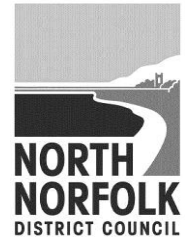


Development Committee



Please contact: Linda Yarham

Please email: linda.yarham@north-norfolk.gov.uk
Direct Dial: 01263 516019

PLEASE NOTE: Item 7(1) - Hoveton PF/17/1802 has been deferred and will not be discussed at this meeting.

12 December 2017

A meeting of the Development Committee will be held in the **Council Chamber** at the Council Offices, Holt Road, Cromer on **WEDNESDAY 20 December 2017 at 9.30am.**

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

Any site inspections will take place on **Thursday 18 January 2018.**

PUBLIC SPEAKING – TELEPHONE REGISTRATION REQUIRED

Members of the public who wish to speak on applications are required to register by **9 am on Tuesday 19 December 2017** by telephoning **Customer Services on 01263 516150**. Please read the information on the procedure for public speaking on our website [here](#) or request a copy of "Have Your Say" from Customer Services.

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so must inform the Chairman. If you are a member of the public and you wish to speak, please be aware that you may be filmed or photographed.

Emma Denny
Democratic Services Manager

To: Mrs S Arnold, Mrs A Fitch-Tillett, Mrs A Green, Mrs P Grove-Jones, Mr B Hannah, Mr N Lloyd, Mr N Pearce, Ms M Prior, Mr R Reynolds, Mr P Rice, Mr S Shaw, Mr R Shepherd, Mr B Smith, Mrs V Uprichard

Substitutes: Mr D Baker, Mrs S Bütikofer, Mr N Coppack, Mrs A Claussen-Reynolds, Mrs J English, Mr T FitzPatrick, Mr V FitzPatrick, Mr S Hester, Mr M Knowles, Mrs B McGoun, Mrs J Oliver, Miss B Palmer, Mrs G Perry-Warnes, Mr J Punchard, Mr J Rest, Mr E Seward, Mr D Smith, Mr N Smith, Ms K Ward, Mr G Williams, Mr A Yiasimi

All other Members of the Council for information.
Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance
If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

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

AGENDA

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

PUBLIC BUSINESS

1. CHAIRMAN'S INTRODUCTIONS
2. TO RECEIVE APOLOGIES FOR ABSENCE AND DETAILS OF ANY SUBSTITUTE MEMBER(S)
3. MINUTES

To approve as a correct record the Minutes of a meeting of the Committee held on 26 October 2017.
4. ITEMS OF URGENT BUSINESS (to be taken under items 8 or 10 below)
 - (a) To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.
 - (b) To consider any objections received to applications which the Head of Planning was authorised to determine at a previous meeting.
5. ORDER OF BUSINESS
 - (a) To consider any requests to defer determination of an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.
 - (b) To determine the order of business for the meeting.
6. DECLARATIONS OF INTEREST

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest.
7. OFFICERS' REPORT

ITEMS FOR DECISION

PLANNING APPLICATIONS

- (1) **HOVETON - PF/17/1802 - Erection of 25 dwellings with associated roads, landscaping and drainage, off-site highways works, extension to church graveyard, and construction of new 12-space church car park; Church Field for FW Properties**

Page 4
(Appendix 1 – page 58)

PLEASE NOTE: The above item has been deferred and will not be discussed at this meeting.

- (2) **PASTON - PF/16/1743 - Demolition of existing Block 3 (16 units) and replacement with 8 units (6 no.2 beds and 2 no.3 beds) of holiday accommodation; Mundesley Holiday Centre, Paston Road for Mundesley Holiday Village Ltd** Page 41
- (3) **APPLICATION RECOMMENDED FOR A SITE INSPECTION** Page 55
- (4) **NEW APPEALS** Page 55
- (5) **INQUIRIES AND HEARINGS - PROGRESS** Page 55
- (6) **WRITTEN REPRESENTATIONS APPEALS - IN HAND** Page 55
- (7) **APPEAL DECISIONS – RESULTS AND SUMMARIES** Page 56
(Appendix 2 – page 63)
- (8) **COURT CASES – PROGRESS AND RESULTS** Page 57
- 8. **ANY OTHER URGENT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE**
- 9. **EXCLUSION OF PRESS AND PUBLIC**

To pass the following resolution, if necessary:-

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

PRIVATE BUSINESS

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

**OFFICERS' REPORTS TO
DEVELOPMENT COMMITTEE - 20 DECEMBER 2017**

Each report for decision on this Agenda shows the Officer responsible, the recommendation of the Head of Planning and in the case of private business the paragraph(s) of Schedule 12A to the Local Government Act 1972 under which it is considered exempt. None of the reports have financial, legal or policy implications save where indicated.

PUBLIC BUSINESS - ITEM FOR DECISION

PLANNING APPLICATIONS

Note :- Recommendations for approval include a standard time limit condition as Condition No.1, unless otherwise stated.

- (1) **HOVETON - PF/17/1802** - Erection of 25 dwellings with associated roads, landscaping and drainage, off-site highways works, extension to church graveyard, and construction of new 12-space church car park; Church Field for FW Properties

Major Development

- Target Date: 21 February 2018

Case Officer: Mr R Parkinson

Full Planning Permission

RELEVANT CONSTRAINTS

Within Countryside (outside LDF settlement boundary)

Adjacent to existing Settlement Boundary and Residential Area

Within Broads Authority Consultation Area

Adjoins A-road and Unclassified Road

Within Listed Building Grade II* and Grade II Consultation Areas

Contaminated Land

Adjoining Strategic Flood Risk Assessment Zone 2, 3a and 3b with Climate Change

Includes Controlled Water Risk zone - Medium (Ground Water Pollution)

RELEVANT PLANNING HISTORY

PLA/1984/1598

Church farmhouse, Hoveton

Proposed conversion of Church Farm to 2 dwellings

Approved 15/02/1985

PF/16/0731

Land off Horning Road, Hoveton, NR12 8NY

Erection of 31 dwellings plus associated roads, landscaping, public open space and extension to church graveyard

Withdrawn by Applicant 12/04/2017

PF/16/0732

St Johns School, Horning Road, Hoveton, NR12 8NX

Construction of 60-space car park, new accesses and entrance barrier, for use by school and

ancillary community uses, with associated landscaping
Withdrawn by Applicant 22/12/2016

PF/16/0733

Unit 29, Stalham Road Industrial Estate, Littlewood Lane, Hoveton, Norwich, NR12 8DZ
Full details of two-storey commercial building for office/light industrial and ancillary storage use (B1/B8 use classes) with access, parking and landscaping (Building A), with demolition of single-storey industrial building. Outline proposal for 3 no. additional units for office / light industrial / storage / distribution uses (B1/B8 use classes) (Buildings B, C, D), with all matters reserved.

Approved 10.03.2017

PF/17/0696 PF

Church Field, Hoveton, NR12 8NY

Erection of 25 dwellings with associated roads and landscaping, extension to church graveyard and off-site highways works

Refused 20/09/2017

- The report and minutes of Development Committee on 3 August 2017, (the initial consideration of the 25-dwelling proposal) is available at: [http://www2.north-norfolk.gov.uk/apps/committees/default-copy.asp?path=Development Committee/03 Aug 2017](http://www2.north-norfolk.gov.uk/apps/committees/default-copy.asp?path=Development%20Committee/03%20Aug%202017). This decision was subsequently deferred for further technical details to be clarified, and was re-considered on 31 August 2017.
- The report and minutes of Development Committee on 31 August 2017 (the determination of application PF/17/0696, which was ultimately refused) is available at: [http://www2.north-norfolk.gov.uk/apps/committees/default-copy.asp?path=Development Committee/31 Aug 2017](http://www2.north-norfolk.gov.uk/apps/committees/default-copy.asp?path=Development%20Committee/31%20Aug%202017).

Background

This application represents the third proposal since May 2016 for residential development at Church Fields linked to commercial development at Littlewood Lane, Hoveton.

The applicant states that a housing development scheme at the Church Fields site is required as “enabling development” necessary for the delivery of an otherwise-unviable new employment development for Benthic Solutions to build an approved site at Littlewood Lane.

The employment building and extension to the Stalham Road industrial estate at Littlewood Lane (ref PF/17/0733) were considered by the Development Committee on 16 February 2017, the report and minutes for which are available at: [http://www2.north-norfolk.gov.uk/apps/committees/default-copy.asp?path=Development Committee/16 Feb 2017](http://www2.north-norfolk.gov.uk/apps/committees/default-copy.asp?path=Development%20Committee/16%20Feb%202017). The proposal was contrary to policy, being development on Countryside land, but in making its weighted assessment the Development Committee considered the potential benefits of the forecasted employment outweighed the policy conflict. Committee acknowledged that the intended occupant might not be able to finance the complete project at that time, but it was nevertheless considered suitable as a stand-alone proposal and permission was granted.

At the same time, the applicant had proposed a public car park on Horning Road (application PF/16/0732), presented as a ‘community benefit’ for the school and users of the church of St John, but it encountered difficulties and could not be supported and was withdrawn.

The initial Church Fields residential proposal was for 31 dwellings (ref PF/16/0731) which raised too many irresolvable concerns to be supported; Officers recommended the proposal

be reconsidered, and the applicant withdrew the application in December 2016.

Consequently, application PF/17/0696 reduced the dwellings to 25, set back the development further south and repositioned the Horning Road access to minimise its effect on the Grade II* listed Church of St John, moved the eastern boundary west to minimise and screen the effects on the Grade II listed Church Farmhouse, changed the housing types, increased affordable housing provision and improved recreational provision. Whilst Officer's considered this could be supported, the Development Committee remained concerned that there were insufficient public benefits presented to justify departure from Core Strategy policy SS 2, and following the Development Committee meeting on 31 August 2017, the application was refused.

The decision notice stating the reasons for refusal of application PF/17/0696 are set out at **Appendix 1**.

THE APPLICATION

The applicant has now sought to increase the level of public benefits offered through the application. There has been no change to the form, layout or content of the housing development, but the proposal has included a new car park within the application boundary, situated within Church Field alongside the Church of St John, and is proposed for use by the church. The applicant also proposes to increase the amount of public play equipment contributions for off-site improvements, from the £4,050 available in the previous proposal, to £30,000 in current application PF/17/1802, and as part of the section 106 process will bring forward the detailed proposals for Building B of the Littlewood Lane commercial scheme in addition to development of Building A.

Throughout these proposals, the applicant, developer and principle landowners behind this proposal remain the same. The housing development is still proposed as "enabling development" to facilitate delivery of the extant employment permission; this would be required and would be achievable through using an associated Section 106 legal agreement which would obligate the common landowner of the two sites to prevent development of one site before the other. By virtue of using obligations on the housing land to deliver the employment land, the two proposals should be considered inextricably linked.

The proposed development site is south of the A1062 Horning Road, east of the Church of St John, north (to the rear of) properties on Meadow Drive, and north-west of the two houses and barns at Church Farmhouse, accessed via private drive off Horning Road. The application proposes the following development:

- an access road from Horning Road to serve 25 new dwellings and Church Farmhouse,
- woodland planting belt to the east,
- a footpath and cycle link to Meadow Drive,
- small open space and play area to the south,
- access to adjoining woodland for residents,
- use of the northern half of Church Field as a managed conservation site,
- hedging and tree planting and new footpaths along Horning Road,
- highways amendments to reduce speeds along Horning Road,
- a graveyard extension and landscaping to the south of the Church of St John,
- an additional 12-space car park adjacent to the west of the Church,
- a short additional footpath link from the housing into the northern field footpath route.

The application has included the following documents and supporting information:

- Planning statement

- Design and access statement
- Statement of community involvement
- Ecology reports – preliminary appraisal, woodland, reptiles, barn owls and badger surveys
- Habitats Regulations Assessment screening report
- Flood risk assessment and drainage strategy
- Contamination study including cemetery extension survey
- Archaeology assessment
- Arboricultural implications assessment
- Traffic count surveys and data analysis
- Heritage impact assessment
- Landscape and visual impact assessment
- Section 106 heads of terms proposals
- Viability appraisal

The application includes a small part of the drainage scheme outfall within the Broads Authority LPA boundary. The Broads Authority has confirmed that NNDC can determine the proposal on its behalf.

REASONS FOR REFERRAL TO COMMITTEE

In the interests of expediting its determination as quickly as possible with a view to the Government's expectation for applications to be determined within 13 weeks, and, despite the 'open' consultation period, with regard to the relatively limited range of amendments made since the previous application PF/17/0696 which was refused in September 2017.

PARISH COUNCILS

Hoveton Parish Council - No comments received at time of writing.

In August 2017, the Parish Council objected to the application, and considered the application should be refused for the following reasons:

1. **Outside of Development Area** – the site is outside the adopted settlement boundary within both the existing Core Strategy and the proposed future allocation land and is contrary to North Norfolk District Council's Local Plan.

2. **Use of Agricultural Land** - objects to the proposed use of agricultural land (class 2 arable land) in this application and to the loss of such land from the parish.

3. **Site Access Safety** - objects to the proposed access from Horning Road, as the access is located at an extremely dangerous point of the road. The Parish Council considers that the current and proposed calming/safety measures are wholly inadequate for this busy road and the proximity of the pedestrian crossing outside St. John's Primary School.

4. **Sewage System** - objects to the proposed use of the existing foul sewer in Meadow Drive; this sewer will have little chance of coping with the effluent from an extra 25 dwellings, is already known to be struggling to cope, and Anglian Water regularly attends this location to deal with foul water sewage problems.

5. **Drainage** - objects to the proposed drainage management system. It is the Parish Council's opinion that the proposed system is wholly inadequate and that it will most likely lead to surface water flooding. SUDS drainage technology is not ideal, and the proposal requires water to be piped across land that has, as yet, had no definitive survey carried out.

6. **Other matters** - Hoveton Parish Council also raises concerns relating to the proposed site's close proximity to two **listed buildings** (the church and the farmhouse); to the likely problem of **light pollution from vehicles** entering the development; and to the likely problem of **noise pollution** and other possible disturbances to existing residents of this area, whether or not measures are put in place to ease these problems.

Ashmanhaugh Parish Council – No comments received at time of writing.

August 2017: No objection, but the following comments / concerns were raised:

- Traffic congestion will increase, particularly on Norwich Road and at the Wroxham bridge pinch-point, which already prevent emergency vehicle access.
- The sloping site could give rise to surface water drainage problems.

Wroxham Parish Council – No comments received at time of writing.

August 2017: Objection –

- The site is not in the Local Plan / is outside the development boundary; and,
- Traffic problems will be exacerbated, particularly through increases on Norwich Road and at the Wroxham bridge pinch-point, which already prevent emergency vehicle access.

REPRESENTATIONS

The applicant undertook community consultation in 2015. Although the proposals have changed since then, it is likely that the issues are well known across the community.

Members should note the application consultation period remains 'open' until 21 December (due to the date that the press advert was lodged), but the public site notices of 24 November have enabled public consultation until 16 December.

At the time of writing (11 December) only 9 responses had been received. However, the last application PF/17/0696 attracted 43 letters of objection from 32 local residents and two submissions on behalf of 'the residents of Meadow Drive'. No letters of support were received. The Church of St John also provided comments previously.

The new proposals have raised many of the same concerns as were discussed in August 2017, which are presented again below for convenience.

This application has also raised the **following additional concerns**:

Additional concerns raised in December 2017:

Car park

- The car park causes more highways safety danger. The entry/exit from this would present further danger to pedestrians and traffic on the already busy Horning Road.
- The car park will not prevent parents parking within the road close to the school.
- The close proximity of the entrance to St Johns primary school is dangerous.

- The car park detracts from the amenity and historical significance of the Grade II* listed Church of St John.
- The 12-space car park is too small and is inadequate for functions at the church.
- The absence of a car park was not a reason for the Committee refusing the proposal in August and so is not justified for inclusion this time, and nor does it address the Committee concerns.
- There is no public benefit associated with the car park and the scheme does not provide enough public benefits to outweigh the conflict with local plan policy SS2.

Landscape impacts

- There have not been any updates to the Landscape and Visual Impact Assessment to account for the new impacts of the development, nor its effects in winter when trees are not in full leaf (all pictures are in June 2016).

Financial contributions

- There appears no guarantee that the District Council will transfer relevant financial contributions to the Hoveton Parish Council.

Drainage

- The proposed surface water plan will still result in surface water runoff and possible flooding around properties at the eastern end of Meadow Drive.

Principle of development

- The proposal offers minimal improvements over the last application and remains completely unacceptable, so much so that its consideration is a waste of time and taxpayers money and does not address the reasons for its rejection set out last time.
- The applicant does not substantiate their assertion that the site is not good quality agricultural land.
- The applicant is skewing their interpretation of the dwellings being provided to suggest that 3 additional 'small' units will contribute to increased affordable housing provision, supposedly raising the contribution from 28% to 40%, which appears wrong.
- The enabling development argument is still not justified whilst the commercial operator Benthic Solutions Ltd has published their accounts which demonstrate it is 'a multi-million-pound company with half the value in cash', which will only be improved by new contracts and business being secured. This makes the housing scheme unnecessary when the applicant could finance the employment site themselves.
- There remains ample land in Hoveton that is more suitable for residential development and that has not changed in the intervening period since August 2017.
- The consideration by the Development Committee is premature whilst the period for public consultation remains live until 21st December.

Concerns raised and discussed in August 2017:

Principle of residential development:

- This is outside the development boundary.

- Enough infill development has been provided consistently and recently to show that greenfield does not need to be used.
- Countryside should be protected unless not feasible to do so, which this is not proven.
- This is pre-emptive of proper planning through the next Local Plan process.
- Approving this scheme would be contrary to the Planning Inspector's *Sculthorpe* decision that was refused due to the conflict with countryside and heritage protection.
- More housing is to be expected in the next Local Plan, exacerbating local pressures on highways, services and the environment.
- Lack of need for housing in the village.
- There are other sites available for new housing which should be used first.
- Overdevelopment of the village.
- Increased carbon footprint by developing on green fields outside the village boundary.
- There is not enough Affordable Housing provided within the scheme (28% proposed, compared to the 45% required).
- Housing density is too low in comparison to the 30dph required by policy HO7.
- There is no clear demand for more 3, 4, 5-bed housing in Hoveton, when other large schemes are available in Wroxham, Salhouse and Rackheath.

Delivery and link to the employment site:

- There is no justification for this to be considered as an enabling development.
- Concerns that the Council has re-established a link between this residential scheme and the commercial development on Littlewood Lane, despite the Planning Committee previously deciding the two applications should be looked at on their own merits.
- It is inappropriate to allow the interests of one commercial company (Benthic Solutions Ltd) to overcome the objections of so many local people and consultees, for just 11 jobs, and employees living outside Hoveton.
- The employment site is only proposed because it is heavily discounted and needs funding through this unsuitable residential scheme.
- The cross-funding for one employer's needs is unfair on other employers who might like to expand / relocate but would have to pay market-rates for such sites.
- The employment land is not the most suitable of many sites that were considered.
- There is questionable benefit from the employment growth proposed.

Highways safety:

- Traffic increases will cause congestion and blockages for emergency vehicle access.
- There may be a future vehicular access from Meadow Drive, causing traffic increases.
- Traffic on Horning Road is increasing noise experienced on Waveney Drive.
- Danger to safety of school children walking alongside and across Horning Road.
- Horning Road vehicle speeds are too quick for this scheme and junction, positioned between blind bend and blind summit (with school on the other side of the brow).
- Parking problems for the school on the Horning Road verges will be exacerbated.
- Church Road is already busy for school children, is a 'rat run' and has accidents.
- The church entrance gate access is dangerous enough before the additional traffic.
- The footpath along the length of Horning Road will increase danger from school drop-offs and collections and encourage stopping much further along Horning Road, which then endangers cars travelling around the bend on Horning Road.

Residential amenity:

- The effects on existing residents will be excessive.
- Direct overlooking and loss of privacy to existing residents in Meadow Drive.
- The trees proposed to offer screening will take a long time to mature and then will be ineffective when trees are out of leaf, or cause too much shading in summer months. As they are in rear gardens they will cause shade then be removed, then overlook.

- A 5-bedroom house on the southern side of the scheme is completely inappropriate, especially given the sloping site.
- The massing is squeezed too close to the boundaries of the existing houses.
- There is no tree belt between the properties to prevent overlooking, so the trees in gardens will probably be removed and exacerbate overlooking.
- Play equipment next to dwellings will cause excessive noise.
- The footpath / cycle route onto Meadow Drive is a security risk / escape route, and is unnecessary.
- The footpath / cycle link junction with Meadow Drive has poor visibility and exits into the area also used as a turning circle so will cause safety issues for new residents.
- Air source heat pumps can create noise for neighbours and should be replaced with ground source heat pumps, which are also more efficient.
- Lights from cars using the development will disrupt residents of Meadow Drive, due to the levels difference.
- The proximity of homes to the church graveyard is inadvisable.
- Noise and disturbance from the works will affect neighbours who are mostly elderly.
- The play area should be relocated to the north of the site in the retained field / meadow.

Heritage:

- Significant impact on the setting of the listed Church of St John.
- Loss of the view of the Church from Horning Road.

Drainage and flood risk:

- Infrastructure will be overloaded.
- River flooding from the River Bure and Brimbleow Dyke will increase as flows from this development are added to it instead of returning to the groundwater.
- Surface water from the site will flood into Meadow Drive.
- There are no proposals for collecting any overflow of surface water.
- The impermeable soils on the Church Fields site will render infiltration ineffective.
- Sewage will be overloaded – properties at the east end of Meadow Drive are not adopted and are pumped into the Anglian Water system and will be blocked / back-up, and groundwater already seeps into the sewer system causing it to overload.
- There is no allowances or contingency to account for future hard landscaping by residents / homeowners which could increase impermeable surfaces.

Ecology:

- Loss of habitat.
- Loss of wildlife species from the site, including birds, reptiles, harriers, owls and bats.
- Loss of wildlife corridor connection to the Broads (contrary to the NERC Act).
- Light pollution will drive out other wildlife from the area.

Other concerns:

- The doctor's surgery will be overloaded and increase waiting lists; the catchment area apparently includes Wroxham and Rackheath and the significant growth there.
- The local schools will be overloaded – and Hoveton is not due to receive additional national government funding for expanding populations.
- The "community benefits" proposed are not in accordance with policy and don't outweigh the harm caused by the development, and many only serve new residents.
- The 'benefit' of the church graveyard is a false assumption as the church going population is small and will likely not need the additional churchyard space.
- Loss of good quality agricultural soils.
- The energy efficiency of the scheme is minimal and should be improved – the scheme should be designed to make better use of solar orientation and passivehaus

standards.

- Urbanising effects will increase, but communities need open spaces and natural areas.
- The graveyard extension could affect the groundwater.
- Landscaping will be ineffective and poorly managed. The requirement to maintain trees and areas in the control of the Hoveton Estate might be easily forgotten.

Non-planning issues:

- The two developments will decrease house prices.
- The application has not been advertised to the residents of holiday lets on the private road on Meadow Drive.

CONSULTATIONS

Members should note that the application consultation period began on 23 November and responses should be received by 20 December. Only a limited number of consultees have been able to respond at the time of writing (11 December). The Committee will be updated verbally where new information is received in the interim.

Planning officers consider there have been no material changes in policy and / or circumstance since the previous application was refused that would require the majority of consultees to amend their responses submitted to the last application. These consultees have nevertheless been consulted.

Where responses have been provided, they are recorded. Where a response has not been provided, their previously-submitted comments are provided below for context.

- **County Council (Highway Authority)** - No comments received at time of writing.

August 2017 – Objection remained but the proposals had provided as much mitigation as possible. This would result in a scheme which was as safe as it could be if the scheme was to retain the problematic location of the site access road and the problems from controlling speeds associated with having a lack of built frontage to Horning Road.

- **Conservation and Design Manager** - No comments received at time of writing.

August 2017 – Objection:

Impact on heritage assets –

The original and previously-withdrawn proposal for 31 dwellings (PF/16/0731) gave significant cause for concern from the impact of the scheme on the setting of the Grade II* Listed Church of St John and the Grade II Listed Church Farmhouse, and it was concluded that the resultant suburbanisation and visual competition would lead to significant harm being caused. It is acknowledged that the revised / resubmitted scheme has been scaled back to try and address the original concerns by withdrawing the northern extent of the development and moving the eastern development away from the Church Farmhouse access drive. Both revisions are an attempt to reduce the immediacy and impact of the new dwellings such that the primacy of the heritage assets remains unchallenged.

Whilst the amended scheme will still cause some degree of harm to the setting of both listed buildings, the amendments have reduced the degree of harm to a level that can be described as “less than substantial”, which accordingly means that a lower level of public benefit is required to ‘outweigh’ the harm caused.

The proposal sets the new build back some 50m further into the site, and uses only single-storey dwellings on the three main frontage plots, so is less apparent from public vantage points and reduces any sense of 'outflanking' the Church. As the fall of the land to the south will reduce the impact of the taller buildings, the development as a whole would be a good deal more recessive in the landscape.

The northern and eastern edges of the development have been retracted such that they no longer feel overly-assertive when approaching along Horning Road. The new planting helps the site feel more deferential in its relationship to the Church. The churchyard and its extension would also not feel enclosed or overlooked now.

The approach to Church Farmhouse has been improved by moving the eastern boundary back into the site and reducing the numbers of houses in that area, so reducing the sense of the rural road being encroached upon, though that will only succeed if the new tree belt planting is successful. The development would, however, erode the relationship between Church Farmhouse and the Church of St John, both in terms of removing the outlook between the two and any historical connection in their setting.

However, notwithstanding the amendments made, it should be noted that a new housing estate will greatly affect the existing relatively unspoilt setting of both listed buildings. Hence, rather than these being characterised by isolation and rurality, extending out the built form in the manner proposed would undoubtedly still have something of a suburbanising effect.

Across the site frontage, having a footpath running in front of the Church does not appeal; it would have a suburbanising impact on the approach to the settlement, and fail to enhance the setting of the Church. Regrettably, however, it would appear that the alternatives have all been ruled out (i.e. through/behind the Churchyard or simply using the existing 3 Rivers Way footpath opposite). As such, it adds to the heritage harm previously identified.

Design –

The layout is much closer-knit than existing homes to the south. However, in the absence of a properly defined form and character locally, and because the scheme would be relatively self-contained once it's associated planting matures, this is not considered to be a particular design concern. Therefore, as the private roads have been reduced in their formality and regimentation, the scheme raises no substantive objections.

In terms of materials, styles and appearance, the house types have suburban forms and detailing rather than anything that might be regarded as fresh and innovative, so there is no sense of being distinct to the locality or making a positive contribution to the District's built environment. Instead, it would simply be inoffensive and neutral, architecturally, although they will now be more appropriately proportioned.

Landscaping and the boundary treatments will be as important if the scheme is to integrate into its surroundings. Hence, it should avoid solid wood-panelled fences around the perimeter of the site and instead should feature native hedge and tree planting which is supplemented with open and recessive mesh or post and rail fencing if required.

Summary –

This scheme remains an unappealing one in Conservation & Design terms for the reasons outlined above, but it is acknowledged that the quantum of heritage harm has been

significantly reduced in this latest scheme. Should, ultimately, it be considered that the public benefits accruing from the scheme outweigh this harm, conditions covering the prior agreement of materials and landscaping are requested.

- **Landscape and Trees Officer** - No comments received at time of writing.

August 2017 – Objection:

The application did not demonstrate that it will be able to meet the recreational needs of residents within the site. The design does not provide sufficiently permeable boundaries suited to wildlife and ecological connectivity, nor to the rural setting of the development and surrounding landscape character.

- **Strategic Housing Officer** – No comments received at time of writing.

The applicant has not proposed any changes to the viability assessment considered in July 2017, nor justified how the increased funding of the project can accommodate the costs of the new car park and additional public open space sums. The Strategic Housing Manager is entitled to request that these funds should instead be made available for improved affordable housing provision, either on site or off-site.

August 2017 - No objection, subject to planning obligations:

The proposed 7 affordable dwellings comprise 4no, rented and 3no, shared ownership properties; these will help meet the identified housing need for the Hoveton area. The affordable housing provision amounts to 28% of the total, which falls short of the core strategy requirement for 45% affordable housing. However, the Council's independent view of the proposal's viability appraisal is that the scheme represents a fair and reasonable financial outcome for the developer and landowner, and confirms that the number and tenure of affordable housing proposed is the only viable proportion possible; it would not be viable to provide 45% if the employment-enabling development continues to feature in the appraisal.

There is an appropriate range of sizes and types of dwelling within the scheme, including 2-bed houses, 2, 3, 4-bed bungalows, and 3-5 bed houses. This includes the necessary 2-bed accessible bungalows. The mix therefore complies with the requirements of policy HO1 to provide 40% of the dwellings as 2-or less –bedrooms and 20% as accessible and adaptable bungalows.

- **External independent financial appraisal advisor – No issues raised in August 2017.**

Comments are awaited.

The applicant's July 2017 financial appraisal was consistent with market conditions and local development activity and provided a fair reflection of the values, costs, fees and profit allowances expected of a scheme of this nature and scale. The full costs and detailed appraisal provided have been examined and the overall methodology is considered sound, with reasonable inputs.

The appraisal shows clear links between the residential proposal and the commercial development, and demonstrates how the commercial site will not be able to proceed without access constraints being removed and the site services being installed by the developer, and the site subsequently being purchased by Benthic Solutions Ltd.

- **County Council - Planning Obligations Co-Ordinator** – No comments received at time of writing.

August 2017: No objection subject to securing the following planning obligations:

- an Education contribution of £81,508 for early education and extending the primary and nursery school capacity;
- a Fire hydrant for the development, costing £815;
- a Libraries contribution of £1,875 to be spent at Wroxham library on IT equipment;
- provision of on-site green infrastructure and connections to public rights of way;
- a Green Infrastructure contribution of £1,500 to provide links to the existing network, provide a 'welcome pack' for all the new dwellings which would include information on local sustainable recreation opportunities and the importance of local wildlife sites.

- **The Broads Authority – No objection subject to conditions to secure mitigation.**

The Broads Authority considers the scheme would create an adverse effect on the setting of the Broads National Park unless the following features are secured by conditions: use of the northern field for ecological benefit, with Landscape and Conservation Management Plan; hedging provided to screen the site from the south side of Horning Road; more trees provided to the south; hedging and boundary treatments encourage wildlife corridors; trees should be native in the landscape scheme; lighting should be restricted; archaeology investigations around Church Farmhouse; tree assessments and planting in the southern drainage pipe route; use of oil and petrol and sediment interceptors, and maintenance thereof; and, ecology enhancement measures.

The Broads Authority has delegated authority to NNDC to determine that part of the application in the BA area on their behalf (the layout of the drainage pipe), subject to the approval of the drainage scheme by the Lead Local Flood Authority, and confirm the drainage outfall will not encroach on navigation rights.

- **Local Ward Member – Cllr. Dixon** - No comments received at time of writing.

August 2017 – Initial concerns in respect of surface water and foul drainage and play equipment were satisfactorily resolved and the scheme was supported on balance.

- **Historic England – No objection, but defers consideration of the car park to NNDC specialists.**

The overall proposals are an improvement to the earlier application for 31 houses and since then Historic England (HE) has advised the applicant on the current proposals. HE retains reservations about the principle of developing on this side of the church but HE feels the new building area to the south of the site further from the churchyard will reduce its visual impact. There is already some modern development to the south of the church which forms a distant backdrop on lower ground. Adding a degree of new building to this along the lines now proposed might therefore not impinge on the immediate setting of the church to a harmful degree, but consideration should be given to landscaping along the northern edge of the new building to soften its appearance.

The new parking to the east of the churchyard will bring development to its immediate setting and HE would prefer to see car parking bays sited at the road side rather than an area as proposed. This might be an alternative the Council could explore, but HE would not object to the application on this aspect alone.

HE does not object to the housing and defers the matter of the car park to NNDC.

- **The Church of St John** - No comments received at time of writing.

August 2017 – Comments provided:

The Church will shortly need to increase the capacity of their graveyard, so welcome the proposed extension and contributions offered if it met the planning policy requirements. However, the Church wished to make clear it did not endorse or support the proposal and it had specific concerns that works should protect the trees along the Horning Road embankment, provide public walking routes alongside and to the rear of the church and graveyard, and at least retain, if not extend, the car parking layby.

- **Environmental Health** - No comments received at time of writing.

August 2017 - No objection subject to conditions. The desk study contamination report recommends further investigation which should be secured by conditions.

- **Environment Agency** - No comments received at time of writing.

August 2017: No objection - There is not considered to be a risk to groundwaters from the extension to the church graveyard, based on the forecasted 5 burials a year.

The direct discharge to the River Bure may require a separate Flood Risk Activity Permit if it is creating a new outfall; this is a risk-based framework that enables the EA to focus regulatory effort towards activities with highest flood or environmental risk. Lower risk activities will be excluded or exempt, and only higher risk activities will require a permit.

A Discharge Consent may also be required and the applicant should consult the EA's National Permitting Service for advice.

- **Natural England – No objection subject to securing mitigation features**

The outcome of the LPA's Habitats Regulations Assessment is accepted and it is agreed there is no likely significant effects on designated sites, in part because there are no direct footpath links from the development to protected sites, and partly because the green infrastructure and isolation of the site will help reduce potential impact. Any permission must include mitigation by planning obligations to secure payment of the SAC/SPA Visitor Impact Assessment & Mitigation contribution and the Green Infrastructure contribution which should be used to provide habitats and recreation information to new residents.

- **Anglian Water** - no comments received at time of writing.

August 2017 – No objection - There is capacity available within the Belaugh Water Recycling Centre and the intervening foul sewage network to accept wastewater and the sewage discharge. Proposed surface water disposal is not proposed to affect existing Anglian Water assets, but if the proposal is to discharge into a watercourse it should be verified by the Environment Agency. Existing problems in the network are operational issues that are to be addresses by Anglian Water.

- **King's Lynn Internal Drainage Board** - No comments received at time of writing.

August 2017 – No comments received.

- **NCC Flood & Water Management (Local Lead Flood Authority)** - No comments received at time of writing.

August 2017 – The scheme was considered acceptable following various technical details, amendments and supporting information. The scheme has justified why it cannot use deeper infiltration and has provided enough evidence to confirm shallow-depth infiltration will work for permeable paving areas. It has been sized to accommodate the heaviest storms and accounts for exceedance beyond that. Subject to conditions to confirm some technical matters of construction design, and subject to use of appropriate management and maintenance regimes, the scheme will avoid increasing flood risk within the site and off-site, including to Meadow Drive.

In addition, the LLFA advised the Norfolk Rivers IDB should be consulted as the proposal is to drain into Snape Water to the south, which in turn connects to the River Bure.

- **Norfolk County Council Historic Environment Service** – No objection.

The archaeological survey undertaken has shown evidence of a large former quarry; this and the proximity to the St John's Church means there is a distinct possibility for mediaeval and Anglo-Saxon archaeological heritage remains to exist at the site. Any permission should include conditions for trial trenching and a Written Scheme of Investigation, evaluation and publication of results, all prior to commencement of development.

- **NHS England (East)** – No comments received at time of writing.

August 2017 - No objection - Due to the size of this proposed development, there is not an intention to seek Primary Healthcare mitigation through Section 106 process.

- **Planning Policy Manager** – No comments will be provided on this application.
- **Broadland District Council** – No comments received on this or previous application.

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.

RELEVANT POLICIES

North Norfolk Core Strategy Policies (September 2008):

- SS1 – Spatial strategy for North Norfolk
- SS2 – Development in the Countryside
- SS3 – Housing
- SS4 – Environment
- SS6 - Access and infrastructure

SS11 – Hoveton
HO1 – Dwelling mix and type
HO2 – Provision of affordable housing
EN1 – Norfolk Coast Area of Outstanding Natural Beauty and The Broads
EN2 – Protection and enhancement of landscape and settlement character
EN4 – Design
EN6 – Sustainable construction and energy efficiency
EN8 – Protecting and enhancing the historic environment
EN9 – Biodiversity and geology
EN10 – Development and flood risk
EN13 – Pollution and hazard prevention and minimisation
CT2 – Developer contributions
CT5 – The transport impacts of new development
CT6 – Parking provision

Other material considerations:

North Norfolk Design Guide Supplementary Planning Document (December 2008)
Landscape Character Assessment Supplementary Planning Document (June 2009)

National Planning Policy Framework (NPPF):

Section 4: Promoting sustainable transport
Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design
Section 10: Meeting the challenge of climate change, flooding and coastal change
Section 11: Conserving and enhancing the natural environment
Section 12: Conserving and enhancing the historic environment
Paragraphs 203-204: Planning conditions and obligations

MAIN ISSUES FOR CONSIDERATION

The proposed addition of the car park and increased planning obligation financial contributions have affected the following parts of the appraisal considered in August 2017:

1. Principle of development, including links to the employment site
2. Impact on Heritage Assets
3. Highways safety
4. Trees and landscaping
5. Planning obligations

These are discussed afresh in the following report.

The remaining parts of the appraisal are re-produced from the two August Development Committee reports, having been unaffected by the proposed amendments.

5. Housing mix and Affordable Housing provision
6. Drainage
7. Design, layout and residential amenity
8. Ecology
9. Impact on Designated Sites
10. Other matters, including use of agricultural land

APPRAISAL

Principle of development – amendments to the proposal

Section 38 of the Planning and Compulsory Purchase Act 2004 sets out a statutory requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for North Norfolk comprises:

- The North Norfolk Core Strategy (adopted 2008), and
- The North Norfolk Site Allocations Development Plan Document (adopted 2011).

The application site is located in the Countryside Policy area where there is a general presumption against the grant of planning permission for housing under Core Strategy Policy SS 2, unless the proposal falls within the exceptions set out in that policy. The Council is in a position where it can satisfactorily demonstrate a five-year land supply (supported by very recent appeal decisions) and therefore there would have to be other material planning considerations in favour of the proposal for housing to outweigh the identified policy conflicts.

The proposal retains the “enabling development” argument, namely that the approval of the residential scheme is necessary to provide the release of land for the construction of the approved Littlewood Lane commercial development. Alongside this, other public benefits include the provision of the graveyard extension and, most recently, the proposed 12-space car park next to the church, and the improved provision of financial contributions towards public play equipment in the village.

It should be noted that the applicant has also agreed to a shorter timescale for commencement of development, which reflects the commitment to- and readiness of- the employment proposal.

The last application PF/17/0696 was considered by Officers to provide a significant enabling argument through delivery of employment facilities that would be secured by planning obligations. Alongside the provision of the church graveyard extension, and having regard to the range of mitigation measures proposed in the scheme, such as landscape planting and highways works, this was considered to provide sufficient public benefits that represented a significant material consideration in the determination of the application. As such, Officers felt the material considerations would weigh in favour of the proposal more so than the site’s location in Countryside land would weigh against it, and as such Officers were of the opinion that the departure from policy SS 2 was justified.

In this application, Officers consider the addition of the new car park for use by the Church will further improve the level of public benefit whilst improving highway safety and landscape setting of Horning Road; this part of the development could be secured by planning conditions to be provided in tandem with the residential development. Similarly, the improved financial contribution, as a planning obligation secured by section 106 agreement, would help address the demand on play facilities arising from this scheme and so will improve the mitigation of the impact of the development and further reduce conflict with the development plan.

However, it should be noted that the Development Committee took the opposite view in August 2017. If the Development Committee is minded to reverse its decision it should satisfy itself that the range of benefits weigh in favour of the proposal despite the scheme being unable to fulfil its expected range of planning obligations and being contrary to the development plan.

As previously stated in relation to the last application (amended where relevant):

In this case the applicant has advanced a financial enabling justification linked to the provision of employment land approved under application ref: PF/16/0733 on land adjacent to Stalham Road Industrial Estate, Littlewood Lane, Hoveton, which comprises, amongst other things, the provision of an approved site for the construction of a two-storey commercial building for office/light industrial and ancillary storage uses for Benthic Solutions Limited (BSL), and serviced sites with outline permission for at least another three buildings of a certain floorspace and scale (required within planning conditions of permission PF/16/0733).

The link between this housing site and the employment land provision is explained in more detail below. In essence, the provision of housing can only be considered acceptable if the financial enabling link between the two sites is clear and compelling. It is a matter of judgment for the planning committee to weigh up the benefits associated with the proposal against the dis-benefits including affording appropriate weight to the statutory duties placed on the Local Planning Authority in relation to the desirability of preserving listed building(s) and their setting(s) or any features of special architectural or historic interest which they possess.

Delivery and the enabling argument

This development is proposed to 'enable' the commercial development at Littlewood Lane by ensuring that permissions are in place and the land is made available and accessible for commercial development. This proposition has been examined by the Council's independent advisor and is found to be robust in its viability assessment and enabling argument. Essentially, the value of the residential land, generated by the sales of the homes, is found to be necessary to both address the costs of facilitating the Littlewood Lane site, and incentivise the release of the Littlewood Lane land from the current landowner. The costs of the project do not include the actual construction of any of the commercial buildings, but they do include the costs of overcoming the obstacles needed to allow the subsequent construction.

The planning permission at Littlewood Lane has been proposed and approved to meet the needs of a specific occupant, Benthic Solutions Ltd, who will also have a binding land interest in the Littlewood Lane site sufficient to enable the planning obligations from the residential scheme to require Benthic Solutions Ltd to complete and occupy the Littlewood Lane site.

The commercial development has a financial dependency on the residential development because the landowner expects to receive a receipt for the land close to the value expected for a commercial development on the open market (which is not unusual nor unreasonable and is consistent with NPPG and RICS guidance on viability). However, the purchase price arranged with Benthic Solutions for the serviced land does not cover the costs of acquiring land to gain access to the site nor planning and design costs, hence the requirement for other development to make up that difference.

Once the costs of 'enabling' the employment site are covered, the scheme must make itself viable. In essence, the proposal offers more housing than is strictly necessary to 'enable' only the commercial development, but it must also offer the developer and landowner enough incentive to bring the development forward. It has been shown that, within reasonable tolerances, the residential scheme does provide a competitive level of developer profit and land sales price whilst also providing as much affordable housing as is viable to do so, and also providing the range of planning obligations required to address the impacts of the dwellings proposed. Had more affordable housing been provided, the enabling development would not be possible, and had only the enabling works been provided, the incentive to release the land and develop either site would not be included.

Officers and their external advisor are satisfied that the associated development at Littlewood Lane can both be delivered through this development, but also will not proceed unless this quantum of residential development is provided, because that ensures the access constraints

are removed, site services and infrastructure are installed, and the site can be purchased by Benthic Solutions. The access provision and site infrastructure will be provided at the cost of the developer of this residential scheme, so it is accepted that this development is necessary to enable the Littlewood Lane permission to be delivered for the occupancy of Benthic Solutions. The means to do so will be secured through appropriate planning obligations being imposed on the residential site.

In response to previous requests of the Development Committee, the applicant also provided contextual information about the intended principal occupant at the Littlewood Lane commercial site, Benthic Solutions Ltd (BSL). BSL are anticipated to occupy the fully-approved Building A which has been designed specifically for their needs, and hopefully will be able to expand into Building B soon afterwards, and possibly use Buildings C and D in the future (or at least be the 'anchor' to a 'science hub' commercial site).

It is worth noting the benefits of the potential employment growth as considered within the determination of permission PF/16/0733: the relocation of Benthic Solutions Ltd will transfer at least 11 employees (with this likely to grow once the company has the additional floorspace), as well as an estimate of a minimum of 15 further jobs or a maximum of 42 jobs (depending on the eventual use of the overall approved quantum of B1, B2/B8 floorspace within Littlewood Lane), assuming the other 3 approved buildings are delivered. Whilst this may appear dependent on a single company, it should be noted that the enabling development will provide a fully serviced site with the benefit of various degrees of planning permission, onto which other commercial businesses could move, and provide marketing of the site in the event that Benthic Solutions do not build or occupy Buildings B, C and D within the medium-term.

Benthic Solutions Ltd have provided the applicant with the following description of their current work and projected expansion:

"Turnover in Benthic Solutions has remained stable during the Oil & Gas recession (since late 2014). We have operated at about 50% of our capacity so we have been able to remain in our current premises with the current workforce. 2017 has been marked by a significant upturn in activity with our turnover expected to double for the year. In 2015 and 2016 we completed 15 and 24 projects, but in 2017 we have been successful in 34 projects with almost a third of the year still to go. We have also already received awards for projects in 2018.

In the past we have been heavily reliant on contractor personnel from all over the country but experienced problems in reliability and client confidentiality. We plan to replace these with full-time staff when we have the room to house them. Our new office building (Building A) has the capacity for 20-25 office staff, doubling the capacity of our current workforce. Following the current upturn in the industry we would hope to fill these within the 12 month period from construction with the need to expand into the neighbouring building (Building B) the following year. The company is being restructured at the moment and it is planned to have the parent company administrative team located in Hoveton. With an industry upturn, we plan to support offshore marine innovation with the start-up science hub buildings (Buildings C and D). Our prediction for these will be within 3 years from completion of the main office. The expected employment for the total site is upwards of 45.

Currently 5 of our 11 staff live in the village, with some of the future positions expected to also be supported from the village. We have a number of positions for new staff and we are looking to recruit from Norfolk before we look further afield. We are already in discussion with the UEA about a graduate scheme and are also talking to the local colleges."

Benthic Solutions Ltd have provided the applicant with the following description of the role of their offices in Southampton and future plans thereof:

“Our Southampton office was an acquisition a few years ago. This is a small specialist underwater acoustic consultancy with 5 permanent staff. We have no plans to move this office as strategically positioned near the National Oceanographic Centre and all staff are local to that area. We are moving the administration facilities from that office back to Hoveton (head office) creating a new position in Norfolk. However, we will be forced to employ field staff from our Southampton office if the Hoveton premises does not get resolved quickly. Ultimately, an expansion of this office is one possible option, albeit an expensive and very disruptive one, if we are forced to abandon Norfolk.

We have also already declared that we operate a small eDNA laboratory in Brixham, Devon. This currently has 2 personnel but expected to expand quickly after the recession has passed. This was only setup up there as we had no space in Norfolk. This would have been an ideal business for building C/D, if we had been able to progress this proposal sooner.”

Benthic Solutions Ltd have provided the applicant with the following description of the progress made in the Littlewood Lane scheme:

“The preparation work for the Littlewood Lane site is very advanced. All of the surveys have been completed and the detailed architecture prepared. A detailed tender pack has been furnished and delivered to prospective contractors for bidding on 3rd August. This means that we would be in a position to appoint a contractor and commence the works within a matter of weeks from the time the contract for the land has been concluded.”

In light of the above position from BSL, there is a reasonable prospect that development of the Littlewood Lane site would commence quickly in the event that this enabling housing scheme is permitted and the employment land can be delivered. Further, the proposed planning obligations will prevent development of the housing until key milestones are reached in constructing Building A.

The applicant has agreed to a shorter timescale for commencement of this residential development, and, more recently, has proposed that full details for Building B can be submitted prior to the start of residential building works at Church Field. This further confirms an ability and willingness to progress the Littlewood Lane scheme quickly.

- **Impact on Heritage Assets - amendments to the proposal**

It should be noted that the formal comments of the Conservation and Design Manager have not been received at the time of writing (11 December), but will be provided to planning committee by verbal update.

The car park is proposed to be sited adjacent to the Grade II* listed Church of St John's eastern boundary, accessed from and perpendicular to Horning Road. There would be hedging to the south and eastern boundaries, leaving the church boundary wall and hedging exposed to views from Horning Road. The 12 spaces of the car park are sited sufficiently far south that they avoid being in direct view of the actual church building and would be partially screened from the churchyard by an existing hedge.

In the planning officer's opinion, there would be some harm to the setting of the church, and therefore to its character and appearance. The gated entrance to the church yard, the flint

and brick wall and the unspoilt fields to the east are very much part of the churches immediate setting. The siting of the car park entrance within these close confines will have a negative impact on the appreciation of the church, its sense of isolation and its dominance within the landscape. The new vehicular access will hold a prominent position on approach to the church particularly for visitors on foot but also to an extent from road users along Horning Road and will cause a detriment to the setting in views from Horning Road and from the proposed access road into the residential development.

The harm would derive from creating a formal access from Horning Road, including a tarmac vehicle entrance, the gravel surfacing, and the formalisation of the field boundary by enclosing the car park with hedging. There would be a loss of sense of privacy and seclusion from visitors to the church graveyard and the overall character of the church in its isolated rural setting would be eroded. It is understood that the Conservation and Design Manager acknowledges the current car parking provision along Horning Road is less than ideal to the setting and also has a negative visual impact on the street-scene, but in his opinion the informal nature is not necessarily harmful to the heritage asset. These impacts cause “less than substantial harm” to the Grade II* listed Church of St John. In accordance with the NPPF paragraph 134, if the development is to be considered favourably, the car park would therefore need to provide sufficient ‘public benefit’ to outweigh that harm.

The public benefits associated with the proposed car park include removing the need for the rough layby on Horning Road and the applicant would be required to reinstate the verge landscaping, which would improve the general approach to Hoveton. The car park will allow improved access for people using the church away from Horning Road and a safer car park may enable increased use of the Church as a part of the community. Further, removing the layby would improve the safety of parking arrangements which are currently unsatisfactory and a hazard to road users and church users alike.

On balance it is considered that the individual harm caused by the car park would be marginally outweighed by its benefits of the landscaping to Horning Road and improved highways safety, and these benefits can be secured by planning conditions.

In combination with the residential development and access road, the harm from the car park would further increase and exacerbate the level of harm caused to heritage assets, which was discussed in detail in former applications. The combined impacts mean the harm has increased in its severity, but these are nevertheless considered to result in “less than substantial harm” to the significance of heritage assets.

In considering whether there are now sufficient additional public benefits presented to outweigh the increased level of harm caused, it remains the opinion of Officers that the overall public benefits of this proposal do outweigh the less than substantial harm caused to the significance of heritage assets.

Members of the Development Committee should note that the discussion and reasons for refusal of the former application PF/17/0696 did not consider there to be an unacceptable impact on heritage assets. There is now an additional impact on the heritage value of the Grade II* listed Church of St John and, to a lesser extent, the setting of the Broads landscape. Members should not consider the application suitable for approval unless they are satisfied that the level of additional public benefits (both the car park and additional play space contributions) are sufficient to weigh in favour of the additional harm caused by the car park.

As previously stated in relation to the last application (amended where relevant):

Whilst there are no known heritage assets on the application site, there are heritage assets in the surrounding area whose setting could be affected by the proposal including:

- Church of St John (Grade II* Listed); and
- Church Farmhouse (Grade II Listed)

The National Planning Policy Framework (NPPF) paragraph 132 states:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.'

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

When a proposal affects a listed building, the Committee is required by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay "special attention" to the "desirability of preserving" the setting of listed buildings. When a local authority finds that a proposed development would harm the setting of a listed building it must give that harm considerable importance and weight. There is effectively a statutory presumption against planning permission being granted. That presumption can, however, be outweighed by material considerations powerful enough to do so, including the public benefits of a proposal.

In considering development proposals affecting heritage assets, Core Strategy Policy EN 8 sets out that *'Development that would have an adverse impact on...special historic or architectural interest will not be permitted'*. However, this element of Core Strategy Policy EN 8 is now out of step with the guidance set out in the National Planning Policy Framework which is more permissive towards allowing development affecting heritage assets but only where there are clear and convincing public benefits in favour, in accordance with the statutory requirements set out above.

In terms of the heritage assets likely to be affected, it is important to assess whether, how and to what degree setting makes a contribution to their significance.

Church of St John (Grade II* Listed)

The Church occupies a relatively prominent position on the approach to Hoveton from Horning along the A1062. The church sits at the top of a small rise in land and the church site features a number of mature trees which have now partially screen the church from wider views. The character of the surrounding area is predominantly rural and agricultural in nature. The church has a range of heritage values including aesthetic (both designed and fortuitous) as an attractive feature on the entrance to the village, historical (illustrative) in terms of the evolution of the church from 11th century through to more recent 18th and 19th century alterations and communal value (social) as an important local building with special meaning and the evidential value of the building which has development over time.

The generally unspoilt character of the surrounding area contributes positively to the setting of the church, albeit that it has to be recognised that 20th century development along Meadow Drive, amongst others, and more modern street signage and furniture have already begun to erode the rural character and therefore the setting of the church.

The development of the adjacent field will undoubtedly impact upon the rural setting of the church. The Conservation Officer is of the opinion that, by setting the new build elements back into the site, and by having only single-storey dwellings on the three main frontage plots, the new build elements would be apparent but would occupy a more respectful position in relation to the church. The fall of the land to the south would also reduce the impact of the taller buildings and the development as a whole would be generally recessive in the landscape. The proposed landscape elements would also help reduce the impact of the development on the setting of the church.

Other aspects of the proposal include the provision of a new 1.8m wide tarmac footpath along Horning Road which would run past the church. The existence of the footpath would likely be experienced as an engineered and urban feature which would detract from the rural setting of the church.

Overall, the proposed development would impact noticeably upon the setting of the church and this impact would neither preserve nor enhance the setting and therefore harm must be concluded resulting from the suburbanising effect of development. The Conservation Officer considers the harm to fall within the 'less than substantial' category and therefore sufficient public benefits would be required to outweigh the statutory presumption against the grant of planning permission.

Church Farmhouse (Grade II Listed)

Church Farmhouse occupies a relatively withdrawn location and is approached down a tree-lined track. From the A1062 Horning Road the farmhouse is barely perceptible. The rural setting of the farmhouse contributes positively to the setting of the building and the name of the farm implies historical connections with the church of St John with the likelihood of past visual connections between the two buildings across the field.

Church Farmhouse has a range of heritage values including aesthetic (designed) with the straight and dramatic way the farm is approached down the tree lined avenue flanked either side by agricultural fields and with the change in topography revealing the aesthetic quality of the farm house building beyond, and historical (illustrative) as an example of agrarian architecture and agriculture in operation since the original C16th farm house was constructed with also contributes to the evidential value of the building.

The development of the adjoining field would adversely impact upon the setting of church farmhouse, most notably the designed approach to the farm house and the relatively unspoilt character the surrounding land either side. Development would result in a significant change to the character of the approach road which would be shared with both the farmhouse and the new development. With more than half of the approach route flanked by housing on the northern side which will distract from the approach to the farmhouse. The presence of the housing development would also sever the connection between the church and the farmhouse.

Whilst efforts have been made by the applicant to introduce additional planting to help soften the development, overall, the proposed development would impact noticeably upon the setting of Church Farmhouse and this impact would neither preserve nor enhance the setting and therefore harm must be concluded resulting from the suburbanising effect of development. The Conservation Officer considers the harm to fall within the 'less than substantial' category and therefore sufficient public benefits would be required to outweigh the statutory presumption against the grant of planning permission.

Paragraph 134 of the NPPF states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.

Other non-designated heritage assets would include the wider landscape which also encompasses The Broads National Park. Core Strategy Policy EN2 requires that development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance among other things the special qualities and local distinctiveness of the area. The proposal would result in a loss of rural character along the edge of the settlement of Hoveton and this would amount to harm to the wider landscape setting of the Broads National Park

Officers consider that there would need to be significant public benefits in favour of the proposal to outweigh the identified harm to designated and non-designated heritage assets. This assessment will be made in the planning balance below.

- **Highway safety**

It should be noted that the formal comments of the Highway Authority have not been received at the time of writing (11 December), but will be provided to planning committee by verbal update.

The residential element of this development remains unchanged in this application. The existing layby outside the Church is within highway verge land and is currently compacted bare earth. Church users currently park perpendicular to the Horning Road, with room for approximately 11 cars parked informally. The proposed 12-space car park will be accessed from within the existing unsurfaced lay-by on Horning Road adjacent to the Church entrance gates. This corresponds to the Highway Authority's preferred location for any development that requires access from Horning Road due to the improved visibility of vehicles at the top of the rising land on the approach to Hoveton.

The proposed car park removes cars from the layby and improves the flow of traffic, reducing the need to turn within the road and improving the visibility of the access through its siting on the brow of the hill. Although some vehicles may need to wait to turn off Horning Road, the turning circle should also be able to minimise vehicle overrun on the north side of the road.

The layby would need to be landscaped appropriately, and this can be secured by planning conditions. As the character of the road is changing, and more pedestrians will be introduced to the area, there will be an increased temptation for cars to park in this area to use the new footpath if parking outside the school is problematic. Landscaping may need to include raised ground to prevent vehicle overrun if the area is not to suffer informal parking as it does outside the school in addition to the harm caused by the entrance and infrastructure of the car park.

The design of the car park area includes a disabled parking space and a separate paving-slab path that doesn't rely on the same gravel surface of the access drive. Although a little distance from the church gates, this is suitable and creates less impact than a closer parking space.

As previously stated in relation to the last application (amended where relevant):

The proposed highway solution has been influenced by planning officers' preference for the

new access to be separated from the Church, and is positioned on the eastern side of the site. The residential part of the scheme would be served by a single access from Horning Road (the A1062), and within the scheme there are two private drives off the main access. A footpath and cycle link connects to Meadow Drive in the south-east corner.

The Highway Authority does not support development served directly off the Horning Road in this general location, because the two main physical constraints (the bend to the east of the site, and the brow of hill to the west) in combination with the faster speeds of vehicles all compromise drivers' awareness. If providing a new access is necessary, the Highway Authority would prefer it to be sited as close to the Church as possible, where there is more visibility on either side of the brow of the hill, and greatest distance from the bend, and, further, would prefer built development to be sited against the Horning Road. However, this would also create a significant incursion into the setting of the listed building and, given the absence of other accesses on this route out of the village, Officers consider this would increase the sense of the urban expansion of the village into the countryside.

In siting the residential access on the eastern side of the field, the applicant assessed vehicle speeds and frequency on Horning Road, and undertook a Road Safety Audit. The proposed access strategy now:

- Shares the same site access as the existing Church Farmhouse and barns complex;
- Positions the north / south access road and footpath outside the root protection area of the existing mature oak trees, removing a single small stand-alone tree;
- Provides a continuous footpath along the south side of Horning Road, within land that will be adopted by the Highways Authority;
- Removes existing hedging to provide the necessary visibility splays;
- Relocates the existing 30mph speed limit to the east of the new access;
- Includes a splitter-island within the carriageway and a 'gateway' feature either side, to mark the entrance to Hoveton on the east of the new access;
- Proposes a 20mph zone outside the school;
- Proposes a continuous footpath link in front of the Church and Primary School to link the site;
- Proposes using trees on both north and south sides of Horning Road to reduce peripheral vision for drivers and encourage slower and more considerate driver behaviour;
- Provides a continuous hedge along the south side of the verge and footpath along Horning Road, which maintains visibility and provides rural setting and screening.

However, the proposal is not without complication and the following concerns remain pertinent:

- By locating the access to the east, vehicle speeds could increase once drivers heading west into the village round the bend and drive uphill, whilst the brow of the hill means drivers heading east have less time to be aware of vehicles turning right into the site. It is hoped the proposed tree avenue can minimise the temptation to increase speeds; although this is by no means an ideal mitigation for an undesirable siting, it is a technique that has been seen to have some success in other parts of the district.
- The wide visibility splay required either side of the access means some of the existing hedging / brambles at the edge of the field would be removed, which makes the access

more prominent.

- The continuous new footpath will be visible in the approach to, and exit from, the village; it will erode the historic and isolated setting of the church and appear incongruous in front of the raised embankment with its gravestones and scots pine trees, but it would not have been acceptable from a highways safety perspective to not provide a path and instead rely on people crossing the A road to the 3 Rivers Way.
- The connecting path in front of the school would 'tidy' the existing worn area of verge used by school visitors but it would also formalise this area and encourage more parking on or alongside the verge/path, possibly forcing pedestrians up the bank or around cars and into the road; unfortunately, the constraints of the adjoining land meant it did not prove feasible to provide a publically-adoptable path that avoided these impacts.
- Measures to avoid parking in Horning Road would either require in-road signage or such hard infrastructure that would have an over-engineered appearance.

The Highways Authority have accepted that the scheme's package of measures provides adequate mitigation of the impacts and sufficiently reduces the risk of accidents – but only if the scheme includes the following additional amendments:

- Details of the full-length off-site footpath outside the school, with large enough kerbs / bollards to avoid vehicle overrun; this could be secured by the imposition of planning conditions; and,
- A part-time 20mph zone should be provided adjacent to the primary school, which could be secured by the imposition of planning conditions.

The Church of St John previously hoped that the layby could be extended, to accommodate 20 cars for use at peak times (e.g. services, funerals, coffee mornings), but it is unclear how there is a demonstrable link between this development and the need to increase the parking capacity for the church by extending the layby. However, the applicant previously agreed to resurface the layby at the Highway Authority's request, given that more vehicles will be using this part of Horning Road and resurfacing would improve ease of access/egress and thus reduce risk during manoeuvring.

The Highway Authority previously made clear that without a commitment to upgrade the layby their objection would remain in place due to the scheme not fully addressing the safety concerns that have been raised in respect of the local highway network. It is to be assumed that the objection is lifted now that a formal arrangement for car parking at the Church will be provided and a safe footpath can be included along the Horning Road. Committee will be updated verbally in respect of this matter.

- **Trees and landscaping**

It should be noted that the formal comments of the Landscape Manager and the Broads Authority have not been received at the time of writing (11th December), but will be provided to planning committee by verbal update.

The car park area is partially within the root protection areas of 3x Category B trees in the church graveyard (2x pines [T5, T6] and a horse chestnut [T7]) and a Category C elm and cherry plum hedge; all in good health, condition and with good expectancy. The impacts are assessed in the revised Arboricultural Implications Assessment (AIA).

In respect of the car park, officers do not consider there to be any significant unacceptable impact but certain areas must be constructed without any excavation and should be at least 0.5m from the stem of any tree. The weight of vehicles must be supported to minimise compaction and the gravel surfacing would need to be contained, both of which can be achieved using proprietary cellular confinement systems. The defined areas of the access drive and path will require a no-dig construction method where they are within the root protection areas, within which the land is raised slightly rather than excavated, which is specified within the submitted AIA Method Statement, so will be required by planning condition, together with the requirement for the works to be carried out under supervision of an arboriculturalist.

The impact of the car park from Horning Road will be noticeable, but its siting is a compromise between being too far away from the road and entrance, and therefore not being used, and being too prominent in the landscape. The car park will be noticeable to pedestrians and visitors to the church, but unless there are vehicles present within it, will have little impact to drivers other than directly to the north. In views from the Three Rivers Way to the north, the new access and the stark appearance of the car park will appear incongruous, but would be less so than the presence of cars parked directly beside the church. Notwithstanding the hedging around the car park, the gap in the hedging at the north-west corner of the site will likely result in increased visibility of the houses through the gap, but this is a small field of view and the screening offered by the majority of the hedge will be sufficient to mitigate the impact on the setting of the Broads National Park to an acceptable degree.

The application proposes a hedge from the eastern edge of the car park up to the residential access road, which retains the sense of rural character to this northern field and mitigates some of the harm to the setting of the Broads landscape and both listed buildings. As a result, Officers consider the impact on the landscape setting of the Broads area is only experienced from within the site's northern field or on the access road to the site.

There will be increased views of the car park in front of the Grade II* listed Church of St John when walking around the permissive field and from the new residential road. This is unfortunate and would detract from the setting of the Church and lessen the significance of the views of the Church tower, but these are not widely-available public views and the impact would be 'temporary' in the sense of being noticed only when vehicles are parked there.

As previously stated in relation to the last application (amended where relevant):

Trees are proposed as a thin screening line along the northern boundary of the development site, in line with the southern-most edge of the graveyard extension, which has the benefit of 'softening' the appearance of the scheme.

Trees are proposed in the rear gardens of the southern-most properties as a screening measure. Planning conditions would be used to determine size, scale, species and density of trees in these gardens, to ensure appropriate ecological connection and outlook / visual amenity.

There are concerns that in time the trees could be removed from private gardens, but it is intended to make sure the trees are protected by conditions – to be retained for 10 years whilst they establish themselves, and any such removal during that time would be in breach of condition. In 10 years if the trees do provide an important screening function or are a visual asset the Council could impose a Tree Protection Order on them.

The existing tree belts to the west and the new tree belts to the north and east would all remain in the control of the landowner, and management would remain the landowner's responsibility, particularly the retention of the permissive path and preparatory woodland clearance. It is recommended that the proposed planning obligations should include a specific management

plan for the retention and management and maintenance of these trees and the landscaping of the field to the north and the open space, play and footpath area to the south.

The site is adjacent to the Broads Authority National Park, the boundary of which lies along the east boundary of this site (and takes in the Church Farmhouse and properties on the south side of Meadow Drive). The Landscape and Visual Impact Assessment has not undertaken an extensive investigation of the impact on the Broads landscape, but does note where there are greater or lesser degrees of sensitivity. The main impacts from the development are experienced from the Horning Road and at the mid-point of the Church Fields site, at the fall of the sloping topography. This is a relatively small 'window' to the Broads which is framed by the screening on east and west boundaries, with the eastern boundary being reinforced by the new planting. The view of the Broads landscape is long-distance and wooded, but is either screened by the hedging alongside the road, or is interrupted by the gables of existing properties.

It is noted that the Broads Authority considered this proposal would create a small detrimental impact and harm to the setting of the national park, although the mitigation provided by planting a native screening hedge along Horning Road has reduced the impact to an acceptable level. On balance, Officers consider in practice that the scheme does not have a noticeable significant visual connection to the wider Broads area, and the limited visual intrusion caused would be of a minor extent, and such impacts could be appropriately softened by the tree belts within and around the scheme.

Previously, the Broads Authority requested that a hedge be provided along the northern field boundary adjacent to the footpath along Horning Road and this has (in large part) been proposed, but the Broads Authority has not yet provided comments in respect of the car park.

- **Planning obligations and delivery of public benefits**

It should be noted that the formal comments of the Norfolk County Council Planning Obligations Team have not been received at the time of writing (11th December). Nor has the District Council Strategic Housing Officer and their external viability assessor fully appraised the viability assessment and affordable housing offer. All these comments will be provided to planning committee by verbal update.

The outstanding comments may result in changes to the planning obligation requirements to be expected under Policy CT 2 in respect of education, libraries and green infrastructure and policy HO 2 in respect of affordable housing provision. It is not clear if the applicant made pre-application enquiries in this respect, but there is no difference proposed to the contributions the applicant is offering.

Members may recall that the previous application PF/17/0696 was deficient in respect of public open space contributions and affordable housing provision, whilst the employment-land enabling development argument provided a number of complex phasing commitments.

Car park

The new car park is proposed as a part of the development within the red line of the site so can be secured by way of planning conditions linked to the development of the housing, rather than through planning obligations.

Requiring provision of the car park must be deemed necessary to make the scheme acceptable. Officers consider that this part of the proposal provides some notable improvements to the use of the church, and to the landscaped approach to the village, and to road safety, and as such it would provide the additional public benefit that the Development Committee considered to be lacking in the previous application. It would be necessary to

ensure the car park is provided well before the completion of the scheme to increase the likelihood of its delivery, which will need negotiating with the applicant.

Public open space and recreation contributions

In the absence of on-site provision, financial contributions would be required for off-site public open space (£27,710), informal green infrastructure (£10,353), allotments (£13,642) and children's play facilities (£12,400) in accordance with the pro-rata space requirements of the draft Open Space Study (2006) and Core Strategy Appendix A.

The development is providing appropriate 'natural greenspace' within the scheme and some play area for young children on site, and a financial contribution is required for allotments enhancement and improvement (£13,142 to be spent at Horning in the first instance). The on-site play provision is approximately half the amount required, so a financial contribution of £33,710 would be expected for the balance. The applicant has accordingly proposed to increase the previous financial contribution to public open space and play provision from £4,050 to £30,000.

The £1,250 Visitor Impact Mitigation contribution is also proposed to assist with monitoring and mitigating against the impacts at designated national and European nature sites.

The applicant will also provide the £1,500 green infrastructure contribution required by Norfolk County Council for improving access to public rights of way including through education packs.

Employment development

In addition to providing Building A at Littlewood Lane to the terms described below, the applicant also proposes that the reserved matters application for Building B on the Commercial Site will be submitted prior to the start of residential building works at Church Field. This will enable a quicker delivery of the second-largest building of the associated Littlewood Lane employment site.

Officers consider the following section 106 agreement commitments to be necessary:

- No road, access or housing construction works can commence on the Church Field site until Building A on the Commercial Site has been constructed up to and including foundations and the access road and services within the Littlewood Lane site have been installed.
- No works should take place until a contract has been let for the construction and completion of Building A to 'practical completion' in readiness for occupation.
- A valid full planning or reserved matters application(s) to be submitted for all matters for Building B of the outline Commercial Site approved under PF/16/0733 whilst the current planning permission remains 'live' (the outline pp remains extant to 10 March 2020).
- None of the private homes should be progressed beyond foundation level until Building A has been completed.
- Other than the 7 affordable dwellings, none of the market houses can be occupied on Church Field prior to the Occupation of Building A on the Commercial Site. Occupation to be by Benthic Solutions Ltd.
- Before commencement of any Church Fields housing, a marketing strategy needs to be agreed for use in the event that if Benthic Solutions Ltd occupy and then move out of

Building A within 12 months the building will be available and advertised.

- A valid full planning or reserved matters application(s) to be submitted for all matters on all 3 parts of outline site approved under PF/16/0733 whilst the current planning permission remains 'live' (the outline pp remains extant to 10 March 2020). In the event of the RM applications being withdrawn or refused, the outline site will also need to be marketed.

Although submitting these subsequent applications would neither guarantee their approval nor ensure the employment buildings are built, it would nevertheless improve the viability of the employment development, would remove a barrier to the site being developed, would improve the marketability of the Littlewood Lane site, and generally encourage employment development.

Affordable housing

The applicant has not proposed any changes to the viability assessment considered in July 2017, nor justified how the increased funding of the project can accommodate the costs of the new car park and additional public open space sums. These are considered by planning officers to be justifiable and reasonable within the development, but as a suite of planning obligations which remains non-compliant, it would be understandable for Development Committee to prioritise some projects over others. In this instance, the scheme will under-provide affordable housing but meet the requirements of other obligations.

The development includes the car park as a part of the scheme, not as a planning obligation, so the costs (though unjustified) are fixed, and there are separate benefits associated with the car park that are considered to outweigh its impacts. These costs should not be seen as something that could otherwise be spent on other planning obligations such as off-site affordable housing.

In the opinion of planning officers, if any financial contributions are diverted away from the uses proposed below and used for off-site affordable housing instead, the impacts will only increase (on services such as education and play provision) with less means to address them. It is considered that the on-site provision of affordable housing is justified and if the quota was increased it would create unresolvable issues and make the scheme unviable as proposed.

Assuming that the proposed on-site provision should remain at 7 dwellings, the mix of affordable housing tenures proposed does not achieve the required 80% affordable rent and 20% intermediate tenure (shared equity) within policy HO 2. It has been considered whether the scheme could provide a more policy compliant balance of affordable housing tenures, but the costs of doing so would substantially reduce the vast majority of section 106 financial contributions including removal of payments towards education, for example, which would fail to address that need. Whilst this is a development that has few other "abnormal" costs, the reduced affordable housing provision in terms of number of both the units and their tenure split is in main due to the scheme facilitating the approved commercial development on Littlewood Lane.

It is proposed that affordable housing should be delivered prior to completion of the market dwellings, with 50% (4 dwellings) of the Affordable Houses to be ready for use prior to completion of 50% (9 dwellings) of the market houses, and the remaining 3 affordable dwellings to be ready prior to 80% (prior to the 14th non-AH house).

On-site recreation and environmental enhancement

The development shall provide circular walks within and around the woodland and northern field, to be accessible to the public in perpetuity, and with features such as dog litter bins, benches and signage as well as improved links from the development. Appropriate

management and maintenance proposals will also be necessary.

The northern field is also within the application site and a conservation management plan for this area will need to be agreed to ensure that its use is (i) maintained for beneficial environmental purposes, and (ii) able to enhance biodiversity.

Whilst planning conditions will secure provision of the on-site play area, the section 106 agreement process will also have to agree details of the management and maintenance proposals of this and other incidental landscaping.

Management and maintenance proposals will also be needed for the drainage system.

Other section 106 terms

The range of planning obligations will also include the £81,505 education contribution and £1,875 library contribution required by Norfolk County Council.

The developer will also provide the 900sq.m. graveyard and £15,000 maintenance sum to the Church of St John, prior to completion of the last house.

A contribution to secure a Traffic Regulation Order will also be needed, to enable the temporary 20mph zone and relocation of the 30mph area.

No contributions were requested from NHS England.

Norfolk County Council's request for a fire hydrant will be addressed by planning condition.

• **Housing mix and Affordable Housing provision**

The housing mix proposed includes 2-bed houses, 2, 3, 4-bed bungalows, and 3-5 bed houses. This includes the necessary 2-bed, accessible bungalows. The mix therefore complies with the requirements of policy HO1 to provide 40% of the dwellings as 2-or less – bedrooms and 20% as accessible and adaptable bungalows.

The scheme proposes 7 affordable dwellings which is 28% of the 25 dwellings. These comprise 4no affordable rent (consisting of 3x 1-bed houses and 1x 2-bed house), and 3 no. shared-ownership tenure (consisting of 3x 2-bed houses). This is 57% affordable rent and 43% intermediate tenure, whereas Policy HO 2 expects a mix of 80%/20%.

Although the tenure mix does not quite reflect the overall need, the viability assessment has confirmed that it is the optimal reasonable and deliverable mix of tenures possible, and any alterations to this would require compromising other significant planning obligation contributions such as education.

The applicant has submitted a viability appraisal which satisfactorily demonstrates that a policy compliant amount of affordable housing (45%) could not be provided, and was discussed at some length in August 2017.

In coming to a view about the affordable housing mix it is important to not lose sight of the primary purpose of the development which is to help enable delivery of the employment land approved under planning ref: PF/16/0733. Whilst a scheme purely focussed on generating income for the enabling element could have been submitted without any affordable dwellings, the applicant has sought to try and find a balance between meeting the enabling requirements but also providing a range of public benefits including a proportion of affordable housing.

In addition to the usual development costs, the applicant has demonstrated that the scheme needs to comprise this number of private of units in order to finance:

- (6) The land payment for the Church Field Site;
- The enabling costs of £251k for the Commercial Development on Littlewood Lane;

- The cost of putting in the extensive adopted highway to the site from Horning Road (this is unusually long to account for the site's constraints);
- The other highway related costs including the pavement along Horning Road, splitter island, traffic regulation order, the resurfacing of the layby, etc;
- The costs of putting in the services including the foul and surface water drainage and power to the site;
- The overall landscaping to the scheme.

If a policy compliant scheme of 45% affordable dwellings was required on this site, subject to the tenure mix of these affordable units, the applicant estimates that between 45 and 50 homes would be required on the site in order to deliver these proposals and enable the Benthic Solutions Ltd scheme on Littlewood Lane. If additional units were required, the development costs of the project increase and more complex planning issues would be raised by the scheme having to encroach into the land at the front of the site, and the landowner would expect a higher land receipt as a result of the higher value of the residential land. All the other community contributions would also increase.

Whilst recognising and supporting the need for developments to provide an amount of affordable housing in accordance with policy requirements, in this case, there is adequate justification for accepting an amount of affordable housing below adopted standards. This has been verified through the independently-assessed viability appraisal which follows both RICS and NPPG guidance. Accepting the reduced provision is based on a need to meet the enabling requirements for the employment land but also providing an amount and mix of housing appropriate for the context of the site and the range of planning issues that need to be addressed.

- **Drainage**

The Local Lead Flood Authority was previously satisfied that the scheme would address existing and future flood risk, and provide the optimum possible drainage solution. Although comments have not been received at the time of writing (11 December) the scheme details have not changed and the LLFA would be unlikely to raise an objection to this proposal as the car park will create minimal difference, being a permeable gravel surface. The surface water drainage scheme, construction and mitigation precautions can all be secured by planning conditions which would include continued maintenance and management of the SuDS in accordance with the submitted details.

The Broads Authority have again confirmed that the discharge into the River Bure will not encroach on navigation and would not need a navigation works licence. The Broads Authority has also confirmed that NCC would be the consenting authority for any works within or affecting the watercourse. (Ordinary watercourse consent is separate from planning and so the applicant may also need to apply to the LLFA for consent).

The Broads Authority has no objection to the proposal subject to the Local Lead Flood Authority being satisfied that the scheme will not increase flood risk on or off-site, including to properties on Meadow Drive.

The Local Lead Flood Authority previously confirmed they had no objection to the revised drainage strategy presented in application PF/17/0696, which is proposed again in this application. It is considered unlikely that the LLFA will object to this proposal, and so the scheme is considered acceptable subject to agreement of conditions requiring: more infiltration testing for certain permeable paving areas; use of certain attenuated runoff rates and storage; precise construction design details; details of water quality protection; use of

certain finished floor levels within the development; and, final details of management proposals.

In the continued absence of a response from the Norfolk Rivers Internal Drainage Board, as advised by the LLFA an Advisory Note would be used to ensure the applicant is directed to obtain the necessary permits for the proposed drainage into Snape Water to the south, which connects to the River Bure.

As previously stated in relation to the last application (amended where relevant):

The surface water drainage strategy has been drawn up following the outcome of infiltration tests from across the site which suggested soakaways would not be the most effective method because the soil conditions at depth would prevent permeability, so only 'shallow depth' infiltration could work. As such, very little surface water would return to the ground and run-off from the main estate road ('road A') and from buildings is collected and drained into attenuation pipes below the roads, where it is stored and released via flow control chambers at greenfield run-off rates, directly into a tributary arm of the River Bure adjacent to Meadow Drive. The system has been designed to have capacity for the heaviest rainfall events including the necessary 40% climate change allowance (1 in 100 years flood events with 40% climate change and 6-hour storm duration). A limited amount of shallow-depth infiltration is proposed for permeable paving of drives and private roads, which the infiltration test results showed would be possible.

A SuDS Management and Maintenance report has also been prepared and agreed by the Lead Local Flood Authority. General maintenance responsibilities will involve:

- Anglian Water is expected to adopt the main drainage pipe system, but if they don't it will be managed by a residents' management company;
- Rainfall to gardens will naturally infiltrate as currently;
- Private Roads B and C and the footpath leading to Meadow Drive will be permeable paving or other permeable material (e.g. gravel), and these will be maintained by the residents' management group;
- Private drives of houses will use permeable paving materials. Individual households will be responsible for their maintenance, and planning permission would be required to change to non-permeable materials for areas of more than 5sqm .

The sloping topography of the south-west corner of the site would be addressed through minor land levelling. A raised bund along the southern boundary and alongside the Meadow Drive link is proposed to contain and direct any flood exceedance, which should only be a very rare occurrence but has the added benefit of providing wildlife corridors and landscaping within gardens. The applicant has also provided plans showing how the pipework on site will be protected from root ingress using root protection barriers. All these details are considered acceptable to both the Lead Local Flood Authority and planning / landscape officers. The applicant has also agreed to provide a chemical/oil and sediment interceptor within the drainage scheme, in order to prevent contamination of the River Bure, which will be secured by planning condition, which satisfies concerns of the Broads Authority and ecology officers.

Foul water is proposed to connect into the existing sewer in Meadow Drive. There are reported issues with blockages and flooding of the existing system but Anglian Water has factored-in other permissions and flows from existing dwellings east of Meadow Drive and has confirmed both the treatment centre and the pipe network has capacity to accommodate this development and other permissions for 120 dwellings in Salhouse and Wroxham; based on the last 5 years' of flow data, there is sufficient headroom available to still remain within the Environment Agency's phosphorous discharge limitations. Any ongoing issues with the

sewage connection is an operational matter for Anglian Water to resolve, rather than a capacity issue.

- **Design, layout and residential amenity**

Save for the occasional noise from cars using the new car park, there are not considered to be any detrimental impacts on residential amenity from the proposed amendments to the scheme. Use of the car park should be controlled by conditions – to be used only in association with the Church and its activities – so to minimise impacts on future neighbours and minimise traffic impacts.

As previously stated in relation to the last application (amended where relevant):

The scheme layout has recognised the sloping topography of the site and proposes bungalows within the upper reaches of the slope, which also helps to reduce the visibility of the scheme in relation to the setting of adjacent listed buildings. The consequence is that some of the tallest buildings are positioned closest to the existing dwellings on Meadow Drive, and only one bungalow is proposed in the southern range, but these still have 35-45m separation distance between dwelling windows, compared to the Residential Design Guide's SPD's recommended minimum of 24m. Officers consider the relationship with existing dwellings to be acceptable and any impact would be reduced further by the screening between properties (existing and proposed trees).

The design and external appearance of the affordable housing units would not be markedly different from the open market housing and the materials would use the same palette of bricks, windows and roof tiles for both, which can be secured by way of planning condition(s). The Strategic Housing Manager was previously satisfied that the designs are appropriate and are consistent with the fenestration of other 2-bedroom and 3-bedroom market housing (which also do not have chimneys, for example).

Overall, the affordable housing design is considered to be acceptable and contributes to a high quality design of development comprising a range of housing types and sizes.

The path onto Meadow Drive is considered an important route to introduce permeability into the site and provide connection with existing communities, as well as a convenient alternative route towards the village centre.

The proposals include a play area and public open space in the south-eastern corner at the top of the path to Meadow Drive. This remains an acceptable proposal, albeit this is acknowledged to be in an awkward location not in accordance with the best possible urban design principles. However, the activity and the sense of openness that it creates does give a degree of purpose to the southern access link.

The applicant has included a number of design features to ensure optimal surveillance of the area from the closest new houses, including carefully positioned windows to increase sight lines at ground and first floor level, as well as repositioning trees and benches to provide better visibility and openness. The remaining route to Meadow Drive will be maintained as meadow grass, which will reduce the likelihood of play activity being unacceptably close to neighbouring properties.

This part of the site would be managed by the Residents' Management Group to provide a degree of self-policing. It is acknowledged that the Norfolk Police Architectural Liaison Officer would prefer to avoid such cut-through routes, for the purposes of controlling crime, but the consequence of doing so would be a very much more isolated community.

It is considered that noise from using the play area would be unlikely to give rise to unacceptable impacts for adjacent residents. The play area is small in size and would be limited to small features such as wooden balance beams and 'transition' play, rather than a form of destination for meeting the demands of the sites play requirements; the majority of play function would be expected at the Hoveton parish play area, with a financial contribution provided to enhance that facility.

Lighting and boundary treatments could both be controlled by imposing planning conditions to minimise any adverse impacts. The proposed location and design of air source heat pumps could also be agreed by conditions, to include the noise emissions and control measures.

As such, subject to the imposition of conditions, the proposal would comply with Development Plan policies relating to residential amenity.

- **Ecology**

There are a number of identified wildlife considerations in the area. Bats and badgers are present in the woodland belts, and their presence should be confirmed and accounted for pre-construction, with hedgehogs and other wildlife encouraged to move within and through gardens with the use of considerate fencing and hedging, rather than concrete and close-board fencing. The applicant's ecology report found there was no evidence of reptile or barn owl habitation on site, though retaining the northern field for re-use as a meadow or farming to conservation-principles would provide suitable foraging ground for barn owls and kestrels, and encourage wildlife in general.

Although a badger sett is within the site, it is not likely to be affected by development, and pre-commencement planning conditions can be imposed to ensure the site and the adjoining woodland is monitored alongside reptile and barn owl presence surveys, and if necessary a Natural England licence would be prepared and mitigation measures proposed. This is already accounted for in the applicant's ecology proposals.

The application includes an ecology enhancement plan showing the various ecological features that are proposed on the site including the location of bat boxes (2), hedgehog holes in boundary fences (17), log piles (2) and bird boxes (2). These will also be required by conditions.

In respect of the field fronting on to Hoveton Road, the applicant has included this northern field within the application 'red line' area so planning conditions should be used to require a conservation management plan for the meadow / retained field, as well as further presence and absence surveys as necessary. The applicant has confirmed this land would be managed and maintained by Hoveton Estate and a management and maintenance regime for this land would need to ensure its primary focus is to deliver biodiversity/ecology benefits and provide the continuous walking circuit around the perimeter.

- **Impact on Designated Sites**

Although the application site is not located within a designated site, the proposals have been assessed for its potential to create significant effects on the following nearby designated sites:

- Broadland Ramsar
- The Broads Special Area of Conservation
- Broadland Special Protection Area
- Bure Broads and Marshes SSSI
- The Broads National Park

As requested by Natural England, a Habitats Regulations Assessment was undertaken to identify and examine any potential impact pathways to the designated sites listed above. Impacts could come from:

- Increased recreational disturbance to species, in particular birds, by new residents.
- Trampling and erosion of sensitive vegetation by increased footfall.
- Increased fouling of sensitive sites by dogs leading to nitrification and an adverse change in plant communities.
- Increase in 'urban' effects, such as littering, bonfires etc. leading to adverse change in plant communities.
- Water requirements of the development considering the catchment which may affect wetland habitats and species.
- Water discharges and associated water quality impacts on wetland habitats and species.

Recreational pressures should be reduced by the scheme including a pedestrian circular footpath route for dog-walking and informal recreation, meandering through the two belts of woodland and northern tree belt and northern field edges. This should provide approximately 800m of footpaths and convenient benches, which should assist with meeting the average 2.7km dog-walking distance recommended by Natural England and reduce the need to visit more sensitive designated sites. This would be secured by planning condition.

A key linkage between the site and designated sites is through foul water and subsequent treatment and discharge into the water environment. Anglian Water has previously confirmed the development is in the catchment of Belaugh Water Recycling Centre, there was capacity for these flows in the Summer of 2017, and the discharge permit can accommodate these flows alongside other major developments with planning permission in the same water treatment catchment, such as Wroxham and Salhouse.

The applicant has provided the same Habitats Regulations Screening report as with the previous application, and a Habitats Regulations Assessment (HRA) was subsequently completed by the Council's Landscape Officer. This concluded there would be no likely significant effects on designated Natura 2000 and national sites subject to the following mitigation:

- Implementing standard construction best practice and due diligence measures;
- The use of an oil/chemical interceptor in the surface water drainage system;
- A contribution of £50 per dwelling to contribute to a programme of monitoring and if necessary mitigation, to assess the impact of the development on the SAC/SPA/Ramsar; and
- On site public greenspace and a circular dog walking route.

Natural England have subsequently confirmed that they agree with the findings of the HRA and have no objection to the proposed development but advise that the development will need to provide:

- a financial contribution to NNDCs Habitats Regulations monitoring work to monitor effectiveness of the mitigation measures; and
- educational information to new residents to highlight the importance of sensitive areas and sustainable recreational destinations.

These mitigation measures would be secured in the Section 106 agreement through the Visitor Impact Mitigation contribution and the Norfolk County Council Green Infrastructure

public awareness contribution, so it is considered the HRA matters are satisfactorily addressed.

- **Other matters**

Whilst this site is Grade 2 Agricultural Land, the NPPF does not preclude development in favour of its protection. Paragraph 112 requires a decision to “take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in preference to that of higher quality.”

In this case, the site is relatively small and it is considered that the loss of Grade 2 value land is proportionate in this instance in recognition of the potential jobs creation associated with the enabling development, and the site layout is considered to be the most rational possible for the quantum of development required, even with the addition of the new car park.

Archaeology has been examined through a geophysical survey within the Church Fields site which has identified a large former quarry within the central area, some of which would be affected by the development. The Historic Environment Services have reviewed the survey and consider the site to have some archaeological potential but the scheme is suitable subject to securing a programme of archaeological work by conditions. In this case the works would need to include informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction).

The Broads Authority have also identified that the area of the pipeline to be laid around Church Farmhouse Norfolk could have archaeological implications and should be subject to conditions. The applicant has confirmed they accept and can accommodate such conditions. The Norfolk County Council Historic Environment Service have indicated that they can provide a brief for the archaeological work required.

Other issues such as site contamination, energy efficiency and renewable energy generation, wildlife enhancement, lighting, and boundary treatment landscaping should all be secured by planning conditions.

CONCLUSION:

In making its decision the planning committee will have to exercise planning judgment in weighing the public benefits of the proposal against the identified harm. The application for 25 dwellings and associated infrastructure is contrary to the development plan by proposing housing within the Countryside. The proposal is acknowledged to include difficult access arrangements and a design that has a degree of detrimental impact on the setting heritage assets (the Church of St John and Church Farmhouse, Hoveton) as well as adverse impacts on wider landscape character. The recent amendments to the scheme have further increased the overall level of harm caused to the setting, character and appearance of the Grade II* listed Church of St John, being slightly more harmful than the impact of the former application when no car park was proposed, however, the level of harm remains 'less than substantial' and the new harm caused is considered to have been marginally outweighed by the public benefits associated with the car park.

As the Council is able to demonstrate a 5-year housing land supply there is little or no justification to provide market housing in locations that do not accord with current adopted policy. As such, the proposal must offer notable public benefits sufficient to outweigh the level

of harm caused to heritage assets and to justify the degree of conflict with the local planning policy.

The primary public benefits proposed are the jobs created through the enabling development and, to a much lesser extent, the provision of the church graveyard extension and the 12-space car park for use by the church. In addition, the application has addressed as many of its impacts as possible through planning obligations, save for the compromised affordable housing provision which is considered to be the optimum number and tenure possible without compromising the overall viability of the development and its links to employment.

It has been confirmed that the scheme has an acceptable level of viability to be considered as a mechanism for enabling development and there are reasonable grounds to believe the employment site will be provided by virtue of this development being approved, although if the commercial site should not proceed the planning obligations should ensure that the residential development also does not proceed, particularly as the residential development can only be reasonably accepted if it is enabling the commercial development.

This residential development will therefore enable the re-location of an existing employer from their substandard facilities and constrained site into a new and larger facility within Hoveton, and offer much greater potential to expand beyond that in the future.

The public benefits of jobs growth, through construction of both sites and subsequent extension of the Stalham Road Industrial Estate, and a marketing scheme for the commercial site, are considered significant to Hoveton where there are few available and deliverable alternative employment areas, whilst the relocation of the business from the existing premises offers an opportunity for other smaller companies.

Opportunities for new business growth would also increase business rate growth which can be used by the Council to fund other projects for the wider public benefit.

In terms of other public benefits, the extended graveyard offered to the Church of St John and the car park which can be restricted to use by the Church, can both attract some, albeit limited, wider public benefit in favour of the proposal.

Whilst the planning decision is finely balanced, the opportunity to positively support and enable business growth through linkages with additional housing development offers an opportunity that might not otherwise be delivered through the commercial/employment development alone. Approval of this application could act as a catalyst for further job and wealth creation to support the local economy.

As such, it is considered appropriate to approve this application, as a means to financially enable the delivery of the commercial land in the wider public interest.

The public benefits of the proposal are considered to attract sufficient weight such that they would outweigh the statutory presumption against the grant of planning permission under Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 resultant from the identified less than substantial harm to the setting of two heritage assets, namely the Church of St John (Grade II* Listed) and Church Farmhouse (Grade II Listed).

RECOMMENDATION:

Delegate approval to the Head of Planning subject to:

1. No new grounds of objection being received following closure of public consultation period;

2. Satisfactory resolution of the outstanding consultation responses; and,
3. Subject to the prior completion of a Section 106 Agreement to include the list of planning obligations set out above; and,
4. Subject to imposition of appropriate conditions (including a shorter timescale for implementation), to be presented at the development committee meeting; and,
5. Subject to any other conditions or S106 Obligation requirements considered necessary by the Head of Planning as may arise from consultation responses.

- (2) **PASTON - PF/16/1743 - Demolition of existing Block 3 (16 units) and replacement with 8 units (6 no.2 beds and 2 no.3 beds) of holiday accommodation; Mundesley Holiday Centre, Paston Road for Mundesley Holiday Village Ltd**

Major Development

- Target Date: 22 December 2017

Case Officer: John Dougan

Application for Planning Permission

CONSTRAINTS

- Area of Outstanding Natural Beauty
- Undeveloped Coast
- Coastal Erosion Constraint Area (20, 50 and 100 years)
- Countryside
- Controlled Water Risk - High (Ground Water Pollution)
- Contaminated Land Buffer

RELEVANT PLANNING HISTORY

- PLA/19882086 - Erect indoor bowls green for use by holiday residents and two tennis courts. Approved 27/02/1989
- PLA/19951624 - Demolish and rebuild accommodation block. Approved 27/02/1996
- PLA/19961195 - Replacement accommodation block. Approved 25/11/1996
- PLA/19971723 - New roof and brick outer skin to upgrade kitchen and food preparation area. Approved 13/02/1998
- PLA/20021538 - Improvements to foul and surface water drainage systems. Approved 29/11/2002
- PF/15/1198 - Demolition of accommodation Block B, swimming pool and laundry. Use of land to station 21 holiday lodges, reception building, wardens accommodation together with realignment of internal roads and associated landscaping. Approved 29/04/2016
- PF/16/1521 - Provision of Pitched Roofs on 3 Existing Accommodation Blocks. Approved 16/01/2017
- PF/16/1750 - Erection of 12 two bedroomed units of holiday accommodation. Withdrawn by Applicant 07/04/2017

THE APPLICATION

Seeks demolition of existing block 3 (16 units) and replacement with 8 units (6 no. 2 beds and 2 no. 3 beds) of holiday accommodation.

The description of the proposal has been amended to reflect changes to the application proposal.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr Barry Smith in view of the complex nature of the application.

PARISH/TOWN COUNCIL

Paston Parish Council - No objection.

Mundesley Parish Council - Support

REPRESENTATIONS

Open Spaces Society – The route described as an access track to the highway is a public right of way known locally as Yarmouth Loke (an old public road) and it is intended that an application will be made shortly to Norfolk County Council to claim the addition of this route to the definitive public rights of way as a restricted by way. In our opinion the extra traffic movements generated by the extra units proposed would adversely affect walkers and riders enjoyment of this part of the AONB.

CONSULTATIONS

It is acknowledged that the description of the application and amount of development has now changed to address outstanding concerns raised by the Lead Local Flood Authority. In view of the change including the removal of block 5 and therefore a net reduction in holiday accommodation, it was not considered necessary to re-consult all consultees or provide new site / press notices.

Consultee	Object /support /comment	Summary/comment
Norfolk County Council - Lead Local Flood Authority	No objection	Previous concerns relating to drainage and cliff stability have been resolved by the revised plans. No objection subject to imposition of a condition in relation to detailed designs of a surface water drainage scheme.
Norfolk County Council - Highway Authority	No objection	Subject to condition requiring provision of visibility splays onto C634.
Norfolk County Council – Public Rights of Way	Comment	The information provided indicates that the amount of holiday accommodation is decreasing so therefore no reason why this access route could not coexist with a public right of way. No registered public right of way through the site, but historic evidence that the route may have had restricted byway rights. It is possible that a claim to record the route on the definitive map could be received by the County Council at any time for further investigation. If the landowner is willing, they could possibly dedicate the route as a public right of way to enable PRow team to record the route on the definitive map more quickly.
Norfolk County Council – Historic	-	No comments received

Environment Service		
Anglian Water	-	No comments received
Environment Agency	-	No comments received
Natural England	No objection	No objection in respect of the development's impact on the SSI Mundesley Cliffs SSSI. Consultation response provides comment on considering the impact on the AONB and protected species.
Norfolk Fire Service	No objection	Subject to the proposal meeting the necessary requirements of current Building Regulations 2000 – Approved Document B (volume 1 – 2006 edition, amended 2007).
Norfolk Coast Partnership	Comment	The proposals are unlikely to significantly change the existing landscape.
NNDC – Environmental Protection	Comment	Noted that the submitted FRA states that foul water flows from the site will be lower than historically agreed by Anglian Water. However, suggest an informative be added to contact Anglian Water with regard to changes in foul sewage discharge. Other informatives recommended in relation to dealing with asbestos, waste disposal, demolition and contaminated land.
NNDC – Landscape Officer	No objection	The landscape section does not object in respect of the developments impact on the Mundesley Cliffs SSSI and the AONB.
NNDC – Building Control	Comment	Only the external materials cause concern with the weatherboarding specification not clear (this should achieve 30 minutes fire resistance and a class O surface spread of flame rating). The opposing windows are fairly close to the boundary lines, although acceptable.
NNDC – Coastal Strategy Manager	No objection	No objection subject to the necessary planning conditions. Clarification is needed as to whom has responsibility for the demolition and reinstatement works when the units are near to being lost due to coastal erosion (land owner or leaseholder). These details should be agreed before works starts. The units are about 60m or so from the edge at the moment and a safe distance will be needed to allow demolition and clearance works to be carried out. A safe distance of 30m from the cliff edge is suggested as it provides room/time to reassess in the future

		(coastal vulnerability assessment), make decisions or ensure demolition.
Paston Parish Council	No objection	No further comments
Mundesley Parish Council	Support	No further comments

HUMAN RIGHTS IMPLICATIONS

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

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

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

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

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES

Policy SS2: Development in the Countryside (*prevents general development in the countryside with specific exceptions*).

Policy SS 4: Environment (*strategic approach to environmental issues*).

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

Policy EN 1: Norfolk Coast Area of Outstanding Natural Beauty and The Broads (*prevents developments which would be significantly detrimental to the areas and their setting*).

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

Policy EN 3: Undeveloped Coast (*prevents unnecessary development and specifies circumstances where development replacing that threatened by coastal erosion can be permitted*).

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

Policy EN 8: Protecting and enhancing the historic environment (*prevents insensitive development and specifies requirements relating to designated assets and other valuable buildings*).

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

Policy EN 11: Coastal erosion (*prevents development that would increase risk to life or significantly increase risk to property and prevents proposals that are likely to increase coastal erosion*).

Policy EN 12: Replacement of development affected by coastal erosion risk (*specifies the circumstances under which development affected by coastal erosion may be relocated*).

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

Policy EC 3: Extensions to existing businesses in the Countryside (*prevents extensions of inappropriate scale and that would be detrimental to the character of the area*).

Policy EC 7: The location of new tourism development (*provides a sequential approach for new tourist accommodation and attractions*).

Policy EC 8: Retaining an adequate supply of mix tourist accommodation (*specifies criteria to prevent loss of facilities*).

Policy EC 9: Holiday and seasonal occupancy conditions (*specifies the conditions to be attached to new unserviced holiday accommodation*).

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

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

THE SITE AND SURROUNDINGS

The wider site consists of a former holiday camp which is understood to date back to the 1930s.

The holiday village (blue line) until recently consisted of a number of small chalets with communal facilities including cafeteria, bar, games room and entertainment area. The camp has been in declining condition for a number of years and it is recognised that the holiday model previously offered at the site is no longer attractive to families or viable without significant financial investment. The site was recently bought by the applicant and works have already been undertaken to renovate a number of the chalets which has included converting a number of multiple units into larger units so as to be able to offer modern standards of accommodation.

Planning permission (PF/15/1198) was granted for 21 holiday lodges and office/reception building and wardens accommodation together related access tracks, parking and landscaping – located west of the application site.

The nearest heritage assets include:

- Stow Hill Windmill, Stow Hill, Mundesley Road, Paston (Grade II listed) – a tower mill dating from 1827; approximately 400 metres to the west
- Mundesley Conservation Area approximately 500 metres to the north-west

Block 3 (the revised development area) consists of 16 one – two bedroom holiday chalets and are of single storey 1930's construction, being of a rather tired condition.

The application site is also located in an Area of Outstanding Natural Beauty (AONB) and designated as Undeveloped Coast. It is also in the 50 - 100 year Coastal Erosion Constraints zone.

Block 3 is outside the Impact Risk Zone for the Mundesley Cliffs Site of Special Scientific

Interest (SSSI) approximately 65 metres to the north-west.

MAIN ISSUES FOR CONSIDERATION

- Principle of Development
- Coastal Erosion and Flooding
- Biodiversity
- Landscape and Impact on the AONB
- Design
- Heritage impact
- Highways and access
- Amenity

Principle

The site lies within the countryside policy area where Core Strategy Policy SS 2 would support proposals relating to recreation and tourism subject to compliance with other relevant core strategy policies. In particular, Core Strategy Policies EC 3 and EC 7 are relevant when considering extending existing businesses in the countryside and the location of new tourism related development together with relevant landscape policies (EN 1 and EN 2) when considering the site's location within the Norfolk Coast Area of Outstanding Natural Beauty.

Given that the proposal involves the provision of replacement holiday buildings on the site of a former holiday complex, subject to, amongst other things, the external appearance of the buildings being considered acceptable and subject to matters relating to coastal erosion being carefully assessed, the principle of replacement holiday units in this location is considered to be acceptable.

Coastal Erosion and Flooding

A large part of Mundesley Holiday Village lies with the Coastal Erosion Constraint Area (20, 50 and 100 years) and this includes the replacement units proposed as part of this application.

Core Strategy Policy EN 11 seeks to recognise the risk posed to development and their inhabitants in areas of coastal change. In particular, this policy requires that new development or the intensification of development or land uses in the Coastal Erosion Constraint Area will not be permitted, except where it can be demonstrated that it will result in no increased risk of life or significant increase in risk to property. The policy also states that in any location, development proposals that are likely to increase coastal erosion as a result of changes in surface water run-off will not be permitted.

In assessing the likely risk associated with coastal change, consideration should also be given to the Shoreline Management Plan (adopted 2012). In particular, SMP6 - policy unit 6.09 relates to the stretch of coastline from Mundesley to Bacton Gas Terminal. The Shoreline Management Plan (SMP) sets out a general long term approach of managed realignment for this section of coastline. Key extracts of this policy include the following:

- Existing timber revetments and groynes in this section will not be maintained (they have already well exceeded their designed lifespan)
- The predicated implications are that parts of 'Mundesley Holiday Camp' will be lost through loss of cliff together with surrounding agricultural land

In considering the risk associated with redevelopment of this part of the site, the replacement units would be within an area of land identified as being lost to coastal erosion within 50 to 100 years. (2055-2105). Whilst the proposal amounts to a net decrease in the number of holiday units from that currently found in block 3 i.e. from 16 to 8, the size of each unit will increase (6

x 2 bed units and 2 x 3 bed units) being more akin to residential accommodation which increases the likelihood of year round occupation of each unit.

Residential units would normally have a predicted lifespan of 100 years. However, in this case, because of the risk of coastal erosion there is no guarantee that the units proposed would survive or be capable of being safely occupied if the rate of coastal change occurs as predicted in the SMP. Whilst some may dispute the rate of coastal change set out in the SMP, the expected loss of existing timber revetments and groynes along this stretch of coastline mean that rates of cliff loss could change in the coming years. However, in the absence of any evidence to counter the rates set out in the adopted Shoreline Management Plan, Officers consider that considerable weight should be afforded to the SMP as a material planning consideration.

If the Committee are minded to approve the proposal, officers advise that consideration be given to the permanency of any planning permission granted. Through discussion with the Council's Coastal Manager, a set of planning conditions have been drafted which take account of the Coastal Erosion Constraint Area and which limit the lifetime of the proposed units to 2055 (based on the SMP) or to a point when the units are within 30 metres of the cliff edge. These are considered to be pragmatic conditions which reflect the known risk and which allow the opportunity for review in the event that the rate of coastal erosion is lower than anticipated within the SMP.

The suggested conditions have been shared with the applicant for consideration and comment. With the suggested condition 3 (see below), the applicant considers that they would not be able to sell any of the units if it was known, after searches were carried out by solicitors, that the units were on a temporary permission. The applicant has indicated that he would not consider making a capital investment of constructing the units as it would be unlikely he could make a return on his outlay. The applicant is aware that the cliff edge in this area has not altered significantly for many years but also recognises that there is a policy in place in the Local Plan and decisions have to reflect this. Ultimately the proposal hinges on the predicted rate of coastal erosion.

Whilst it is recognised that the dwellings are not intended to be someone's sole or permanent dwelling and any purchaser will likely be aware of the erosion risk as a result of searches, the units would still be capable of all year round occupation and this has led to the suggested conditions from officers, notwithstanding the desires of the applicant to receive a permanent permission enabling 99 year leases to be sold.

The applicant has put forward alternative wording for condition 3 as follows:

This permission is subject to be reviewed in the future, if the cliff erosion encroaches to within 20 metres of these buildings.

A survey shall be carried out by a qualified surveyor to assess the risk to the buildings, and the risk of staying in the said buildings, and an appropriate management plan will be agreed in writing with the local authority. This may involve some sea defence work to protect the Village from further erosion.

If the said buildings encroach to within 15 metres of the cliff edge,

The said buildings will then be surveyed and if there is any imminent risk to them falling over the cliff:

If the said buildings pose no immediate threat, then a bi-annual survey should be carried out to ensure this remains the case

If the surveyor finds them to be of threat the Mundesley Holiday Village owner will take the necessary steps to vacate the units expeditiously. Then they should be demolished and removed from the site, and the land restored to grass.

An appropriate location may be offered to substitute this permission, for another similar

range of holiday accommodation, if it meets the said requirements of the local authority policies at the time under the rollback policy.

Whilst this alternative wording could be refined further, Officers consider that it does not adequately address the issue of coastal erosion and the safety factor needed to enable demolition works to take place once the cliff edge gets close to the buildings such that they would be longer capable of being safely occupied. Whilst ultimately it is a matter of planning judgment, Officers consider that the issuing of a permanent permission would not be appropriate as the applicant has failed to demonstrate that the development will be safe over its planned lifetime as the NPPF requires. Therefore the alternative timescale put forward as set out in Condition 3 below should form the basis of any permission, if the Committee are minded to approve the proposal.

In respect of other coastal related matters, the Coastal Management Team encourages in coastal locations positive water management systems whereby surface water is removed from the coastal zone, transferred below beach level or managed in such a way to prevent exacerbation of potential groundwater driven cliff failures. The suitability of on-site sustainable urban drainage has been investigated with the input of the Lead Flood Authority and is considered acceptable subject to conditions.

It is acknowledged that no response has been received from the Environment Agency or Anglian Water in respect of the suitability of on-site foul water drainage. However, as the development amounts in a net reduction in the number of holiday units it is unlikely that any significant impact on receiving watercourses would result. Nevertheless, it is recommended that any decision notice have an informative reminding the applicant that in the discharge rate cited in the Flood Risk Assessment changing, that they contact Anglian Water for advice on acceptability.

Subject to appropriate conditions securing further details relating to coastal adaption and surface water management being submitted and agreed, the proposal would be unlikely to significantly increase the risk of coastal erosion and would accord with Core Strategy Policies EN 10, EN11 and EN13.

Biodiversity

The development site is not within the Mundesley Cliffs Site of Special Scientific Interest (SSSI) and is outside of the Impact Risk Zone. Therefore, in view of Natural England and the Councils Landscape Officer confirming that the indirect impact of the development on the SSSI is likely to be minimal under current coastal protection strategies, the development is considered compliant with Core Strategy Policy EN9. Nevertheless, the condition recommended by the Coastal Management team provides the Local Planning Authority with an opportunity to re-evaluate the impact on the cliffs in the context of changes to future coastal management strategies.

Landscape and Impact on the AONB

The site is located in the Norfolk Coast Area of Outstanding Natural Beauty (AONB) and designated as Undeveloped Coast. In view of the response of the Norfolk Coast Partnership and the Council's Landscape Officer, the development is considered to be in general accordance with Core Strategy policies EN 1, EN 2 and EN 3.

Design

The proposal is of scale and design which will be an improvement to the rather tired facility, being of a similar style to other upgrade works underway on the site. The scheme is therefore considered to be in accordance with Core Strategy Policy EN 4.

Heritage Impact

In view of the location and form of the development, it is unlikely that it would result in any significant harm to the setting of the nearby Listed Buildings and Conservation Area. It is therefore in accordance with Core Strategy policy EN 8.

Highways and access

In terms of parking provision, the 8 holiday units the subject of this application will be served by the existing permeable car parking area located 10 metres west of block 3 as indicated on Phase IIB Car Parking Plan (Drg no.13 rev A).

In view of the comments of the Highway Authority, the development is considered to be in accordance with Core Strategy policies CT 5 and CT 6, subject to a condition requiring that prior to occupation, the necessary visibility splays shall be implemented at the site access.

The comments of the Open Space Society are noted. However, in view of the revised scheme resulting in a net decrease in holiday accommodation, no significant adverse impact on the special qualities of the AONB or quality of the historic right of way is expected. Indeed, the County Council's Public Right of Way Officer has confirmed that a public right of way can coexist with the proposed development.

Nevertheless, it is acknowledged that there is a pending application for the route to be formally registered as a public right of way. Therefore, it is recommended that an informative note be added to any decision notice advising the applicant if they would be willing to contact the County Council to dedicate the route as a public right of way, potentially facilitating its inclusion on the definitive map more quickly.

Amenity

It is noted that some of the windows are in relatively close proximity to one another and therefore not ideal in terms of safeguarding and outlook of the occupants. However, the development is holiday accommodation and not a primary residence. Therefore, in this context the impacts will not result in any significant loss of amenity for occupants. It is therefore, on balance, considered to be in accordance with Core Strategy policy EN4.

Other Issues

Following the advice of the Council's Environmental Protection Officer, it is recommended that informative notes be added to any decision in relation to asbestos, waste disposal, demolition and contaminated land.

In view of the responses from Building Control and Fire Safety Officer, it is recommended that an informative note be added to remind the applicant that the development will be subject to all necessary Building Regulations Approvals.

Summary

Whilst the principle of modern replacement holiday accommodation is considered to be acceptable, the sites location within the Coastal Erosion Constraint Area suggests that redevelopment will be susceptible to coastal erosion within the typical 100-year lifespan expected of such brick/block built holiday/residential units. Whilst the applicant has indicated a preference to receive a permanent permission so as to ensure the development is viable to construct, Officers consider that there may be alternative solutions which deliver holiday accommodation but with the option to relocate the units at a future point in time when the risk of coastal erosion increases. However, the proposal before Committee is for holiday units of permanent construction and it is on this basis that the temporary permission is recommended. Subject to the imposition of the suggested conditions below, Officers recommend approval of the proposal.

RECOMMENDATION: Approval for a temporary/time limited basis, subject to the imposition of conditions as listed below.

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason:

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 This permission is granted in accordance with the following plans and documents:

Document received on 26 January 2017

- Asbestos report dated 12 January 2017

Plans and documents received on 14 June 2017

- Location plan (Drg no. 10 rev B)
- Existing site plan (Drg no. 11 rev A)
- Proposed site plan (Drg no. 12 rev A)
- Proposed floor plans for block 3
- Proposed floor plans and elevations 2 bed units
- Proposed elevations for block 3
- Planning statement
- Foul water drainage assessment (Ref. RAC/SJB/161127 rev A dated 23 May 2017)
- Drainage strategy (Ref. RAC/SJB/161127 dated 24 May 2017)

Plans and documents received on 10 August 2017

- Surface water drainage site plan (Drg no. CL-04 rev C2)
- Surface water drainage statement
- SUDs Management and maintenance (Ref. 161127 dated August 2017)
- Drainage routing licence details

Plans and documents received on 28 August 2017

- Car park plan (Drg no. 13 rev A)

Reason:

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

- 3 This permission is temporary and shall expire on the earlier of 01 October 2055 or at any time when the adjacent cliff edge encroaches to within 30 metres of any of the permitted units and unless on or before then permission has been granted for an extension of the period of this permission:

(a) All the units of holiday accommodation subject to this planning permission shall be vacated

(b) the use of the development (the subject of this permission) for holiday accommodation shall cease

(c) within 3 months of the permitted use expiring, the units of holiday accommodation together with any associated areas of hardstanding shall be demolished and

removed and the site restored to grass in accordance with a scheme of works submitted to and approved by the Local Planning Authority

Reason:

In the interests of ensuring that there is no increased risk to life and property within the Coastal Erosion Constraints Area in accordance with Policy EN11 of the adopted North Norfolk Core Strategy and paragraphs 107 and 108 of the National Planning Policy Framework.

- 4 The development hereby permitted shall be used for holiday accommodation purposes only and shall not be used as the sole or main residence of the occupiers.

Reason:

For the avoidance of doubt and because the site is located in an area designated as Countryside in the North Norfolk Core Strategy where the Local Planning Authority would not normally permit permanent residential accommodation, in accordance with Policies SS2, EC9 and EC10 of the adopted North Norfolk Core Strategy.

- 5 Prior to the commencement of any development, a scheme detailing the demolition and removal of the 8 holiday units (including hardstanding) and restoration of the land to grass shall be submitted to and approved in writing by the Local Planning Authority. The submission shall clarify the following details:

- A plan and statement confirming the extent of the demolition works to be undertaken including the method of disposal.
- A soft landscaping plan to include the details of any certified imported top soil and grasses to be used as part of the reinstatement process
- A site section to clarify finished levels
- A timetable for the completion of the demolition and reinstatement works.
- Confirmation that in the event that development becomes at risk from erosion earlier, that the demolition schedule will be brought forward.
- Confirmation of whom has responsibility for funding and undertaking the demolition and reinstatement works

Thereafter all works shall be carried out in strict accordance with the details set out in the approved scheme.

Reason:

To ensure that the land is reinstated and buildings/infrastructure are disposed of to an appropriate quality to safeguard the visual amenities of the area in accordance with Policies EN1, EN2, EN3, EN4, EN11 and EN13 of the adopted North Norfolk Core Strategy and paragraph 107 of the National Planning Policy Framework.

- 6 Details of the external colour finish to the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be completed in accordance with the approved details.

Reason:

In order for the Local Planning Authority to be satisfied that the materials to be used

will be visually appropriate for the approved development and its surroundings, in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy and Chapter 10 of the North Norfolk Design Guide.

- 7 Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the approved details.

Reason:

In the interests of the visual amenities/residential amenities of the area, interests of highway safety and convenience, and to protect the special Qualities of the North Norfolk Area of Outstanding Natural Beauty in accordance with Policies EN1 and EN 13 of the adopted North Norfolk Core Strategy, as amplified by paragraph 3.3.70 of the explanatory text.

- 8 Prior to commencement of development, in accordance with the submitted Drainage Strategy (Rossi Long consulting, Ref: RAC/SJB/161127, Dated May 2017 including additional supporting information), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- a. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 20.4m³ will be provided in line with the calculations submitted.
- b. Confirmation that there is a connection to the wider watercourse network that will convey flows discharged into it without leading to an increase in flood risk elsewhere including evidence that there is permission to discharge.
- c. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
- d. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding.
- e. A maintenance and management plan detailing the activities required and detail of who will adopt and maintain for the existing ordinary watercourses (and any structures such as culverts), sewers and surface water management systems within and adjacent to the proposed development for the lifetime of the development.

Reason:

To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.

9. Prior to the first occupation of the development hereby permitted visibility splays measuring a minimum 45m x 2.4m x 45m shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason:

In the interests of highway safety, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

NOTES 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 (paragraphs 186 & 187).
2. The Local Planning Authority are aware that the access road to the site is currently subject to a live application to register it as a Public Right of Way. Contact with Norfolk County Council's Public Rights of Way Officer could potentially facilitate its inclusion on the definitive map more quickly. Further details are available on: 01603 222902.
3. In the event of any changes to the foul drainage discharge from the site, it is recommended that you consult Anglian Water.
4. The applicant/agent is advised that any removal of asbestos from the site should be in accordance with the Control of Asbestos Regulations 2006, under which the applicant/agent has a duty of care. Holders of this duty must prevent escape of the waste whilst it is under their control. For further help and advice in respect of asbestos removal the applicant/agent is advised to contact the Health and Safety Executive (HSE) on 0845 345 0055 (www.hse.gov.uk/asbestos).
5. The applicant is advised that businesses require a Trade Waste contract to dispose of all waste associated with commercial activities as stated in the Environmental Protection Act 1990, Section 34. For further advice regarding this matter can be obtained by contacting the District Council's Environmental Protection Team (telephone 01263 516085).
6. The applicant/agent is advised that no person should begin demolition of any building that has a cubic content of more than 49.55m³ (1750 cubic feet) unless the Local Authority has first been given notice in accordance with Section 80 of the Building Act 1984, and, either the Local Authority has given notice under Section 81 of the Building Act 1984 or the relevant period has expired. The details to be submitted with the notice shall include a scheme for the method of demolition and means of controlling noise and dust during demolition.

Further advice regarding demolition can be sought from the District Council's Environmental Protection Team (telephone 01263 516085).
7. Consideration should be given towards any potential risks to building materials and services, and during construction the risks to workers and the general public should be considered. In the event of potential contaminants being found, it is advised that

construction work should cease and the District Council's Environmental Protection Team should be contacted (telephone 01263 516085). Further advice can also be sought from this number.

8. Further guidance on the information required by the LLFA from applicants can be found at
<https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-water-management/information-for-developers>.
9. Discussions during the determination of the application indicated that the applicant has plans for further development on the site. In view of the site constraints such as its Countryside location, being an Area of Outstanding Natural Beauty / Undeveloped Coastal location, Coastal Erosion Constraints Area and being adjacent to the Mundesley Cliffs Site of Special Scientific Interest, the applicant is strongly recommended to enter into formal pre-application discussions before submitting a formal planning application. Such a course of action will assist the delivery of a more co-ordinated approach which takes account of the various site constraints and the long term viability of the holiday village.
Details of the service can be found at the following link:
<https://www.north-norfolk.gov.uk/tasks/development-management/what-is-the-pre-application-service/>
10. In the event of the rate of the predicted coastal erosion being lower than anticipated and indicating that there may be scope to extend the life of 8 holiday units, an extension of the 'life time' of the units in question may be considered as part of a **new planning application** which is accompanied by a 'Coastal Erosion Vulnerability Assessment' undertaken by a competent person for the consideration and approval of the Local Planning Authority. The planning application shall be submitted no later than 1st October 2054 and shall include the following information to enable the Local Planning Authority to establish the rate of erosion, vulnerability of the buildings / users and estimated lifespan of the holiday units from 1st October 2055. The submission shall include the following details:
 - Topographic and Geotechnical surveys to determine structural stability of the cliff on 1st October 2054 whilst in consideration of beach and defence condition
 - A geotechnical analysis to determine rate of erosion and predicated rate of erosion post 2055
 - Recommendation as to the safe distance the holiday units should be from the eroded cliff edge
 - An evidenced estimate as to when the cliff edge will exceed the above recommended safe distance.
 - Confirmation of the revised date of the implementation and restoration of the site in accordance with the agreed details in condition 5
11. The development the subject of this application shall be removed in its entirety prior to imminent coastal erosion risk. Such assessment of the time scale for removal should be determined by the relevant Coastal Erosion Risk Management Authority at that time. Removal should be determined based on the understanding at that time of coastal processes and erosion, utilising any available coastal monitoring. Demolition and removal will be at the land/site owners cost and will be completed within a timescales set by the Risk Management Authority. Should the owner fail to comply, the risk management authority (or Planning Authority) will be entitled at their discretion to complete the demolition works and recover cost accordingly.

(3) **APPLICATION RECOMMENDED FOR A SITE INSPECTION**

A site inspection by the Committee is recommended by Officers prior to the consideration of a full report at a future meeting in respect of the following application. The application will not be debated at this meeting.

Please note that additional site inspections may be recommended by Officers at the meeting or agreed during consideration of report items on this agenda.

NORTH WALSHAM - PF/17/0902 - Conversion of stable/barn to create dwelling; Agricultural Building, Adjacent to Bells Cottage, Holgate Road, White Horse Common for Mr F Knights

REASON FOR REFERRAL TO COMMITTEE

At the request of the Local Ward Member to appreciate/understand the relationship of the proposal to other buildings/ uses in this part of the village, particularly in relation to the comments from environmental health.

RECOMMENDATION:-

The Committee is recommended to undertake the above site visit.

APPEALS SECTION

(4) **NEW APPEALS**

BRISTON - PU/17/1044 - Notification for prior approval for change of use of agricultural building to a dwelling house (Class C3); The Old Piggery, Reepham Road, Briston, Melton Constable, Norfolk, NR24 2JL for Mr Blowes
WRITTEN REPRESENTATIONS

FAKENHAM - PF/17/0469 - Erection of two storey dwelling; 17 Greenway Close, Fakenham, NR21 8DE for Ms Richardson
WRITTEN REPRESENTATIONS

NORTH WALSHAM - PU/17/0685 - Prior approval for proposed change of use of agricultural building to dwellinghouse (Class C3) and associated operational development; Barn Adjacent to Brick Kiln Farm, Lyngate Road, North Walsham, NR28 0NE for Mr Denby
WRITTEN REPRESENTATIONS

(5) **INQUIRIES AND HEARINGS - PROGRESS**

None

(6) **WRITTEN REPRESENTATIONS APPEALS - IN HAND**

FELMINGHAM - PO/17/1042 - Erection of one a half storey dwelling with access off Goulders Lane (outline - details of appearance reserved); Land at Rear of Larks Rise, North Walsham Road, Felmingham, Norfolk, NR28 0JU for Mr & Mrs Emms

NORTH WALSHAM - PF/17/0002 - Variation of Condition 2 of planning permission reference: PF/16/0313 to allow for alterations to first and ground floor fenestration, second floor south elevation fenestration and insertion of rooflights; Aitken House, 28 Yarmouth Road, North Walsham, NR28 9AT for Mr & Mrs Joory

SKEYTON - PU/17/1160 - Notification for prior approval for a proposed change of use of agricultural building to dwellinghouse (Class C3) & for associated operational development; Willow Farm Barn, Swanton Abbott Road, Skeyton, Norwich, NR10 5AU for Mr Medler

SUTTON - PU/16/1765 - Prior notification of intention for change of use of agricultural building to dwellinghouse (C3) and associated operational development; Former Piggery, Boundary Farm, Sutton Road, Sutton, Norfolk, NR12 9SH for W J Bracey Ltd

SWANTON ABBOTT - PF/17/0083 - Change of land from agricultural for siting of two shepherd huts for holiday accommodation; associated works; Hall Farm House, Black Horse Road, Skeyton, NORWICH, NR10 5DJ for Mr Morton

NORTH WALSHAM - ENF/16/0265 - Building works not being built according to approved plans; Aitken House, 28 Yarmouth Road, North Walsham, NR28 9AT

(7) APPEAL DECISIONS - RESULTS AND SUMMARIES

**HOLT – PF/16/1157 - Use of land to site 3 shepherds huts for holiday use and parking spaces, erection of utility shed, installation of package treatment plant, 3000 litres water bowser and creation of new access and track; Grove Farm, Field Dalling Road for Grove Farm Partnership
APPEAL DECISION:- APPEAL DISMISSED**

**LANGHAM - PF/17/0405 - Erection of two storey extension to front and side; The Anchorage, 4 Rippingall Yard, Langham, HOLT, NR25 7DW for Addison
APPEAL DECISION:- APPEAL DISMISSED**

**RUNTON - PF/16/1537 - Erection of dwelling; Land Between Beaconsfield & the Budlias, Davey Hill, Top Common, East Runton, Norfolk, NR27 9PR for Mr Yaxley
APPEAL DECISION:- APPEAL DISMISSED**

**SHERINGHAM - PF/17/0595 - Erection of balustrades to form balcony over part of existing flat roof to single storey front section of dwelling, with new door to replace window; 51 Beech Avenue, Sheringham, NR26 8NS for Mrs Green
APPEAL DECISION:- APPEAL ALLOWED**

SUTTON - PF/16/1178 - The change of use of land to operate a scaffolding business with associated buildings and the external storage of equipment (retrospective) (Description proposed by Planning Inspectorate)See original description below:-

**Retrospective Change of use - Agricultural storage to Scaffolding business storage and associated outbuildings; depot 3, Sutton Road, Catfield, Great Yarmouth, NR29 5BG for MR Scaffolding (Anglia) LTD
APPEAL DECISION:- APPEAL DISMISSED**

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

**STALHAM - PF/17/0385 - Erection of single storey dwelling with integral garage;
Land off Moor Lane, Stalham for Mr Macnab
APPEAL DECISION:- APPEAL ALLOWED**

A summary of the above decision will be reported to a future meeting.

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

No change.

NORTH NORFOLK DISTRICT COUNCIL
 HOLT ROAD CROMER NORFOLK NR27 9EN
 Telephone 01263 513811
 www.northnorfolk.org
 e-mail planning@north-norfolk.gov.uk



Mr Wood
 Feilden and Mawson LLP
 1 Ferry Road
 Norwich
 Norfolk
 NR11SU

Application Number
 PF/17/0696

Date Registered
 25 May 2017

Hoveton

NOTICE OF DECISION

Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure) (England)
Order 2015

Location: Church Field, Hoveton, NR12 8NY

Proposal: Erection of 25 dwellings with associated roads and landscaping, extension to church graveyard and off-site highways works

Applicant: FW Properties

NORTH NORFOLK DISTRICT COUNCIL, in pursuance of powers under the above mentioned Act, hereby **REFUSE** to permit the above mentioned development in accordance with the accompanying plans, for the reasons specified hereunder:

The District Council adopted the North Norfolk Core Strategy on the 24th September 2008 and the North Norfolk Site Allocations Development Plan in February 2011. The National Planning Policy Framework was published in March 2012. Collectively these provide the context for the determination of planning applications in accordance with Section 38 of the Planning and Compensation Act 2004.

The Core Strategy includes the following applicable policies:
 SS 1 - Spatial Strategy for North Norfolk
 SS 2 - Development in the Countryside

These policies are considered to be consistent within the National Planning Policy Framework. In the opinion of the Local Planning Authority any benefits offered by the development are outweighed by the conflict with the development plan policies in the following respects:

1) The proposal comprises residential development on a site which is located outside of the established settlement hierarchy and on land designated as countryside under Policy SS 1 of the adopted Core Strategy. Policy SS 2 prevents new housing development in the countryside apart from certain limited exceptions which do not apply in this case.

As the Council is able to demonstrate a 5-year housing land supply there is little or no justification to provide market housing in locations that do not accord with current adopted policy. As such, the proposal must offer notable public benefits sufficient to justify the degree of conflict with the local planning policy.

2) In addition to proposing measures to make the residential development acceptable in this location, the development offered a range of public benefits which would principally be achieved by this application providing a means to enable development of nearby land for commercial purposes. The associated commercial development which would benefit from the enabling works is within the same land ownership, and it is argued to be dependent on delivery through this application, which was proposed in principle to be secured by way of planning obligation.

The public benefits of the subject proposal were considered to include:

- Provision of access to land and serviced infrastructure for construction of up to 4no. buildings for commercial use, suitable to house a growing company and allow room for its future expansion, re-locating 11 company jobs and allowing approximately 10-15 additional jobs, and facilitating other commercial occupancy, to provide up to 45 jobs in total within the commercial land development area;
and,
- Provision of an extended graveyard and maintenance contribution for the adjoining Church, to the benefit of the wider parish.

Whilst these benefits are considered to attract some weight in the decision making process, taken as a whole they are not considered to attract sufficient weight collectively to outweigh the identified conflict with the development plan.

NOTES TO APPLICANT

The applicant is advised that the decision is made following consideration of the following submitted plans and documents:

8110A-001-A06 (received 21.08.17)	Site Location Plan (revised) and Topographic Site Survey
8110A-002-A15	Site Plan Proposed (received 21.08.17)
8110A-050-A00	5 Bed House (Large) (received 04.05.17)
8110A-051-A02	5-Bed House (received 21.08.17)
8110A-052-A00	4 Bed Bungalow (received 04.05.17)
8110A-053-A01	4-Bed House (Large) (received 21.08.17)
8110A-054-A00	4 Bed House (received 04.05.17)
8110A-055-A00	3 Bed Bungalow (received 04.05.17)
8110A-056-A00	3 Bed House (received 04.05.17)
8110A-057-A01	3-Bed House (Small)+2-Bed House (received 21.08.17)
8110A-058-A00	2 Bed House (Aff) (received 04.05.17)
8110A-059-A00	2 Bed Bungalow (received 04.05.17)
8110A-060-A00	1 Bed House (Aff) (received 04.05.17)

8110A-061-A02 Garages (received 04.05.17)

8110A-062-A03 Street elevations and site sections (received 02.08.17)

8110-064-A01 Section through Plot 09 (site levels alterations) (received 21.08.17)

8110-090-A00 Buffer Zone fencing and bund at Plots 6-9 (received 21.08.17)

8110-091-A00 Play Area Natural Surveillance (received 21.08.17)

8110-2017-07-03 Play Equipment indicative (received 03.07.17)

CL-200-P5 Foul and surface water drainage strategy (received 21.08.17)

CL-201-P2 Off-site drainage routes - outfall to River Bure (received 21.08.17)

Pipeline Root Protection Detail (received 17.08.17)

Drainage sketch showing Three Stage Petrol / Oil Interceptor (received 22.08.17)

Sketch plan: Minor ground raising at Plot 9 (received 17.08.17)

CL-115_P1 Proposed off-site highways masterplan (received 17.08.17)

CL-110-P6 Proposed speed limit and gateway feature amendments (received 22.08.17)

141133_CL-211_P1 Horning road longitudinal sections and accompanying road traffic speed survey data (received 07.07.17)

4538.4 Proposed Ecology Enhancements Map (received 17.08.17)

8110-2017-05-12 Masterplan showing associated Hoveton employment site (ref PF/16/0733) (received 04.05.17)

8114-002-A03 Layout of associated Hoveton employment site (ref PF/16/0733) (received 04.05.17)

ARC/1628/616 Archaeological Geophysical Survey dated January 2016 (received 04.05.17)

141133 Flood Risk Assessment Drainage Strategy dated 15.02.16 (received 04.05.17), with amended micro-drainage calculations (received 26/07/17 and 17/08/17), and updates to strategy within letter from Rossi Long ref RAC/SJB/141133 (received 10.07.17)

Pre-Planning Assessment Report by Anglian Water dated 21.07.14 (received 10.07.17)

ADB/16.054B/Add Drainage Soakaway Addendum report (received 17.08.17)

141133 SuDS Management and Maintenance proposal (received 17.08.17)

141133 Ground Conditions Desk Study dated 15.02.16 (received 04.05.17)

8110 Rev A03 Heritage Impact Assessment dated July 2016 (received 04.05.17)

Landscape & Visual Impact Assessment dated July 2016 (received 04.05.17)

Planning Statement dated July 2016 (received 04.05.17)

Statement of Community Involvement dated May 2016 (received 04.05.17)

8110A Design-Access-Statement-A02 (received 04.05.17)

4538.1 Ecology-Report - Preliminary appraisal (received 09.05.17)

Revised Arboricultural Implications Assessment dated 17 May 2017 (received 17.05.17) with Appendix 3 Tree Constraints Plan and Appendix 4 Tree Protection Plan

4538.1 (14.06.17) Ecology report - Reptile survey v1 (received 20.06.17)

4538.1 (16.06.17) Ecology report - Barn owl survey v1 (received 20.06.17)

DJM/16.300/TIER1 (08.09.16) Tier 1 Contamination Assessment - risks to controlled waters at proposed cemetery extension, dated 08.09.16 (received 23.06.17)

4538.3 REV 0.3 Habitat Regulations Assessment Screening Assessment (received 17.08.17)

Decision Date 20 September 2017



Nicola Baker, Head of Planning
Acting under Delegated Authority
On Behalf of the Council

Notes relating to decisions on planning applications

1. This decision refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.

2. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

* some of the above may not apply to this application

3. If permission to develop land is refused whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the county district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of part IX of the Town and Country Planning Act 1990 and as amended by part III of the Planning and Compensation Act 1991

(a) The statutory requirements are those set out in Section 78 of the Town and Country Planning Act 1990.

Please Note:

The designation of addresses, or any changes to existing addresses, must be approved by the Council. Please contact the Corporate Property Data Unit at the Council's Cromer Headquarters in this connection - telephone 01263 516048 /516013 or e-mail : llpg@north-norfolk.gov.uk

Application Number: PF/16/1157	Appeal Reference: APP/Y2620/W/17/3167956
Location: Grove Farm, Field Dalling Road, Holt, NR25 7BU	
Proposal: Use of land to site 3 shepherds huts for holiday use and parking spaces, erection of utility shed, installation of package treatment plant, 3000 litres water bowser and creation of new access and track	
Officer Recommendation: Refuse	Member decision (if applicable) N/a
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary:</p> <p>The main issues the Inspector considered were:</p> <ul style="list-style-type: none"> • The principle of the proposed development • The effect of the proposed development on the character and appearance of the Undeveloped Coast (UC) and Area of Outstanding Natural Beauty (AONB). <p>Principle:</p> <p>The Inspector considered that the location of the proposed development is remote, both in terms of its relations hip to other tourist accommodation, but also day-to-day services. The Inspector did not consider that users of the facility would walk or cycle, given the remote location but also taking into consideration the access track to the appeal site. He considered that the nature of the occupation would be akin to that of a residential dwelling.</p> <p>Effect on the character and appearance of the UC and AONB:</p> <p>The Inspector considered the siting of the proposed huts to be in wide, open, expansive ad largely undeveloped areas such that would render the proposed huts hugely visible. He considered that the proposed huts would result in a fundamentally different effect on the character and appearance of the area. He also considered that the formal siting and function would further exacerbate their visual impact. He did not consider that there was any compelling evidence that the proposed development needed to be in this location.</p>	
<p>Relevant Core Strategy Policies:</p> <p>SS2 – Development in the Countryside EC7 – Location of New Tourism Development EC10 – Static and Touring Caravan and Camping Sites</p>	
<p>Relevant NPPF Sections/Paragraphs:</p> <p>N/a</p>	
<p>Learning Points/Actions:</p> <p>None</p>	

Application Number: PF/16/1537	Appeal Reference: APP/Y2620/W/17/3178400
Location: Land between Beaconsfield and the Budlias, Davey Hill, Top Common, Cromer, NR27 9PR	
Proposal: Erection of dwelling	
Officer Recommendation: Refuse	Member decision (if applicable): Refuse
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary:</p> <p>The main issues the Inspector considered were:</p> <ul style="list-style-type: none"> • Whether the proposed development would comply with the aims of the Development Plan • The effect of the proposed development on highway safety. <p>Principle:</p> <p>The Inspector concluded that East Ruston is designated as Countryside and that therefore development is restricted. The Inspector also concluded that none of the circumstances outlined in</p>	

policy SS2 applied to this application. Further, the Inspector noted the recent appeal decision which concluded that NNDC has a 5 year land supply and that therefore the relevant policies for supply of housing are up to date.

The Inspector considered the meaning of 'isolated' and whether this proposal would result in an isolated form of development, not in accordance with the policies of the NPPF (the Framework) and the Core Strategy. He considered that there are 2 aspects to 'isolated': the physical and spatial relationship with a settlement and the functional connectivity to services. He concluded that the application site was not physically isolated, but he did conclude that there would be a heavy reliance on the need to travel by car to reach day to day services, employment and medical services. He therefore concluded that the principle was contrary to the aims of the Development Plan.

Effect on highway safety:

The Inspector considered the additional information submitted during the appeal in regards to the provision of a new access to achieve suitable visibility splays. The appellant had provided a drawing showing that adequate visibility splays could be achieved, but this required the removal of walls and hedging on land not within the applicant's control. Further, there was no S106 agreement from the other land owners that this could be delivered. The Inspector further considered that, in accordance with the Planning Practice Guidance, that such a condition or agreement would not meet the tests of reasonableness or enforceability. He therefore concluded that the development would result in material harm to highway safety.

Relevant Core Strategy Policies:

- SS1 – Spatial Strategy for North Norfolk
- SS2 – Development in the Countryside
- CT5 – Transport Impact of New Development
- CT6 – Parking Provision

Relevant NPPF Sections/Paragraphs:

- Achieving Sustainable Development
- Section 6 – Delivering a wide choice of high quality homes

Learning Points/Actions:

None

Application Number: PF/16/1178	Appeal Reference: APP/Y2620/W/17/3172661
Location: Depot 3, Sutton Road, Catfield, Great Yarmouth, NR29 5BG	
Proposal: Change of use of land to operate a scaffolding business with associated buildings and external storage of equipment (retrospective)	
Officer Recommendation: Refuse	Member decision (if applicable): N/a
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary:</p> <p>The main issues the Inspector considered were:</p> <ul style="list-style-type: none"> • The effect of the development on the living conditions of existing neighbouring occupiers with specific regard to noise and disturbance; • Whether or not the development is acceptable in the context of highway safety with specific regards to the suitability of the access. <p>Impact on living conditions:</p> <p>The Inspector was concerned with regard to the noise associated with the proposed use, particularly the loading and un-loading of scaffolding poles. He considered that the noise would be of a type, volume, pitch and frequency that would be disturbing. He considered that this would detrimentally</p>	

impact on the amenity of the neighbouring dwelling (Three Gables), and whilst he accepted that the property was already close to a busy A road, he considered the road noise to be more of a low hum, rather than an intrusive intermittent noise. He considered that conditions on the hours of operation would not be sufficient to mitigate the noise impact on the amenity of the neighbouring dwelling and work with the economic requirements of the business. He therefore considered that the proposals were contrary to policy EN13 of the Core Strategy.

Highway safety:

The inspector concluded that the infrastructure did not seem entirely incapable of accommodating the comings and goings associated with the operations of the business and that therefore he considered the existing access to be adequate for the needs of the business. He therefore considered that the proposals would not be detrimental to highway safety and that they were in accordance with policy CT5 of the Local Plan.

Relevant Core Strategy Policies:

EN13 – Pollution Hazard Prevention and Mitigation
CT5 – Transport Impact of New Development

Relevant NPPF Sections/Paragraphs:

N/a

Learning Points/Actions:

None

Application Number: PF/17/0405	Appeal Reference: APP/Y2620/D/17/318175
Location: The Anchorage, 4 Rippinghall Yard, Langham, NR25 7DW	
Proposal: First floor bedroom extension on the footprint of the existing lean-to garden room	
Officer Recommendation: Refuse	Member decision (if applicable): N/a
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary: The main issues the Inspector considered were:</p> <ul style="list-style-type: none"> • The effect of the development on the character and appearance of the host dwelling, the immediate vicinity and the surrounding area; • The effect of the extension on the living conditions of occupiers of 21 North Street with respect to privacy and overlooking. <p>Effect on the character and appearance of the host dwelling and surrounding area: The Inspector considered that due to the location, height and bulk and the proposed materials of the proposed extension it would complete with the existing gabled projection of the host dwelling, appearing as an awkward and unsympathetic addition that would detract from the character and appearance of the existing dwelling. Further, he felt that the effect would be exacerbated by the use of non-matching materials which would draw attention to the extension and be uncharacteristic in the area. He was not persuaded by the appellant's arguments.</p> <p>Effect on the amenity of adjacent dwellings: The Inspector concluded that there was no material harm to privacy of adjacent dwellings as a result of the proposed development.</p>	
Relevant Core Strategy Policies:	
EN4 - Design	
Relevant NPPF Sections/Paragraphs:	
Section 7 – Good design	

Learning Points/Actions:

None

Application Number: PF/17/0595	Appeal Reference: APP/Y2620/D/17/3183861
Location: 51 Beech Avenue, Sheringham, NR26 8NS	
Proposal: Creation of a balcony on the first floor	
Officer Recommendation: Refuse	Member decision (if applicable): Refuse
Appeal Decision: ALLOWED	Costs: N/a
<p>Summary: The main issues the Inspector considered were:</p> <ul style="list-style-type: none"> • The effect of the development on the living conditions of existing neighbouring occupiers with specific regard to noise and privacy; • The effect of the balcony and associated balustrade on the character and appearance of the host dwelling and the surrounding area. <p>Impact on living conditions: The Inspector considered that views to neighbouring properties were at an oblique angle, and were sufficiently separated such that no material loss in privacy would occur.</p> <p>The Inspector also disagreed with the Council on the point of noise, considering rather that the modest size of the balcony would render it unlikely to be used for amenity space.</p> <p>Effect on the character and appearance of the host dwelling and surrounding area: The Inspector did not consider the host dwelling to be of any architectural merit and therefore did not consider that the proposed balcony would detract from its appearance.</p>	
Relevant Core Strategy Policies:	
EN4 - Design	
Relevant NPPF Sections/Paragraphs:	
N/a	
Learning Points/Actions:	
None	

Sources:

Sarah Ashurst – Development Management Manager