the application be approved.

The caravans would however, be stored on the rear part of the site and a plan has been submitted showing this, which can be secured by condition. The caravans would also not be stacked on top of one another. This should ensure that in longer views along Beach Road, the stored caravans would not be readily visible. They would be more apparent in shorter range views in the proximity of the site, but is noted that there is an existing caravan park close by just to the north of the site beyond the old chapel. On balance, it is therefore considered that the proposal would not result in any material harm to the character and appearance of the street scene and is acceptable in terms of policies EN 4 and EC 3.

#### Highways: CT 5

There have been no objections by the highway authority on the issue of safety. It is considered by that owing to the close proximity of the site to the main caravan park, the number of vehicular movements would not significantly increase. However the access is not considered acceptable, and improvements are required to increase the width to 8m, improve the surfacing and to prevent surface water from the site draining on to the carriageway. A condition is recommended to secure this. It is considered that given the fact the site will be limited to four caravans at any time and likely that most of the movements will be out of season, vehicle movements will not increase to a level which causes detriment to safety. It is therefore considered the scheme complies with CT 5.

#### Flood Risk: EN 10

The Environmental Protection Team have no objections to the proposed development in terms of flood risk and safety. As the site will be restricted to 'decommissioned' caravan and new caravans awaiting stationing caravans on the Golden Beach site, there will be no habitation of them.

In terms of the flood risk, the Flood Risk Assessment (FRA) provided with the application indicates a low possibility of flooding, given its coastal location. An evacuation route out of Sea Palling is also identified within the FRA. The FRA concludes that proposal will not increase the flood risk of the wider area and that the 'actual risk' from coast flooding is low combined with the low 'residual risk' of a breach of coastal defences. Comments have however been sought from the Environment Agency to confirm this. Any received will be reported verbally to the meeting

#### Amenity: EN 4

The site is located in between two residential properties. The caravans will be stored to the rear of the site and not alongside either property. It is considered there will be some very minor noise during the loading and unloading process, however this will be infrequent and no concerns have been raised by the Environmental Protection team in this respect. The caravans would be about 2 metres high and would not be stacked on one another so there would be no material overshadowing of the neighbouring property's rear gardens. Whilst the caravans would be visible from the neighbouring property's gardens there would be no unacceptable loss of outlook or overbearing impacts. It is however recommended that a condition is included requiring some hedge planting along part of the south boundary to help provide some screening when mature in views of the site from the neighbouring property - Foxley. On that basis the proposal is therefore considered to be acceptable in terms of policy EN 4

#### Conclusion

It is considered that with conditions as suggested, the use of the land to store caravans is acceptable. The land is in close proximity to the main business and will be limited to four caravans at a time. Given the frequency of old caravans being replaced by newer models, the vehicular movements accompanying this would be unlikely to result in any greater impact than the current method of replacing the caravans on a one in out basis. There would be some limited visual impact at the times caravans are stored on the site, but not to a degree that is considered to be unacceptable. The stored caravans would not be used for habitation and given the flood risk pose no threat to life. It is therefore recommended the application be approved subject to the conditions below.



**RECOMMENDATION:**

**Subject to their being no unresolved objection from the Environment Agency in respect of flood risk, approve, subject to conditions relating to the following matters, and any others deemed necessary by the Head of Planning:**

- Time limit
- Approved plans
- Maximum of four caravans to be stored at a time and in the locations shown on plan
- No stacking of caravans
- Suitable boundary planting along the southern border to reduce visual impact
- Caravans must be tethered, in the event of flood
- Access improvements
- Restrict to storage of caravans only.

Final wording of conditions to be delegated to the Head of Planning

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**TRIMINGHAM - PF/19/0812 - 'Deep History Coast' discovery point including picnic table, seating/benches and three interpretation monoliths on land adjacent to The Pilgrim Shelter; The Pilgrim Shelter, Loop Road, Trimingham, Norwich, NR11 8EQ for NNDC Local Housing Enablers**

## **Minor Development**

**- Target Date: 09 August 2019**

Case Officer: Mr C Reuben

Full Planning Permission

## RELEVANT CONSTRAINTS

LDF Tourism Asset Zone

SFRA - Areas Susceptible to Groundwater Flooding

Unclassified Road

Landscape Character Area

LDF - Countryside

Area of Outstanding Natural Beauty

Conservation Area

LDF - Coastal Erosion Constraint Area

Coastal Erosion Risk Area - 20 years

Undeveloped Coast

## RELEVANT PLANNING HISTORY

None

## THE APPLICATION

The application is for the installation of a Deep History Coast Discovery Point adjacent to The Pilgrim Shelter in Trimingham, which is one of 11 points along a themed Discovery Trail to be installed along the North Norfolk Coast between Weybourne and Cart Gap. The site is a triangular gravelled parcel of land which is at present relatively unused and accommodates a small timber shed, situated off the main Coast Road in a relatively secluded position. Privately owned scrubland lies to the north with the Norfolk Coast Path adjacent to The Pilgrim Shelter to the north-west. The proposed discovery point would include the provision of a picnic table, seating/benches and three monoliths (ranging between 2.1-2.4 metres high) displaying information regarding the Deep History Coast. The proposal also involves landscaping within the site comprising of hedge/shrub planting and crown lifting of existing trees to allow more light into the site and to improve access within the site, along with repairing or replacing the existing fence along the northern site boundary.

## REASONS FOR REFERRAL TO COMMITTEE

Because the application is submitted by North Norfolk District Council and a representation has been received.

## PARISH COUNCIL

Trimingham Parish Council - No response supplied.

## REPRESENTATIONS

One objection received raising the following concerns:

- The land is an important area for wildlife and fauna. The introduction of picnic table/seating/benches and other additions will have a detrimental effect on residents and migratory birds, many species of which are struggling.
- The area is important for insects and the Common Spotted Orchid which is of great importance.
- Concerns regarding the use of the site by youths during unsociable hours with the prospect of litter/mess being left - who will clean this up? Prospect of noise/disturbance to residents.
- Risk to public safety as the site is close to cliff top edges. Will the site be fenced in? Cannot be considered safe to allow the public use of the site.

## CONSULTATIONS

Coastal Management - No objection. The proposal is small-scale, non-residential and beneficial to the community.

Landscape Officer - Following agreement to revise the proposed planting and omit lighting from the proposal, no objection.

Norfolk Coast Partnership - No objection.

## 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.

## POLICIES

North Norfolk Core Strategy (Adopted September 2008):

SS 2 - Development in the Countryside

EC 7 - The location of new tourism development

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

EN 2 - Protection and enhancement of landscape and settlement character

EN 3 - Undeveloped Coast

EN 4 - Design

EN 8 - Protecting and enhancing the historic environment

EN 9 - Biodiversity and geology

EN 11 - Coastal erosion

CT 5 - The transport impact of new development

CT 6 - Parking provision

National Planning Policy Framework (NPPF):

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

## MAIN ISSUES FOR CONSIDERATION

- Principle
- Design
- Neighbouring amenity
- Landscape impact
- Heritage impact
- Biodiversity
- Coastal erosion
- Access/parking

## APPRAISAL

### Principle (Policies SS 2 and EC 7)

The site is within the Countryside policy area as defined under policy SS 2 of the adopted North Norfolk Core Strategy. Policy SS2 allows for new tourist development, although a sequential approach is required under associated policy EC 7. However in this case, it is considered unreasonable to apply this approach given that the intention of the proposal is to appeal to tourists/visitors and local residents and provide information about the specific area. The facility is strategically positioned near to the Norfolk Coast Path and is part of a trail of 11 such information points to be installed along the North Norfolk coast as part of a wider initiative by the Council to promote the ongoing Deep History Coast project. As such, given the low-key proposal which involves very little in terms of development, but offers significant educational, cultural and in turn, potential economic benefits to the District, visitors and the local community, the proposed development is considered to be acceptable in principle and in compliance with policies SS 2 and EC 7.

### Design (Policy EN 4)

The proposed installations, including the benches and monoliths, are suitably designed, reflecting a coastal character by incorporating rustic wood and with the benches supported on stone gabions on a gravelled surface. The installation would improve the visual appearance of the underused site. There are no design concerns and as such, it is considered that the proposed development complies with Policy EN 4 in this respect.

### Neighbouring amenity (Policy EN 4)

The site is barely noticeable from the Coast Road to the south and tucked away adjacent to The Pilgrim Shelter. It is heavily shaded and positioned away from neighbouring residential properties (the nearest of which lies approx. 40m away to the south-west). Given the scale of the proposal, it is considered that it would not result in any detrimental impact in terms of noise on any nearby properties. Currently, the site can be easily accessed and will remain so - although concerns regarding additional use of the site are noted, it is not considered, given the low-key nature of the development and the educational/cultural purpose of the installation, that it would be a significant draw for antisocial behaviour. Any proposal to completely fence off the site would be at odds against the intention to provide an accessible and inviting public facility. It is, therefore, considered that the proposed development complies with policy EN 4 in respect of amenity.

### Landscape impact (Policies EN 1, EN 2 and EN 3)

The site is within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) and the designated Undeveloped Coast area. Given the intended function of the proposal, it is accepted that it requires a coastal location. This, along with the site's relatively unexposed position which would mean there would be little, if any, impact on the open coastal character, is such that it is considered that the proposal is acceptable in terms of policy EN 3.

The site is relatively well screened in all directions. In particular, views of the site are limited from a northerly direction (from the Norfolk Coast Path) owing to existing tree cover. Although some of the lower visual cover will be removed, the proposed installations would be at a relatively low height and, as mentioned above, reflect a coastal theme. The proposed lighting within the site has now been removed from the application, taking account of the need to preserve 'dark skies' within this area. As such, it is considered that the proposed development would not have a detrimental visual impact on the surrounding landscape or AONB and therefore complies with Policies EN 1 and EN 2.

### Heritage impact (Policy EN 8)

The site lies on the eastern edge of the Trimmingham Conservation Area. Given the current appearance of the site, its secluded position and the low-key nature of the proposal and its design, it is considered that the proposed development would not have a detrimental impact on the character and appearance of the Conservation Area. The proposal is therefore acceptable in terms of policy EN 8.

### Biodiversity (Policy EN 9)

The site consists of a number of mature trees and shrubs and likely provides a habitat for birds/insects. The works proposed would be unlikely to result in any significantly detrimental impact on biodiversity. Additional planting around and within the site would be provided, and the proposed tree works would increase the level of light into the site which, in turn, may help further plants to thrive. No objection has been raised by the Council's Landscape Officer with regard to the effect on biodiversity. It is considered that the proposed development is compliant with the requirements of Policy EN 9.

### Coastal erosion (Policy EN 11)

The proposed development would be over 30 metres away from the cliff edge to the north, and involves small-scale work to the site. As such, the stability of the cliffs should remain unaffected by the proposal. No objection has been raised by the Coastal Management Officer. As such, it is considered that the proposed development is compliant with Policy EN 11.

### Access/parking (Policies CT 5 and CT 6)

There is an existing car parking area outside of The Pilgrim Shelter to the south-west of the site and as such, it is not proposed to provide any additional on-site parking. Most of the use is anticipated to be on foot rather than car and as such, it is considered that the proposed use would be unlikely to result in any significant increase in vehicular traffic to/from the site. As such, it is considered that the proposal is acceptable in terms of policies CT 5 and CT 6.

**RECOMMENDATION:**

Approve subject to the conditions relating to the matters listed below and any others as deemed necessary by the Head of Planning:

- Time limit for implementation (3 years)
- Development to be carried out in accordance with approved plans
- Use of materials as submitted
- Any external lighting to be agreed prior to installation

Final wording of the conditions to be delegated to the Head of Planning.

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## **APPLICATIONS RECOMMENDED FOR A SITE INSPECTION**

There are no recommended site inspections at the time of publication of this agenda.

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## APPEALS SECTION

### (a) NEW APPEALS

**HAPPISBURGH - PF/19/0294 - Partial demolition of existing buildings and erection of granny annexe; Prospect House, Church Street, Happisburgh, Norwich, NR12 0PN for Mr & Mrs Dixon**  
FAST TRACK - HOUSEHOLDER

**NORTH WALSHAM - PF/19/0069 - Erection of first floor conservatory (retrospective) above existing flat roof extension; Flat 1, Fleet House, 6 New Road, North Walsham, NR28 9DF for Mr Blackmore**  
WRITTEN REPRESENTATIONS

**STALHAM - PF/18/2206 - Erection of two-storey building containing two self contained two bedroom flats; 6 St Marys Road, Stalham, Norwich, NR12 9DU for Mrs P Doe**  
WRITTEN REPRESENTATIONS

**WELLS-NEXT-THE-SEA - PO/18/1281 - Erection of 4 no. dwellings (Outline Application re: Access); The Nurseries, Theatre Road, Wells-next-the-Sea, NR23 1DS for Norfolk Heritage Coastal Developments Ltd**  
WRITTEN REPRESENTATIONS

**WELLS-NEXT-THE-SEA - PF/19/0232 - Erection of second storey to an existing attached boat store and workshop and 4.no dormer windows and 1 no. juliet balcony to the south elevation to create additional living accommodation.; Apple Croft, 4 Beldorma Close, Wells-next-the-Sea, NR23 1EE for Mr Kerr**  
FAST TRACK - HOUSEHOLDER

### (b) INQUIRIES AND HEARINGS - PROGRESS

**DILHAM - ENF/18/0046 - Change of use from B1 to Sui Generis (Car repairs); Granary Works, Honing Road, Dilham, NORTH WALSHAM, NR28 9PR**  
INFORMAL HEARING

### (c) WRITTEN REPRESENTATIONS APPEALS - IN HAND

**HAPPISBURGH - PF/19/0294 - Partial demolition of existing buildings and erection of granny annexe; Prospect House, Church Street, Happisburgh, Norwich, NR12 0PN for Mr & Mrs Dixon**

**NEATISHEAD - PF/18/0025 - Change of use of land from sewage treatment works to private recreational use, including erection of polytunnel, storage shed and siting of Shepherd's Hut; Anglian Water Authority Sewage Div Bt 4 and 5, King Street, Neatishead for Mr & Mrs Plater**

**NORTH WALSHAM - PF/19/0069 - Erection of first floor conservatory (retrospective) above existing flat roof extension; Flat 1, Fleet House, 6 New Road, North Walsham, NR28 9DF for Mr Blackmore**

**OVERSTRAND - PF/18/1330 - Erection of two-storey dwelling; Land at Arden House, 5 Arden Close, Overstrand, Cromer, NR27 0PH for Mr & Mrs M Storer**

**RUNTON - ADV/19/0324 - Display of non-illuminated advertisement panel mounted on posts; Dormy House Hotel, Cromer Road, West Runton, Cromer, NR27 9QA for Mr Brundle**

**STIBBARD - PF/19/0118 - Erection of 4no. two storey dwellings (2no. detached two-storey dwellings and a pair of two-storey semi-detached dwellings) with detached cart lodges and new vehicular access; Land South East of Fruit Tree Farm, Guist Bottom Road, Stibbard for Mr & Mrs Spencer Ashworth**

**WELLS-NEXT-THE-SEA - PO/18/1281 - Erection of 4 no. dwellings (Outline Application re: Access); The Nurseries, Theatre Road, Wells-next-the-Sea, NR23 1DS for Norfolk Heritage Coastal Developments Ltd**

**WELLS-NEXT-THE-SEA - PF/19/0232 - Erection of second storey to an existing attached boat store and workshop and 4.no dormer windows and 1 no. juliet balcony to the south elevation to create additional living accommodation; Apple Croft, 4 Beldorma Close, Wells-next-the-Sea, NR23 1EE for Mr Kerr**

**HAPPISBURGH - ENF/18/0069 - Land being used for siting a caravan for residential purposes; 17 Rollesby Way, Happisburgh**

(d) **APPEAL DECISIONS - RESULTS AND SUMMARIES**

**BODHAM - PF/18/1124 - Erection of a pair of semi detached light industrial units (B1); Gipsies Lane Works, Weybourne Road, Bodham, Holt, NR25 6QJ for North Norfolk Garden Machinery Ltd  
APPEAL DECISION:- APPEAL DISMISSED**

**POTTER HEIGHAM - PF/18/1298 - Change of use of agricultural land and part of building, including external alterations, to fitness studio and car park (retrospective); Glebe Farm, Marsh Road, Potter Heigham, GREAT YARMOUTH, NR29 5LN for R&B Norfolk Ltd  
APPEAL DECISION:- APPEAL ALLOWED**

Summaries of the following decisions are attached at **Appendix 2.**

**BODHAM - PF/18/1124 - Erection of a pair of semi detached light industrial units (B1); Gipsies Lane Works, Weybourne Road, Bodham, Holt, NR25 6QJ for North Norfolk Garden Machinery Ltd  
APPEAL DECISION:- APPEAL DISMISSED**

**FELMINGHAM - PF/18/1700 - Conversion of barn to annexe accommodation ancillary to main house and installation of a septic tank; Grange Farm, Grange Road, Felmingham, North Walsham, NR28 0LT for Strange Farm Ltd  
APPEAL DECISION:- APPEAL DISMISSED**

**HOLT - PF/18/0513 - Construction of 2 No. single storey detached dwellings and use of existing access; The Grove, Cromer Road, Holt for Mr Storey  
APPEAL DECISION:- APPEAL ALLOWED**

**HOVETON - PF/18/1848 - Single storey extension to side/rear and replacement roof to allow for accommodation with the roof space; Flamingo Cottage, 15 Church Road, Hoveton, Norwich, NR12 8UG for NGS Civil Engineer &**

**Technician Services**

APPEAL DECISION:- **APPEAL DISMISSED**

**HOVETON - PF/18/2202 - Erection of rear single storey extension, creation of front first floor extension, demolish existing garage and erection of garage with annexe accommodation above; Windborne, 21 Stalham Road, Hoveton, Norwich, NR12 8DJ for Mr Webster**

APPEAL DECISION:- **APPEAL DISMISSED**

**POTTER HEIGHAM - PO/18/1402 - Erection of detached bungalow and garage - outline (details of appearance reserved); White Gables, Dove House Lane, Potter Heigham, Great Yarmouth, NR29 5LJ for Mrs Elam**

APPEAL DECISION:- **APPEAL DISMISSED**

(e) **COURT CASES - PROGRESS AND RESULTS**

No change from previous meeting.

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<b>Application Number: PF/18/1848</b>	<b>Appeal Reference: APP/Y2620/D/19/3221780</b>
<b>Location: 15 Church Road, Hoveton, Norwich NR12 8UG</b>	
<b>Proposal: Rear extension and complete new roof structure containing three bedrooms and a bathroom</b>	
<b>Officer Recommendation: Refuse</b>	<b>Member decision (if applicable): N/a</b>
<b>Appeal Decision: DISMISSED</b>	<b>Costs: N/a</b>
<p><b>Summary:</b> The main issues the Inspector considered were:</p> <ul style="list-style-type: none"> <li>• the effect of the proposal on the character and appearance of the surrounding streetscene; and</li> <li>• the effect of the proposal on the living conditions of occupiers of adjacent properties, with particular reference to visual impact, daylight and sunlight..</li> </ul> <p><b>Character and Appearance:</b> The Inspector found that due to the bulk and design of the proposed roof structure, that it would appear as an excessively dominant addition, not in keeping with the modest scale of the host dwelling and other dwellings in the immediate surroundings. This would be to the detriment of the character and appearance of the surrounding streetscene. He therefore concluded on this matter that the proposal would have an adverse effect on the character and appearance of the surrounding streetscene contrary to Policy EN 4 in the North Norfolk Core Strategy (2008).</p> <p><b>Living Conditions:</b> The Inspector found that due to the separation distance between the appeal dwelling and neighbouring dwellings, and the siting of the neighbouring garages, that the proposal would not have an overbearing visual impact on neighbours or result in an unacceptable loss of daylight or sunlight for these neighbours. He therefore concluded that the proposal would be in accordance with Policy EN 4 where it seeks to protect residential amenity.</p>	
<b>Relevant Core Strategy Policies:</b> EN4 – Design and amenity	
<b>Relevant NPPF Sections/Paragraphs:</b> None	
<b>Learning Points/Actions:</b> N/a.	

<b>Application Number: PO/18/1402</b>	<b>Appeal Reference: APP/Y2620/W/19/3227252</b>
<b>Location: Dove House Farm, Dove House Lane, Potter Heigham NR29 5LJ</b>	
<b>Proposal: sub division of garden to form plot for detached bungalow and garage</b>	
<b>Officer Recommendation: Refuse</b>	<b>Member decision (if applicable): N/a</b>
<b>Appeal Decision: DISMISSED</b>	<b>Costs: N/a</b>
<p><b>Summary:</b> The main issue the Inspector considered was:</p> <ul style="list-style-type: none"> <li>• whether the site is a suitable location for a dwelling having regard to development plan and national planning policies</li> </ul> <p>The inspector noted that Potter Heigham is a village identified in the North Norfolk Local Development Framework Core Strategy (2008) (the Core Strategy) as being Countryside. Although the village has been divided in two by the A149, a busy road, the village retains a rural setting within open countryside. Together Policies SS1 and SS2 of the Core Strategy establish a spatial strategy and development hierarchy that seek to protect the</p>	

countryside and concentrate development growth in more sustainable locations. He agreed that the aims of these policies are broadly consistent with the aims of the Framework, including Section 9 of the Framework: Promoting sustainable transport.

Of great importance he noted that Potter Heigham has a primary school and a village hall, on the same side of the A 149 as the appeal site. He noted that the intervening streets are unlit and there is no continuous footpath provision. The village centre of Potter Heigham contains a limited range of services and shops. However, these are separated from the appeal site by the A149, and he considered there to be little evidence to suggest that these would satisfy all of the day to day needs of residents, and in consequence there would be a need for journeys to larger settlements further afield. He also noted that the bus stops identified by the Council are also on the opposite side of the A149 and a significant distance from the appeal site. He therefore considered that the available public transport links would not provide a meaningful alternative to the use of the private car.

He considered that the nature of the local roads with their lack of lighting or, in places, footways, vehicular speeds and the distances involved, are such that they would deter pedestrians and cyclists, particularly after dark, with children or during inclement weather and so residents of the site would still rely heavily upon the private car for their day-to day needs.

In reaching a view the Inspector noted the Framework's promotion of sustainable development in rural areas where it will enhance or maintain the vitality of rural communities especially where this will support local services. However, he considered that the proposed development would provide limited benefits to the local economy in terms of short term employment in the construction industry and longer term support to local shops and businesses and as such, it could not be said that the development would contribute meaningfully to the vitality of villages outside the town.

In conclusion he found that Whilst the Framework provides some support for the development, in that it would provide limited benefits to the local economy this is outweighed by the disbenefits accruing from the lack of easy accessibility to sustainable transport to meet the day to day needs of the occupants. He concluded that the site is not a suitable location for a new dwelling, having regard to development plan and national planning policies for the delivery of housing. The development would therefore be contrary to Policy SS1 and SS2 of the Local Plan.

**Relevant Core Strategy Policies:**

SS1 – Spatial Strategy for North Norfolk  
SS2 – Development in the Countryside

**Relevant NPPF Sections/Paragraphs:**

N/a

**Learning Points/Actions:**

N/a.

<b>Application Number: PF/18/1124</b>	<b>Appeal Reference: APP/Y2620/W/19/3224957</b>
<b>Location: Gipsies Lane Works, Weybourne, Road, Bodham, Holt NR25 6QJ</b>	
<b>Proposal: erection of a detached building, comprising two light industrial units</b>	
<b>Officer Recommendation: Refuse</b>	<b>Member decision (if applicable): N/a</b>
<b>Appeal Decision: DISMISSED</b>	<b>Costs: N/a</b>
<b>Summary:</b> The main issue the Inspector considered was:	



- whether the appeal site is a suitable location for the proposed development, having regard to local and national policies

The inspector noted the countryside location of the proposed development. He also noted that Policy SS2 makes provision for the extension of existing businesses and new build employment generating proposals where there is particular environmental or operational justification.

He noted that in the context of what is already on the site, the proposal would have little impact on the appearance of the countryside because it would form part of an established commercial site. Furthermore, the appeal site is well screened from public view by the existing built form and an established tree belt to the east. Notwithstanding this, he again referred to the requirement of Policy SS2: a specific justification for new proposals within a countryside location. In the absence of such he found no justification for the new build premises and therefore found conflict with the provisions of Policy SS2.

With regard to sustainable transport, the Inspector noted that Policy CT5 of the NNCS aims to control the transport impact of new development requiring proposals to, amongst other things, provide safe and convenient access for all, including those with disabilities.

The Council's main concern with regards to this proposal was the likelihood of reliance upon the motor car due to the location of the site. The inspector noted the proximity of the nearest bus stop to the appeal site (approximately 650 metres south east of the site within the village of Bodham). He found that whilst this distance was not excessive, there is no footpath or streetlighting along either Gipsies Lane or Cromer Road, and therefore it is unlikely that employees or customers visiting the site would use sustainable modes of transport. Consequently, it is highly likely that any further intensification of use on this site would increase vehicle movements to and from the site. He also noted the objections made by the Highways Officer.

In conclusion on this point he did not consider that the site, acknowledging its current uses and location, could sustain any intensification of use without further reliance on the private motor car. Accordingly, he found conflict with Policy CT5 of the NNCS.

**Relevant Core Strategy Policies:**

SS1 – Spatial Strategy for North Norfolk  
 SS2 – Development in the Countryside  
 CT5 – Transport Impact of New Development

**Relevant NPPF Sections/Paragraphs:**

N/a

**Learning Points/Actions:**

N/a.

<b>Application Number: PF/18/1700</b>	<b>Appeal Reference: APP/Y2620/W/19/3224141</b>
<b>Location: Grange Farm, Grange Road, Felmingham, North Walsham, NR28 0LT</b>	
<b>Proposal: conversion of barn to a dwelling (ancillary to property).</b>	
<b>Officer Recommendation: Refuse</b>	<b>Member decision (if applicable): N/a</b>
<b>Appeal Decision: DISMISSED</b>	<b>Costs: N/a</b>
<b>Summary:</b>	
The main issue the Inspector considered was: <ul style="list-style-type: none"> <li>• whether the proposed dwelling (ancillary to property) would be an appropriate form of development in this location, having regard to local and national policies</li> </ul>	

The Inspector noted that the countryside location.

The Inspector also noted the appellant companies' requirements for visitors to the business premises to be able to stay on the site for short periods of time.

Both the appellant and the Council proposed conditions which might be applied in the event of an approval such that would tie the use of the barn to the main residence and company, and seek to ensure it was used in an ancillary manner and therefore not to be used as a separate dwelling. The Inspector concluded on all the proposed conditions that neither were sufficiently precise so that it is absolutely clear what the appellant company must do to comply. For example, he said that the suggested conditions do not outline who, how often or for how long people may reside at the dwelling. Without such controls the dwelling could be occupied by anyone, including employees of the business and for any length of time which would run counter to the reasons why the appellant company seeks the accommodation.

Secondly, the Inspector also had concerns about the enforceability of the suggested conditions for the same reason. Added to this, he considered that the conditions as drafted would put an undue burden on the Council to monitor the site and secondly pose an issue around detecting a contravention.

He concluded that the proposal would be an inappropriate form of development in this location which would be in conflict with the aims of NNCS Policy SS2; which seeks to control inappropriate forms of development within the countryside.

**Relevant Core Strategy Policies:**

SS2 – Development in the Countryside

**Relevant NPPF Sections/Paragraphs:**

N/a

**Learning Points/Actions:**

None.

<b>Application Number: PF/18/0513</b>	<b>Appeal Reference: APP/Y2620/W/18/3206689</b>
<b>Location: The Grove, Cromer Road, Holt NR25 6EB</b>	
<b>Proposal: of 2 no. single storey dwellings and use of an existing access.</b>	
<b>Officer Recommendation: Refuse</b>	<b>Member decision (if applicable): N/a</b>
<b>Appeal Decision: ALLOWED</b>	<b>Costs: N/a</b>
<b>Summary:</b> The main issues the Inspector considered were: <ul style="list-style-type: none"><li>the effect of the proposed development on<ul style="list-style-type: none"><li>(a) the setting of the Grade II listed building known as The Grove and</li><li>(b) protected trees having regard to the character and appearance of the area and the living conditions of future occupiers of the development</li></ul></li></ul>	
<b>Listed Building:</b> The Inspector noted the architectural and historic interest of the Grade II Listed Grove adjacent to the application site and also its setting. He also noted that built development has gradually expanded eastwards from Holt over the past two centuries and that as a consequence, the wider surroundings which form part of The Grove's setting have become less rural.	

He considered that the siting and the use of brick and flint materials would be sympathetic with the location while the simple contemporary design would not compete for attention with the grander detailing of the listed building. He felt that views from the front of The Grove would not be impeded greatly given the siting of the dwellings to one side. As a consequence, the development would not negatively curtail or compromise the grounds of the listed building. Moreover, with the housing development to the east, the introduction of two modest and sensitively designed houses would not harm the setting of the listed building.

Concluding on this main issue, the Inspector found that the proposed development would preserve the setting and special interest of The Grove. Therefore, it would accord with Policies EN4 and EN8 of the North Norfolk Core Strategy 2008 (CS) which, amongst other things, seek high quality design that reinforces local distinctiveness and the preservation of listed buildings and their setting.

**Trees:**

The Inspector noted the findings of the Arboricultural Impact Assessment in respect of shading to the two proposed dwellings and he found this to accord with the requirements of the adopted Design Guide in this respect. He also noted the works proposed to the protected trees but did not find this to be excessive or to result in their long term harm.

Concluding on this main issue, the Inspector stated that the proposed development would have an acceptable effect on trees with regards to the character and appearance of the area and the living conditions of future occupiers. Therefore, it would accord with CS Policy EN4 which, amongst other things, requires development to protect the character and quality of an area and for new dwellings to provide acceptable residential amenity.

**Relevant Core Strategy Policies:**

EN4 – Design

EN8 – Protecting and enhancing the historic environment

**Relevant NPPF Sections/Paragraphs:**

N/a

**Learning Points/Actions:**

N/a

<b>Application Number: PF/18/2202</b>	<b>Appeal Reference: APP/Y2620/D/19/3226221</b>
<b>Location: Windborne, 21 Stalham Road, Hoveton, Norwich, Norfolk NR12 8DJ</b>	
<b>Proposal: Erection of a rear single-storey extension to kitchen. Front first floor extension to bedroom. Demolish existing garage and replace with larger garage with annexe accommodation above.</b>	
<b>Officer Recommendation: Refuse</b>	<b>Member decision (if applicable): N/a</b>
<b>Appeal Decision: DISMISSED</b>	<b>Costs: N/a</b>
<p><b>Summary:</b>  The main issue the Inspector considered was:</p> <ul style="list-style-type: none"> <li>the effect of the proposed garage with annexe accommodation above on the character and appearance of the host property.</li> </ul> <p>The Inspector noted that planning permission has been granted for the rear single-storey extension and front first floor extension (Ref: PF/17/1636). A front extension has subsequently been constructed. That planning permission includes a replacement detached garage, which would be smaller than the proposal currently under consideration.</p>	

The Inspector considered that the proposed building would appear as disproportionately large in terms of height and mass for a curtilage outbuilding for this modest bungalow. Due to the height, mass and gable end design, he considered that it would overwhelm the appearance of the host dwelling, to the detriment of the character and appearance of this dwelling. In particular, the large front gable would appear as excessively prominent and would not relate well to the roof pattern on the main roof of the host dwelling.

He therefore concluded that the proposed garage with annexe accommodation above would have an adverse effect on the character and appearance of the host property. Thus, the proposal would be contrary to Policy EN 4 in the adopted North Norfolk Core Strategy (2008), where it seeks to ensure high quality design that has regard to local context.

**Relevant Core Strategy Policies:**

EN 4 - Design

**Relevant NPPF Sections/Paragraphs:**

N/a

**Learning Points/Actions:**

N/a

**Sources:**

Sarah Ashurst – Development Management Manager