

SHERINGHAM – RV/23/2222 – 37 suite apartment hotel (Class C1) with associated access, parking and landscaping without complying with conditions 3 (use for holiday accommodation purposes only), 5 (requiring accommodation to be made available for commercial holiday letting for at least 140 days a year), 6 (individual lets not to exceed 31 days in continuous duration) and 7 (no individual to let any of the units for more than 31 days in any calendar year) of planning permission PF/22/1660 to allow amendments of holiday occupancy details at Land To East of The Reef Leisure Centre, Weybourne Road, Sheringham for Morston Palatine Limited

Major Development

- Target Date: 22nd January 2024

Case Officer: Joe Barrow

Full Planning Permission

BACKGROUND

This application follows approval of planning permission PF/22/1660 on 20 September 2023 following consideration by the Development Committee at its meetings on 23 March 2023 and 25 May 2023.

The application seeks to vary/remove conditions imposed on the original planning permission relating to occupancy/use restrictions. In resolving to approve the original application, those conditions imposed were debated at length by the Development Committee.

This is an application made under section 73 of the Town and Country Planning Act 1990. Whilst this application refers to amendment of specific conditions, approval would result in an entirely new planning application. However, the Planning Practice Guidance states that “*in deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application*”. The grant of the original permission is a material consideration to be afforded significant weight.

In considering the proposal, the Development Committee could resolve to accept the proposed condition amendments (in full), refuse the proposed condition amendments (in full) or resolve to approve with a different set of planning conditions comprising some of the applicant's suggested amendments.

This report will focus on the impacts of the proposed condition changes. The committee report for the original application is attached at **Appendix A**.

RELEVANT SITE CONSTRAINTS

- Sheringham Settlement Boundary
- Employment Area
- Contaminated Land
- EA Risk Surface Water Flooding 1 in 1000 - (0.1% annual chance)
- Areas Susceptible to Groundwater
- Landscape Character Area – Coastal Shelf
- Approach Routes
- Sheringham Park
- 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

PF/22/1660 - 37 suite apartment hotel (Class C1) with associated access, parking and landscaping – Approved following resolution at May's Development Committee meeting

REASON FOR REFERRAL TO DEVELOPMENT COMMITTEE

At the request of the Director for Place and Climate Change.

THE APPLICATION

This application proposes changes to planning conditions imposed on planning permission PF/22/1660 that restricted occupancy/use of the development. For clarity, the conditions as approved are outlined in the table below in the column marked "current wording and reason" with the applicants proposed amendments in the column marked "proposed amendment". Changes to condition wording are italicised and highlighted in bold:

Condition number	Current wording and reason	Proposed amendment
3	<p>The units of holiday accommodation hereby permitted shall be used for holiday accommodation purposes only and shall not be used as the sole or main residence of the occupiers.</p> <p>Reason for condition To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.</p>	<p>The units of <i>aparthotel</i> accommodation hereby permitted shall be used for <i>hotel</i> accommodation purposes only and shall not be used as the sole or main residence of the occupiers.</p> <p>Reason for condition To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.</p>
4	<p>Prior to the first occupation of any of the units hereby permitted, a register of lettings, occupation and advertising shall be maintained in accordance with a scheme which shall have first been submitted to and approved in writing by the Local Planning Authority. The approved register shall thereafter be made available for inspection by the Local Planning Authority upon request.</p> <p>Reason for condition To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.</p>	No proposed change

Condition number	Current wording and reason	Proposed amendment
5	<p>The units of holiday accommodation hereby permitted shall be made available for commercial holiday letting for at least 140 days a year.</p> <p>Reason for condition To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.</p>	<i>Condition proposed to be removed</i>
6	<p>No individual let within the units of holiday accommodation hereby permitted shall exceed 31 days in continuous duration.</p> <p>Reason for condition To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.</p>	<i>Condition proposed to be removed</i>
7	<p>No individual(s) shall let any of the units within the development hereby approved for more than 31 days in any calendar year.</p> <p>Reason for condition To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.</p>	<i>Condition proposed to be removed</i>

In summary, the requested changes would vary condition 3 to allow broader hotel uses, rather than tourism only. Condition 4 is not proposed to be altered at all, with conditions 5-7 proposed to be removed completely.

PARISH/TOWN COUNCIL

Sheringham Town Council - ***strongly object*** to the application and the removal of any restrictions previously placed upon the development by NNDC. Sheringham Town Council wish for the conditions previously stipulated to remain in place and unchanged.

CONSULTATIONS:

No other consultation required given the nature of the application.

REPRESENTATIONS

None 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 (in amended form) 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 Core Strategy (2008):

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 5: Economy

Policy SS 12: Sheringham

Policy EC 7: Location of New Tourism Development

Policy EC 9: Holiday and Seasonal Occupancy Conditions

Material Considerations

National Planning Policy Framework (Dec 2023):

Chapter 2: Achieving Sustainable Development

Chapter 4: Decision-making

Chapter 6: Building a Strong, Competitive Economy

OFFICER ASSESSMENT:

Assessment of Proposed Condition Amendments

This section of the report will focus solely on the impact that the applicant's proposed changes to the conditions would have on the acceptability of the scheme.

Condition 3:

The original condition wording seeks to ensure that the units within the approved development were used only for holiday/tourism purposes. The variation proposed seeks to loosen this restriction slightly to allow for more general 'hotel' uses, enabling, among other things, business stays for example.

On reflection, officers consider that the proposed amended wording is reasonable and compliant with condition tests. Even with the proposed change, the permission would ensure the development remains within the Class C1 (hotel) use that was approved.

Condition 5:

The original condition wording seeks to ensure that the units within the approved development are available for commercial letting for at least 140 days per calendar year. It is a condition

that works co-operatively with condition 4 (register of lettings) to enable ease of monitoring. North Norfolk District Council applies this condition consistently on planning permissions for tourism accommodation unless there are significant factors that would dictate otherwise.

In this case, Officers consider that there are no material reasons to remove this condition, with the 140 day threshold considered a reasonable minimum availability for accommodation of this type to ensure it remains in use for its intended purpose.

It is therefore recommended that this condition should be retained with no changes .

Condition 6:

The original condition wording seeks to control the length of time that any of the units can be let out to occupants under a single agreement. Following consideration of the original application by the Development Committee it was resolved to impose a 31 day restriction to ensure, amongst other things, a regular turnover of guests which will contribute to the vitality and viability of the North Norfolk economy.

After review of a number of appeal decisions relating to this type of accommodation and following liaison with the Council's Solicitor, Officers consider it reasonable to retain the original condition, but allow amendments to enable for a longer period in which a unit can let out under a single agreement.

On balance, Officers consider it would be reasonable to allow an increase from 31 days to 56 days (8 weeks) per calendar year which would allow for longer lets during the summer holidays but still provide the safeguards sought by the Development Committee to ensure that the scheme does not metamorphose into a non Class C1 use.

Condition 7:

The original condition wording seeks to control the length of time an individual person may stay in one of the units per calendar year, and would be enforced by the register required as part of original condition 4.

As with condition 6 Officers consider it would be reasonable and necessary to retain the original condition, but allow amendments to enable for a longer period. In light of Officer's suggested amendments to condition 6, a change from 31 days to 56 days is suggested which would similarly still provide the safeguards sought by the Development Committee to ensure that the scheme does not metamorphose into a non Class C1 use.

Conclusion and Summary

Officers consider that the suggested condition amendments proposed by the applicant would collectively diminish the controls of the Local Planning Authority to ensure that the development remains as a Class C1 Hotel and, as such the proposals, as submitted, could not be supported.

However, a scheme with some amendments in relation to Conditions 3, 6 and 7, as set out above, could be considered acceptable in planning terms under a resolution to approve with a different set of planning conditions comprising some of the applicant's suggested amendments.

Under the alternative proposed amendments suggested by Officers, no individual could stay at the site for more than 56 days per annum and, in line with the changes to Condition 6, those 56 days could be via one single let or multiple lets across different units provided that the

extent of stay at the site does not exceed 56 days per annum. On the basis of the above, a recommendation of approval can be given.

RECOMMENDATION:

Taking account of the above, it is recommended that conditions on this decision are varied, with none removed. These draft conditions are found below, with the exact and final wording to be delegated to the Assistant Director – Planning.

1. The development hereby permitted shall begin no later than 3 years from the date of the original permission (PF/22/1660).

Reason for the condition

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 following approved plans and documents, except as may be required by specific conditions:

Drg No. 1249 - 99 - Existing Site and Location Plan - Dated December 2021 - Received 07.07.2022

Drg No. 1249 - 100 Rev. B - Proposed Site Plan - Dated 24.09.2022 – Received 25.09.2022

Drg No. 1249 - 101 Rev. A - Proposed Ground Floor Plan - Dated 20.07.2022 - Received 05.08.2022

Drg No. 1249 - 102 - Proposed First Floor Plan - Dated November 2021 – Received 07.07.2022

Drg No. 1249 - 103 - Proposed Second Floor Plan - Dated November 2021 – Received 07.07.2022

Drg No. 1249 - 104 - Proposed Third Floor Plan - Dated November 2021 – Received 07.07.2022

Drg No. 1249 - 105 - Proposed Elevations Sheet 1 of 2 - Dated November 2021 - Received 07.07.2022

Drg No. 1249 - 106 Rev. A - Proposed Elevations Sheet 2 of 2 - Dated 20.07.2022 - Received 05.08.2022

Drg No. 1249 - 107 - Proposed Sections AA & BB - Dated December 2021 – Received 07.07.2022

Drg No. 1249 - 110 Rev. A - Proposed Landscape Plan - Dated 20.07.2022 – Received 05.08.2022

Drg No. 1249 - 115 - Construction Management Plan - Proposed Site Set Up – Dated December 2021 - Received 07.07.2022

Drg No. 22177-002 P2 - Exceedence Flows - Dated 27.10.2022 - Received 13.02.2023

Drg No. 22177-001 P5 - Drainage Strategy - Dated 13.04.2023 - Received 13.04.2023

Job No. 1249 - Construction Management Plan - Dated February 2022 – Received 07.07.2022

Job No. 1249 - Design and Access Statement Rev. A - Dated 28.07.2022 – Received 05.08.2022

Job No. 1249 - Energy Statement - Dated April 2023 - Received 16.05.2023

Doc Ref. 395277-RP-C002/P2 - Flood Risk Assessment, Surface Water, and Foul Water Drainage Strategy - prepared by Mott MacDonald - Dated 18.07.2022 -Received 08.08.2022

Doc Ref. GN21900_GI - Ground Investigation Report - Dated 06.06.2018 – Received 13.02.2023

Technical Note prepared by SLR - Dated 26.09.2022 - Received 03.11.2022

Reason for condition

For the avoidance of doubt.

3. The units of aparthotel accommodation hereby permitted shall be used for hotel accommodation purposes only and shall not be used as the sole or main residence of the occupiers.

Reason for condition

To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.

4. Prior to the first occupation of any of the units hereby permitted, a register of lettings, occupation and advertising shall be maintained in accordance with a scheme which shall have first been submitted to and approved in writing by the Local Planning Authority. The approved register shall thereafter be made available for inspection by the Local Planning Authority upon request.

Reason for condition

To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.

5. The units of holiday accommodation hereby permitted shall be made available for commercial holiday letting for at least 140 days a year.

Reason for condition

To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.

6. No individual let within the units of holiday accommodation hereby permitted shall exceed 56 days in continuous duration.

Reason for condition

To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.

7. No individual(s) shall let any of the units within the development hereby approved for more than 56 days in any calendar year.

Reason for condition

To ensure the units are to be used for purposes falling under Use Class C1 in accordance with Policy EC9 of the Adopted North Norfolk Core Strategy.

8. Prior to their first use on site details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details/samples. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application.

Reason for condition

To ensure the satisfactory appearance of the development in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

9. Prior to the first use of the development hereby permitted the proposed on-site car and cycle parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition

To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policies CT 5 and CT 6 of the Adopted North Norfolk Core Strategy.

10. With regard to ground contamination, unless otherwise agreed in writing by the Local Planning Authority, the development shall proceed in accordance with the details approved under condition discharge applications CDA/18/1435 and CDB/18/1435 in respect of conditions 4, 5 and 6 of planning permission PF/18/1435.

Reason for condition

In accordance with the requirements of Core Strategy Policies EN 10 and EN 13 of the adopted North Norfolk Core Strategy in order to protect and prevent the pollution of the water environment (particularly groundwater associated with the underlying Secondary and Principal Aquifers, from potential pollutants associated with current and previous land uses) in line with National Planning Policy Framework (NPPF; paragraphs 170 and 178), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) A4 - A6, J1 - J7 and N7.

11. Prior to installation of any plant / machinery / ventilation / air conditioning / heating / extraction equipment, full details including location, acoustic specifications, and specific measures to control noise/dust/odour from the equipment, shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed, used and maintained thereafter in full accordance with the approved details.

Reason for condition

In the interests of amenity for future occupiers of the units in accordance with Policy EN 4 of the Adopted North Norfolk Core Strategy.

12. No use of the development hereby approved shall take place until details have been submitted to and agreed in writing by the local planning authority of all external lighting for the site, including any security or other intermittent lighting. Such details shall include specifications for the lighting proposed, its location and position within the site, height and levels of illumination proposed. The details shall also specify that any external lighting includes cowling, or other similar device, to ensure that the lighting only illuminates the site directly. The development shall be carried out in accordance with the details as agreed and retained as such thereafter.

Reason for condition

In the interests of amenity for local residents and to minimise light pollution into the adjacent Norfolk Coast AONB in accordance with Policies EN 1 and EN 4 of the Adopted North Norfolk Core Strategy.

13. The development hereby permitted shall not be occupied until such time as adequate facilities for the storage and collection of refuse and recycling have been provided in full accordance with details which have been first submitted to and approved in writing by the Local Planning Authority.

The details submitted shall include details of both refuse collection vehicle access and storage compounds. The scheme shall be provided and retained thereafter in full accordance with the approved details.

Reason for condition

To ensure and maintain appropriate provision of refuse facilities in accordance with Policy EN 4 of the Adopted North Norfolk Core Strategy.

14. Prior to the first occupation of the units of holiday accommodation hereby approved a statement demonstrating provision of at least 10% on-site renewable energy provision shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition

In response to the climate emergency declared by North Norfolk District Council and to ensure the provision of onsite renewable energy in accordance with Policy EN 6 of the Adopted North Norfolk Core Strategy.

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: 07 October 2022

- Extension of time: 02 June 2023

Case Officer: Joe Barrow

Full Planning Permission

BACKGROUND

The application was DEFERRED by the Development Committee on 23 March 2023 'to enable the receipt of drainage scheme proposals and information on energy use, and how the proposal would respond the Climate Emergency'.

Since the meeting, Officers have been working with the applicant to confirm renewable energy provision and sustainable construction practices to be incorporated within the proposal. Officers have also been in discussion with the Lead Local Flood Authority to resolve outstanding surface water drainage issues.

This report updates the Committee in respect of the matters for deferral.

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

The application is referred back to the Development Committee for consideration following deferral by members at the Development Committee meeting of 23 March 2023.

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) – No Objection subject to the imposition of a condition to ensure the development is built in accordance with submitted Flood Risk Assessment.

The LLFA have reviewed the Drainage Strategy Plan and Surface Water Calculations (both dated 13 April 2023) and have removed their previous objection subject to condition.

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 – Runton 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**
- 8. Sustainable Construction and Energy Efficiency**

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). Following deferral in March 2023, the applicant has submitted a Drainage Strategy Plan and Surface Water Calculations (both dated 13 April 2023) The LLFA have reviewed these documents and have removed their previous objection subject to the imposition of a condition to secure the construction of the development in accordance with the submitted details.

Subject to the imposition of conditions, the proposal would accord with CS Policy EN 10.

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.

This contribution was made prior to the previous committee meeting at which this application was deferred. Consequently, the proposed development is considered to comply with CS Policy EN 9 and Section 15 of the NPPF (2021).

8. Sustainable Construction and Energy Efficiency

In response to matters raised by the Development Committee at the meeting in March, an energy statement has been submitted to the Council outlining various strategies/measures which the developer would look to undertake throughout the construction process and beyond.

The relevant policy in the Adopted North Norfolk Core Strategy is Policy EN 6. This policy states that all new development must demonstrate how it minimises resource consumption, minimises energy consumption compared to the current minimum required under part L of the Building Regulations, and how it is located and designed to withstand the longer term impacts of climate change. All developments are encouraged to incorporate on site renewable energy sources, with the most appropriate technology for the site and surrounding area used.

It is also stated that development proposals over 1,000 square metres or 10 dwellings (new build or conversions) will be required to include on-site renewable energy technology to provide for at least 10% of predicted total energy usage. By 2013 this requirement will rise to at least 20%.

Section 4 of the submitted statement proposes the following measures, which use Part L of the building regulations as a baseline, and seek to exceed it:

- A 22,135kWh Photovoltaic array,
- air-source heat pumps,
- a building management system, and
- mechanical ventilation heat recovery
- Nine EV Charging points (7 x standards size and 2 x disability accessible charging spaces).

Upon review of this strategy, and in consultation with the Council's Building Control team, it is considered that the measures proposed which would be secured through conditions, would result in a development that would comply with Policy EN6 of the Adopted North Norfolk Core Strategy.

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, the proposal complies with all relevant CS policies and is a sustainable form of development.

RECOMMENDATION:

APPROVAL 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 (including type and duration of lettings)**
- 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**
- 12) Renewable energy and energy efficiency**

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

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 25 May 2023 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:	Cllr P Heinrich (Chairman)	Cllr A Brown
	Cllr P Fisher	Cllr A Fitch-Tillett
	Cllr M Hankins	Cllr V Holliday
	Cllr G Mancini-Boyle	Cllr P Neatherway
	Cllr J Toye	Cllr K Toye
		Cllr L Vickers

Substitute Members Present:	Cllr T Adams
	Cllr L Withington

Officers in Attendance:	Development Manager (DM)
	Principle Lawyer (PL)
	Senior Planning Officer (SPO)
	Democratic Services Officer – Regulatory

6 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

The SPO introduced the Officers report and recommendation for approval subject to

conditions. He noted was deferred at the 23rd March Development Committee meeting pending Members request for greater clarity on renewable energy provision and surface water drainage.

The SPO affirmed the sites location, the proposals relationship within its wider setting and context within the AONB. He detailed the proposed site plans and elevations, noting efforts made by the developer to marry the proposal with the adjacent Reef Leisure Centre with respect of scale and material pallet. Officers determined that the design was acceptable and would work well in conjunction with the Reef to nicely frame the entrance to Sheringham.

With regards to those matters cited as reasons for deferral, the SPO highlighted the additional information submitted with respect of surface water drainage. The Lead Local Flood Authority had reviewed the revised strategy and subsequently raise no objection to the proposal 'subject to a build-to condition being attached to any consent' which would ensure compliance with the submitted specification and details.

An Energy Statement had also been submitted following the March deferment, with the developer committing to a series of measures outlined in the Officers' report (p.32 of the Agenda), which Officers advised they were satisfied would ensure compliance with Policy EN6 of the Adopted North Norfolk Core Strategy.

The SPO reiterated the Officers recommendation subject to the outlined conditions, and any others considered necessary by the Assistant Director for Planning.

Public Speakers

None

Members Questions and Debate

- i. Cllr L Withington – Member for Sheringham North, speaking on behalf of the Local Members in the adjoining Sheringham South Ward, readdressed her concerns relayed at the March meeting. She affirmed that the local community remained concerned about the economic impact of the business model, and the loss of employment land which could offer greater employment opportunities. Cllr L Withington commented that Sheringham had a limited amount of designated employment land (6 hectares) which meant this land was especially precious.

In terms of design, Cllr L Withington stated the 'art-deco' design was not in keeping with the neighbouring Reef complex, which had been recognised nationally for its design merits, and would be out of character with the wider Edwardian seaside town, dominating the nearby golf course. Further, Cllr L Withington considered the important position the site forms as the physical and visual gateway to the Town and to the AONB.

Cllr L Withington expressed concerns over the practicalities of development and access to the site by HGVs across the porous Reef car park, and commented that this was not currently permissible due to concerns regarding potential damage to the surface. Further, any damage to the sub-system would be a considerable cost to the Council as land owner to put right. If developed access to the site would remain an issue, with concern that HGVs would therefore need to unload on the main road. Cllr L Withington reflected

on the development at nearby Westwood site and the lack of a traffic management plan which had resulted in disruption on the main road, especially as the site was located before the 30 mph zone.

- ii. The DM advised, with regards to the risk of traversing the existing Reef carpark by HGVs and potentially damaging the surface, that this was not a direct planning consideration, rather it was a civil matter between the Council (as owners of the car park) and the developer to agree how any remediation would be secured should the access way be damaged.
- iii. Cllr J Toye sought clarification about the 'building management system'. The SPO confirmed that the full details were available in the energy statement, aspects of which would include smart lighting i.e. automatic lighting not requiring human intervention.
- iv. Cllr G Mancini-Boyle spoke positively of improvements to the proposal's carbon footprint following deferment in March, however questioned the composition of disabled parking with two of the three spaces being also designated for electric vehicles. He asked if there was scope to increase the number to disabled parking spaces (not EV spaces), as he considered the proposed provision limited.
- v. The DM affirmed that the Council have adopted car parking standards, which the proposal accorded with. He confirmed that, at present, there was no policy on mandatory electric car charging, and those EV spaces offered by the applicant was on a voluntarily. The DM advised that neither Highways nor NNDC Officers had objected to the proposal with respect of parking matters.
- vi. Cllr A Fitch-Tillett proposed acceptance of the Officers recommendation, and stated she was content that the concerns raised at the March meeting had been addressed, particularly with respect of surface water drainage, but stressed the importance that conditions regarding surface water be tightly controlled. Additionally, whilst Cllr A Fitch-Tillett agreed that whilst the proposal was policy compliant, the provision of disabled parking and EV charging was limited.
- vii. Cllr V Holliday supported the representation made by Cllr L Withington with respect of the loss of employment land. She sought clarification over the status of the apartments and whether they would be classed as second homes, something which she contended would be a sad reflection on the district's housing stock. Further, Cllr V Holliday asked if consideration had been given to the use of 'smart' glazing, given the site was located next to the AONB. She concluded that the carbon footprint of the development did not align with NNDC's Carbon Neutrality pledge (with the potential to produce 17.76 tons of CO₂ per annum), and references to the development complying with these aspirations were disingenuous.
- viii. The DM advised that it would not be permitted for the apartments to be used as second homes, and that this expectation had been clearly communicated with applicant. The units would not have the individual amenity space expected for a dwelling, and would be designated use class C1 (for hotel use). With respect of the ownership model, the DM advised this would be compliant with policy in principle, and confirmed this model had been used elsewhere in the country. The use of proposed conditions would restrict the

number of letting days per person per annum to 31 days, which would ensure the properties were not used as primary or secondary residences. The DM set out the intention of the business model was for visitors to come to the area and by extension contribute to the local economy. He noted that any form of tourism coming into the district would have some form of carbon impact from travel, and therefore it would be highly unlikely to have a zero carbon position on tourism.

- ix. Cllr A Brown asked if there had been any further discussion over installing solar car ports.
- x. The SPO advised that the developer was largely content with their application, including solar array on the roof, and other measures outlined in the report. These measures ensured compliance with policy EN6 of the North Norfolk Core Strategy. The scope for a solar car port, whilst possible, did not form part of the proposal presented for consideration.
- xi. The DM noted that the solar car port being constructed at the adjacent Reef site, did not form part of the initial application and was a retrofit. He reiterated comments from the SPO, and affirmed that this was not included in the application.
- xii. Cllr A Brown stated that although he was minded to approve the application, it was disappointing that the site could not be developed for greater employment opportunities or for social housing. Further, he considered the design lacking, stating it did not make use of vernacular materials.
- xiii. Cllr T Adams asked if the occupancy restriction was a standard condition for this type of accommodation.
- xiv. The DM stated that whilst this type of accommodation was new to the district, perceived problems could be managed through appropriate conditions. He acknowledged Member's concerns that the model may encourage people to use the apartments as second homes, however Officers considered that the conditions would dissuade such action and would provide the Authority the tools ensure enforcement.
- xv. Cllr K Toye reflected on the site's immediate setting and considered the proposal would accord with the adjacent Reef Leisure complex, to construct a more traditional style building would not work in this setting. Cllr K Toye questioned the demand for this business model, noting the tourist accommodation offering in Sheringham was comprised largely of small hotels and B&B's.
- xvi. The Chairman affirmed that there was a growing demand for self-contained holiday accommodation, and that traditional B & B's were less popular with tourists.
- xvii. Cllr P Fisher asked how many jobs would be created through the proposal. He drew comparisons with Henries Garage in Sheringham which is of a similar footprint but which employs around half a dozen people. The DM advised 3 part-time positions were expected to be generated.
- xviii. Cllr L Withington was uncertain that the conditions would prevent individuals from using the apartments as second homes if they were able to stay in them.

for 96 days.

- xix. The DM advised it would be conditioned that no individual could stay in the apartment for more than 31 days per annum. This would dissuade individuals from booking the apartments for continued periods.
- xx. Cllr V Holliday asked how the lettings would be monitored. The DM advised this would be a matter for the planning enforcement team. It would be conditioned that a register of lettings be maintained and made available to the enforcement team as required.
- xxi. The PL noted that on page 28 of the Agenda that the recommendation was for 96 days occupancy. The SPO confirmed that Officers had since reflected on the application and considered a 31 day condition more appropriate. This was more reasonable to control, aligned with other tourist accommodation conditions in the district, and reflected the intention for regular turnover. The DM confirmed that the condition would be for a maximum of 31 days occupancy per annum for any one individual.
- xxii. Cllr L Vickers asked if the developer was confident that the business model was viable with the 31 day restriction.
- xxiii. The DM advised that the applicant had applied for a C1 class hotel, and it was therefore expected that individuals would not stay on the site for long periods of time. Officers had received nothing from the applicant which expressed that they considered the application (and conditions) unviable.
- xxiv. The Chairman asked, should there be a breach of the occupancy, if it would be the owner of the apart-hotel site, or the owner of the individual units who enforcement would pursue. The DM advised this would be anyone with an interest in the land, and likely the apartment owner.
- xxv. Cllr A Brown expressed concern that the 31 day restriction may be open to abuse from individuals staying with family members who then change name of primary occupier every month. He asked how conditions would be applied and enforced to mitigate such issues.
- xxvi. The DM affirmed that should individuals abuse the process, then the enforcement team would investigate and take action accordingly. If individuals were using the apartments as a second home, this would constitute a material change of use and would be something the Authority would frown upon.
- xxvii. Cllr J Toye asked if it could be conditioned that vehicle registration plates were recorded for all those staying on site, as this would aid in monitoring whether the same person or persons were attending the site, effectively breaching 31 day condition.
- xviii. The DM advised he would seek to add this as a condition, and noted it was not unusual for hotels to take license plate details from guests on arrival.
- xxix. Cllr G Mancini- Boyle seconded the Officers recommendation.

IT WAS RESOLVED by 11 votes for, 1 against and 1 abstention.

That Planning Application PF/22/1660 be APPROVED in line with the Officers recommendation. Final wording of conditions to be delegated to the Assistant Director for Planning.

END