

SHERINGHAM - PF/22/1660 – 37 suite apartment hotel (Class C1) with associated access, parking and landscaping Land To East Of, The Reef Leisure Centre, Weybourne Road, Sheringham for Morston Palatine Ltd

Major Development

- Target Date: 07th October 2022

- Extension of time: 30th March 2023

Case Officer: Joe Barrow

Full Planning Permission

RELEVANT SITE CONSTRAINTS

- Settlement Boundary LDF
- Employment Area LDF
- Contaminated Land
- EA Risk Surface Water Flooding 1 in 1000 - (0.1% annual chance)
- Areas Susceptible to Groundwater SFRA
- Landscape Character Area – Coastal Shelf
- Approach Routes LDF
- Open Land Area LDF
- Sheringham Park LDF
- Mineral Safeguarding Area
- Within the Zone of Influence of the following habitats sites for the purposes of GIRAMS
Norfolk Valley Fens Special Area of Conservation
North Norfolk Coast RAMSAR
North Norfolk Coast Special Protection Area
North Norfolk Coast Special Area of Conservation
The Wash & North Norfolk Coast Special Area of Conservation
The Wash Special Protection Area
The Wash RAMSAR

RELEVANT PLANNING HISTORY

Adjacent Site (West):

PF/18/1435 – Splash Leisure Complex, Weybourne Road, Sheringham - Demolition of existing leisure and fitness centre, single storey office and existing skate park. Erection of two storey leisure centre to incorporate swimming pool, fitness suite, wet/dry changing facilities, reception, café, plant with car parking, erection of new skate park and associated landscaping. Approved 23.11.2018.

THE APPLICATION

The proposal is for the erection of a 4-storey, 37 bedroom apartment hotel.

The hotel would have a mix of rooms which would be let on a short term basis to paying guests, containing kitchen or kitchenette, bedroom, bathroom and living area. The proposal comprises:

- 10 no. one bed studios
- 18 no. one bedroom suites
- 6 no. two bedroom suites
- 3 no. accessible suites located at ground, first and second floor level

Limited on-site facilities would be provided for guests at ground floor level in the form of a lobby area, bar and launderette, with the main pedestrian entrance on the west elevation via an external courtyard. Car parking (45 spaces plus 3 disabled spaces) would be located to the rear (south) of the building, with the main vehicular access to Weybourne Road shared with The Reef Leisure Centre. A servicing corridor is proposed to the rear (east) elevation of the building.

The proposed building would be designed in an art-deco style, with the proposed materials palette to the exterior elevations comprising part white render and grey composite cladding with blue black engineering brick at ground floor level, with groynes projecting from the west elevation of the building into an external courtyard entrance.

SITE AND SURROUNDINGS

The site is located on the western edge of Sheringham, to the east of the recently constructed Reef Leisure Centre. The site was previously the construction compound for the Reef Leisure Centre and prior to that provided car parking for the previous Splash Leisure Centre on the site. Currently it is vacant land. The site area also includes an area of public realm to the main entrance of The Reef Leisure Centre. The car park serving the Reef Leisure Centre is located to the southwest of the site, beyond which is a skate park, cricket and football club. To the east is an established industrial estate. The site slopes gradually from east to west.

REASONS FOR REFERRAL TO COMMITTEE

At the request of the Assistant Director – Planning on the basis that this is Major development affecting land owned by the Council and where representations of objection have been received.

PARISH/TOWN COUNCIL

Sheringham Town Council - No objection.

Note that the hotel is for long term stays and that there will not be a traditional hotel in Sheringham.

CONSULTATIONS:

Norfolk County Council (Highways) – No objection, subject to conditions.

Norfolk County Council (Lead Local Flood Authority) – Objection.

In the absence of a suitable Flood Risk Assessment and Drainage Strategy relating to: local flood risk to the development; impacts from the development adversely affecting flood risk; not complying with the NPPF, Planning Practice Guidance or local policies.

Norfolk County Council (Minerals and Waste Authority) – No objection.

The site is not in a Mineral Safeguarding Area or a consultation area of a mineral or waste management facility.

Norfolk County Council (Planning Obligations Co-ordinator) – No comments received.

Norfolk Police Architectural Liaison Officer/Safety Officer – Advice.

Applicant should consider applying for Secured by Design for this leisure development.

Anglian Water – No objection.

Comments with regards to:

- Waste water – Ronton Middlebrook Way Water Recycling Centre has capacity to take these flows
- Used Water Network – request a condition requiring an on-site drainage strategy. Owing to a lack of information, a full assessment cannot be made. Request a number of informatives regarding a connection to the Anglian Water network.
- Surface Water – Preferred method of surface water disposal would be via a sustainable drainage system (SuDS).

Norfolk Coast Partnership – Neutral.

Norfolk Fire and Rescue Service – No objection

Provided the proposal meets the requirements of current Building Regs 2010, Approved Document B.

Natural England – No comments received.

NNDC Conservation and Design Officer - No objection.

NNDC Landscape Officer – No comments submitted.

NNDC Environmental Health Officer – No objection, subject to conditions

Suggest conditions relating to the following:

- Land contamination
- Provision of refuse areas
- External Lighting Scheme
- Kitchen Extraction
- Details of plant/machinery/ventilation/heating/air-con
- Compliance with the submitted construction management plan

NNDC Economic and Tourism Development Manager – Supports.

Property Services - No comments submitted.

REPRESENTATIONS

Three letters of **objection** on the following grounds:

Traffic and Access

- Hotels have disproportionately higher levels of traffic. Access is opposite golf club, near that of The Reef and proposed care home. Narrow stretch of road – sole access to town from the West – will become heavily congested, disrupting bus service;
- Increased traffic from new development would severely compromise pedestrians walking to the Reef, the allotments and the cemetery, and dog walkers;
- More traffic would push cyclists onto coastal footpath, to detriment of footpath and legitimate users;

Design

- Another large development at the west end of Sheringham would adversely affect the peaceful nature of the area;
- Due to hotel's height and modern design, building would impose a 'Costa Sheringham' from coastal footpath and viewpoint at Skelding Hill in particular;
- Unlikely to benefit local residents, unlike The Reef and the care home;
- Out of keeping with nature of the town where most visitors stay in locally owned holiday lets and bed and breakfasts;
- Too high and out of character with area. Most buildings around the site are 1 or 2 storeys;
- The Reef is high, but is not a residential building. It should not be used for comparison;
- Structure will dominate and spoil the local area;
- Design ugly and not in keeping with local building styles. Will be an eyesore.

HUMAN RIGHTS IMPLICATIONS

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

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

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

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

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

LOCAL FINANCE CONSIDERATIONS

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

RELEVANT POLICIES:

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

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 4: Environment

Policy SS 5: Economy

Policy SS 6: Access and Infrastructure

Policy SS 12: Sheringham

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

Policy EN 2: Protection and Enhancement of Landscape Character

Policy EN 4: Design

Policy EN 6: Sustainable Construction and Energy Efficiency

Policy EN 9: Biodiversity and Geology

Policy EN 10: Development and Flood Risk

Policy EN 13: Pollution and Hazard Prevention

Policy EC 7: Location of New Tourism Development

Policy EC 9: Holiday and Seasonal Occupancy Conditions

Policy CT 2: Developer Contributions

Policy CT 5: Transport Impact of New Development
Policy CT 6: Parking Provision

Norfolk County Council Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (September 2011):
Policy CS16 – Safeguarding mineral and waste sites and mineral resources

Material Considerations:

Supplementary Planning Documents and Guidance:

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

National Planning Policy Framework (NPPF):

Chapter 2: Achieving Sustainable Development
Chapter 4: Decision-making
Chapter 6: Building a Strong, Competitive Economy
Chapter 9: Promoting Sustainable Transport
Chapter 12: Achieving Well Designed Places
Chapter 14: Meeting the Challenge of climate change, flooding and coastal change
Chapter 15: Conserving and Enhancing the Natural Environment

Other material documents/guidance:

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

National Planning Policy Guidance (NPPG):

Climate Change (March 2019)

Government Strategy Documents:

Net Zero Strategy: Build Back Greener (October 2021)
Industrial Decarbonisation Strategy (March 2021)

OFFICER ASSESSMENT:

MAIN ISSUES FOR CONSIDERATION

- 1. Whether the proposed development is acceptable in principle**
- 2. Whether the layout and design of the proposed development would be appropriate**
- 3. The effect on the character and appearance of the surrounding landscape, including the Norfolk Coast Area of Outstanding Natural Beauty,**
- 4. Highway matters – access and parking**
- 5. Environmental Impacts including noise, waste and contaminated land**
- 6. Flood risk and surface water drainage**
- 7. The effect of the proposed development on protected species and designated habitats sites**

1. Principle

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

The site is located within the settlement boundary of Sheringham, which is defined under Policy SS1 of the Core Strategy (CS) as a Secondary Settlement. Under CS Policy SS 12 Sheringham is identified as a location for new residential, retail and commercial development and is important to the local economy as a major tourist destination.

CS Policy EC7 sets out a sequential approach to the location of new tourist accommodation, and proposals for new build tourist accommodation should be located within Principal and Secondary Settlements, being the sequentially preferable locations. The proposed development accords with this policy aim.

Other sites within Sheringham have been considered, but were discounted on the basis that none were available for development immediately, or of an appropriate size, or commercially feasible; compatible with surrounding land uses, with adequate access arrangements; or subject to other technical and land use designations that precluded the re-use of the site as a commercial apartment hotel.

Officers consider that occupancy of the hotel would need to be restricted by planning condition to ensure that the accommodation is not used or occupied by a person as a sole or main residence, and to restrict the occupancy period to be no more than 90 days in any 12-month period. It is also recommended that an up-to-date register and the length of stay of all guests is kept and made available to the Local Planning Authority on request. The purpose of such planning conditions would be to ensure the apartments are only occupied for holiday purposes / as short term lets, rather than as permanent residential accommodation falling under a different Use Class (C3), which could otherwise necessitate the need for affordable housing and further on and off-site infrastructure provision.

The proposed apartment hotel is acceptable in principle in this location subject to compliance with all other relevant CS policies, unless material considerations indicate otherwise.

2. Layout and Design

The proposed building would be of art-deco style, and comprise of a three storey element to the south, with a four storey element to the centre and north. The materials palette includes a mix of grey and black facing brick, white render, black aluminium fenestration, dark grey aluminium cladding, and a timber effect cladding. The building would have a roughly U-shape footprint, which would enclose a courtyard to the west, between the development and the Reef Leisure Centre.

A mix of hard and soft landscaping is proposed across the site comprising:

- A turfed area with 2no. Swedish Whitebeam trees between the building and highway to the north of the site,
- Hedge retention along the eastern site boundary,
- Hedge planting along the western site boundary, and around the proposed bin store and substation (sited within the car parking area),
- Defensive planting to the south-west corner of the building to restrict access to facades,
- Permeable paving across the development as previously approved, and,
- Timber clad installation within the courtyard providing seating and planting.

Officers consider that the development would sit comfortably within the site context and integrate well with the Reef Leisure Centre. The scale of the proposal broadly matches that of The Reef in terms of height, with a form and materials palette which would also integrate well. Landscaping and public space provision is of an acceptable standard also.

Whilst large in scale, the building proposed would be viewed within the context of the adjacent buildings, including the Reef, of similar height to the west, and industrial buildings to the east. In such a context the appearance and scale of the proposed hotel is considered to be broadly acceptable, and compliant with the aims of Policy EN 4 and the North Norfolk Design Guide. The result would therefore be an area of high design quality with a cohesive style, with buildings complementing each other and improving the visual perception of the area.

Taking the above into account, it is considered that the proposed development is acceptable in terms of layout and design, in accordance with CS Policy EN 4 and the North Norfolk Design Guide.

3. Character and appearance of the surrounding landscape (including AONB)

The site is located within the Coastal Shelf landscape character type as defined within the NNDC Landscape Character Assessment but is located outside of the Norfolk Coast AONB.

In the context of this application, Officers consider that land to the south of Weybourne Road (A149) has a distinctly different urban character and appearance compared with the north side of Weybourne Road which is distinctly more rural in character.

The proposed development is located between industrial land to the east, the Reef Leisure Centre to the west, with car parking and Sheringham Football Club located to the south and west, and residential land beyond that. To the north on the opposite side of the A149 Weybourne Road is land forming part of Sheringham Golf Course which is located within the Norfolk Coast Area of Outstanding Natural Beauty (AONB).

Taking into account site context, although undoubtedly large in size, Officers consider that the proposed aparthotel building has a broadly similar form and appearance to the recently completed Reef Leisure Centre. The proposal, along with adjacent development, would provide a very strong edge to the area on the approach to Sheringham from the west, viewable from the AONB to the north and west.

Dark night skies are a stated feature of one of the defined special qualities of the Norfolk Coast AONB which is 'a sense of remoteness, tranquility and wildness.' In this respect consideration must be given to the site's immediate context on the edge of a built-up area, with light spill emanating from the industrial land to the east, the Reef itself and its car parking, and Sheringham Football Club.

It is not considered that internal illumination of the rooms would result in any material harm. It is however, recommended that a condition requiring details of any external lighting to be submitted and approved prior to installation, which should ensure that it does not result in any unacceptable impacts.

On balance, Officers consider that the development would sit comfortably within its immediate surroundings and would not have any significant harmful effect on view or experience of the AONB or Sheringham Park, or the wider landscape, given the prevailing development pattern in the area.

Taking account of the above, the proposed development is considered to be acceptable in terms of its effect on the landscape character and the AONB and as such in accordance with CS Policies EN 1, EN 2 and EN 4 and Sections 12 and 15 of the NPPF (2021).

4. Highway matters

The proposal includes the provision of car parking on land to the south of the hotel, comprising 49 spaces, including 3 disability accessible spaces (2 of which feature electric vehicle (EV) charging points), and a further 7 spaces with EV charging. This car park is to be accessed from a newly created access point to the south east corner of the Reef Leisure Centre's car park, with a single point of access (shared with The Reef) off the A149 to the north. The proposal also includes space for motorcycle parking.

Provision is made of cycle parking near the hotel's main entrance. The layout proposed would also allow for pedestrian access to the footpath network to the north of the site, and with it, bus stops on the A149 as well as a pedestrian link to Sheringham town centre. Overall, this level of parking provision for is considered to comply with the Council's adopted parking standards.

The highway authority has reviewed the submitted information and raises no objection with regards to highway safety or the effect of additional traffic on the surrounding highway network. They advise that the approved access to The Reef which the proposed development would utilise is appropriate to serve the site. No concerns are raised in relation to transport sustainability. The proposal is therefore considered to comply with CS Policies CT 5 and CT 6 and; Section 9 of the NPPF.

5. Environmental impacts

The application includes a construction management plan relating to noise, dust, and smoke which seeks to control levels of disturbance created during construction. Among other things, this document includes a traffic management plan, environmental and noise and dust monitoring, as well as good neighbour policies and procedures. Adherence to this can be secured through a condition

With regards to potential for land contamination, the applicants submitted a ground investigation report prepared for the adjacent planning permission at The Reef to the west. This report included investigation across the larger site as a whole, and has been considered as part of this application by the Environmental Protection team. Upon review, it is considered that more site-specific investigation would be required. It is recommended this be secured via planning condition.

With regard to waste, a bin storage area is proposed on the submitted site plan to the south west corner of the car parking area. Exact details of the provision of this area would be secured via condition, and it is anticipated that the layout as indicated would be appropriate.

It is not considered that the building would create harm in terms of noise disturbance once operational, and with controls such as the omission of balconies on sensitive elevations, it is considered that users of the hotel would not experience unacceptable noise disturbance themselves.

The proposed development is considered to be acceptable in terms of environmental impacts subject to conditions, and on that basis complies with CS policies EN 4 and EN 13 and Sections 12 and 15 of the NPPF (2021).

6. Flood Risk and Drainage

With regard to fluvial flood risk, the application site is located within Flood Zone 1 which has the lowest risk of flooding, and, as site area is less than 1 hectare, there is no ordinary requirement for a flood risk assessment. However, whilst, the site is within an area identified as being at low risk from surface water flooding, advice at paragraph 170 of the NPPF suggests, amongst other things, the incorporation of sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Surface water drainage has been extensively reviewed with ongoing engagement with the Lead Local Flood Authority (LLFA). To date however, there are still some matters that need to be resolved before the LLFA's current objection can be removed and compliance with CS policy EN 10 and the NPPF, confirmed.

Officers remain confident that these issues can be satisfactorily addressed to enable compliance with CS Policy EN 10. As such, given the proposal is acceptable in all other respects, it is recommended that the matter of surface water drainage is delegated to the Assistant Director- Planning so that officers can resolve including through the use of planning conditions where appropriate to do so.

7. Effect on protected species and habitats sites

The application site is an area of previously developed land, between the recently The Reef to the west and industrial land to the east. It is considered to have a very low potential for protected species to be present.

Nonetheless, in line with paragraph 183(d) of the NPPF it will be necessary for the development to provide a net gain in terms of biodiversity and a condition is recommended relating to this using recognised metrics.

With regards to designated habitats sites, the Norfolk-wide Green Infrastructure and Recreational Avoidance Mitigation Strategy (GIRAMS) was formally agreed and adopted by the Norfolk Planning Authorities and Natural England in 2022. It ensures that developers and the Local Planning Authorities (LPA) meet with the Conservation of Habitats and Species Regulations 2017 (as amended).

The Strategy enables growth in the District by implementing the required mitigation to address adverse effects on the integrity of Habitats Sites arising from recreational disturbance caused by an increased level of recreational use on internationally designated Habitat Sites, particularly European sites, through growth from all qualifying development either alone or in combination. Increased recreation without mitigation is likely to affect the integrity of these Habitat Sites across Norfolk. It would result in the significant features of the sites being degraded or lost, and these internationally important areas losing significant important areas for birds, plants and wildlife generally and, therefore, their designations. All new net residential and tourism development are required to mitigate the effects of the development.

The application site is located in the Zone of Influence for recreational impacts from relevant development for a number of sites as listed in the constraints section above. A financial contribution of £185.93 per dwelling (or equivalent based on bedspaces for tourism accommodation) is identified in the GIRAMS that would provide appropriate mitigation for the indirect effects identified on designated habitat sites in Norfolk.

The proposed development would be provide new overnight accommodation and as such is a qualifying development for this purpose. A financial contribution amounting to **£2,665.00** is required to provide the necessary mitigation in accordance with the GI RAMS. To date, this contribution has not been received and therefore currently it cannot be confirmed that the

proposed development is not likely to have a significant effect upon the features of the European Sites habitats sites through increased recreational pressure, when considered individually or in combination. The proposed development therefore currently does not comply with CS Policy EN 9 and the NPPF insofar as it seeks to protect the integrity of habitats sites.

It is recommended that this matter is delegated officers to secure the required mitigation contribution. If payment is not secured then the matter would have to be returned back to the Development Committee for re-consideration on the basis that the local planning authority, as competent authority under the habitats regulations, would not be able to reasonably conclude it is satisfied that there is no reasonable doubt as to the absence of adverse effects on the integrity of European sites.

Summary and planning balance

This application is considered to be acceptable in principle, and would not result in any harmful effects on the character and appearance of the surrounding landscape, the Norfolk Coast AONB and the setting of Sheringham Park. There would be no negative impacts in terms of amenity. The layout of the site provides appropriate parking provision and the location is close to public transport links. The biodiversity of the site can be enhanced through measures to be secured through conditions.

There would be economic benefits during the construction of the development and thereafter by adding to the tourism offer in the District. The development would also provide some additional employment. These are matters which attract positive weight in favour.

Taking the above into account it is considered that with the imposition of conditions and subject to matters relating to surface water drainage being satisfactorily resolved and the receipt of the mitigation payment in relation to GI RAMS, the proposal complies with all relevant CS policies and is a sustainable form of development.

RECOMMENDATION:

DELEGATE APPROVAL of the application to the Assistant Director – Planning subject to:

- a) Satisfactory resolution of surface water drainage matters including through the imposition of planning conditions where appropriate to do so;**
- b) Securing a GI RAMS tariff of £2,655.00 via either S111 payment or S106 Obligation to mitigate the impact of development on recreational disturbance**

and subject to the imposition of conditions to cover the following matters and any others considered necessary by the Assistant Director – Planning

- 1) Time limit for implementation**
- 2) Occupancy Restrictions**
- 3) Approved plans**
- 4) Samples of materials**
- 5) Landscaping**
- 6) External lighting**
- 7) Parking layout**
- 8) Refuse areas**
- 9) Construction parking**
- 10) Land contamination**

11) Biodiversity enhancement

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