

**HOLT – PF/23/1672 – Replacement of existing toilet facilities with new public toilet facilities at Public Conveniences, 4A Franklyns Yard, Holt, Norfolk, NR25 6LZ**

**Minor Development**

**Target Date:** 12.10.2023

**Case Officer:** Bruno Fraga da Costa

**Full Planning Permission**

**RELEVANT SITE CONSTRAINTS**

- Within Holt Settlement Boundary as designated in the North Norfolk Core Strategy
- Within Holt Town Centre as designated in the North Norfolk Core Strategy
- Within a Primary Shopping Area as designated in the North Norfolk Core Strategy
- Within a Public Car Park Provision as designated in the North Norfolk Core Strategy
- Within the Wooded Glacial Ridge Landscape Character Area as designated in the North Norfolk Landscape Character Assessment
- Within Holt and Glaven Valley Conservation Areas as designated within the North Norfolk Core Strategy
- Within Holt Neighbourhood Plan as designated in the North Norfolk Core Strategy
- Located in close proximity to a number of Listed Buildings
- Within the Mineral Safeguard Area as designated within the Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026
- The site falls within various Zones of Influence of protected site as defined by the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS)

**RELEVANT PLANNING HISTORY**

**PF/07/1748**

Erection of Extension

Approved 03.01.2008

**THE APPLICATION**

Site Description:

The proposed development is situated within Holt and Glaven Valley Conservation Areas and surrounded by Grade II Listed Buildings. To the north lies North Norfolk District Council Albert Street Public Car Park and the surrounding area comprises of a mix of businesses and residential properties.

Proposal:

The proposal comprises of the replacement of existing toilet facilities with new public toilet facilities.

**REASONS FOR REFERRAL TO COMMITTEE**

The application has been referred to the Development Committee as the Council's Constitution states that:

Applications submitted by or on behalf of the District Council where representations have been received shall be determined by Development Committee. This application has been submitted by the District Council and a representation has been received.

## **CONSULTATIONS:**

**Holt Town Council - does not wish to comment**

**Conservation and Design - supports the application**

The proposal would be a significant improvement on the existing structure, and thus would enhance the appearance and character of the Holt Conservation Area, and not harm the significance of the adjacent grade II listed buildings.

## **REPRESENTATIONS:**

Public consultation of the application took place for a period of 21 days between 16.08.2023 and 06.09.2023. One letter of NEUTRAL position have been received as summarised below:

- Concerns over blockages to access from the car park to Franklyns Yard, and disruptions inconvenience and disruption to businesses.

## **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.

## **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.

## **STANDING DUTIES**

Due regard has been given to the following duties:

Equality Act 2010

Crime and Disorder Act, 1998 (S17)

Natural Environment & Rural Communities Act 2006 (S40)

The Conservation of Habitats and Species Regulations 2017 (R9)

Planning Act 2008 (S183)

Human Rights Act 1998

Rights into UK Law – Art. 8 – Right to Respect for Private and Family Life

Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

## **RELEVANT POLICIES**

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

Policy SS 1: Spatial Strategy for North Norfolk  
Policy SS 5: Economy  
Policy EN 4: Design  
Policy EN 8: Protecting and Enhancing the Historic Environment  
Policy EC 6: Public Car Parking Provision

### **Holt Neighbourhood Plan 2016 – 2036 (August 2023):**

Policy HOLT 1: Design Guidance

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

Policy CS 16: Supplementary Planning Documents and Guidance

#### Material Considerations:

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

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

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

Chapter 2: Achieving sustainable development  
Chapter 4: Decision-making  
Chapter 6: Building a strong, competitive economy  
Chapter 8: Promoting healthy and safe communities  
Chapter 12: Achieving well-designed places  
Chapter 16: Conserving and enhancing the historic environment  
Chapter 17: Facilitating the sustainable use of minerals

## **OFFICER ASSESSMENT:**

### **MAIN ISSUES FOR CONSIDERATION:**

- 1. Principle of Development**
- 2. Design**
- 3. Amenity**
- 4. Protecting and Enhancing the Historic Environment**
- 5. Other matters**
- 6. Planning Balance/Conclusion**

#### **1. Principle of Development (Policies SS 1, and SS 5)**

The site lies in Holt, which is defined as a Principal Settlement, Small-Town Centre and Primary Shopping Area under Core Strategy Policies SS 1 and SS 5 of the adopted North Norfolk Core Strategy. Policy SS 1 sets out that the majority of new development will take

place in Principal Settlements and the role of Town Centres and Primary Shopping Areas as a focus for a broad range of shopping, commercial, cultural, and other uses is supported under Policy SS 5.

The proposed development involves the replacement of the existing toilet facilities with new public toilet facilities. This type of development is acceptable in principle in this location subject to compliance with other relevant policies of the adopted North Norfolk Core Strategy and the Holt Neighbourhood Plan.

## **2. Design (Policy EN 4)**

Policy EN 4 of the Core Strategy requires that all development should be designed to a high quality, reinforcing local distinctiveness. Development proposals would be expected to have regard to the North Norfolk Design Guide and be suitably designed for the context within which they are set, amongst other things.

Policy HOLT1 – Design Guidance of the Holt Neighbourhood Plan (HNP) requires that the design of development proposals should be in conformity with the North Norfolk Design Guide and relevant Conservation Area Appraisals.

North Norfolk Design Guide (December 2008) and Holt Conservation Area Character Appraisal and Management Plan (August 2021) requires that new non-residential developments be compatible with their surroundings and provide, where applicable, innovative design, which is locally distinctive, and integrate new non-residential buildings successfully into existing settlements without harming any heritage.

The proposed development seeks the retention of part of the wall that defines the courtyard area of 6 Albert Street, and the demolition of the remaining part of the building and replacement with new toilet facilities, and that includes providing new toilet facilities to 6 Albert Street. The replacement toilet facilities would provide a more updated form of design with a varied pallet of materials comprising of flintwork, Norfolk Brick Brancaster Blend, and Western Red Cedar Vertical Cladding walls, grey doors and windows, Wienerberger Old English Flanders Pantile roof and Alumasc skyline capping.

It is considered that due to the traditional form and type of design, and similar scale and footprint to the former building it replaces, the proposed development is considered to be in keeping with the character and appearance of its context. As such, given the proposal would not give rise to any significant design concerns it complies with Policy EN 4 of the Core Strategy and Policy HOLT 1 of the Holt Neighbourhood Plan.

## **3. Amenity (Policy EN 4)**

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

Whilst the proposal would result in alterations to the existing flint wall that forms part of the courtyard area of 6 Albert Street to reposition the owner's former toilet facilities further to the east, this would result in an enhancement to the existing current toilet facilities in situ.

Given the proposed development would result in a replacement building of similar height and footprint to that existing, and the physical relationship of the proposal with the surrounding buildings would not significantly change, it is considered the scheme would not give rise to significant amenity concerns.

For the reasons provided above, the proposed development complies with Policy EN 4.

#### **4. Protecting and Enhancing the Historic Environment (Policy EN 8)**

Policy EN 8 of the Core Strategy requires that development proposals should preserve or enhance the character and appearance of Conservation Areas, and their settings through high quality, sensitive design.

It should be noted that the strict 'no harm permissible' clause in Policy EN 8 is not in full conformity with the guidance contained in the latest version of the Framework (September 2023). As a result, in considering the proposal for this site, the Local Planning Authority will need to take into consideration the guidance contained within Chapter 16 of the Framework as a material consideration.

Paragraph 206 of the Framework sets out that Local Planning Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

The site is situated within the designated Holt and Glaven Valley Conservation Areas as of April 2022 and December 2012 respectively, which are areas of special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance as defined by the Planning (Listed Buildings and Conservation Areas) Act 1990.

Moreover, the proposed development lies to the north of Grade II Listed 2 Chapel Yard, 6 Albert Street, and 4 Albert Street and affects the setting of Grade II Listed 18A Chapel Yard, and 6 Chapel Yard located to the west and Grade II Listed The Old Paul Pry, located to the east.

The Conservation and Design Team have supported the proposal for the reasons that it would be considered a significant improvement on the existing structure, would enhance the appearance and character of the Holt Conservation Area and would not harm the significance of the adjacent Grade II Listed Buildings.

For the reasons provided above, it is considered the proposed development complies with Policy EN 8 of the Core Strategy and paragraph 206 of the Framework.

#### **5. Other matters**

##### *Minerals & Waste*

Policy CS16 of the Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 defines the area as a Mineral Safeguarding Area for its sand & gravel resources. The Mineral Planning Authority would expect to see appropriate investigations conducted to assess whether any mineral resource there is of economic value, and if so, whether the material could be economically extracted prior to the development taking place. In this instance, given the proposal falls under the 12 excluded development types set out in Appendix C of the above document, it is considered it would be exempt from the requirements of Policy CS16.

##### *Construction traffic*

Concerns have been raised over blockages to access from the car park to Franklyns Yard, and inconvenience and disruption to businesses as a result of the proposed development. Given the scale of development proposed, it is not considered that the works would likely result in any highway safety concerns. Control of construction practices falls outside of the planning remit, however the applicant would be expected to ensure that they comply with all relevant requirements in relation to highway safety.

## **6. Planning Balance/Conclusion**

The principle of the proposal is acceptable and no further significant matters of concerns have been raised in the assessment of the application. On that basis, the proposal complies with the relevant policy considerations stated above, and therefore approval of the application is recommended subject to conditions and informative notes.

### **RECOMMENDATION:**

**It is recommended that the application be APPROVED subject to the conditions listed below and any others considered necessary by the Assistance Director of Planning:**

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

#### Reason

As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents, except as may be required by specific condition(s) and as listed below:

- Application Form, dated 1 August 2023
- Design, Access, and Heritage Statement, dated 1 August 2023
- Drawing no. EX01, Rev A, Existing Plans & Elevations, dated 1 August 2023
- Drawing no. PL01, Rev B, Proposed Plans & Elevations, dated 1 August 2023

#### Reason

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

3. The materials to be used on the external surfaces of the development hereby permitted shall be constructed in accordance with the details submitted in the application.

#### Reason

To ensure the satisfactory appearance of the development in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy and Policy HOLT1 of the Holt Neighbourhood Plan.

4. The new flintwork panels shall be faced in cobbles with a diameter of less than 150mm when measured in any direction and a mortar which contains no Ordinary Grey Portland Cement, all laid to match the image supplied on approved drawing PL01, Rev B.

#### Reason

To ensure the satisfactory appearance of the development in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy and Policy HOLT1 of the Holt Neighbourhood Plan.

#### **NOTES AND INFORMATIVES TO APPLICANT**

1. The Local Planning Authority considers that it has worked positively and proactively with the applicant to address any arising issues in relation to determining this planning application, to secure a policy compliant proposal that has been determined in the wider public interest at the earliest reasonable opportunity, in accordance with the requirements of the National Planning Policy Framework (paragraph 38).

**Final wording of conditions to be delegated to the Assistant Director – Planning**