

Development Committee



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25 March 2020

A meeting of the **Development Committee** will be hosted remotely at the Council Offices, Holt Road, Cromer NR27 9EN on **Thursday, 2 April 2020 at 9.30 am.**

PUBLIC SPEAKING – COVID-19

Please note in light of Government guidance, the Council has restricted public access to the Council Offices and the public speaking arrangements have been suspended. Members of the public may instead submit a statement for circulation to the Committee by emailing it to DemocraticServices@north-norfolk.gov.uk no later than 5.00 pm on Tuesday 31 March 2020.

Emma Denny
Democratic Services Manager

To: Mrs P Grove-Jones, Mr P Heinrich, Mr A Brown, Mr C Cushing, 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 Bütikofer, 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

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AGENDA

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

1. **CHAIRMAN'S INTRODUCTIONS**
2. **TO RECEIVE APOLOGIES FOR ABSENCE 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
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. **NORTH WALSHAM - PF/19/2003 - PROPOSAL TO REMOVE CONDITION 2 [REQUIREMENT TO USE EACH CARAVAN AND CHALET AS HOLIDAY ACCOMMODATION ONLY, AND NOT AS THE SOLE OR MAIN PLACE OF RESIDENCE FOR ITS OCCUPIERS] OF PLANNING PERMISSION PF/04/1449 (USE OF CHALET AND CARAVAN PARK WITH ABILITY TO OCCUPY CARAVANS ALL YEAR** (Pages 1 - 10)

ROUND FOR HOLIDAY PURPOSES), TO ALLOW CARAVANS TO BE USED AS BOTH 12 MONTH HOLIDAY ACCOMMODATION OR RESIDENTIAL USE, INCLUDING AS A MAIN OR SOLE RESIDENCE; ALDER COUNTRY PARK, BACTON ROAD, NORTH WALSHAM FOR EXCLUSIVE LUXURY LODGES LTD

8. CLEY-NEXT-THE-SEA - PF/19/1893 - INSTALLATION OF 3NO. PAY AND DISPLAY MACHINES (2NO. IN THE VISITOR CENTRE CAR PARK AND 1NO. AT THE CLEY BEACH ROAD CAR PARK); CLEY MARSHES VISITOR CENTRE & CLEY BEACH ROAD CAR PARK, COAST ROAD, CLEY-NEXT-THE-SEA, HOLT, NR25 7SA FOR MR MORRITT (Pages 11 - 16)
9. CROMER - ADV/20/0047 - NON ILLUMINATED ADVERTISING SIGN MEASURING 2.4M X 0.9M AND 3 NO. NON-PERMANENT SAIL FLAG BANNER SIGNS MEASURING 3.2M X 0.5M; MARRAMS PUTTING GREEN, RUNTON ROAD, CROMER, NR27 9AU FOR MR DEAKIN (Pages 17 - 20)
10. OVERSTRAND - PF/19/1649 - DEMOLITION OF DWELLING AND ERECTION OF REPLACEMENT TWO-STOREY DETACHED DWELLING AND GARAGE; 8 THURST ROAD, OVERSTRAND, CROMER, NR27 0PR FOR MR & MRS MASTERS (Pages 21 - 24)
11. SHERINGHAM - PF/19/2143 - ERECTION OF 1NO. DETACHED SINGLE STOREY ONE BEDROOM ANNEXE OCCUPIED IN ASSOCIATION WITH DALMENY HOUSE, DALMENY HOUSE, 2 THE BOULEVARD, SHERINGHAM, NR26 8LH FOR MR N VITHLANI (Pages 25 - 30)
12. SITE INSPECTIONS (Pages 31 - 32)
13. APPEALS SECTION (Pages 33 - 36)
 - (a) New Appeals
 - (b) Inquiries and Hearings – Progress
 - (c) Written Representations Appeals – In Hand
 - (d) Appeal Decisions
 - (e) Court Cases – Progress and Results
14. ANY OTHER URGENT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE
15. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution, if necessary:-

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

PRIVATE BUSINESS

16. ANY OTHER URGENT EXEMPT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE
17. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA

NORTH WALSHAM - PF/19/2003 - Proposal to Remove Condition 2 [Requirement to use each caravan and chalet as holiday accommodation only, and not as the sole or main place of residence for its occupiers] of Planning Permission PF/04/1449 (Use of chalet and caravan park with ability to occupy caravans all year round for holiday purposes), to allow caravans to be used as both 12 month holiday accommodation or residential use, including as a main or sole residence; Alder Country Park, Bacton Road, North Walsham for Exclusive Luxury Lodges Ltd

Major Development

- Target Date: 23 March 2020 (Agreed extension of time 10 April 2020)

Case Officer: Phillip Rowson

Full Planning Permission

CONSTRAINTS

EA Risk of Flooding from Surface Water 1 in 1000

LDF - Tourism Asset Zone; Residential Area; Countryside

SFRA - Areas Susceptible to Groundwater Flooding

EA Risk of Flooding from Surface Water 1 in 100 & 1 in 30

SFRA - Risk of Flooding from Surface Water + CC

Landscape Character Area

MOD Safeguarding height Restriction

Mineral Safeguard Area

Advertising Control

Section 106 Planning Obligations

Tree Preservation Order

RELEVANT RECENT PLANNING HISTORY for "Alder Country Park" formerly known as North Walsham Chalet & Caravan Park, Bacton Road, North Walsham

PLA/20041449 PF

North Walsham Caravan & Chalet Park, Bacton Road, North Walsham

VARIATION OF CONDITIONS ON PLANNING PERMISSIONS REFERENCES 19780066, 19781838, 19830190, 19950895, 19961192 AND 20011095 TO ALLOW ALL YEAR ROUND OCCUPANCY OF CARAVANS FOR HOLIDAY PURPOSES

Approved 24/09/2004

PF/19/2003 PF

Alder Country Park, Bacton Road, North Walsham

Proposal to Remove Condition 2 [Requirement to use each caravan and chalet as holiday accommodation only, and not as the sole or main place of residence for its occupiers] of Planning Permission PF/04/1449 (Use of chalet and caravan park with ability to occupy caravans all year round for holiday purposes), to allow caravans to be used as both 12-month holiday accommodation or residential use, including as a main or sole residence

Current application undetermined

THE APPLICATION

The application site is accessed by Bacton Road and sits on the North Eastern periphery of North Walsham. The site abuts the identified settlement edge being immediately adjacent to Bluebell Road and Marsh Gate, but is otherwise located within an area of open countryside.

The proposals seek to vary 12-month conditional control for holiday accommodation over the planning application site area. The conditional control requires that any occupiers must have

their main or sole residence elsewhere, in effect not permitting full time residential use to be exercised on site. The application is supported by a Flood Risk & Foul Sewage Report, Transport Statement, Waste Management Strategy, Counsel Opinion and Covering letter. Subsequently to submitting the application the applicants have proposed amendments which will not permit residential occupancy within an identified flood risk area and also to restrict any residential occupancies on site to being for those over 50 years old.

It is noted immediately to the South East of the application site is a further area of the “Alder Country Park” with approximately 20 chalets site upon it. That area is also subject to similar restrictions. This area is under the same ownership as the application site, but will be considered by the applicants once this current application has been determined. As such we must determine each case on its own merit.

REASONS FOR REFERRAL TO COMMITTEE

The proposals for part residential use of the site are located in a countryside area within the adopted local plan. As such residential use within such an area is a departure from adopted plan policies SS1 & SS2. That departure is considered to potentially be of more than local significance and is reported to committee under the recommendation of the Head of Planning.

PARISH/TOWN COUNCIL

North Walsham Town Council – Initial comment *“North Walsham Town Council have no objection to this planning application but would like a condition included, if possible, that the site is a maximum 50/50 split between permanent homes and holiday lets.”*

Amended plan comment – No objections to this planning application.

REPRESENTATIONS

Twenty-Six letters of support have been received noting amongst other the comments:

- Alleviating the stress and uncertainty for those outstanding numbers of residents occupying a holiday only site, who would be otherwise trapped by alleged historic misspelling of chalets.
- Support amongst complaint holiday occupiers for residential occupancy.
- Enhanced security from permanent resident's oversight.
- Greater economic support for local businesses and facilities from residential users.
- Enhanced site appearance from residential pitches.
- Support longer term viability of the Chalet Park.
- The site is in an otherwise sustainable location with good access to local services and facilities, without reliance on private car.

A Twenty-Four Signature petition has been submitted which supports the proposals to end uncertainty and concern arising from alleged mis-selling, enable those residents to continue their presence at the heart of this community and to otherwise consider this location as being a sustainable location for residential occupancy.

CONSULTATIONS

County Council (Highway) – *“...the Highway Authority would, as a minimum, expect to object to on transport sustainability grounds for reason of unacceptable proximity to everyday services and availability of alternative travel modes to the car.”*

In this particular case however the site is reasonably well located in regard to the Town of North Walsham and is connected to the Town by footway facilities. In terms of any concerns regarding additional traffic generation arising from the proposal the site access is well located and arranged with no record of personal accidents occurring in the vicinity of the site in the last five years.

Accordingly, I have no reason to resist the granting of permission."

NCC Flood & Water Management (LLFA) – Amended plan / information comments:

"After reviewing all the documents provided there is sufficient information to demonstrate the change to this condition can be met. The information provided shows that all permanent residential caravans are to be located in an area of no flood risk and an evacuation plan has been provided. The removal of Condition 2 needs to be applied in line with the provided information:

- Drawing no: 2 – Surface Water Flood Zone Area. (Feb 2020)*
- Officer Report on Planning Application: 18/00116/FUL*
- Email titled: The Meadows - Alder Country Park, North Walsham - Planning*

Application PP-08295740 - PF/19/2003 (sent 25th February 2020)"

County Council - Planning Obligations Co-Ordinator – *"It is understood from our discussions that the proposal will result in only 50% of the site being full time residential occupancy and that this 50% of the site will be subject to an over-55 occupancy condition. Subject to this condition being imposed, the County Council would not seek planning obligation contributions towards education, library or green infrastructure and would not have concerns about the proposal on this basis."*

Latterly, confirmed the proposed amendments do not materially change the above comment and therefore no objections are raised.

Anglian Water – *"The variation of condition application number 2 is not foul or surface drainage related, therefore this is outside our jurisdiction for comment."*

Landscape Officer – *"The impact of the trees with regards to liveability issues such as shade, debris, leaves and pigeon mess and the fear of the trees falling in close proximity of a resident or building will put excessive pressure on the trees. It is considered that any residents would be put in a situation where they would be living in a perceived fear of the trees and would not be able to enjoy their long term amenity in relation to a dwelling. In some cases there would be restricted shade free garden area to be enjoyed and again this would affect amenity as well as practical dwelling issues such as washing lines."*

Economic and Tourism Development Manager – *"In consideration of planning application PF/19/2003 the Economic Development Team raises - no objection. It is recognised that there are potential economic benefits that would be derived by such a proposal. We would therefore be keen to support this application. These comments reflect the economic impacts of this application and are without prejudice to others or matters of non-economic concern."*

NNDC Local Housing Enablers, NNDC – some potential to increase the use of the caravans and chalets on the site and to provide some permanent homes. On this basis Housing Strategy has no objection to the proposal.

Specific benefits which may result from the removal of the restriction.

1. It may be possible for the council to discharge a duty to secure housing for a homeless household if a suitable caravan/chalet is available to let.

2. Home owners/tenants on the site will be able to apply to the Council for help with adaptations to remain in their home.

Affordable Housing - It might be reasonable to require a s106 contribution either as a monetary sum or alternatively in the form of some caravans/chalets let at affordable rent to applicants from the Council's housing register.

Licensing (Environmental Health) – Comments to be reported.

Environmental Health – No objections.

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

Local Guidance:

North Norfolk Core Strategy (Adopted September 2008):

Strategic Policy:

Policy SS1 – Spatial Strategy for North Norfolk

Policy SS2 - Development in the Countryside

Policy SS3 – Housing

Policy SS4 – Environment

Policy SS6 - Access and Infrastructure

Development Management Policy:

Policy HO1 - Dwelling Mix and Type

Policy H02 – Provision of Affordable Housing

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

Policy EN 4 - Design

Policy EC8 - Retaining an Adequate Supply and Mix of Tourist Accommodation

Policy EN10 – Development & Flood Risk

National Guidance:

National Planning Policy Framework (NPPF) (2019)

CONSTRAINTS

Local Development Framework Tourism Asset Zone

Environment Agency Risk of Flooding from Surface Water 1 in 1000 annual probability.

Area susceptible to groundwater flooding.

Environment Agency Risk of Flooding from Surface Water 1 in 100 annual probability.

Environment Agency Risk of Flooding from Surface Water 1 in 30 annual probability.

SFRA - Risk of Flooding from Surface Water - Annual Exceedance Probability 1% + 40%
Climate Change Modelling

Risk of Flooding from Surface Water 1 in 100-year event (1% Annual Exceedance Probability)
plus 40% increase due to climate change.

Designated area within which additional controls over the display of advertisements apply

MAIN ISSUES FOR CONSIDERATION

- 1 Background
- 2 Principle
- 3 Flood Risk
- 4 Arboriculture
- 5 Infrastructure provision

APPRAISAL

- 1 Background

The Council imposed a condition when approving relaxation of holiday occupancy controls to permit year round holiday occupancy of chalets. The key condition (2) on application 04/1449 requires that:

“Each caravan and chalet on the site shall be used for holiday accommodation purposes only and shall not be used as the sole or main residence of its occupiers.”

At that time the condition was required on a planning policy basis so as to otherwise provide a policy complaint proposal in a designated Countryside area. Committee minutes from that 2004 meeting show a concern from the members as to potential for breach of condition and the site being occupied on a residential basis and so were supportive of the condition being imposed.

Officers consider that this condition has remained lawful and enforceable within the context of the 2004 planning permission. The applicant's legal opinion is publically available as a supporting document to this case, Counsel's opinion is that the condition remains in force.

The intervening time period from 2004 has delivered a number of breaches on site, Council Tax records and the residents on site suggest the number of Breaches (i.e. chalets occupier as main dwelling) is between 24 to 30 units of the total number of 140 chalet bases. Investigations show the balance of probability is that no chalet has been occupied as a main residence for a period in excess of 10 years. As such for those currently in breach, on the application site, then it appears that no resident would be otherwise exempt from planning enforcement control.

Officers, local members and former MP Norman Lamb have recognised the sensitivities of this matter. A series of discussions has been undertaken with those residents living in chalets and in apparent breach of the planning condition. Those in breach have alleged misselling of the chalets by the former park owner and have explained to the Council that significant personal hardship would arise if enforcement actions were undertaken. It is appreciated since the "park" recently changed hands that the owners have been endeavouring to find an amicable solution to this difficult problem.

The Council have been pursuing discussions with the new site owner, since that time positive discussions have taken place which gave rise to consideration of three options:

- I. Enforcement action, with extended compliance period to mitigate personal hardship.
- II. Granting planning permission for individual units, subject to a s106 agreement requiring the residential units identified to revert back to holiday use after either an agreed time period or upon cessation of occupancy by the current resident/s.
- III. Submitting an application to amend the conditions relating to this site to enable it to be used for both holiday and residential.

The applicants have chosen to pursue option 3 as it is considered to *"provide a solution in planning terms and would allow the occupants to continue to live on site without the worry of enforcement, and provides flexibility with the site going forward, especially given its sustainable location immediately adjacent to the settlement boundary."*

2 Principle

The residential occupation of caravans would not result in a material change of use. A Section 73 application is made to remove the restrictive condition.

Strategic considerations:

Policies SS1 & SS2 set out the Council's settlement hierarchy and approach to distribution of development and gives specific reference to controls in identified countryside areas. The application site is in a countryside area where more restrictive controls apply to development. The proposals do not comply with Policies SS1 & 2

Policy SS3 relates specifically to housing provision and requires a varied housing mix to be available within the district. The proposals would provide smaller scale residential units to those who are downsizing, predominantly to over 50 years old.

Policy SS4, 'Environment', states that all development proposals will contribute to the delivery of sustainable development, ensure protection and enhancement of natural and built

environmental assets and geodiversity. Residential use of units permitted for year round tourism use has no significant adverse impact on these matters.

Policy SS6, relates to 'Access and Infrastructure', this requires that new development should be supported by, and have good access to, infrastructure, open space, public services and utilities. The transport strategy for North Norfolk is to maximise the use of non-car modes, within the context of a rural area where, for many trips, there are limited alternatives to the car.

In terms of sustainability and accessibility, the site is located immediately adjacent to the settlement boundary; there is sufficient infrastructure nearby to sustainably accommodate residents. Services and amenities within North Walsham including large supermarkets, shops, dental surgeries, opticians, pharmacies, leisure centres, cafes, restaurants and banks, etc. North Walsham are within a walkable and cycle able distances. Good access to public transport is available, North Walsham railway station is located 1.3 miles away. Multiple bus services can be accessed both at Bacton Road and Bluebell Road being within a five-minute walk. These stops provide access to CH2 Coasthopper bus service which provides access to Swafeld, Trunch, the coastal villages of Mundesley and Trimingham and finally the tourist seaside town of Cromer which provides multiple amenities and services as well as multiple tourist attractions. Limited residential use at the site would not generate significant vehicular movements above that experienced under the base line of the existing 12-month Tourism use.

Development Control Policies:

Policy EC8 of our plan is a key consideration, this requires that an adequate supply and Mix of Tourist Accommodation is provided within the district. The applicant considers that the policy is predicated on out of date evidence from 2005 and so should carry less or nil weight. I disagree as the policy is otherwise within the remit of the NPPF requirements relating to tourism provision in national planning policy.

I am persuaded that each case relating to re-use of tourism facilities should be addressed upon the local impact of those proposals. In this case members may note the comments from our Economic Development Team. The consultation response poses no objection to the residential elements on the site being an important facility or that adequate provision is otherwise not available. The comment recognises that there are potential economic benefits that would be derived from the changes. I see that the comment concludes that *"We would therefore be keen to support this application."* On this basis then I would consider that the proposals are compliant with Policy EC8.

Policy EN 2 relates to Protection and Enhancement of Landscape and Settlement Character states that 'proposals for development should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment and features identified in relevant settlement character studies'. Partial residential use of the site in this instance, that utilises existing caravan units, is considered to have greater pressure for the felling or lopping of trees adjacent the proposed residential units. The applicant disagrees with this view suggesting that the impact is limited. I am persuaded that the proposals may on balance have some impact by virtue of their residential use. On this basis then I am persuaded the proposals will not comply with policy EN2.

Policy EN 4 'Design' states that "All development will be designed to a high quality, reinforcing local distinctiveness... Design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable". In this instance, the residential use of part of the site does not involve any additional or new operational development that might require planning permission.

On this basis then I consider that the proposals will comply with the highlighted policies and the wider local plan and national guidance but cannot meet the provisions of policies SS1 & SS2.

3 Flood Risk

A central corridor within the application site lies within a zone susceptible to flooding (surface water flood path), NCC as Lead Local Flood Authority (LLFA) initially objected to the proposals on the basis of *"the changes that have been put forward now increase the vulnerability class of the development to highly vulnerable."*

Further technical evidence was requested along with details of proposed mitigation measures and an evacuation plan. The applicant has subsequently met with the LLFA and Council officers and has produced amended supporting guidance.

- A plan indicating where the areas of the surface water flow path will impact.
- Proposals to relocate any residents impacted by the surface water flow path within a 12 to 18-month period, dependent on personal circumstances and to minimise risk / disruption to residents.
- No residential occupancy within the flow path area following the agreed relocation process.

Confirmation of agreement to a proposed condition worded as follows:

"Any caravan that is wholly or partly situated within the area shown shaded on the attached plan shall not be occupied as a sole or main residence. Such units shall be occupied for holiday purposes only."

The amended details have been subject to further consultation LLFA have confirmed that the above amendments will satisfy their concerns. I consider the proposals will comply with policy EN10 of the Local Plan.

4 Infrastructure provision

Comments of consultees have initially raised questions as to infrastructure contributions from the proposed variation of condition to permit residential use on a year round tourism site.

Housing - housing strategy have confirmed no objections to the proposals noting that relaxation of the condition may make some units available to resolve urgent temporary housing needs. Further, that as residential units that residents will be able to apply for funding to adapt their homes to meet disability requirements. A point was raised regarding potential requirement for S106 contribution from the uplift in values arising from residential use on the site.

Although, I can agree that an uplift in value may arise from the proposals the terms of policy H02 relate to the erection of new dwellings or conversions of buildings to dwellings. These proposals are not captured by either provision and so are exempt from any contribution under H02.

NCC S106 contribution team initially concerns raised over the presence of residential users at the site as against year round tourism use which would impose a lesser burden on local services. Subsequently, agreed no service contribution would be required if a suitable age

restriction is imposed on residential occupancy so as to ensure no adverse impact on local schools' capacity.

On this basis then I conclude the proposals are otherwise compliant with Policy SS6 Access & infrastructure.

Conclusions:

It is appreciated that concerns were initially expressed by Development Committee in 2004 over potential residential uses at this site. During the intervening years planning policy has changed, the advent of the NPPF has enabled a more flexible consideration of proposals which are in countryside locations and may be departures from adopted policy consideration.

The proposals are considered to have an additional potential impact upon the trees under preservation order across this site. The Council's Landscape Officer objects to the proposals, I consider that the proposals fail to comply with policy EN2. However, I am persuaded that this impact will be limited in the first instance by the location of those residents currently in breach of the restrictive position. Further that the existing presence / protection of those trees considered important under the preservation order will ensure suitable retention of important assets. For those existing residents then the presence of those trees is a known and cannot be reasonably be adding to a perception of fear on this matter. The balance of numbers across the site is predominantly tourism use 90:30, it is therefore the benefits of permitting this change can currently outweigh the potential harm that may arise through perception of fear issues from existing. In terms of future consideration then those features of importance at the site are otherwise protected by Tree Preservation Orders.

The proposals are considered to be a sustainable form of development, key in this consideration is the location of this site, and its access to local transport links, facilities and services as being immediately adjacent to the district's largest centre of population. I consider that the principles that support a positive recommendation to this application are a rare set of precedents which cannot be readily repeated elsewhere. The proposals therefore present a suitable departure from the approved plan policies which can be supported as an otherwise sustainable development under the NPPF.

RECOMMENDATION:

APPROVE subject to conditions relating to the following matters and others considered necessary by the Head of Planning:

- No residential occupancy within identified flood risk area
- A scheme for the relocation of any caravan that is wholly or partly situated within the flood risk area to be relocated beyond identified flood risk within a period of no more than 18 months
- A scheme for the emergency flood evacuation
- A scheme of provision to be agreed for 24-hour caretaker services at the site
- All residential occupancy (other than as agreed for caretaker provision) to be restricted to Over 50 years old.

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CLEY-NEXT-THE-SEA – PF/19/1893 – Installation of 3no. Pay and Display Machines (2no. in the visitor centre car park and 1no. at the Cley Beach Road car park); Cley Marshes Visitor Centre & Cley Beach Road Car Park, Coast Road, Cley-next-the-Sea, Holt, NR25 7SA for Mr Morritt

Target Date: 2 April 2020

Case Officer: Bruno Fraga da Costa

Full Planning Permission

RELEVANT CONSTRAINTS

LDF - Countryside

LDF - Tourism Asset Zone

Conservation Area

Area of Outstanding Natural Beauty

Landscape Character Area

(RAMSAR) Wetlands of International Importance

Specific Area of Conservation

EA Risk of Flooding from Surface Water 1 in 100

EA Risk of Flooding from Surface Water 1 in 1000

Flood Zone 2

Flood Zone 3

Unclassified Road

A Road

Development within 60m of Class A road

Undeveloped Coast

RELEVANT PLANNING HISTORY

IS2/19/0762: Pre-application advice for the proposed installation of 3no pay and display machines and associated signage at both Norfolk Wildlife Trust Visitor Centre and Beach Road car parks. Advice Given (for pre-apps) 30/07/2019

PF/13/0624: Erection of single-storey extension and construction of viewing deck. Approved 29/07/2013

PLA/20042192: Erection of visitor centre including tractor store and wind turbine and extension to car park. Approved 18/05/2005

THE APPLICATION

Is for the installation of three Pay and Display Machines. Two would be located within the visitor centre car park, with the other in Cley Beach Road car park.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr. Karen Ward on the grounds that the proposal is contrary to Policies EN1, EN2, EN3 and not in line with the provisions in Policies CT5 and CT6 of North Norfolk Core Strategy.

PARISH/TOWN COUNCIL

Cley Parish Clerk

Object on the grounds of displacement of parking resulting in detrimental impacts on the Norfolk Coast Area of Outstanding Natural Beauty

REPRESENTATIONS

Two objections raising the following concerns:

- Displacement of parking having detrimental impacts on the Area of Outstanding Natural Beauty with potential damage to verges and field edges

One supporting for the following reason:

- The principle of charging for car parking is established along the North Norfolk Coast. Any concerns about increased parking on local roads could be addressed through the implementation of parking restrictions

CONSULTATIONS

Norfolk Coast Partnership

Concerns regarding displacement of cars and the impact on the landscape and Norfolk Coast Area of Outstanding Natural Beauty.

Landscape Officer

Objects on the grounds of detrimental effects that the potential displacement parking would have in the sensitive landscape.

County Council (Highway)

Given the difficulty to establish the extent of any displacement parking prior the implementation of the parking charges, request a limited period approval to enable monitoring of the situation in the interests of highways safety.

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

National Planning Policy Framework (NPPF):

Section 9 – Promoting sustainable transport: paragraph 109

Section 12 – Achieving well-designed places: paragraph 127

Section 14 – Meeting the challenge of climate change, flooding and coastal change: paragraph 164

Section 15 – Conserving and enhancing the natural environment: paragraph 170 and 172

Section 16 – Conserving and enhancing the historic environment: paragraph 185

North Norfolk Core Strategy Policies:

SS1 – Spatial Strategy for North Norfolk

SS2 – Development in the Countryside

EN1 – Norfolk Coast Area of Outstanding Natural Beauty and The Broads

EN2 – Protection and Enhancement of Landscape and Settlement Character

EN3 – Undeveloped Coast

EN4 – Design

EN8 – Protecting and Enhancing the Historic Environment

EN10 – Development and Flood Risk

CT5 – The Transport Impact of New Development

MAIN ISSUES FOR CONSIDERATION

- Principle
- Design and effect on the conservation area
- Effect on highway safety
- Effect on landscape and the AONB
- Flood Risk

APPRAISAL**Principle: SS 1, SS 2**

The site lies within the area designated as Countryside under Core Strategy Policy. Policy SS 2 limits development within the Countryside to that requiring a rural location and where it is one of the types of development listed in the policy. This includes development for recreation and tourism purposes. The purpose of pay and display machines would be associated with Visitor Centre. Therefore, they would be related to an existing recreation and tourism facility within the Countryside and it is accepted the proposed development would need a rural location. The proposal is therefore acceptable in principle and complies with Policies SS 1 and SS 2.

Design and effect on the conservation area: EN 4 and EN 8

The site is located within Glaven Valley and Cley Conservation Areas. The pay and display machines would be located in close proximity to the Visitor Centre and nearby Beach Road car park.

The pay and display machines would have a slim line design. They measure approximately 1.82 metres in height, 0.4 m in width, and have a maximum depth of 0.33 m. The machines would operate using solar power by having a slanted solar panel top. They would be fixed to a concrete base measuring approximately 0.5 sq metres.

Given the character of the surrounding landscape, the proposed location within the car parks, scale, design of the machines, and their limited visibility from the A149 Coast Road and Beach Roads, it is not considered they would result in any material harm to the character and appearance of the conservation areas. Therefore, it is considered the proposal complies with Policies EN 4 and EN8 of the Core Strategy and paragraph 197 of the NPPF.

Highways: CT5, and CT6

There are concerns that the proposal could lead to some drivers seeking an alternative parking position to avoid paying the parking fee, which would potentially result in some parking being displaced onto adjacent public roads including the Coast Road. The impact is however, very difficult to predict and as a consequence, justifying suitable mitigation is also difficult at this stage.

In view of this, it is considered a limited period permission for 18 months would be an appropriate way forward to enable monitoring the area, to establish the extent, if any, of displaced parking on the highway and as such, if mitigation measures are required. On that basis it is considered the proposal complies with Policy CT 5 of the Core Strategy and paragraph 109 of the NPPF.

Landscape: EN1, EN2, EN3

Potential displacement parking on to highway verges for example, would result in detrimental effects on the landscape and AONB. Currently however, such impacts are difficult to quantify as noted above, although it is expected there would be a number of categories of exemptions from parking charges which may limit the amount of displacement parking. The limited period approval suggested for highway safety reasons would also enable monitoring of the effect on the AONB and surrounding landscape, and on that basis the proposal is considered to comply with policies EN 1 and EN 2 and paragraphs 170 and 172 of the NPPF.

The site is located in an area of Undeveloped Coast. The proposed development requires a coastal location by virtue of its use being in association with an existing facility. Given its location and scale of the proposed development, it is considered it would not harm the open coastal character of the location.

Flood Risk: EN10

The site is located within Flood Zones 2 and 3. The proposals are considered minor development and would not result in any material increase in flood risk in the area. The proposal therefore complies with Policy EN10 of the Core Strategy.

Other considerations

Some weight needs to be attached to the fact that the introduction of parking charges per se, does not require planning permission. Instead of installing external machines, there could be another method of collecting fees, for example by payment in the visitor centre, which could equally result in some people choosing to park on the adjacent public roads, to avoid paying it.

Conclusion

The proposed pay and display machines are acceptable in principle, and the introduction of parking charges in themselves does not require planning permission. There are however concerns that it could result in parking on surrounding public roads by people who chose to avoid paying for parking, which could have unacceptable highway safety and landscape impacts. A limited period permission would enable the situation to be monitored over a full year and would highlight whether or not any impacts could be mitigated.

RECOMMENDATION

APPROVAL subject to conditions relating to:

- Limited period approval for one year
- Approved plans

Final wording of the conditions and any others considered necessary to be delegated to the Head of Planning

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CROMER - ADV/20/0047 – Non illuminated advertising sign measuring 2.4m x 0.9m and 3 no. non-permanent sail flag banner signs measuring 3.2m x 0.5m; Marrams Putting Green, Runton Road, Cromer, NR27 9AU for Mr Deakin

- Target Date: 18 March 2020

Case Officer: Mr C Reuben

Advertisement Consent

RELEVANT CONSTRAINTS

Landscape Character Area

LDF Tourism Asset Zone

LDF - Public Realm

LDF - Open Land Area

Conservation Area

LDF - Settlement Boundary

Development within 60m of Class A road

RELEVANT PLANNING HISTORY

None

THE APPLICATION

The application is for the display of one non-illuminated advertisement and three non-permanent 'sail flag' banner signs. The three flag advertisements (3.2m high and 0.5m wide) would be positioned directly outside the front of the pavilion building. The fixed advertisement (2.9m overall height including posts, 0.9m sign only, 2.4m wide) would be located at the far eastern end of the putting green behind, and projecting above, an existing hedge.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr T Adams due to considerations relating to the economic benefits of the business to Cromer and benefits to the usability of the open space, and the likely increased viability of the business as a result of the proposed advertisements.

TOWN COUNCIL

Cromer Town Council - Support the application.

REPRESENTATIONS

None

CONSULTATIONS

Norfolk County Council (Highway) - No objection.

Conservation and Design Officer - (See Landscape Officer comments on behalf).

Landscape Officer - Objection. Signage does not preserve or enhance Cromer Conservation Area nor is it appropriate for the formal garden context. Currently there are long range views above the hedges and landscaped features of the linear garden and the only vertical

elements are the lighting columns. The flags are less contentious on the basis that they are not permanent structures and can be removed.

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):

Paragraph 132 (advertisements)

North Norfolk Design Guide (Supplementary Planning Document):

Chapter 8 - Shopfronts and Advertisements

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Visual Amenity
3. Highway Safety

APPRAISAL

1. Principle

The application is for advertisement consent - as such, the only matters for consideration are the impact of the proposed signage on amenity and public safety, in accordance with Paragraph 132 of the National Planning Policy Framework (NPPF). Such matters are assessed against Chapter 8 of the adopted North Norfolk Design Guide and in consultation with the Highway Authority.

When assessing the acceptability of advertisements, Objective EN 5 (of Chapter 8) of the Design Guide states that the key objectives are:

- To ensure that all advertisements preserve or enhance the appearance and character of their host building and the wider street scene;
- To ensure businesses are able to brand themselves successfully in a way that does not harm the character and appearance of our historic town centres; and
- To ensure that all proposals in areas designated as public realm enhance the overall appearance and usability of the area.

2. Visual amenity

There are no particular concerns in regards to the display of the three flag advertisements, primarily owing to their temporary nature in being easily removed and stored when not in use. They arguably have a visual impact but would be seen against the backdrop of the existing building.

By contrast, the proposed permanent advertisement is not considered to be visually acceptable. The advertisement would project above the existing hedge line where there are no advertisements or tall projecting features (other than expected street furniture) at present along the esplanade, which is characterised by low-level uninterrupted landscaping around the existing putting green and sunken gardens. In addition, the site falls within an area designated as Public Realm - the third bullet point of Objective EN 5 states that in such a location, all proposals should enhance the overall appearance and usability of the area.

Notwithstanding three previously existing thin flag poles, it is considered that the advertisement would be unduly intrusive, particularly when approaching from an easterly direction. It is recognised that the prominence of the advertisement is to attract trade and support an existing business, however, this cannot be at the expense of the character of the surrounding area. Furthermore, the economic benefits of proposed advertisements are not a material consideration under Paragraph 132 of the NPPF. In its current form, and given the unacceptable choice of lettering size, the advertisement would have a detrimental impact upon the character and appearance of the surrounding Conservation Area, the Public Realm and generally in terms of visual amenity.

3. Highway safety

It is not considered that the proposed advertisements would have a detrimental impact on highway safety.

4. Conclusion

It is considered that the three flag advertisements are acceptable owing to their position and temporary nature. By contrast, the fixed advertisement would be harmful to the visual amenity of the area for the reasons stated above and it has been concluded that there are no material considerations which would outweigh this. Therefore, a split decision is recommended.

RECOMMENDATION: Split Decision for the following reasons:

Express consent granted for proposed flag advertisements only:

Express consent is granted in accordance with the following approved plans and details received by the Local Planning Authority:

- the drawing titled 'Plan 1 (positioning of proposed flag advertisements only)' received on 13 January 2020; and
- the flag advertisement photograph (with measurements) received on 21 January 2020.

Refusal of the proposed fixed advertisement:

In the opinion of the Local Planning Authority, the proposed fixed advertisement, by virtue of its height, design and positioning, would have an unduly intrusive appearance and would appear as a dominant feature in the locality. It would further have a detrimental visual impact upon the character and appearance of the Public Realm and surrounding Conservation Area.

The advertisement is therefore considered to be contrary to Objective EN 5 and paragraphs 8.3.1 and 8.3.9 of the North Norfolk Supplementary Planning Document - Design Guide adopted in December 2008 and paragraph 132 of National Planning Policy Framework (February 2019).

OVERSTRAND - PF/19/1649 - Demolition of dwelling and erection of replacement two-storey detached dwelling and garage; 8 Thurst Road, Overstrand, Cromer, NR27 0PR for Mr & Mrs Masters

Minor Development

- Target Date: 03 December 2019

Case Officer: John Cosgrove
Full Planning Permission

SITE CONSTRAINTS

SFRA - Areas Susceptible to Groundwater Flooding
Landscape Character Area
LDF - Residential Area
Conservation Area
LDF - Coastal Erosion Constraint Area
Tree Works
Coastal Erosion Risk Area - 50 years

RELEVANT PLANNING HISTORY

None relevant.

THE APPLICATION

The application is for the demolition of the existing single storey dwelling on the site and its replacement with a two-storey dwelling. Since the application was first submitted it has been amended reducing the scale of the proposed dwelling and changing its design to better integrate with its surroundings.

REASONS FOR REFERRAL TO COMMITTEE

The application was called to committee by Cllr Fitch-Tillett due to the level of public interest in the case and the recommendation being contrary to the views of the Parish Council.

PARISH COUNCIL

Overstrand Parish Council – Objects to amended scheme. Consider it is an incongruous design with alien features and finishes in a conservation area and it is overlarge in the context of its position and the street. In addition, it will be a new build within the 100-year line and even the 50-year line.

REPRESENTATIONS

None received.

A letter of support from the applicants has been received. The letter states that they have a long-term connection to the area and a wish to relocate permanently. The proposed dwelling is designed to be environmentally sensitive, efficient, and sympathetic to the Conservation Area and neighbour's privacy.

CONSULTATIONS

Conservation and Design - No objection to revised scheme subject to condition requiring approval of materials.

Landscape Section – No objection subject to condition requiring compliance with the ecological report.

Coastal Management – No response received.

HUMAN RIGHTS IMPLICATIONS

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

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

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

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

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES

National Planning Policy Framework (NPPF):

Section 5 – Delivering a sufficient supply of homes

Section 11 – Making effective use of land

Section 12 - Achieving well-designed places

Section 15 - Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

North Norfolk Core Strategy (Adopted September 2008):

SS1: Spatial Strategy for North Norfolk

SS3: Housing

EN2: Protection and Enhancement of Landscape and Settlement Character

EN4: Design

EN8: Protecting and Enhancing the Historic Environment

EN9: Biodiversity & Geology

EN11: Coastal Erosion

EN12: Relocation and Replacement of Development Affected by Coastal Erosion Risk.

EN13: Pollution and Hazard Prevention and Minimisation

CT5: Transport Impact of New Development

CT6: Parking Provision

North Norfolk Design Guide, Supplementary Planning Document (SPD) adopted 2008

MAIN ISSUES FOR CONSIDERATION

- Principle
- Coastal Erosion
- Design and the impact on the character and appearance of the Conservation Area
- Amenity

- Biodiversity
- Highways, Access & Parking

APPRAISAL

Site Location and Description

The application site is located on the South side of Thurst Road, within the Overstrand Conservation Area and contains a modest bungalow with a detached single garage. The bungalow is constructed from brick, part finished in render under a red pantile roof. The area is characterised by dwellings in a range of architectural styles and scales.

Principle of development

The proposal is for the replacement of an existing dwelling within a designated residential area and within the settlement boundary of Overstrand which is designated as a Coastal Service Village under policy SS 1. Policy SS 3 allows for appropriate residential development within such areas. The proposal is therefore acceptable in principle, subject to compliance with all other relevant Core Strategy policies.

Coastal Erosion

The application site is located with the Coastal Erosion Constraint Area (CECA), and within the 50-year Coastal Erosion Zone, wherein Policies EN11 and EN12 of the Core Strategy apply. Policy EN11 states that “new development, or the intensification of existing development or land uses, will not be permitted, except where it can be demonstrated that it will result in no increased risk to life or significant increase in risk to property”. It is not considered that the erection of a replacement dwelling would result in any increased risk to life, and while a larger and more modern dwelling would likely increase the value of property at risk, it would not increase the quantum of property at risk, which would remain a single dwelling with a similar footprint to the existing.

In cases where a development does not increase risk to life or significantly increase risk to property it may be permissible in the CECA. Therefore, the proposal is considered to be acceptable in terms of Policies EN11 and EN12.

Design and the impact on the character and appearance of the Conservation Area

The application proposes the replacement of a modest bungalow of little architectural interest with a two-storey contemporary dwelling. The immediate area is characterised by a range of architectural styles and dwelling sizes. The proposed dwelling would be finished in render at ground floor level with timber cladding at first floor, under a pantile roof. The dwelling would be heavily glazed to the rear and would feature a prominent oriel window in its north elevation, with a blinkered oriel window projecting from its west elevation, and would benefit from an unusual attached garage car/port featuring a green roof. There would be three solar panels on the rear roof slope and two roof lights in the front roof slope. Overall, it is considered the proposal would represent an improvement in design terms and is acceptable in terms of policy EN 4

Policy EN 8 of the Core Strategy requires that the character and appearance of conservation areas be preserved and where possible, enhanced by new development. The proposed replacement dwelling would be located within the Overstrand Conservation Area. Subject to a condition controlling the external materials to be used, the Conservation Officer has no objections to the proposed development and therefore, it is considered that the proposal would not harm the overall significance of the Conservation Area and as such the proposal is considered to comply with Policy EN8 and paragraph 192 of the NPPF.

Amenity

The proposed development would provide a good standard of amenity for any future occupants of the site, and due to its positioning within the site and relationship to neighbouring properties, it is not considered that the proposed development would have any adverse impacts on the amenity of neighbouring properties. However, due to the relationship between the proposed development and the adjacent dwellings, it is considered reasonable to impose a condition restricting the insertion of additional windows into the flank elevations of the proposed dwelling without planning permission in order to ensure the protection of the amenity of the neighbouring properties. On that basis the proposal is considered to be acceptable in terms of policy EN 4.

Biodiversity

The application is supported by a Protected Species Assessment. The Landscape Section have assessed the proposal and have no objections subject to a condition that the development is carried out in accordance with the Protected Species Assessment. As a result, the proposal complies with Policy EN 9.

Highways, Access & Parking

Paragraph 109 of the NPPF states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The application proposes the replacement of a two-bedroom bungalow, with a three bedroom two storey dwelling. The Council's parking standards require two spaces for a two or three-bedroom dwelling and as such the need for additional parking is not triggered. The proposed development would benefit from an attached double garage and there would be sufficient space for the parking and manoeuvring of a further vehicle on the hard standing to the front of the dwelling. Therefore, the proposed parking provision is considered adequate and the proposal is considered to comply with Policies CT5 and CT6.

Conclusion

The proposed development is considered to be acceptable in principle. Whilst the site is an area at risk from coastal erosion, there would not be an increased risk to life or significant increase in risk to property, given the site is currently occupied by a dwelling. The design of the proposed dwelling is considered to be acceptable and there would be no harm to the character and appearance of the Overstrand Conservation Area. The proposal is acceptable in all other respects

RECOMMENDATION:

It is recommended that the application be APPROVED subject to conditions relating to the matters listed below and any other considered necessary by the Head of Planning:

- Time limit for implementation
- Constructed in accordance with the Approved Plans
- Removal of permitted development rights for extensions and alterations to the dwelling, outbuildings and means of enclosure
- External materials to be approved

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

SHERINGHAM – PF/19/2143 – Erection of 1no. detached single storey one bedroom annexe occupied in association with Dalmeny House, Dalmeny House, 2 The Boulevard, Sheringham, NR26 8LH for Mr N Vithlani

Minor Development

- Target Date: 06 February 2020

Case Officer: Miss J Smith

Full Planning Permission

RELEVANT CONSTRAINTS

Landscape Character Area

LDF Tourism Asset Zone

Settlement Boundary

Town Centre

Conservation Area

Residential Area

Unclassified Road

Enforcement Enquiry

Tree Works

RELEVANT PLANNING HISTORY

PF/19/1299 Erection of 2 no. detached single-storey one bedroom annexe units occupied in association with Dalmeny House. Withdrawn by Applicant 07/12/2019

PLA/19941430ERECTION OF SINGLE-STOREY EXTENSION TO RESIDENTIAL HOME (RENEWAL OF PLANNING PERMISSION REFERENCE 900609). Approved 03/02/1995

PLA/19900609: GROUND FLOOR EXTENSION TO RESIDENTIAL HOME. Refused 09/07/1990 AALL 17/01/1991

PLA/20041973ERECTION OF SINGLE-STOREY EXTENSIONS. Approved 20/12/2004

PF/15/0721:Erection of a detached single-storey building to provide 2 self-contained annexes. Approved 18/09/2015

THE APPLICATION

The application is for the erection of a detached single storey building to provide a one bedroom annexe (with bedroom, living room and bathroom) to the rear of the Dalmeny House. It would measure approximately 5.5 metres in length by 4.6 metres in width with a mono-pitch roof having a maximum height of 3.3 metres. The building would be constructed in red facing brickwork, single ply membrane roof, UPVC joinery with white UPVC guttering.

The application is a resubmission of a previously withdrawn scheme which proposed two detached units within the rear garden of Dalmeny House. The annexe accommodation would be situated along the south east boundary adjacent to the 2 bed annexe unit approved in 2015(ref. PF/15/0721).

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr Withington due to the high level of local concern and further concerns regarding the increasing number of this type of facility which may alter the character of the area.

PARISH/TOWN COUNCIL

Sheringham Town Council: Object as they consider it contravenes the following policies in the North Norfolk Core Strategy.

“EN4 Design: The proposal is for a large structure which would be alien to the area, thus making it inappropriate for the local context. The use of cedar cladding and concrete is further evidence that the proposal does not fit into the local context.

Large areas of glazing would make the dwelling more visible during dark hours. The applicant’s website states that they care for the following conditions bi-polar, manic depression, challenging behaviour and schizophrenia. Were occupants suffering from these conditions to be placed in the proposed new units they would be divorced from staff support in the main building. This could lead to extreme discomfort for the residents as well as disturbances in anti-social hours which could have an effect on residents in the area as well as local small business such as B&B’s.

SS12 Sheringham: Since 2001 the town has provided over 50 Beds for mental healthcare, which STC believes to be the limit which can be sustained in this relatively tight area. The location for this proposed development is on one of the town’s busiest roads leading to the beach. Further growth in mental healthcare facilities in this area could lead to more patients staying from the safety of Dalmeny House and having to be found and recovered by the police.

Policy SS6 This development puts further pressure on a local Mental health service which is in special measures and cannot meet local need, and of the local health centre which is at capacity. Further pressures cannot be incurred”.

REPRESENTATIONS

17 objections on the following grounds:

- Overdevelopment of the site.
- Inappropriate construction materials.
- Would not preserve or enhance the Conservation Area.
- Not in keeping with the residential area and would be out of character.
- Sheringham’s social resources are already overstretched (medical centre, local police, and mental health services).
- Error within the arboricultural report stating that the location of the site is not within the Conservation Area.
- Potential to reduce the living quality of those living and working near Dalmeny House, given the nature and behaviour of their residents.
- Provision of additional rooms and reducing safe outside space will not enhance the living arrangements for the residents and could therefore increase the anti-social behaviour.
- Sheringham has reached its limit with regards to supporting people with mental health issues in this localised area.
- Impact upon local business due to the lack of supervision of the residents when out and about.
- Site has been subject to regular police visits.

- Application contravenes several policies in the North Norfolk Core Strategy – SS12 and SS6.
- Agree with the comments made by Sheringham Town Council.
- Loss of trees within the Conservation Area and impact upon biodiversity.
- Oversaturation of care homes within Sheringham.
- Poor maintenance and management of Dalmeny House, such as bin storage and parking.
- Building constructed through application PF/15/0721 is out of character.
- Will set a precedent for further inappropriate buildings within gardens for residential purposes.
- Increased noise and disturbance at the site.
- Increase in light pollution.
- Loss of privacy.
- No designated area for bin storage.
- Quantum of parking at the front of the property does not comply with the preservation of the area's character.
- Expansion of business of this type in a town centre is not sustainable development as defined by the National Planning Policy Framework 2019.
- The health services is in special measures – one further person could tip the balance.

CONSULTATIONS

Landscape Officer: No objection, subject to condition

County Council (Highway) No objection

Environmental Health: No objections. Confirmed that no complaints of noise or disturbance have been recorded by the Council with regards to the Dalmeny House site.

Norfolk Police Architectural Liaison Officer/Safety Officer: (Verbal) – Dalmeny House has been subject to activity which has resulted in the Police being called to the premises. Whilst this may result in some noise or disturbance it has been advised that this is predominantly related to internal situations between existing residents.

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):

SS1: Spatial Strategy for North Norfolk

SS 3: Housing

SS12: Sheringham

EN4: Design

EN8: Protecting and Enhancing the Historic Environment

EN9: Biodiversity and Geology
EN13: Pollution and hazard prevention and minimisation
CT5: The Transport Impact of New development
CT6: Car Parking

National Planning Policy Framework (NPPF 2019):
Section 2: Achieving sustainable development
Section 12: Achieving well-designed places
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and Enhancing the Historic Environment

MAIN ISSUES FOR CONSIDERATION

- Site Context
- Principle of Development
- Design
- Amenity
- Heritage
- Landscape and Trees
- Highways and Parking

APPRAISAL

Site Context

Dalmeny House is situated on the east side of The Boulevard in Sheringham adjacent to St Peter's Church and is located within the Sheringham Conservation Area.

It is a semi-detached, 2 ½ storey building and functions as an 11 bed residential care home (with two additional units within the garden) for the support and treatment of mental health patients and those with learning difficulties. The intention is that the annexe building would provide the final step of rehabilitation for occupants associated with Dalmeny House prior to stepping back in the community.

Principle of Development

The site lies within the town of Sheringham which is defined by policy SS 1 of the Core Strategy as a Secondary Settlement. It is also within a residential area where policy SS 3 allows for appropriate residential and compatible non-residential development. The proposed annexe accommodation associated with the existing residential care home would be well related to the host building and to the principle use of the site. The application is considered to comply with Policies SS1, SS 3 and SS12 of the Core Strategy and Section 2 of the NPPF.

Design and Impact Heritage Assets

It is considered the design, materials and siting of the annexe building would be appropriate for its garden setting and would not be detrimental to the surrounding area, existing dwelling or the wider Sheringham Conservation Area. As a result of its relatively secluded nature within to the rear of the main building, it is considered that the proposal would not result in harm to the wider Sheringham Conservation area and as a result the proposal would accord with the requirements of Policies EN 4 and EN 8 of the Core Strategy and sections 12 and 16 of the National Planning Policy Framework.

Amenity

The application site is bounded by an approximately 1.5 metre high breeze block wall to the north, a 1.5 metre high fence to the north east and a 1.7 metre red brick wall to the south. There is a pedestrian access to the east of the site which links Morris Street with Church Street where the land is slightly lower than that of the site.

In terms of the Basic Amenity Criteria (BAC) in the North Norfolk Design Guide SPD, the proposed building is considered to be modest in nature and given its size, scale and position adjacent to southern boundary of the site, some 15 metre from the nearest neighbouring dwelling of (2a Morris Street) would not result in any unacceptable impacts on the residential/garden amenity of neighbouring occupiers by way of overlooking, overshadowing, overbearing or loss of privacy. Whilst the neighbouring dwelling to the north (2a Morris Street) contains two rear first floor dormer windows which look directly into the rear garden of Dalmeny House this view is partially obscured by a tree to be retained as part of the scheme.

The BAC require a minimum of 20 square metres of internal floor space (excluding bathrooms and circulation areas). The proposed unit is approximately 15 square metres (without the wet room) which is less than this however; given that the accommodation is ancillary to the that of Dalmeny House where the occupants retain a relationship with the host building, that the shortfall in internal space is considered acceptable and is akin to the previously approved scheme on site.

The proposed window and door openings of the annexe would overlook the residential garden of the main building. There are no openings proposed to the east, south and west elevation of the annexe. The proposal is considered to comply with Policy EN4 of the Core Strategy and Section 12 of the NPPF.

Landscape and Trees

It is proposed to remove two small fruit trees and a small flowering cherry tree within the rear of the garden and retain the larger flowering cherry tree to the north of the site adjacent. The Councils Landscape Officer has no objection to the removal of these trees subject to suitable replacement planting as recommended by the Arboricultural Report submitted with the application which can be secured by a condition. The proposed scheme is considered to comply with Policy EN4 of the adopted Core Strategy and Section 12 of the NPPF.

Environmental

Representations have been made about the over development of the site. The proposed building would be sited against the south boundary wall with a maximum foot print of 24 sq. metres. It is not considered that this, combined with the existing annexe, would result in overdevelopment of the site. Residents of the annexe would use the outside amenities of the main house which would remain of sufficient size to accommodate all residents associated with Dalmeny House.

Representations have also been received with regards to noise and disturbance at the site. The application is for one additional bedroom unit. Environmental Heath have no objections to the proposal and have also confirmed that no complaints of noise or disturbance have been recorded by the Council with regards to the Dalmeny House site.

The Police Architectural Liaison Officer/Safety Officer has confirmed that the site has been subject to activity, which has resulted in the Police being called to the premises. Whilst this may result in some noise or disturbance, it has been advised that this is predominantly related to internal situations between existing residents and as a result it is unlikely that this has resulted in significant noise or disturbance.

The proposal is considered to comply with Policy EN13 of the Core Strategy and Section 12 of the NPPF.

Highways and Parking

Vehicular, parking and pedestrian access is currently from the highway (The Boulevard) which would remain unchanged. The Highway Authority has no objection to the additional unit and considered that proposed development would be unlikely to result in any increases in vehicular activity at the site. However, it is considered that the proposed unit should be conditioned to be ancillary to the host building to ensure this. On that basis the proposal, is considered to be acceptable in terms of Core Strategy Policies CT5 and CT6 and Section 9 of the NPPF.

Conclusion

The application is for one additional bedroom unit for the services within the existing operations at Dalmeny House. The site is within a residential area where proposals for annexe accommodation are considered acceptable, subject to site specific circumstances. The design of the annexe is considered appropriate for this garden setting and would not be detrimental to the surrounding area, existing dwelling or the wider Sheringham Conservation Area. The garden area of Dalmeny House is considered to be of sufficient size to accommodate the proposed annexe accommodation and would not result in overdevelopment of the site or significant impact regarding noise and disturbance. Vehicular and pedestrian access would remain unchanged. It is considered that the proposal complies with relevant Development Plan policies

RECOMMENDATION - APPROVAL

Approve subject to conditions:

- The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
- The development to which this permission relates shall be undertaken in strict accordance with the submitted and approved plans, drawings and specifications.
- The external materials to be used on the development hereby permitted shall be in full accordance with the details submitted in the planning application, unless otherwise approved in writing by the Local Planning Authority.
- The annexe accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Dalmeny House.
- The development hereby approved shall be carried out in strict accordance with the measures laid out in the approved Arboricultural Method Statement.

Final wording of conditions and any others considered necessary to be delegated to the Head of Planning

APPLICATIONS RECOMMENDED FOR A SITE INSPECTION

Site inspections are currently suspended.

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APPEALS SECTION

(a) NEW APPEALS

BLAKENEY - ADV/19/1297 - Erection and display of 1 x illuminated fascia sign and 1 x illuminated hanging sign; 5A The Granary, High Street, Blakeney, Holt, NR25 7AL for The Blakeney Cottage Company

WRITTEN REPRESENTATIONS SHORT PROCEDURE

BRISTON - PO/19/1400 - Erection of detached dwelling & garage (Outline with all matters reserved); Land east of, Reephams Road, Briston, NR24 2LJ for Messrs Berwick

WRITTEN REPRESENTATIONS

DILHAM - PF/19/1565 - Erection of a two storey rear extension; 2 Ivy Farm, Honing Road, Dilham, North Walsham, NR28 9PN for Mr Paterson

FAST TRACK - HOUSEHOLDER

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

INFORMAL HEARING

OVERSTRAND - PF/19/1540 - Dormer window to north elevation (retrospective); 6 Carr Lane, Overstrand, Cromer, NR27 0PS for Mr Walter

FAST TRACK - HOUSEHOLDER

SHERINGHAM - PF/19/0426 - Erection of detached single dwelling, creation of new vehicular access and associated works; Land North of East Court 2, Abbey Road, Sheringham for GSM Investments Ltd

WRITTEN REPRESENTATIONS

WIGHTON - PF/19/0972 - Erection of two-storey front extension, insertion of dormers to front and rear and erection of car port; Forge House, High Street, Wighton, Wells-next-the-Sea, NR23 1AL for Mr & Mrs Hipkin

FAST TRACK - HOUSEHOLDER

(b) INQUIRIES AND HEARINGS - PROGRESS

None.

(c) WRITTEN REPRESENTATIONS APPEALS - IN HAND

ALDBOROUGH - PF/19/1130 - Raising height of garage roof to create storage space; 44 Margaret Lilly Way, Aldborough, Norwich, NR11 7PA for Mr Pegg

AYLMERTON - PF/19/0676 - Demolition of existing dwelling and erection replacement two storey dwelling; Breck Lodge, Holt Road, Aylmerton, Norwich, NR11 8QD for Mr Young

BLAKENEY - PF/19/1037 - Single storey building for use as holiday let; Villeroche, Langham Road, Blakeney, Holt, NR25 7PW for Mr Scargill

GIMINGHAM - PF/19/0870 - Two storey detached dwelling; Land adj to 1 Harvey Estate, Gimingham, Norwich, NR11 8HA for Mr Mayes

NEATISHEAD - PF/19/1780 - Single storey extension to south-west side of barn currently being converted to dwelling; Barn 1, Allens Farm, School Road, Neatishead for Mr Banks-Dunnell

NEATISHEAD - PF/19/1778 - Single storey extension to south-east side of barn currently being converted to dwelling; Barn 1, Allens Farm, School Road, Neatishead for Mr Banks-Dunnell

NEATISHEAD - LA/19/1779 - Works to facilitate single storey extension to south-east side of barn currently being converted to dwelling; Barn 1, Allens Farm, School Road, Neatishead for Mr Banks-Dunnell

NEATISHEAD - LA/19/1781 - Works to facilitate single storey extension to south-west side of barn currently being converted to dwelling; Barn 1, Allens Farm, School Road, Neatishead for Mr Banks-Dunnell

ITTERINGHAM - ENF/17/0006 - Annex which has permission for holiday let is being used for full residential purposes.; The Muster, Land adjoining Robin Farm, The Street, Itteringham, Norwich, NR11 7AX

NORTH WALSHAM - ENF/18/0339 - Material change of use of the land for stationing of containers and jet washing of coaches, and a breach of condition as coaches are stored and manoeuvred outside the area details in the planning permission 12/0013; Bluebird Container Storage, Laundry Loke, North Walsham, NR28 0BD

(d) APPEAL DECISIONS - RESULTS AND SUMMARIES

ASHMANHAUGH - PF/19/0205 - Erection of single storey detached dwelling and detached double garage; Land South of Carousel, Stone Lane, Ashmanhaugh for Mr Pye

APPEAL DECISION:- APPEAL DISMISSED

AYLMERTON - PF/19/1215 - Discontinuation of use of land for a recycling yard and the erection of a detached dwelling and garage; Hillside, Church Road, Aylmerton, Norwich, NR11 8PZ for Mr Wells

APPEAL DECISION:- APPEAL DISMISSED

BRISTON - PF/19/0135 - Erection of one and a half storey dwelling with detached garage; Site Adjacent to The New Bungalow, Thurning Road, Briston, NR24 2JW for Mr Semmens

APPEAL DECISION:- APPEAL DISMISSED

HAPPISBURGH - PF/19/0461 - Revised position of mesh security fencing and gates (as approved in planning permission PF/18/1416) (Retrospective); Crop Systems Ltd, Whimpwell Green, Happisburgh for Crop System Ltd

APPEAL DECISION:- APPEAL DISMISSED

MUNDESLEY - PF/19/0745 - Demolition of existing triple garage and erection of detached one and a half storey dwelling; 8 Heath Lane, Mundesley, Norwich, NR11 8JP for Mr Lees

APPEAL DECISION:- APPEAL DISMISSED

STIBBARD - PF/18/2340 - Conversion and extension of barn to create one unit of holiday accommodation; The Wain, Bells Lane, Stibbard, Fakenham, NR21 0EW for Ms Clarke

APPEAL DECISION:- APPEAL DISMISSED

SUSTEAD - PF/19/0603 - Change of use of a former scaffold yard to a self-storage facility (B8 Storage) including installation of storage containers & office/welfare unit and laying out of storage compounds; Wheelwrights, The Street, Sustead, NORWICH, NR11 8RU for Wild Boar Properties Ltd

APPEAL DECISION:- APPEAL DISMISSED

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

No change from previous report.

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